



LA ABOGADA

November, 2019

E-NEWSLETTER OF THE INTERNATIONAL FEDERATION OF WOMEN LAWYERS
FÉDÉRATION INTERNATIONALE DES FEMMES JURISTES
FEDERACIÓN INTERNACIONAL DE ABOGADAS (FIDA)

From The Editor...



Dear Colleagues,

A warm welcome to this special, newly revived, exciting edition of *La Abogada* Newsletter of the International Federation of Women Lawyers!

La Abogada is disseminated quarterly, worldwide, with the intent to support, enhance and propagate the aims, objectives and functions of FIDA INT'L., whilst providing significant membership value to FIDANs globally.

This must-read, exciting edition introduces the current **Executives of the Federation**; takes us back memory lane to **Our Beginnings...** and on to a stimulating insight into **the Peruvian Civil Code**; inspiring reports on on-goings at **FIDA Taiwan** and **FIDA Bahamas**; relevant information for your **UN CSW64 Beijing +25** preparations; an erudite exposé on **Child Labour as a bane to society**; **FIDA, She Rises!** - an exquisite Ode to FIDA Uganda @ 40; a thought-provoking piece on **Children's Rights to Parental Care**; magnificent throwback **Pictorials** from that memorable Bahamas FIDACON 2017... and more!

For this timely resurgence of *La Abogada*, the federation's earnest appreciation must go to our amiable Immediate Past President/Current Parliamentarian, **Jethlyn Burrows**. President Burrows it is whose resolute commitment and continual encouragement kept our embers flickering -even whilst she was personally enmeshed in the disaster and devastation caused by Hurricane Dorian and its aftermath on the beautiful Island of Grand Bahama (venue of the 2017 FIDA INTL Convention) and its environs. Our gratitude to her knows no bounds.

Finally, we consider your inputs invaluable -so do keep them coming. We cordially welcome all contributions and feedbacks for even more robustly enriched future publications. Please take the time to drop us a line.

Till the next quarter
...hasta que regresemos -es...adiós.
¡Hasta luego!

Genially,

Funmi

Princess (Mrs.) Olufunmi Oluyede

Editor-In-Chief, LA ABOGADA
Chair, FIDA INT'L Editorial Board

Email: eic@fidaabogada.com
Tel: +1.240.338.5140



**Our Beginnings:
The FIDA Chronicle**
Page 2>

FIDA INT'L EXECUTIVES 2017-2020



**35 years of the Peruvian
Civil Code**
- Dr. Carmen M. Ngar
Page 8>



FIDA Taiwan
-Prof. Huang-Yu
Wang Page 11>

**UN CSW64:
Beijing +25**
- Ready, Set, GO!
Page 12>



**FIDA Bahamas
(The Grand
Bahama Chapter)**
Page 14>

**Child Labour:
A Bane to...Society**
-Victoria Awomolo, SAN Page 16>

FIDA, She Rises!
-Laura Nyirinkindi,
RVP Page 8>

**Children's Right
To Parental Care**
-Oluwatomi Ajayi, LL.M
Page 19>



**Pictorial:
FIDACON2017**
Page 20>

Our Beginnings: The FIDA Chronicle



FIDA was founded on the 4th day of August, 1944, in Mexico City, Mexico. Founder members were: Rosalind G. Bates from U.S.A., Esther Talamantes from Mexico, Luisa Maria Capo from Puerto Rico, Isabel Sierro Pérez from Cuba and Alma Paredes from Salvador. The first Convention took place in 1945 in Havana, Cuba, and the first president was Isabel Sierro Pérez. FIDA has grown to have members in 72 countries all over the world.

The Founders Linda Bates and Esther Talamantes were the founders of FIDA. In 1944 at the International Bar association Conference in Mexico City, Linda was a candidate for the board of the International Bar Association but as she was a woman she was not accepted. Disgusted at the discriminatory culture of the International Bar Association, the two of them made the decision to start a lawyer's association only for women, and so founded the International Federation of Women Lawyers or FIDA; its Spanish acronym.

Esther Talamantes' nephew Antonio Ramírez Talamantes writes:

In 1944 in Mexico City there took place the "Congress of the International Bar Association" at which my aunt Esther Talamantes was present. She was the only female Mexican lawyer that attended the congress; and

there she met Linda Bates a lawyer from the United States. As a result of their conversations the idea of founding the International Federation of Women Lawyers (FIDA) was born and was formally established that same year on the fourth of August 1944 in Mexico.

This is the reason for the Spanish name of the organization. Esther Talamantes' work in forming this organization of women lawyers from all over the world deserves recognition. There are at present members from 73 countries.

Linda's life ended tragically in 1961. She was murdered sometime between Nov. 13-14, 1961. Her body was found at her home on the 14th. The family believe it was a murder carried out by a hired killer. She had received a phone call telling her that if she did not withdraw from a case in which a great deal of money was involved, she would be killed. She went to the court and put the phone call on the record, but took no other precautions. No one has ever been brought to justice for the crime. When the news broke, the Los Angeles City Council adjourned for the day in a state of shock. She was divorced at the time from her second husband. Her first husband Ernest Sutherland Bates had died in 1939. Esther Talamantes was a founder and lifetime vice-president of FIDA, and in 1962 was the

second World President of the organization. She died in Mexico City in February 2015 at the age of 95.

However, it's known that, from that very small beginning, by 1952 we had grown sufficiently to be accepted into the family of non-governmental organizations at the United Nations. In 1954, we were given consultative status with that body.

We hold associate member status in several NGOs and our number of members in every region of the world is still growing.



FIDA INT'L EXECUTIVES (2017-2020)



SHADHANA GUNARATNAM

PRESIDENT, Switzerland

- Barrister-at-Law, Lincoln's Inn. (1973)
- Life member of FIDA (International Federation of Women Lawyers) since 1998
- Director, Europe.
- UN Main Representative
- President, 2017-2020 elected at FIDACON2017 in the Bahamas



ANGELA DOLMETSCH

HONORARY LIFE PRESIDENT, Colombia

Angela obtained her doctorate from the University College London on the thesis 'Women in Colombian Politics'. She is the Founder of the Eco-village Nashira. She is a published author' the Director and interviewer of the weekly TV program "El Agora" and a columnist of the daily newspaper "El Pais", Cali, Colombia

Publications:

- "La otra cara del Dólar", (Bogotá: Tercer Mundo, 1985)
- "Of Governments and Guerrillas" (London: Biddles, 1988)
- "El Hombrecillo que se tragó a Dios y otros relatos (Cali: ASOMUCAF, 1999)
- In preparation "La Mujer en la Política en Colombia Contemporánea. Tres experiencias reveladoras"
- "Nashira, Las Mujeres Cambiando el Mundo"



JETHLYN ALETHA BURROWS

IMMEDIATE PAST PRESIDENT
/PARLIAMENTARIAN, Bahamas

Jethlyn Aletha Burrows is the Managing Partner at the firm of Musgrove Burrows Law Chambers, Suite 4, The Elite Plaza, West Settler's Way, P. O. Box F-43069, Freeport, Grand Bahama, The Bahamas. Her areas of practice include Employment Law and Industrial Relations, Family Law, Criminal Law, Civil Litigation including Personal Injury and Fatal Accident Claims, Breach of Contract, Torts, Real Estate and Conveyancing Law, Company Incorporation, Mortgages and Probate and Administration of Estates.

Mrs. Burrows is a retired Judge of The Bahamas Industrial Tribunal with over thirty years of experience as a Judicial and Legal Officer. She is a former Lecturer and Teacher; Assistant Registrar General; Stipendiary and Circuit Magistrate; and, Deputy Registrar of the Supreme Court of the Commonwealth of The Bahamas.

Mrs. Burrows is a 1973 graduate of The Bahamas Government High School; a 1978 graduate of Queen Mary College, University of London, England with a Bachelor's Degree in Spanish and French with Honours; a 1979 graduate of the Institute of Education, University of London, England with a Post-Graduate Certificate of Secondary Education; and, a 1982 graduate of the University of Miami, Florida with a Master of Science Degree in Education. Mrs. Burrows was called to the Bar of the Commonwealth of The Bahamas in 1988 and has been practicing law since then.

She is a member of the Anglican Church Women and Secretary of the Altar Guild and Vestry of her church, the Pro-Cathedral of Christ the King. She is married to Wilfred "Gary" Burrows and the couple has two adult sons: Wilfred Alexander Burrows and James Andrew Burrows.

Mrs. Burrows is passionate about gender equality and

human rights. Since 1994 She has been a member of Pilot International, an organization where members come together in friendship and service to influence positive change in communities throughout the world. She is a Distinguished Toastmaster; and the 2014-2017 President of the International Federation of Women Lawyers (FIDA).



SILVANA VANADIA

FIRST VICE PRESIDENT, Italy

Silvana is a District State Attorney at the Attorney-General's office in Milan. In this capacity she represents and defends State administrations and other organizations sponsored by the Legal Service in numerous civil, criminal and administrative proceedings.

In particular, she defended disputes of the ARERA before the TAR Lombardy; has dealt, among others, with all proceedings pending in Lombardy on the subject of Public Waters -mostly on the Milan Court of Appeal district disputes relating to State assets.

She also assumed the defense of the state in disputes over public procurement and has:

- dealt with most of the pending litigation in the Region of Lombardy concerning the responsibility of the Ministry of Health on drug-vigilance activity.
- taken up the defense of the main Milanese universities in disputes of administrative law and the defense of the Revenue Agency in criminal proceedings tributaries of particular economic interest.

Silvana is responsible for professional training at the office of the Attorney -General of the State of Milan and is involved with academic activities at the University of Milan.

On a Humorous Note...



(Culled from the Internet)

FIDA INT'L EXECUTIVES (2017-2020) (Contd.)



HAUWA SHEKARAU

UNITED NATIONS REPRESENTATIVE, Nigeria

Hauwa, Country Director, Ipas Nigeria is a gender advocate, human rights activist and lawyer with more than two decades' experience in women's rights advocacy.

She has held various leadership positions at the Nigeria Bar Association and FIDA Nigeria. She was the immediate past Country Vice President of FIDA Nigeria and is a regular commentator and public affairs analyst in Nigeria.

Hauwa obtained her first degree in law from the Ahmadu Bello University, Zaria, Nigeria, and had her professional training at the Nigeria Law School, Victoria Island, Lagos. In 2007, she was awarded a post-graduate degree in Law and Development from the School of Oriental and African Studies (SOAS) of the University of London.



EZINWA OKOROAFOR

SECRETARY, Nigeria

Ezinwa, a gender, good governance and sustainable development advocate, is a Nigerian legal practitioner with over 30 years' experience and a master's degree in law. She graduated from the University of Nigeria, Nsukka in 1985 and the Nigerian Law School in 1986. She was, moreover:

- Past FIDA Regional Vice President (Africa) and Country Vice President (Nigeria)
- Inaugural Faculty Member of the UNDP co-supported Corruption Risk Assessment Programme Nigeria and Team Lead for Corruption Risk Assessment exercise in an Agency within the Education Sector in Nigeria.
- Member, 100-Women Group - Federal Ministry of Women Affairs, Nigeria.
- National Chairperson of the Society of Women in Taxation of Nigeria and a Delegate to the Nigeria National Conference 2014 (a conference organized by the Nigerian government across multiple sectors and interest groups to deliberate on and make recommendations for Nigeria's political, social, economic pathway).
- Participant/Workshop Coordinator on gender and corruption at the 18th International Anti-Corruption Conference (IACC) held in Copenhagen, Denmark in 2018.



CHARISSE BROWN

TREASURER, Bahamas

Charisse Anita Brown is CEO and Senior Legal Counsel of DEVCO. Having worked with the company for thirty years, she sees DEVCO as a game changer: the inspiration for the transformation of Grand Bahama through dynamic, responsible development. Mrs. Brown received an LLB Honours Degree of Law from the University of East Anglia, Norwich, England and was called to the Bahamas Bar as Counsel and Attorney-at-Law on February 28, 1992. She is also an Associate Member of the Chartered Institute of Arbitrators (CI Arb). An advocate for gender equality, through her role as Treasurer of the International Federation of Female Lawyers [FIDA] she is passionate about advancing the status of women and girls in education, civic life, politics, and the professions. Bahamian born and having made the island of Grand Bahama her home, for Mrs. Brown the key is finding that balance between sparking robust economic growth and development and preserving the natural beauty and quality of life in her island home.



SHEELA ANISH

DIRECTOR, India

A leading advocate practicing in the High Court of Karnataka and Supreme Court of India, Sheela Anish is the Founding President of the All India Federation of Women Lawyers (AIFWL) which she established in 2007 in Bangalore, with the objective of upholding and safeguarding the constitutional rights of the citizens of India, promoting rights and welfare of women and children,

Under her able guidance, AIFWL held seminars on the issues of "girl-child", "Need to create awareness to protect girls and their rights" and "Night Shift Women Workers especially in Call Centres, Business Process Outsourcing and Information Technology Centres". Soon after its establishment, AIFWL affiliated with FIDA at a Conference in Milan where Sheela was nominated to sit on the board of FIDA. She was elected as FIDA World President at the 34th Annual Conference held in Lagos, Nigeria, an honour that came to India after 47 years, emulating Violet Alva in 1964.

As President of FIDA, she organized the 35th Triennial International Convention—2014 in Bangalore, India on the Theme—70 Years of Advocacy—Changing Lives, Changing Societies, Changing Status of Women.



CARMEN MEZA INGAR

DIRECTOR, Peru

Carmen is the President of the Peruvian Association of Women Lawyers. A renowned lawyer, professor and journalist, she is a graduate of the Pontificia Universidad Catolica and [Pontificia Universidad Católica del Perú-Class of 1963 at Lima, Arequipa, Peru and the Posgrado UNMSM Lima, Peru.](#)

**FIDA INT'L
EXECUTIVES
(2017-2020) (Contd.)**



JOHANNA STERBIN
DIRECTOR, USA

Johanna serves as an Administrative Law Judge in New York City and is on the faculty of Pace University. She holds a B.A. from the College of New Rochelle, JD from Fordham University, LL.M. and M.A. from New York University and has been a Fulbright scholar.

Johanna has served on many NGO boards, including the International Alliance of Women, and the International Federation of Women in Legal Careers (FIFCJ). She is a UN Representative for the FIFCJ.



GLADYS MBUYAH
DIRECTOR, Cameroon

Gladys, an adept Attorney, Human Rights Defender/Consultant, is a fellow of the Leadership and Advocacy for Women in Africa (LAWA) with a Master of Laws (LL.M.) degree

focused in International Human Rights Law from Georgetown University Law Center.

She is Country Vice President, FIDA Cameroon; past FIDA Regional Vice President (Africa); Co-Chair. Vital Voices South West Regional Task force against Human Trafficking;

Gladys has been enthroned as the Queen Mother of her village and is inter alia, a traditional ruler.

According to her "I intend to use this position during my reign to enlighten my people about the importance of throwing away repugnant customs. This will definitely foster our mission to enhance the status of women."



RIDMIKA DEP
DIRECTOR Sri Lanka

Ridmika is Manager Legal (Recoveries) at Hatton National Bank PLC, Sri Lanka -handling litigation; training of Bank staff on Legal Recoveries and administrative processes.

A graduate of De Mazenod Collage, Kandana and the University of Colombo- Faculty of Law in Sri Lanka, she holds a Master of Laws (LL.M.) and an LLB, Dip in Banking, Corporate, Finance, and Securities Law.

Ridmika is Past President, Sri Lanka Women Lawyers' Association and Country Vice President, FIDA Sri Lanka.



HADASSAH A. SWAIN
REGIONAL VICE-PRESIDENT,
North America & The Caribbean

Hadassah Swain is the in-house Legal Counsel, Compliance Officer and the Money Laundering Reporting Officer of The Grand Bahama Port Authority, Limited, a company responsible for regulating all commercial and residential development within the City of Freeport located on the island of Grand Bahama in the Bahamas. Her career within the Port Group of Companies began in 2005.

Hadassah is a graduate of the University of London and a member of the Honourable Society of Gray's Inn. She was Called to both the Bar of England and Wales and The Bahamas in 1997.

In 1998 she commenced her legal career in the nation's capital city, Nassau, as a Criminal Prosecutor in the Office of the Attorney General. She has prosecuted individuals charged with serious crimes including armed robbery and murder. She later joined the law firm of Callenders & Co where her practice areas included, inter alia, commercial and civil litigation, personal injury, family law, real estate and development.

She is the Assistant Treasurer of FIDA Grand Bahama Chapter and the Regional Vice-President of North America and the Caribbean.



AFUA (BROWN-EYESON) ADDOTEY
DIRECTOR, Ghana

A graduate of University of Ghana and the University of Georgia School of Law, Afua is a Lecturer in Drafting and Conveyancing at the University of Ghana. She serves as Country Vice President, FIDA Ghana.



V. P. SEEMANDINI
REGIONAL VICE PRESIDENT, India

...a designated Senior Advocate practicing in Constitutional matters in the High Court of Kerala and Supreme Court of India, since 1976.

FIDA INT'L. EXECUTIVES (2017-2020) (Contd.)



GIOVANNA CHIARA
REGIONAL VICE PRESIDENT, Italy

Senior lawyer specialized in human rights, family law and labor legislation.

Her expertise also encompasses a strong commitment to reinforce and develop women and children's rights, being:

- Former member of the "Equal Opportunities" Commission at the Ministry of Labor;
- Founder and promoter of the "Women's Project Center" ("Centro Progetti Donna - www.cpdonna.it) an organization responsible to advice women in Milan;
- Former President of the Female Interassociative Council of Milan ("Consulta Interassociativa Femminile di Milano"), and;
- Former President of the Italian Jurist Association of Milan.

She has developed many studies and researches evaluating the women work conditions and equal opportunities, organized professional training and masters, such as the first course dedicated to train new "Judges of Peace" ("Giudice di Pace"), to up-date knowledge and competences of social workers, to prepare new Public Defenders to the Juvenile Courts and the Master for lawyers in Family Law at the "European University" of Milan.

Delegated by the FIFCJ (Fédération Internationale des Femmes des Carrières Juridiques) she organized the International Conference of "Law and Finance - Protection of the weak subjects in the globalized world" at Milan (published in 2006 by Franco Angeli). As a former Vice President of FIDA (International Association of Women Lawyers) in November 2008 at Milan she organized the FIDA International Congress on the topic "Children are the future: what rights, which laws".

KRISHINA SANTHAKUMARI
REGIONAL VICE PRESIDENT,
India



LAURA NYIRINKINDI
REGIONAL VICE PRESIDENT, Uganda

Laura is a Ugandan advocate based in Kampala, with a degree in Law from Makerere University, Uganda and a master's degree from University of Oxford in International Human Rights Law.

Laura is the Senior Managing Consultant at Pro Initiatives Agency, a firm she founded and has led since 2003. Focusing on Governance, Rule of Law, Human Rights and Gender, Laura has worked in 33 countries since 2006. She also taught Regional and International Law at Kampala International University.

Laura was the Chairperson of the Uganda Association of Women lawyers (2010-2014) and is Regional Vice President of the International Association of Women Lawyers, Eastern and Southern Region. Laura currently sits on the Advisory Board of the Legal Aid Clinic of the Law Development Centre and represents Eastern Africa on the Africa Development Bank - Civil Society Committee.



VICTORIA O. AWOMOLO
REGIONAL VICE PRESIDENT,
Africa West & North

Victoria, Senior Advocate of Nigeria and Fellow, Nigerian Institute of Chartered Arbitrators, is a Senior Partner at the celebrated Law firm of Adegboyege Awomolo & Associates.

An ardent women's rights advocate, she was a member of the inaugural Council of the of the Nigerian Bar Association Women Forum.

Victoria has subsequently served as Secretary, FIDA Nigeria Kwara State Chapter; Vice Chair, FIDA Nigeria Abuja Chapter; Assistant Secretary, Nigerian Bar Association Ilorin branch -and in various other distinguished professional capacities.



JESSIE NWABUEZE
REGIONAL VICE PRESIDENT,
United Kingdom

Jessie is a retired barrister. An Advocate of the Supreme Court of Nigeria since 1976 when she was called to the Bar. After her call to the Bar, she worked under both Directors of Public Prosecution and Probate before going into Private Legal Practice.

She founded the Law Firm: Jessie Nwabueze & Co and served as Managing Partner for 10 years before proceeding to Harvard Law School for her master's degree programme in Law. With her LL.M. from Harvard Law School Class of '87, she returned to her Legal Practice.

Despite suffering a set-back that involved the loss of her hearing: She relocated to United Kingdom and decided to carve out a new scope to her career by working actively and tirelessly under various NGOs as a pro bono Human Rights Consultant with emphasis on Gender Equality and Human Rights of Women/Family. In 1995 Jessie went to London School of Economics and Political Science (LSE) to study for her Master's Degree in Development Studies and took an option in Law - on Human Rights of Women.

Jessie is also an Independent Journalist/Editor and writer, with a passion for politics, socio-economic development issues, art, culture, and global gender issues. She is actively involved in the sector of International Protection of Human Rights.

She is the author of an acclaimed book "Can Women Get Equal Justice in Africa? (a Cultural Root to Gender Inequality in Nigeria)" which has been widely referenced in the field of Women's Rights.

Currently, Jessie is engaged in pro bono Human Advocacy and has founded the U.K Chapter of International Federation of Women Lawyers (FIDA) Worldwide.

FIDA INT'L. EXECUTIVES (2017-2020) (Contd.)



HSIU FON CHEN
HISTORIAN Taiwan

- Associate Professor, Chang Jung Christian University, Taiwan.
- Partner, Chien Yeh Law Offices, Kaohsiung Office
- Chair, National Alliance of Taiwan Women Associations
- Director, Taiwan Coalition Against Violence
- Member, Gender Equity Education Committee of Tainan City Government
- Member, Tainan City Government's Commission on the Promotion of the Rights of Women



OLUFUNMI OLUYEDE
CHAIR, EDITORIAL BOARD
/EDITOR-IN-CHIEF, LA ABOGADA
USA

Olufunmi (whose formative years and early education took place in London, England) is a member of the Body of Benchers (the highest regulatory organ of the legal profession) in Nigeria.

A United States-based transnational commercial attorney of high repute, she is one of the pioneer/founding partners of TRLPLAW Solicitors & Advocates (a prestigious international commercial law firm) where she provides over 33 years legal insight and expertise across a range of industries, to the firm's most prominent clientele globally. Olufunmi is simultaneously engaged as Secretary-General/Chief Executive Officer of the Geneva-based International Alliance of Women and sits on the board of various reputable global corporations and parastatals.

A long-term, much-treasured officer of the International Bar Association (IBA) she currently serves on the revered IBA Nominations Committee, on the IBA Diversity & Inclusion Council -and as adviser to both the IBA Women Lawyers' Interest Group and the African Regional Forum.

Olufunmi, Life fellow of the American Bar Foundation, is a distinguished member of both the American Bar Association and the Nigerian Bar Association -and has held numerous high-ranking offices in both organizations over the years.

She is life member, FIDA INT'L; member, FIDA North America; Past Chair, FIDA Nigeria Lagos Chapter and member, FIDA Nigeria National Executive Council.

She is moreover the United Nations Representative to the African Women Lawyers Association INT'L.



CAROLINA RÍOS VILLOTA
REGIONAL VICE PRESIDENT,
Colombia



PRAMUDITHA SENARADNE
REGIONAL VICE PRESIDENT
Sri Lanka

On a Humorous Note...



(Culled from the Internet)

FIDA
- She rises!
 An Ode to FIDA
 Uganda @40

*From the darkness,
 the emptiness
 Heeding the desperate calls
 She arises
 The champion of justice*

*Shunning fame and wealth
 She seeks the weak
 the oppressed
 Such women, children
 All are in her care*

*She pleads, she fights
 She inspires, aspires
 The road is long
 The journey weary
 But, sure of her cause
 She willingly pays the price*

*She has come of full age
 Standing tall and proud
 She is peerless, fearless
 She is FIDA Uganda
 Forty years young
 And still counting!*



-Laura Nyirinkindi
 FIDA RVP Uganda,
 2014

35 Years of the Peruvian Civil Code

-Dr. Carmen M. Ngar



INTRODUCTION

35 years ago, in 1984, when the third Civil Code of our republican life was promulgated, many nations looked at Peru as an example of offering a new egalitarian legal system, in accordance with the 1979 Constitution, which was drawn up with guidelines of maximum respect to Human Rights.

Note that in 1984 the codes of Argentina and Chile were nineteenth, corrected and permanently modified, as is the case with the French Napoleon Code dating back to 1804 (1).

In accordance with DS N ° 95 of March 1, 1965, the Commission responsible for the study and revision of the Civil Code of 1936 was created, designated with powers of the Reform Commission and which began its sessions on March 1, 1965 to "propose the amendments that justify the deficiencies during the validity of the Civil Code of 1936".

The political situation of the country in 1968 interrupted the meeting of the commissions, except for that referred to the Title of Obligations presided by Dr. Felipe Osterling Parodi, who was appointed Minister of Justice, in 1980, who presented the Title of Obligations of the Civil Code. This act motivated the meeting of the former commissions, which presented their respective works, a situation that led to the appointment of the Review Commission chaired by Dr. Javier Alva Orlandini, President of

the Congress of the Republic. The Second Review Commission was chaired by Dr. Edmundo Haya de la Torre, who left office when he was appointed ambassador to the OAS. The Ministry of Justice considered it appropriate in 1984 to promulgate the Civil Code, third of the Republic, which was published in the Official Gazette El Peruano, without exposing the reasons, contrary to the Civil Code of 1936, which has seven volumes of explanatory reasons, work of the commission chaired by the notable jurist Juan José Calle.

The Civil Code of 1984 was necessary. In 1954 and 1955 amendments were made to the Constitution of 1933 recognizing the female vote in 1955 by Law 12391, and in 1977 the Civil Code of 1936 was modified in terms of full civil capacity at age 18, by D. Law 21994.

Thus, the third Peruvian Civil Code updated elementary principles of legal equality, modernized some institutions of Civil Law, but the debate on the latest medical technology, referring to the so-called assisted reproduction or genetic manipulation, was still pending. There were moralistic currents contrary to including such a topic, but the opportunity passed to ban all kinds of genetic manipulations, referring to human life.

Today the Civil Code of 1984 has undergone many modifications and corrections regarding the union of fact, the investigation of paternity

and also on the exercise of the right to identity.

In 1995, the entire "Civil Status Registries" Chapter was repealed, giving rise to Organic Law No. 26497, which creates the National Registry of Identification and Civil Status, RENIEC.

At 35 years of its promulgation, the notable and multiple amendments of the Peruvian Civil Code show a different text from the original edition. You could say that it is up to date, but a 21st century mentality would point out some outstanding issues.

II.- PERUVIAN CIVIL CODES.-

Peru was born to Independence in 1821 when Spanish civil legislation was in force.

a) -The first Civil Code of 1836 was bi national, of the Bolivian Peruvian Confederation.

This code was valid from December 1836 until May 16, 1837, the date on which Marshal Santa Cruz by decree suspended his vigor.

The Civil Code of the Nor Peruvian State, official edition, was published in the printing press of José Masias (Lima, 1836). Its regulations were in accordance with the provisions of the Council of Trent. The Santacruzino code was not secular, like the French, but followed the Council of Trent, recognized the validity of ecclesiastical marriage and entrusted family disputes to the jurisdiction of the Church. The mentoring of the Catholic confessor persisted in the home.

As for the age of nuptial aptitude, it had decreased for men at age 14 and for women at age 12. Note that the French code indicated ages of 18 and 15 years for men and women, respectively, according to its art. 144. Under Castilian influence, he classified the children as legitimate and illegitimate and the latter as incestuous and adultery. He collected the Roman principle for adoption and classified the guardianship as legitimate and judicial or dative.

He rejected the civil death that had embraced the Napoleon Code. In matters of inheritance, it included the special testament granted by indigenous people, restricting the

35 Years of the Peruvian Civil Code (Contd.)

appeal to collateral until the fourth degree of consanguinity. The Civil Code of the Nor - Peruvian State has a virtue in article 467, which stipulates that to the Indians resident at a distance of more than one league from their respective cantons the law grants them the privilege of pronouncing their wills by word or in writing, enough the presence of two neighboring witnesses.



of one of the spouses. Everything that is agreed to the contrary is null and is considered as not put".

The divorce was then, only the separation of the spouses, the separation of bed and table (quothorun et mensam separation). But if there was an institution similar to absolute divorce, if we keep in mind the nullity of the canonical marriage that occurred in cases of marriages that have not been consummated. In general, the Code of 1852 legislated so that the married could not enter into another marriage, with a different person, while the spouse lived.

c) -The Peruvian Civil Code of 1936.- This body of laws is promulgated within the framework of the 1933 Constitution that recognized female participation in the neighborhood or municipal vote, but as a sign of contradiction the municipal elections in Peru were suspended in 1917 and only restored in 1963.

Note that in 1936 only men of legal age who knew how to read and write voted in general elections. Nor did the religious or the military vote (4).

The Civil Code of 1936 is technically elaborated, taking into account several foreign codes, but it is the work of thinkers of another social reality, in which by the merit of art. 8 are minors until 21 years of age. This numeral was modified by Decree Law No. 21994 that since 1977 recognizes full capacity to Peruvians, at 18 years of age.

Another subject that was subject to modification of the Code of 1936 was the one referred to article 188, on the administration of common property in marriage. It should be noted that the Peruvian Civil Code of 1936 enshrined as an institution the dowry, which was the woman's own property, but that many times was

"The husband is the administrator of the common property with the powers conferred by the law, requiring the intervention of the woman when it comes to disposing or encumbering common property for free or onerous title."

subject to errors or bad administration by the husband. The same risk was noted in the commons, that is, that it belonged to the two spouses.

It was modified by D. L. No. 17838 of September 30, 1969 by the following: Art. 188.- "The husband is the administrator of the common property with the powers conferred by the law, requiring the intervention of the woman when it comes to disposing or encumbering common property for free or onerous title."

As can be seen, the intervention of women in the disposition of their property is admitted in 1969, 15 years after the constitutional amendment on the recognition of women's political rights, by law 12391: the right to choose and be elected, as a citizen of Peru.

It is also important to consider the text of art. 670 of the code we commented on, because it originated several files in the Courts, which deprived legitimate children of marriage of their rights, only because third parties - sometimes rubrics, without certification - appeared outside the birth certificates:

Art.-670 .- "Is excluded from the inheritance of a married man, the son of his wife whom he recognized by his person other than the husband, without having denied it in the cases allowed by law and whose son had not judicially challenged the recognition made in his favor and obtained success in the trial" (5).

d) -The Peruvian Civil Code of 1984

d-1) Book I "Law of the People", has sections dedicated to the "Natural Persons" and to the "Legal Persons". This Book has very valuable contributions: The study and defense of the conceived, and the validation of the unregistered Committee, to cite two of the achievements that oblige us to study the "natural person" and the "conceived", as well as the Sui generis companies and individuals, such as the unregistered committee, collected from an emerging reality that moves capital or investment and is recognized by law.

As we know the conceived is a legal figure studied from Roman Law, from the jurist Paulo we can remember the phrase: "Conceptus pro iam nato habetur", that is to say, that the conceived is considered born. The legal treatment of the conceived

places us in front of the Law and the human being as such. It is important to recognize that the conceived is a nasciturus, that is, to be born, is therefore a human being.

Regarding property rights, art. 1 of the Peruvian Civil Code forces us to wait for it to be born alive, forcing us to ask if the code is conceptionist or natalist?

In Peru, the Code of Minors of 1962 was repealed in 1992 to approve the new Code of Children and Adolescents of 1992, drawn up on the basis of the validity of the International Convention on the Rights of the Child. The Code of Children and Adolescents, modified several times and with a new edition of August 7, 2000, in its Preliminary Title, art. 1, perfects the text of the Civil Code of 1984, defining that in Peru it is "child" from conception to twelve years "and from twelve to eighteen is adolescent."

d-2) The Civil Code of 1984 has undergone many amendments in its



(Culled from the Internet)

original text. An example is given by the complete repeal of Title VIII, of Civil Status Registers, which was replaced by

Law No. 26497, which created the National Registry of Identification and Civil Status, RENIEC, developing the concept of "identity" in the legislation, in harmony with the 1993 Constitution.

d-3) Another amendment refers to paternity research, which currently admits the scientific evidence of DNA, which has a greater degree of certainty in cases of extramarital filiation (see arts. 402 and following), despite This scientific advance has not been repealed art. 415, which legislates on the probable child, since these are cases in which there is no certainty of the

d-4) Also due to the merit of the amendment of art. 46, inc. 1 rights are

35 Years of the Peruvian Civil Code (Contd.)

recognized to adolescent parents, over 14 years of age, be the mother's father, or both, so that they themselves recognize their children in the Civil Registry.

d-5) It also has items that must be modified or perfected, such as art. 17 of the Civil Code, which refers to the limitation on the "violation of any of the rights of the person referred to in this title", that is, it limits the aggrieved and their heirs to demand the cessation of the injurious acts, to the referred rights, being thus a system of clausus numbers, but not of apertus numbers, as the Peruvian Constitution prescribes.

d-6) The text of art also deserves deep concern. 396:

"The son of a married woman cannot be recognized until after the husband has denied it and obtained a favorable sentence."

There are several assumptions. By express declaration of the master Héctor Cornejo Chavez it is known that he had the concern of the consequences of art. 670 repealed on the loss of the right of inheritance by the legitimate child recognized by third party, numeral of the Code of 1936, which had caused cases of injustice when indiscriminately, they put illegible rubrics in the birth certificates, to deny their legitimate right to infants or children of any age, in times when the provinces did not properly keep records.

The jurisprudence has also reported the dispossession of rights to children recognized by their parent, who having died, his family has imposed numeral 396 to declare the registration and recognition of the child void, as the mother was previously married and not divorced, situation which does not apply to men, who freely register and recognize extramarital children, being married to a person, who is not the mother of all their children.

On the consequences of art. 396 of the Civil Code of 1984 one could speak several hours and, on several pages, but the main thing is the study of the "best interest of the boy and the girl". The newborn or the newborn has a priority right in modern society. Our writing of art. 396 suggests a serious "conflict of interest between a child and adults."

Legally contracted marriage is indissoluble, just because of the death of one of the spouses. Everything that is

agreed to the contrary is null and is considered as not put".

The art. 396, where the father, owner of accepting or challenging paternity, appears with great power, without the legislator accepting the assumptions of absence or "abandonment" of the home, or, who ignores the birth of a new human being, forces us to say that the mother - in these cases - is alieni iuris, that is, it depends on the husband who abandoned her, or on the supposed father, devised by law, she has no voice, no rights. Nor are the rights of the child born in these circumstances respected. Is there discrimination by law?

III.-NEW TRENDS OF THE XXI CENTURY

a) -The Conceived appears as "subject of law" in art. 1 of the Civil Code of 1984, but its wording refers to the human being and his economic rights, which are conditioned on his being born alive. It is clear that every human being is the holder of rights and duties, but by declaring that the attribution of economic rights is conditional on being born alive, it invites reflection on the trend of the Code.

Fortunately, the doubt has been overcome by the Preliminary Title, art. 1 of the Code of Children and Adolescents that states that children are from conception to twelve years of age. Then there are teenagers from 12 to 18 years of age and if we keep in mind the Youth Law, parental authority is extended, with the food institute up to 28 years of age, which culminates at 29 years of age. This extension is called "extension of parental rights."

b) -In an egalitarian society, precepts or rules such as art. (396) of the Civil Code affect the rights of women and children, who present a "conflict of interest" with the parents to whom the legislator assumes they are in their home and can and / or must challenge the aforementioned paternity. The casuistry proves that 90% of these possible parents do not know about the birth of new human beings, but their name is an impediment to the registration of newborn children.

c) -The concept of "Patria Potestad", written in Latin, is a confirmation of the power of the parent, even when the Peruvian Civil Code in its art. 419 declares that the father and mother, during the marriage, jointly exercise parental rights. In the Civil Code of

Brazil, of 2002, the text is modified, recognizing the "family power", that

with the Constitution of 1933, art. 84: Peruvians were recognized as

Peruvian men of legal age, married persons over 18 and emancipated. The art. 86 empowers women to exercise only the municipal, neighborhood vote. The 1979 Constitution recognized the universal vote and there is no longer any exclusion.

(5) Dr. Jur. Héctor Cornejo Chavez, commenting on the project of art. 396, original, modified by the Review Commission, of the 1984 Code, reported that the proposed wording was intended to

protect married children in the new code that was projected to replace that of 1936, given the cases of injustice generated in inheritance law art. 670 of the Code - then - under review, repealed since 1984.

(5) Dr. Jur. Héctor Cornejo Chavez, commenting on the project of art. 396, original, modified by the Review Commission, of the 1984 Code, reported that the proposed wording was intended to protect married children in the new code that was projected to replace that of 1936, given the cases of injustice generated in inheritance law art. 670 of the Code - then - under review, repealed since 1984.



is, so that the father, the mother, or the grandparents, or uncles, as the case may be, comply with the duties for Children and teenagers. The "best interest of minor" is sought.

IV.-PROPOSAL

UNIQUE.- The FIDA should call the Family Law and Human Rights Commissions to jointly study the texts of all legal systems on the subject, which affect the rights of women, youth and children.

V.-PAGE FOOT NOTES

(1) The first Civil Code of Argentina, dating from 1869, is the work of the eminent jurist Dalmacio Vélez Sarsfield and was repealed by the new Argentine Civil Code, in force since 2015. The Civil Code of Chile is the work of the 19th-century jurist Andrés Bello.

(2) This is Customary Law, which awaits the study and development of its institutions.

(3) Meza Ingar, Carmen: "Social and family legislation", in Carmen Meza and Teodoro Hampe (compilers), Women in the History of Peru, XV to XX centuries, Editorial Fund of the National Congress of Peru, Lima, 2007.

(4) In accordance



(Culled from the Internet)

FIDA In Taiwan

The International Federation of Women Lawyers, Republic of China, Taiwan (the FIDA, ROC also known as FIDA TAIWAN) was founded on October 6, 1990. In 2020, it will celebrate its 30th anniversary in Taipei. Currently, the FIDA, ROC has established a preparatory committee for preparation and a celebration is scheduled for October 3, 2020. In addition to the joint meetings of directors and supervisors held once every 3 months, the FIDA, ROC has various different committees organizing various activities irregularly, including Service Committee, Friendship Committee, and Regulatory Commission. The activities organized by all committees of the FIDA, ROC are as follows:

1. Service Committee

In the past few years, targeted at serving the students in law schools of all universities, the Service Committee has organized various law-related career forums by turns in various universities, with the expectation of enabling young law-related people to plan their future careers in advance, or to lay down the goals and directions of future development and to make preparations and efforts to enrich relevant knowledge, by the experience inherited and shared by legal professionals.

In 2018, the law-related career forums organized by the Service Committee received great response from the students of law schools. The Service Committee organized 2 law-related career forums in which Professor Te-Fang Chu, the convener of the Service Committee, acted as the organizer and moderator in National Chengchi University. The first law-related career forum was organized on April 1, 2018, Mr. Ko-Hsin Li (the Vice-president of Standard Chartered) and Lawyer Cheng-Hua Sun (the General Counsel of Yuanta Securities) were invited to attend the forum. The forum focused on the issue that corporate governance and financial laws following directors' roles and functions, which has been hotly discussed in corporate law in recent years. In the second law-related career forum organized on June 13, 2018, Hui-Ming Huang, the Secretary-general of Taiwan Benefit Corporation Association, Lawyer Perter J. Dernbach and benefit corporation project leaders of O-Bank were invited to share the issue of corporate social responsibilities.

On May 17, 2019, the Service

Committee held a lecture on "law-related people in media" at the National Taiwan University. Lawyer Hsuan-Ju Ko and the Service Committee acted as the organizers of the lecture, and Professor Huang-Yu Wang, the President, acted as the moderator. Chao-Hui Huang, the Manager of the News Department of the Chinese Television System, was invited to share his work and life experience after graduating from the law school and entering in news media. It was hoped that the lecture could bring more diversified perspectives to the students of law schools on career planning, to listen to how law-related people who engage in the media change directions, arrange and plan their future.

2. Friendship Committee

The Friendship Committee plays the important role of converging and exchanging members' affection in the FIDA, ROC. The Friendship Committee organized an outing in May 2018 and led the members to travel to the Fushan Botanical Garden, Yilan and Yilan Distillery. Located in northern Taiwan, Fushan Botanical Garden which is a place combining education and leisure still maintains an extremely good natural environment with many rare plants. Yilan Distillery is an old building with a long history, and visitors may understand the process of making wines during guidance in addition to visiting the old building. The FIDA, ROC organized a one-day tour and fellowship activity named "Lohas Romantic Lanyang Tour" on June 22, 2019, a total of 22 members and their families participated in this activity. The activity was to experience the ecological oasis of Dongshan River in Taiwan. After

overlooking the golden rice fields from Bolang Avenue in Sanqi Village and tasting the featured rural cuisine, they finished the tour with pearl milk tea and fish purchase. All the members and their families returned with fruitful results.

3. Regulatory Commission

The Regulatory Commission of the FIDA, ROC has been committed to promoting the gender-related law seminars. In September 2018, a seminar entitled "medicine, gender and law" was held to discuss gender-related issues in medicine. This seminar was held in Taiwan High Court and invited 5 speakers, including Director Chih-Chia Wang (Physician, Division of Family Medicine, Tri-Service General Hospital), Physician Ming-Chao Huang (Executive Secretary, Taiwan College of Obstetricians and Gynaecologists), Chien-Yu Liao (Judge, Taiwan High Court), Huang-Yu Wang (Professor, College of Law, National Taiwan University, and current President, the FIDA, ROC), Dr. Chien-Chang Wu (Director, Department of



Prof. Huang-Yu Wang
President, FIDA,
ROC in Taiwan
Vice Dean, College of
Law National
Taiwan University
(hwang47@ntu.edu.tw)

Psychiatry

National Taiwan University Hospital). This seminar not only combined law and medicine but also discussed gender-related issues in medicine. With over 100 people attendees, the seminar received great response. In recent years, the issue whether stalking and harassment shall be punished has been hotly discussed in Taiwan's society, and this issue is closely related to women protection. As a result, on June 26, 2019, the FIDA, ROC held a seminar on "safety and protection of women & children" and invited 4 law professors to present their papers. The topics of the presented papers were "Criminalization of Stalking", "Analysis on Draft of Stalking and Harassment Prevention Act", "Discussion on Criminal Policies of Child Sex Offenders in the United States from the Perspective of Deleting Limitations to Death-penalty Prosecution" and "Omission in Child Abuse Cases". This seminar also invited Judge Nin-Li Wu and Judge Su-Hui Wu of Taiwan High Court to act as the panelists.



(Called from the Internet)

UN CSW64: Beijing +25

CSW64 / Beijing+25

Ready, Set, Go!

CSW64/Beijing+25 (2020)

In 2020, the global community will mark the twenty-fifth anniversary of the Fourth World Conference on Women and adoption of the Beijing Declaration and Platform for Action (1995). A five-year milestone will be reached towards achieving the Sustainable Development Goals of the 2030 Agenda for Sustainable Development. 2020 is therefore a pivotal year for the accelerated realization of gender equality and the empowerment of all women and girls, everywhere.

The sixty-fourth session of the Commission on the Status of Women is planned to take place at the United Nations Headquarters in New York from 9 to 20 March 2020. Representatives of Member States, UN entities, and ECOSOC-accredited non-governmental organizations (NGOs) from all regions of the world are invited to attend the session.

Themes

The main focus of the session will be on the review and appraisal of the implementation of the Beijing Declaration and Platform for Action and the outcomes of the 23rd special session of the General Assembly. The review will include an assessment of current challenges that affect the implementation of the Platform for Action and the achievement of gender equality and the empowerment of women and its contribution towards the full realization of the 2030 Agenda for Sustainable Development.

Preparations

National-level reviews: States are called upon to undertake comprehensive national-level reviews of the progress made and challenges encountered.

The sixty-fourth session of the Commission on the Status of Women is planned to take place at the United Nations Headquarters in New York from 9 to 20 March 2020.

Regional 25-year review processes: The

regional commissions of the United Nations are invited to undertake regional reviews and convene regional intergovernmental meetings. These will feed into the sixty-fourth session of the Commission.

NGO Participation

The active participation of non-governmental organizations (NGOs) is a critical element in the work of the Commission on the Status of Women (CSW). NGOs have been influential in shaping the current global policy framework on women's empowerment and gender equality: the Beijing Declaration and Platform for Action. They continue to play an important role in holding international and national leaders accountable for the commitments they made in the Platform for Action.

UN Women facilitates the participation of NGOs in sessions of the CSW. NGOs that are accredited to and in good standing with the United Nations Economic and Social Council (ECOSOC) may designate representatives to attend the annual sessions of the CSW. The number of representatives who can attend open official meetings can be contingent on the availability of space.

NGOs with or without consultative status with ECOSOC, may organize and attend parallel events held outside UN premises, for example in the Church Center. To do so, they should contact the [NGO Committee on the Status of Women](#), which is a group of New York-based women's NGOs in consultative status with ECOSOC.

[Click here to read a step-by-step tutorial on how to submit a written statement](#)

Making a speech during the general discussion

Subject to time availability, oral statements may be delivered during the general discussion by a limited number of NGOs in consultative status with ECOSOC. Preference will be given to NGOs speaking about the priority theme or review theme, on behalf of groups of organizations, caucuses, or coalitions.

Oral statements should not exceed three minutes (approx. two pages double-spaced using font size 12). Instructions will be communicated, via e-mail, to the NGOs that will be selected.

Sign up for NGOs in consultative status with ECOSOC to express interest in delivering an oral statement during the general discussion at CSW64 will be open online from 22 January to 11 February 2020.

Intervening from the floor during an interactive panel

A limited number of NGOs in consultative status with ECOSOC will be able to make oral interventions during the interactive panels. Interventions must be focused on the theme of the panel and not on any other issues.

Interventions at interactive expert panels are NOT to be in the form of prepared statements; NGOs are therefore not required to submit copies of such interventions. These interventions must be in the form of comments or questions addressed to the panel experts. Interventions should not exceed three minutes. Instructions will be communicated via e-mail to each NGO representative requesting to make an intervention.

Sign up for NGOs in consultative status with ECOSOC wishing to express interest in intervening from the floor during a dialogue or an



(Culled from the Internet)

UN CSW64: Beijing +25 (Contd.)

NGO COMMITTEE ON THE STATUS OF WOMEN

MISSION

NGO CSW/NY ensures that the voices and leadership of feminist and women's rights organizations all over the world are included in UN deliberations such as the annual Commission on the Status of Women (CSW).

It facilitates the largest gathering of civil society at the UN in support of women by hosting 10,000 women from around the world, coordinating and scheduling their 400 parallel events.

At the two-week NGO Forum, activists gather from around the world to discuss issues pertaining to women and girls, to network, share strategies/best practices and to lobby governments at the CSW.

The Committee also conducts advocacy trainings, prepare an orientation, offer spaces to exchange and collaborate, and host regional caucus discussions.

It facilitates the largest gathering of civil society at the UN in support of women by hosting 10,000 women from around the world, coordinating and scheduling their 400 parallel events.

It is untiring in its pursuit of gender equality and empowerment across the

globe. Along with civil society around the world, it advocate for the governments of Member State to meet the commitments they make via declarations, resolutions, and treaties including the ground-breaking:

- [1995 Beijing Declaration and Platform for Action](#)
- [UN Security Resolution 1325](#)
- [Convention to Eliminate All Forms of Discrimination against Women \(CEDAW\)](#)
- [2030 Agenda for Sustainable Development](#)

In addition to NGO CSW/NY's work during CSW, it holds monthly meetings featuring NGOs, UN, and government speakers, promotes a gender perspective at the UN and other international meetings, publishes reports analyzing UN processes and meetings through a gender lens, has a young professionals program, and facilitates an internship program.

HOSTING A PARALLELEVENT

Application are reviewed to determine the relationship of proposed parallel events to the CSW64 theme and its relevance to advancing gender equality post Forum. This includes the 6 thematic clusters (listed below) and emerging issues (such as migration, climate, and others).

- Inclusive development, shared prosperity and decent work
- Poverty eradication, social protection and social services
- Freedom from violence, stigma and stereotypes
- Participation, accountability and

- gender-responsive institutions
- Peaceful and inclusive societies
- Environmental conservation, protection and rehabilitation

Special attention will be given to those who reflect implementation ideas in their applications. Selected parallel events will be scheduled for a 90-minute slot Monday through Friday from 8:30 am to 6:15 pm during 9-20 March and on Saturday the 14. Once scheduled, NGO CSW/NY will not accommodate any changes in scheduling or assigned venue.

Selected parallel events will be scheduled for a 90-minute slot Monday through Friday from 8:30 am to 6:15 pm during 9-20 March and on Saturday the 14.

Important dates are:

- Application opens **11 October 2019**
- Application deadline: **15 November 2019**
- Acceptance Letter: **6 December 2019**
- Confirmation of event acceptance: **6 January 2020**

Credits:
<https://www.unwomen.org/en/cs/w/csw64-2020>
<https://ngocsw.org/beijing25/>

On a Humorous Note...



(Culled from the Internet)

FIDA BAHAMAS (The Grand Bahama Chapter)

-Hadassah A. Swain, RVP



Established in 1993 FIDA Grand Bahama Chapter remains committed to fulfilling the initiatives of FIDA International. The theme for our 26th year is "Enriching Our Communities through the Empowerment of Women and Children".

The current membership presently consists of sixteen (16) financial members in addition to nine (9) Life members. Though small in number the members are committed to its core programs laid out in 2018 i.e.:

Scholarship Program;

- Legal Research and Reform
- Community and Social Outreach
- Increasing the membership of the organization both nationally and internationally;
- Local and International Relations;
- To ensure that the objectives are consistently addressed we have organized committees within the Chapter to attend to each mentioned initiative.

Expansion of the Organization

FIDA Grand Bahama has continued in its efforts to promote FIDA in the Caribbean and North America. In particular, we have continued our discussions with the Bar of the Turks and Caicos Islands. There are a few members who have

expressed keen interest in joining the organization.

The current membership presently consists of sixteen (16) financial members in addition to nine (9) Life members.

Just days after the passage of Hurricane Dorian a small contingent of FIDA members were scheduled to travel to The

Turks and Caicos Islands where we had previously organized an installation ceremony to establish a FIDA branch on the Islands. However, due to the hurricane that trip has been postponed to early next year when we will install officers for the first Branch of FIDA Turks and Caicos.

Discussions have also been initiated with the Bar of Antigua and Barbuda, members of the Bar in the island nation of Jamaica and in the State of Maryland, USA.

We hope to establish new branches of FIDA within the region, in the next year, and we look forward to positive reports in the near future.

Scholarship Award

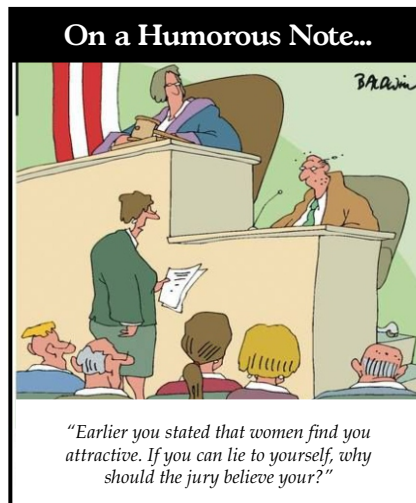
To date FIDA (Grand Bahama) has awarded thirteen (13) scholarships, to high school graduates, to attend the University of The Bahamas. As you are aware, the chapter awards one scholarship per year based on outstanding academic achievement. In addition, in the summer of 2019, the Chapter also made a donation in the sum of One Thousand Dollars (\$1,000.00) to the Dr. Coralee Kelly Endowment at the University of The Bahamas. The Chapter intends to continue this initiative as we do our part in providing access to education to children in our community.

Legal Research/Reform and Awareness

FIDA oftentimes provides its opinion on the effectiveness or adequacy of proposed legislation. Further, the Chapter assists in disseminating information to the members of our legal community to keep them abreast of major amendments of legislation or the enactment of new laws.

Our most recent seminar was held earlier this year on the recent amendments to the Financial Transactions Reporting Act and Proceeds of Crime Act which relates to anti-money laundering and combating terrorist financing to assist members of the legal community to be aware of their legal obligations and become and/or remain compliant. Legal Assistance to the Community - Legal Aid Clinics

One of the mandates of FIDA Grand Bahama is to provide legal assistance to those in the community who are unable to afford the same. We are also called



(Culled from the Internet)

FIDA BAHAMAS (The Grand Bahama Chapter) *Contd.*

upon, from time to time, by other civic organizations in the community to assist with similar clinics, the last clinic being



in March of this year. It is the agenda of our Social and Community Outreach Committee to hold a legal aid clinic, for the public, once per quarter or as public demand requires.

The Children's Home

We have continued our humanitarian relationship with the Grand Bahama Children's Home ("the Home") and in November 2018 organized a food drive to aid in the cost of feeding the children.

Another such effort was scheduled for September 2019 however, due to the passage of Hurricane Dorian the same had to be aborted. The Home suffered flood damage requiring the children to be evacuated from the island of Grand Bahama and relocated to the nation's capital on the island of New Providence. Thankfully, they have received a number of donations to rebuild and reconstruction is underway so that the children can be returned home. FIDA will continue to partner with them to assist in addressing some of their needs.

Subsequent to discussions with the Administrator of the Home, we have been advised of the need for a mentoring program for the children. FIDA intends to be of assistance in this regard.

To date FIDA (Grand Bahama) has awarded thirteen (13) scholarships, to high

school graduates, to attend the University of The Bahamas

In addition to the Home we have collaborated with an Organization by the name of Girl Up organization. Girl up was founded by the United Nations Foundation in 2010, and continues to work across a global community of partners to achieve gender equality worldwide. The first Girl Up organization in The Bahamas was established at The Lucaya International School, a local school in Grand Bahama. The organization reached out to FIDA to assist with celebrating and drawing awareness to the International Day of the Girl. We assisted with organizing an event in this regard, together with a local business. We intend to continue discussions with this organization.

Hurricane Dorian

After decimating the island of Abaco in the north of the Bahamas, Hurricane Dorian struck the island of Grand Bahama on the 2nd September, 2019, where it lingered for two days, leaving in its path catastrophic damage along the breadth of the island causing confirmed deaths of some sixty-five (65) persons with hundreds still missing and unaccounted for. It is estimated that the amount of the damage is approximately US\$7 Billion Dollars. Members of FIDA Grand Bahama ("FIDA") did not escape the wrath of this monstrous hurricane. Harrowing stories of rescue and devastation can unfortunately be attested to by some of our sisters as quite a few of the members suffered damage to their homes and in some cases their workplaces and businesses.

From the debris erupts a number of issues, in particular, the long outstanding discussion concerning illegal Haitian immigrants in the country and whether or not they should be deported to their homeland in light of the fact that the shanty towns, where most of them reside, have been destroyed.

The said shanty towns have been the subject of an ongoing court battle where

an injunction was issued to prevent the Government from doing anything to the land. The Government has issued statements that those individuals will not be allowed to rebuild, and undocumented immigrants will be deported. It is suspected that undocumented Haitian Nationals make up the largest number of those bodies found but unidentified;

The United Nations is appealing to The Bahamas to re-consider repatriating illegal immigrants at this time. Is the Bahamian Government prepared to continue to house these immigrants at a cost to taxpayers? What are the effects of this ordeal on the children that also make up the number of illegal immigrants? It is a recurrent subject in our society and FIDA's engagement in the matter is overdue.

Irrespective of the tragedy that surrounds us and the work ahead to get back to a sense of normalcy, FIDA remains focused on its mandate and assisting, in some way, in the recovery of our island.



Hadassah A. Swain is FIDA Regional Vice-President North America and the Caribbean; Assistant Treasurer, FIDA Grand Bahama Chapter and Legal Counsel/Compliance Officer & MLRO of the Grand Bahama Port Authority Limited, Freeport, Grand Bahama, Bahamas
Email: hswain@gbpa.com

Child Labour: A Bane To Economic And Social Development In The Society.

Being a paper delivered by Chief Mrs Victoria O. Awomolo, SAN, FCI Arb. on 19th June, 2019 at FIDA Ekiti Law Week, 2019

INTRODUCTION

Children are referred to as the leaders of tomorrow; they are a gift to humanity. Therefore, a lot of hope and expectations rest on their ability to carry the responsibilities when they grow up. The future of a country or society depends on the quality of those being raised to assume the expected roles when they become adults. Therefore, any society which neglects the rights, education and social development of its children run the great risk of underdevelopment replete with social vices and mediocrity.

Children are the foundation of every society and so when they are properly brought up, this affects the society positively and when not properly brought up, the society suffers the consequences of such avoidable negligence.

Parents and the Government are responsible for the proper upbringing of the child. Where this is lacking, the child suffers neglect and abuse, child labour being one of these.

According to the UNICEF about 105 million children are out of school in Nigeria 43% are given to child labour (ILO) making Nigeria one of the highest users of child labour in the world.

The whole world recently celebrated the international Children's Day on the 27th of May and here in Nigeria with parades and a holiday, but beyond the colourful parades and events still lie the recurrent issues affecting the quality of lives of the children. These issues include, education, health, legal rights, abuses, access to social recreation, insecurity, adequate feeding etc. It is worrisome that these issues, even where available, are inadequate or inaccessible. There are many challenges facing children globally. One of such is child labour, which is the subject of this paper.

WHO IS A CHILD?

Before 2003 when the Child Rights Act was signed into law, various enactments in Nigeria provided different age limits for the term 'Child'. Under the Children and Young Persons Act, a child was defined as a person under the age of 14 years, while a young person is any person above the age of 14 but below 17 years. The Labour Act and Criminal Procedure Act define a child as a person below the age of 12 and 14 respectively.

However, the Child Rights Act 2003, unequivocally defines a child as any person under the age of 18 years.

The Child Right Act law incorporates the Convention on the Rights of the Child (CRC) and the African Charter on Human and Peoples Rights into the Act. The Act forbids children from being separated

from their parents against their will except where it is in the best interest of the child.

Twenty Three (23) States in Nigeria have domesticated the Child Right including Ekiti State. The challenge is that most of the States that have passed this law do not have designated courts (family courts) to handle matters related thereto.

By section 274 (1) of the Child Right Act, the provisions of the Act supersede the provisions of other enactments relating to children.

CHILD LABOUR

Child Labour refers to the employment of children in any work that deprives them of their childhood and interferes with their ability to attend regular school. The ILO, UNESCO, WHO see child labour as a serious global issue. The engagement of children in labour according to them is harmful in several ways to the children themselves, the family and the society. It impairs the physical and mental development of children and robs the society of her future leaders and work force. It compromises future generations and undermines human capital development.

As stated above, legislation and conventions all over the world prohibit Child labour, though there are exceptions to the rule. All work by children are not classified as child labour. These include child artists, family duties, and supervised trainings. Those prohibited include carrying heavy goods, metal work, all manner of selling on the roads, picking of pieces of plastics, tins, rubber among others, prostitution, military.

The concept of child labour is as old as the dark era of industrialisation or industrial revolution when children were forced to work around farms, factories, fending crops and preparing food. They worked in industries under very dangerous and often deadly conditions. The children were preferred at that time because of the cheap labour they provided. It is work that is essentially exploitative and injurious to the physical, social, cognitive and moral development of the child. It involves young persons who are exposed to long hours of work in a dangerous or unhealthy environment with too much responsibility for their age and at the expense of their normal development and schooling.

Many societies especially poor rural ones do not view child work as 'bad' rather, it is considered as part of the socialisation process which gradually introduces the child into work activities and teaches the child survival skills. This view is present in many African countries including Nigeria (Bekombo- 1981), (Agiobu- Kimmer, 1992). Any work therefore that a person engages in at full time at too early an age (5- 14) and puts excessive physical, social and psychological strains on the person and hampers the person's development in

these areas- social, physical and psychological) (UNICEF 1936; ILO, 1992) is considered child labour.

TYPES OF CHILD LABOUR

Some children's engagement in some activities are said to be beneficial to the holistic development of the child by way of socialisation. For example house chores; these are skills and capabilities which a child must possess to function effectively in both the micro and macro society. The cases of 'bad child' labour in Nigeria include:

1. Child slavery (bonded labour) which

SOCIO- ECONOMIC FACTORS CONTRIBUTING TO CHILD LABOUR

The problem of child labour in Nigeria is not a result of any single isolated factor. It is a multi- dimensional problem consisting of various factors in a variety of ways. Some of them are:

- (a) Poverty
- (b) Illiteracy and ignorance of parents and Religion
- (c) Inadequate family income
- (d) Large families
- (e) Indebtedness



Chief (Mrs) Victoria O. Awomolo, SAN, FNCI Arb.

- involves the sale of children for economic activities in agriculture in places like the South West of Nigeria and Rivers state
2. Children that are used for drug trafficking and other illicit activities
3. Child trading which involves acts of hawking and other trade activities in urban areas.
4. Child prostitution/ sexual exploitation and pornography
5. Forced or compulsory recruitment of children in armed conflict and banditry.

Section 1 (a-e) of the Child Rights Act (2003) prohibits exploitative labour of a child. The section provides thus:

Section 28 (1)- subject to this Act, no child shall be

- (a) Subjected to any forced or exploitative labour; or
- (b) Employed to work in any capacity except where he is employed by a member of his family on light work of an agricultural, horticultural or domestic characters; or
- (c) Required, in any case, to lift, carry or move anything so heavy as to be likely to adversely affect his physical, mental, spiritual, moral or social development; or
- (d) Employed as a domestic help outside his own home.

- (f) Absence of social security schemes
- (g) Migration to urban Areas
- (h) Insecurity
- (i) Globalisation
- (j) Corruption in the educational sector

Poverty and lack of education are the two primary reasons for the ever growing social malice of child labour. Parents in the poverty zone give birth to money- making machines not children. They earn more on the streets from begging, they grow as beggars with no skills, consummate with themselves and produce more beggars.

These children are deprived their rights, survival, health, good nutrition and education. They are vulnerable and exposed to harm, crimes, exploitation and discrimination. They grow wild and insensitive to other people's loss or pains.

Let me dwell on some common cases of child labour that we see and on which research had been carried out.

1. Child Begging: This has negative psychological, social and health consequences. The three categories of child beggars are;

Those who lead blind parents or

Child Labour: A Bane To Economic And Social Development In The Society. (Contd.)

relatives, those who beg entirely on their own and those who act as fronts for their parents, especially mothers, who are usually hidden from public view but supervise them from a close distance.

These children are the most vulnerable because they are from families of the poorest of the poor. In all three categories, they run enormous risks of running or darting between cars in heavy traffic putting them in dangers of accidents. They also suffer the severe psycho-social consequences of engaging in demeaning type of activity and being exposed to constant abuse and aggression from the general public.

These children are the most vulnerable because they are from families of the poorest of the poor.

In the southern part of Nigeria, street begging was not significant though among the Yorubas, it was culturally expected that mothers with many children would beg (normally for a few days) as a symbolic expression of their willingness to demean themselves for the survival of the children. In recent times however, this has changed as beggars can be spotted in several cities. Begging is most wide-spread in the North where alms giving is widely regarded as a religious obligation. The largest percentage here belongs to the Almajiranci system (a semi-formal system of qu'ranic education, in which children mostly boys are sent by their parents to take up residence with Islamic teachers or mallamai for instructions in the Qu'ran and other texts). Almajiranci is an Arabic word almuhajir (migrated) an allusion of the time of Prophet Mohammed when the

Meccans migrated to Medina (Imam 1998) Albert (1994).

2. Sexual Exploitation: Commercial sexual exploitation has become a problem of special concern in Nigeria, both because of its scale and links with commercial trafficking in women and girls and because of its role in the spread of the HIV/AIDS epidemic sweeping the country. Though studies on it is scarce owing to its clandestine nature and the traditional inhibitions on discussions of sexual behaviour. The few studies (Chickwem et al 1989, Adegoke & Adedoyin, 1995) Oloko (1999) MWADRS/UNICEF (1999). Indicated that child prostitution is now common in towns such as Port Harcourt, Calabar, Owerri and other parts of the country. Surveys carried out between 1989 and 1993 by the West African Research Group on Sexual Networking Orubuloye et al (1994) identified the characteristics of commercial sex workers in five cities - Lagos, Ado-Ekiti and Benin, for the west; Port Harcourt in the South South and Kaduna in the North. The commercial sex workers were found in hotels, brothels, bars and streets, many below twenty years and comparatively educated. They operated outside their local governments, from different ethnic groups, most of them were single (separated or divorced). Those who had children were left with their grandmothers in their local areas and there was the tendency to have them originate from Polygamous homes. They were on the average found to have about thirty clients a week. The clients were both single and married. Sexual exploitation does not end with prostitution alone, there are other forms of abuse - scarcity of jobs, economic pressure of dependent children and in adequate financial support from husbands are among them. These include students in secondary schools and tertiary institutions.

Education sector: A claim by Transparency international that more than half of Nigeria's education budget is lost to corruption is a worrying assessment. Money budgeted for education is not easily accessed while the percentage keeps dwindling. This results in Primary and Secondary Schools which are supposed to be free, charge fees which scare pupils away from school and prevents parents from sending their children to school. Child labour is easily the alternative.

CHILD LABOUR IMPACT AT THE MICRO FAMILY LEVEL

The most obvious economic impact of child labour at the family level in the short run is to increase household income. All researchers and practitioners agree that poverty is the main determinant of child labour supply, and that child labour significantly increases the income and the probability of survival of the family. Several estimates exist of the proportion in which children contribute to family income: for instance Usha and Devi (1997) found a figure (on average 20%) for child labourers from a village in Tamil Nadu (India); and Swaminathan (1998) reports that 40% of children in her sample (Gujarat, India) contributed between 10% and 20% to total household income. This contribution is most of the time critical since children are sent to work when parents' earnings are insufficient to guarantee the survival of the family, or are insecure so that child labour is used as a means of minimizing the impact of possible job loss, failed harvest and other shocks on the family's income stream.

If the work of children is needed for meeting the essential needs of the family, any effort to reduce child labour (both in formal and informal occupations) must take into account that the income of families involved will be affected negatively, often pushed below the survival level. Hence social security for poor families with children in school become of crucial importance for the effectiveness of child labour reduction programs.

LONG RUN EFFECTS ON HOUSEHOLD POVERTY THROUGH HUMAN CAPITAL

Although parents may act rationally by sending their children to work in order to increase their probability of survival, they may not perceive the long run negative implications of child labour for their own family. Since child labour competes with school attendance and proficiency, children sent to work do not

accumulate (or under-accumulate) human capital, missing the opportunity to enhance their productivity and future earnings capacity. This lowers the wage of their future families, and increases the probability of their offspring being sent to work. In this way poverty and child labour is passed on from generation to generation.

CHILD LABOUR CONSEQUENCES/ A BANE TO SOCIO-ECONOMIC DEVELOPMENT

Working children are the epitome of abuse and exploitation. They are often the victims of their employers and sometimes, even their parents. A childhood earmarked by nature for fun and frolic, education and enlightenment, is ruined by the compulsion to earn money. In some cases, they are rendered crippled, unhealthy and, most importantly, uneducated. This will lead to low productivity. Many child labourers would have died before reaching the age of 18, and not even have made any impact on the world's future. These child labourers will certainly affect the world's economy - in a bad way - because job positions that require an education may go unfilled, and manual labour jobs may also see vacancies due to the fact that the prospective workers are already crippled.

Child Labour also contributes to the ever rising issue of Boko Haram attacks in Nigeria, as the perpetrators take advantage of these children, train them to become fighters, and the girls to become suicide bombers. The Almajiri phenomenon is also an offshoot of Child Labour and has devastated the Nigerian economy to a great extent. Thousands of persons have been killed between 2002 till now.

More than 20 manufacturing industries have been destroyed, causing a slow down on most industrial outputs. Farms, harvests and communities are being destroyed causing serious halt in productive activities.

Child Labour also contributes to the ever rising issue of Boko Haram attacks in Nigeria, as the perpetrators take advantage of these children, train them to become fighters, and the girls to become suicide bombers.

Roads and communication lines are



(Culled from the Internet)

3. Child Labour in Agricultural Sector: Most child labour occurs in agriculture and in the informal sector of the economy, where these and other provisions of the Labour Act are neither monitored nor enforced. Child labour in this sector by a study has shown areas like Ondo, Ado Ekiti, Ibadan and other areas as destinations of these children. Some of them are engaged in such demeaning practices akin to slavery such as a sale and trafficking of children, debt bondage and forced labour.

4. Corruption in the

Child Labour: A Bane To Economic And Social Development In The Society. (Contd.)

also being destroyed day by day. Most children are left orphans as parents are being killed causing multiplier effects and extreme want and poverty. Families are displaced and children severed from their parents. The Internally Displaced Persons (IDPs) camps are increasing by the day.

Economic environment is highly devastated as most investors are leaving the country on daily basis. Investors outside are not attracted to come into the country to invest. The resultant effect is a lean economic future which does not augur well for Nigeria.

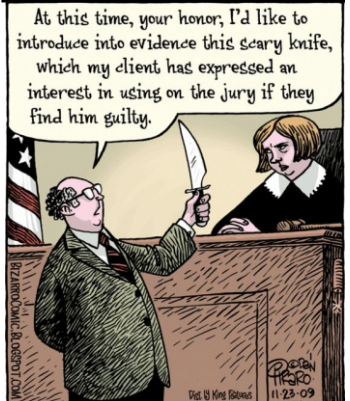
The effects of child labour transcend personal, family and societal issues. The

conception of these effects may not follow the chronology. At the individual level, child labour impairs the physical and mental development of children. This situation brings about an increment in the number of layabouts, mentally demented, and stunted persons in society. If a child is employed all through the day, it is likely that the child will remain uneducated and have low productivity as an adult. That is, if a child works more his productivity as an adult falls because child labour diminishes adult productivity. Swaminathan (1997) confirmed this in her study of India, Galbi (1997) argued that the share of child labour in the mills

fell during the early nineteenth century precisely because the earlier use in child labour meant that, as these children grew up, there would be a Cohort of none productive adult workers. Eswaran (1996) in his contribution stated that existence of the institution of child labour biases parents towards having more uneducated children and this in turn perpetuates the institution of child labour, which eventually increases the overall population of a country.

...To be continued

On a Humorous Note...



(Culled from the Internet)

SAVE THE DATE

FIDA CON 2020

The 37th Triennial Convention
of the International Federation of Women Lawyers

**INTERNATIONAL CONFERENCE CENTRE
GENEVA, SWITZERLAND.**

2ND - 5TH NOVEMBER, 2020

The Concept Of Children's Right To Parental Care

Oluwatomi Ajayi LLM*

Human Rights which include children's rights are universal. Although, the law presumes that a child is incompetent to make serious and rational decisions until he attains adulthood, the child still has inherent human rights and so enjoys legal safeguards. Generally, adulthood begins at the age of 18 years thus aligning with Article 1 of the 1989 Convention of the Rights of the Child (CRC) which defines a child as every human being below the age of 18 years. Consequently, every child including a child with special educational needs and disabilities in effect has a right to parental care and protection.

In law, the relationship between a child and his parents falls into the realm of special relationship which is more than a symbiotic relationship. It is a natural relationship indicating complete dependence which by virtue of Section 301 of the Criminal Code provides that it is the duty of every person who, as head of a family, has charge of a child under the age of fourteen years, being member of his household, to provide the necessities of life such child; and he is held to have caused any consequences which result to the life or health of the child by reason of any omission to perform that duty, whether the child is helpless or not.

Thus, this legal approach of parental care relates to a child that is entitled to protection and support as necessary for the wellbeing of the child regardless of the rights and duties of parents themselves. In a typical African setting where parents exercise overwhelming



religion, and medical care. Such parental responsibility also acknowledges that children have rights which must not be violated. The applicable legal framework in Nigeria and Africa are to be found in the Convention of the Rights of the Child 1989, The African Charter on the Rights and Welfare of the Child 1990, The 1999 Constitution, The Child Rights Act 2003, Criminal Code, Penal Code, The Violence Against Persons Prohibition (VAPP) Act 2015 and several other government agencies which have enacted laws on child protection. These laws have explicitly provided for rights of children to include their right to life, healthcare, education and moral development, freedom of expression, protection against domestic violence/abuse and harmful cultural practices. Therefore, every parent shall conform to standards laid down by law, particularly in the area of safety, health and welfare.

institute criminal charges against such parents. For example, where religious interests of parents conflict with the health of a child, the conflict must be resolved in favor of the child's best interest. In *R v. Senior* (1899) 1 QB 283, the Court convicted the parents of a child for willfully refusing to allow the course of medical treatment to be administered on their child because of their religious belief which regarded medical treatment as sinful. In *Tega Esabunor v. Dr. Tunde Faweya & Ors* (2019) LPELR-46961 (SC) the Court cited Section 13(2) of the Nigerian Child's Rights Act 2003 and held that the Court cannot stand by and watch a child being denied of basic treatment to save his life on the basis of the religious conviction of his parents.

Furthermore, there have been other cases where harmful parental practices have exposed children to diseases, ill-health and death. Instances abound where parents have accused their children of witchcraft while some parents are still subjecting their underage daughters to repugnant customs such as female genital mutilation, child marriage and child betrothals.

Even some parents have also rejected health vaccination/immunization for their children on religious grounds. Thus, the Courts and Non-Governmental Organizations (NGOs) have intervened into these cases to protect and save the lives of such affected children. In some countries, there are recurrent attacks by parents who indulge in honour killings, incest and other forms of sexual abuse. Article 19 of the CRC provides that while in the care of parents; State parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of violence. Similarly, Article 20(1) of the CRC while recognizing the vulnerability of children, provides that a child is entitled to special protection from the State where he is identified to be subjected to physical, mental, or emotional injury, abuse, neglect, or maltreatment, torture, inhuman or any degrading treatment or deprived by reason of his circumstances. Where a parent for instance abandons his children without any means of sustenance, the Violence Against Persons Prohibition (VAPP) Act 2015 will sanction the offending parent.

If parental care exists, does that imply the existence of parental rights? The question as to whether parental rights exist was examined in *Gillick v. West Norfolk Wisbech Area Health Authority* (1985) UKHL 7, where the Court held that the notion of parental rights or parental powers does not exist other than to safeguard the best interests of a minor.

It is pertinent to state therefore that in as much as it is lawful for parents to provide parental care which includes giving parental direction in all representations concerning their children, the best interests of the child shall be still be paramount.

In some countries, there are recurrent attacks by parents who indulge in honour killings, incest and other forms of sexual abuse.

In conclusion, one can say the Courts and children-related government agencies as the supervising institutions can curtail parental rights by safeguarding the rights of children. Certainly, a child's right aligns with the laws of the land and Target 16(2) of the 2030 United Nations Sustainable Development Goals (SDGs) which affirms the right of children to live free from fear, neglect, abuse and exploitation with the primary focus of not leaving any child behind. That is why proactive NGOs such as the Federation of International Women Lawyers (FIDA) and African Women Lawyers Association (AWLA) continues to be the voice of Children as they strive to ensure children are given access to justice whenever there is any alleged infraction of children's rights.

References

- Convention of the Rights of the Child 1989
- The Child Rights Act 2003
- African Charter on the Rights and Welfare of the Child 1990
- Criminal Code, Penal Code
- Violence Against Persons Prohibition (VAPP) Act 2015
- 1999 Constitution of Nigeria
- Simplified Criminal Law in Nigeria by Oluwatomi Ajayi

*Oluwatomi Ajayi, LLM is a renowned Legal Researcher, Author and Human Rights Advocate. She can be reached via email at :palaceproject50@yahoo.co.uk



On a Humorous Note...

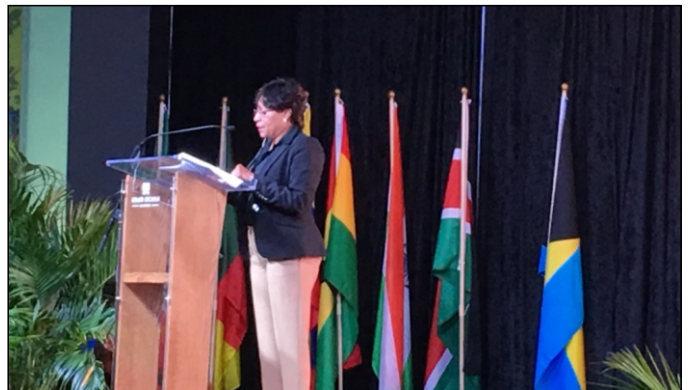
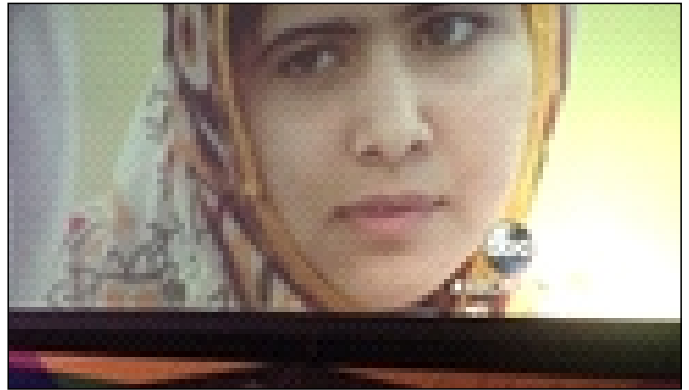
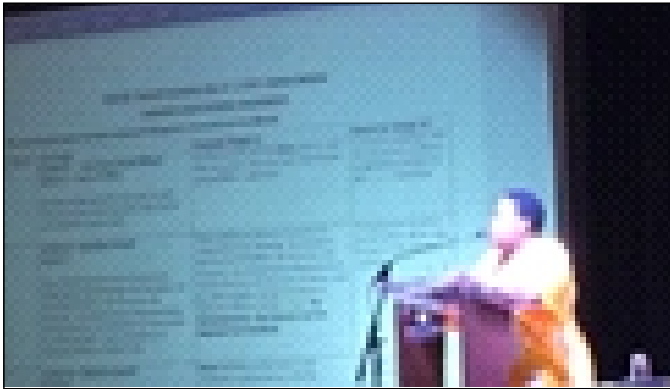
Hence, parental care is the legal duty to care for one's children. It is an act of performing your parental responsibility such as giving your child a name, home, protection, financial support, discipline, education, religion, and medical care.

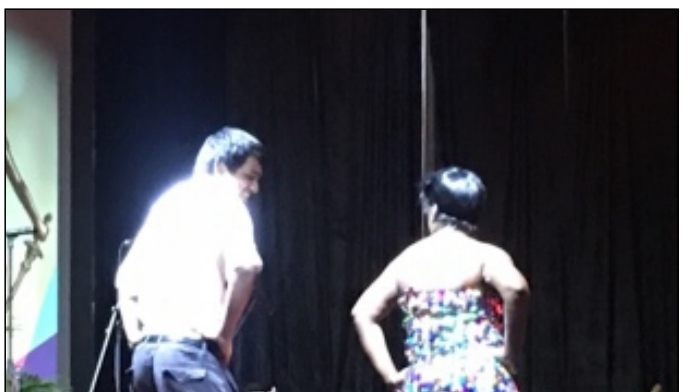
and unchecked parental powers over their children unlike in the western world, the mentality is to question why the law should interfere in this special relationship.

Who is a parent? A parent by law is a biological parent or adoptive parent or a person that the State has determined to be a parent who must act within the scope of parental responsibility. Hence, parental care is the legal duty to care for one's children. It is an act of performing your parental responsibility such as giving your child a name, home, protection, financial support, discipline, education,

While it is inevitable that parents must provide food, clothing, shelter and medical care for their children, the consequence is that where parents in turn fail to provide essential needs for their children or where parents unleash emotional and physical torture as well as neglect their children to the state of helplessness, the government can

...where religious interests of parents conflict with the health of a child, the conflict must be resolved in favor of the child's best interest.









November 2019 Edition

CREDITS

Special Acknowledgments:

- **Shadhana Gunaratnam**, President, Switzerland
- **Jethlyn Burrows (Mrs.)**, Immediate Past President, The Bahamas
- **Stella Ugboma**, OON, Past President, Nigeria
- **Princess Olufunmi Oluyede**, Chair, Editorial Board/Editor-in-Chief, USA

Contributors:

- Silvana Vanadia**, First Vice President, Italy
- Prof. Carmen Meza Ingar**, Director, Peru
- Charisse Brown**, Treasurer, Bahamas
- Dr. Hsiu Fon Chen**, Historian Taiwan
- Hadassah A. Swain**, Regional Vice-President, North America & The Caribbean
- Giovanna Chiara**, Regional Vice President, Italy
- Laura Nyirinkindi**, Regional Vice President, Uganda
- Victoria Awomolo SAN.**, Regional Vice President, West/North Africa
- Prof. Huang-Yu Wang**, FIDA ROC
- Oluwatomi Ajayi**, LL.M, Nigeria

Creative Director:

Herald Designs, Lagos, Nigeria
<https://heralddesigns.com.ng/>

Contributions are gratefully accepted on a rolling basis
 -via email to: eic@fidaabogada.com

Before and After HURRICANE DORIAN

September 1st, 2019



The city of Marsh Harbour, Abaco Islands, the Bahamas

Forward, Upward, Onward Together
#BAHAMASSTRONG

www.bahamas.com/relief