



KNH-Advocacy-Mail

Advocacy-Mail 1/2009 – July – Issue 10

Dear Partners and friends of Kindernothilfe,

50th anniversary of Kindernothilfe, 20th anniversary of the Convention on the Rights of the Child, 10th issue of the KNH Advocacy Mail! We have good reason to celebrate. Moreover, we get more and more positive feedback that motivates us to continue this form of information exchange. Most of all, we are pleased that you are sending us more contributions. So these inputs will form the main part of this Advocacy Mail. We hope that you will find the information useful for your work.

I would like to point to one major success achieved by our persistent lobbying efforts: On 17 June 2009 the UN Human Rights Council adopted a resolution regarding a communications procedure to the Convention on the Rights of the Child. An Open-ended Working Group at UN level will start work this year. Thus the way is paved for an international complaints procedure for children, even if it will still take some years until another optional protocol is in place.

The next edition is scheduled for December/January. Contributions are welcome until 20 November 2009 as well as any other comment or suggestion. As always the contact email address is:

Barbara.Duennweller@knh.de

Please receive many kind regards from Duisburg.

Barbara Dünnweller
Advocacy Officer

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I. Partner's Contributions

Guatemala

Alba Marina de Arzú turned in a document on the situation of children's rights in Guatemala 20 years after the adoption of the UN Convention on the Rights of the Child: "The dogs are barking, Sancho, which means we are moving forward" by Ester Caballero and Myrella Saadeh. The article has eight pages and cannot be reproduced in full length here. Read an extract:

"The dogs are barking, Sancho, which means we are moving forward"

The Rights of the Child in Guatemala 20 years after the ratification of the Convention on the Rights of the Child

Guatemala was among the first 20 countries in the world that ratified the Convention on the Rights of the Child in 1990. By taking that important step, our country undertook to assume a number of responsibilities, including:

- To make the principles and provisions of the Convention widely known, by appropriate and active means, to adults and children in Guatemala alike.
- To adjust the judicial framework in accordance with the provisions of the Convention.
- To submit periodic report to the Geneva-based Committee on the Rights of the Child about compliance with the rights of the child: the first one within two years of the ratification and thereafter every 5 years. These reports must inform about the progress and obstacles encountered in complying with the obligations derived from the Convention. There is also a duty to make these reports widely known. Based on alternative reports, submitted to the Committee on the Rights of the Child by the civil society, we herewith present a detailed analysis of the judicial framework and the status of the children's rights in the early 1990s in comparison with the situation in the new millennium.

Despite moving forward 20 years, despite the progress, there is still ...

An agenda of pending issues

To move ahead and have the rights of Guatemalan children and youths fully in place, activities are needed that aim at:

- Strengthening the social movement in favour of the rights of the child and adolescent.
- Strengthening all government entities with relevant functions regarding the legislation and policies in force that benefit Guatemalan children and adolescents.

The original article is in Spanish. If you are interested in the full text, please contact Barbara.Duennweller@knh.de.

India

Brother Sebastian (SJDT) from India writes about the topic: "Impact of economic crisis on the vulnerable poor in India". The complete seven-page article in the English language is available on request. Read an extract:

Impact of economic crisis on the vulnerable poor of India

"Developing countries are caught in a lose-lose situation. Rising poverty levels triggered by the financial crisis – a crisis they did not cause - are being met with a cold response from Europe. Rich countries are way off on their aid targets and still budgets are being slashed this year," as stated by Luca de Fraia, Action Aid Italy.

"Although developing countries didn't make this crisis, it has become all too clear that they are in the firing line when it comes to suffering its worst effects." There is a real risk that development will start to go backwards in many countries as the money dries up and that the recession will lead to worsening poverty and terrible consequences for the men, women and children caught in its grip."

The impact of the financial crisis on developing countries unpicks the different ways the crisis is affecting the economies of developing countries. It shows that the countries which will be hardest hit are those which have opened up their financial sectors the most over the past few years including India. Development agencies argue that the fall is due to both the financial crisis and the global recession - 22 billion dollars due to the financial crisis, on top of a 27 billion dollars drop in export earnings, aid and income from rich countries that are now themselves in recession.

"Imagine an already poverty-stricken family of five in southern Asia living on about US \$5 dollars. They already spend about more than 70% of their income on food. They have seen that expenditure jump by the equivalent of US \$1.50 in the past six months". Those who are either in US or Europe are lucky enough to live in the developed northern countries are much better able to absorb that. They can cut back on luxury goods; can cut back on the amount of petrol we use. But the subsistence farmer or a mother living in an urban slum or poor village cannot. That won't just mean a sharp rise in severe malnutrition

among potentially millions of people; it will also have a knock-on effect on people's ability to send their children to school, their access to healthcare and more". **Think of the pitiable status of people who have special needs such as persons with disability and persons with HIV +.**

The current food-fuel-financial crisis has the potential to be far worse than the Great Depression of the 1930s, the Black October of 1987 or the Asian Economic Collapse of 1997. The reasons are high food prices and food shortages, and the steady erosion of agriculture and rural economies. Although there have been some price drops for certain food commodities in the past months, average prices are still much higher than normal, and the international markets remain volatile. The role of food security in wider events should not be underestimated. World leaders have been aware of the growing threats to food security for several years. In June 2008, more than US \$11 billion was pledged at the Rome Food Security Summit. This is not just a problem of poor farmers in developing countries. In the modern world few, if any, nations are self-sufficient when it comes to food security. For food prices to come down, food supplies have to increase via an infusion of investment in agriculture.

Indonesia

This contribution from Indonesia which Ahmad Sofian sent us deals with the experiences of children and youths who have come in conflict with law.

PUSPA-PKPA Was Overloaded With Cases

Case, case and case. Case handling is always in the head of two PUSPA-PKPA's staffs, Poppy Dian Ariani and Suryani Guntari (Wiwik). They always spend most of their time to handle cases in North Sumatra and Nanggroe Aceh Darussalam (NAD).

Although they sometimes spend their time at the office, they have to spend most of their time in the District Court of Stabat, District Court of Lubuk Pakam, Large City Police of Medan, Regional Police of North Sumatra, Resort Police or Sector Police.

They have to go to these places alone by PKPA's motorbike. Even, since they very often have to work longer, they sometimes have no time to return this motorbike to PKPA's Office. Dusts on street, terror from those who feel that their 'safety' is threatened and long legal debates with other law enforcers seem to be additional menu for these two staffs.

Similarly, Azmiaty, the Coordinator of PUSPA-PKPA, is always busy at her office. Even, her husband sometimes has to accompany her at the office when she has to work overtime. She is always busy to receive telephone calls from her clients or victims' family and make telephone calls.

At least, there are on average eight cases handled by PUSPA-PKPA in a week. Before they can complete the handling of one case, another is reported to PUSPA.

Although PKPA has implemented cross subsidy policy since 2007, contributions from clients who can afford to pay PUSPA-PKPA are not enough to finance the handling of cases reported by the poor who cannot afford to pay the organisation.

The implementation of the cross subsidy policy is due to the high number of cases of child abuse, CSEC, trafficking and domestic violence reported to and handled by the organisation while there is only limited resource available to handle these cases.

Actually, this situation is a dilemma for PUSPA-PKPA. For example, they sometimes are forced to stop the provision of the legal aid service due to the lack of resources. Consequently, both Poppy and Wiwik often feel very annoyed when they have to rest a case before they are able to prosecute the perpetrators. What a poor PUSPA! It is a place where child victims of physical and sexual abuse report their cases but it does not know where to go to solve its own problem now.

As the main organisation of PUSPA, PKPA has taken various efforts to solve the problem. For example, PKPA has launched PKPA Donation Card programme for fund raising. Through their membership, individuals, institutions and corporate can donate at least IDR200,000-250,000 per year to help children. However, most of the donations are used for the provision of scholarships for children from poor families and additional/nutritious foods for undernourished children.

Azmiati, the Coordinator of PUSPA-PKPA, has also taken various measures. She always coordinates and collaborates with PKPA's partners, police, Bureau of Woman Empowerment, Board of Social Affairs, IOM and other organisations to enable PUSPA-PKPA to reintegrate child victims who temporarily stay in its drop-in centre to their family in Java Island, Kalimantan Island, Lampung, Padang, etc.

However, when she fails to get support for family reintegration, these child victims have to stay in the drop-in centre longer due to the lack of fund. During their stay at the drop-in centre, PUSPA-PKPA usually provides the victims with various services such as life skill training, education and psychosocial services. They eat the same food eaten by their caretaker at the drop-in centre. Since some victims have to stay longer at the drop-in centre, the caretaker becomes closer to these children and treats them like her own family, children or nieces.

As one of PKPA's special service units, PUSPA-PKPA has experiences in handling various cases. Since its establishment in 2001, PUSPA-PKPA has provided legal aid services to many children and it really touches the hearts of many people. The case of Raju handled by PKPA in 2006, for example, was phenomenal and received great attention at national level. The case also led PKPA to revise Law Number 3 Year 1997 on Juvenile Justice by including articles related to the provision of special protection for children in conflict with the law in emergency situation. Two years prior to the case of Raju, PKPA also handled the case of Nurlela which received attention from international community, especially human

rights activists. Due to long advocacy works done by PUSPA-PKPA, in collaboration with the Embassy of Indonesia in Malaysia, Tenaganita and Suhakam, Nurlela finally was free from death penalty.

Led by a coordinator, in 2008, PUSPA-PKPA has two staffs, lawyer team and a drop-in centre. In the year, PKPA, through PUSPA, handled 130 cases (84 cases of child and woman trafficking, 30 cases of child physical and sexual abuse and 6 cases of children in conflict with the law). Since nearly 50% of the victims need special protection, PUSPA-PKPA, with support from Board of Social Affairs of North Sumatra, provided psychosocial support to the victims.

It is obvious that the complexity of these cases needs resilient people because the cases can be very exhausting, need good stamina and may lead to despair. (Jufri Bulian Ababil)

Haiti

A contribution by Alinx P. R. Jn. Baptiste, KNH Coordinator Haiti

Celebration of International Day of the Child / Participation of KNH-supported children of the partner EPPMPH

IBESR (Institut du Bien-Etre Social et de Recherches), a government institution for child protection in Haiti, celebrated the International Day of the Child on 14 June 2009. More than 3000 children from different kind of projects/shelters participated. The motto of this celebration was “Ann Bay Timoun yo tout enpòtans yo nan sosyete a” (Let ‘s give the children an important place in society).

KNH Haiti and the partner EPPMPH (Encadrement des Petits Paysans des Plaines et des Mornes d’Haiti) organised an exhibition to provide the public with up-to-date information about the co-financed project strengthening the implementation of children’s rights in Haiti. Five children of our partner EPPMPH from 5 different villages and their teachers showed other children and the public in general the products they had manufactured in the projects by using local materials at hand: chairs, brooms, big hand bags etc....

Our participation in this activity was very successful. IBESR and other organisations working with children could get an idea about Kindernothilfe’s work in Haiti.

Peru

A contribution by Filomena Tomaira Pacsi

CAMPAIGN OF “STOP CONTAMINATION NOW” IN THE PROVINCE OF YAULI LA OROYA Let’s protect the children!!!!

During the last few months the financial crisis has swept around the globe, hitting the mining industry as well. This situation puts compliance with the Programme for the Improvement of the Environment (PAMA, for its initials in Spanish) at risk, which means that the progress achieved in defence of a healthy life at the province level is completely vulnerable.

Since Alberto Fujimori's time in office, the Peruvian government has irresponsibly made concessions to mining companies weakening the protection of the environment; the laws adopted by the Fujimori and Alan García's administration tend to favour large-scale mining without considering the impact on the local communities, in particular children and pregnant women. Our population consists mostly of children and youths, with an equal proportion of males and females. As a consequence, we have a young age pyramid and a duty to prioritise on health care for children, adolescents and pregnant women.

The children's health is affected by various toxic elements, including cadmium, sulphur dioxide, arsenic and, of course, lead. The last four studies revealed that levels of 38 and even 40 micrograms per decilitre (ug/dl) blood are reached indiscriminately among the population. According to WHO standards, a maximum of 10 ug/dl blood is permissible, so this topic is highly relevant in public health care and, above all, adequate legislation is needed that provides prevention and health care for the inhabitants of the province of Yauli La Oroya.

INTERVENTIONS:

During the last years Filomena Tomaira Pacsi has promoted and taken part in the realisation of studies to scrutinise the presence of heavy metals and their impact on the health of the province's population. Since 1999 a series of studies have been conducted to explore "**Lead levels in the blood**" of pregnant women and the under-three year old in the district of La Oroya. The health authority Dirección General de Salud (DIGESA) was also instructed by the government to test 346 children aged 3 to 10. Both surveys revealed high contamination levels that exceed the standards established by the World Health Organisation (WHO) (see table).

Motivated by these results, in 2002, the leaders of many organisations including the Chamber of Commerce, Asamblea Popular, Frente de Defensa de La Oroya, Delegados Ambientales, Unidad Vecinal and NGOs, together with Filomena Tomaira Pacsi, Cooperación, CENCA, Labor, Eco - Andes and Red de Manos Unidas contra la pobreza, formed the Movement for Health in La Oroya (MOSAO, for the initials in Spanish) so as to call on the authorities to take steps for a mitigation of the air contamination and the implementation of an emergency plan in the province of Yauli La Oroya. Currently, this coalition has managed to raise international awareness of the contamination problem spreading the message that it is a violation of human rights if children are ill as a result of lead exposure.

International health institutes including specialists of the Boston, Massachusetts, Ohio Hospital and the Faculty of Public Health of the University of Missouri have come here to witness the situation of vulnerability and the disrespect of human rights. Working among the children and pregnant mothers, they have proven the following things:

Results of the studies

The study revealed that 67% of the children had a 20.1 — 44 (ug/dL) lead concentration in their blood and needed medical evaluation and follow-up. 18.3% of the children had lead levels of 44.1 — 70 ug/dL in their blood and were in urgent need of medical treatment (within 48 hours). 0.6% had lead levels of more than 70 ug/dL and required chelation therapy.

Community	Examined children	Age	Min. (ug/dL)	Max. (ug/dL)	Geometric average (ug/dL)	Average (ug/dL)	Permissible limit (ug/dL)
La Oroya Antigua	139	3 to 10	14.7	79.9	42.8	43.5	10
La Oroya Nueva	162	4 to 9	14.6	67	26.1	26.6	10
Sta. Rosa de Sacco	45	3 to 9	6.9	52.5	28.5	28.7	10
Total	346	3 to 10	6.9	79.9	32.8	33.6	10

DIGESA 1999, public organisation of the Ministry of Health (MINSA)

The campaigns, forums and workshops have led to some positive results. Although there is still a lot to do, the population is now better informed, the authorities give a hand in formulating claims against the metallurgic company Doe Run. Nonetheless the efforts have only minimal impact and no substantial behaviour changes have been achieved to improve the quality of life of the children in the province.

There is no record about the health care rendered to children, adolescents and pregnant women that would allow to measure the levels of disease. Lead and heavy metal poisoning are not easily visible and contaminated persons mostly show no symptoms. Therefore it is really urgent to have a record of patients' treatment in the province to detect the effects of the heavy metal contamination and to stop making them invisible as mere symptoms of ordinary diseases.

In particular, lead can damage the unborn child if expectant mothers are exposed during the pregnancy; but transmission also occurs through breast-feeding, via breast milk. That is why health care for these women must be improved to be able to save lives.

Together with Red Uniendo Manos Peru and the support of KNH, Filomena Tomaira Pacsi campaigns for a better quality of life, for the realisation of the children's rights, by organising walks, providing breakfast for children and vitamins to supplement their diets. Nonetheless all these efforts are negligible, unless the government alters its attitude and contributes to changing the rules of the game for the metallurgic company.

That is why in the Junín region we have initiated a campaign called "NI UN DIA MAS DE CONTAMINACION" (possibly translates into English as: STOP CONTAMINATION NOW) so as to avoid that through the Alan García administration the government dilutes the Programme for the Improvement of the Environment by conceding major advantages to the North American Doe Run company that would violate the rights of the most vulnerable groups such as girls and boys and pregnant women.

Sambia

Input from Pamela Chisanga/Zambia (dated 5 February 2009)

CHIN was invited by the National Constitution Conference (NCC) that is currently sitting to review the national draft constitution to make a presentation on children's rights and expectations for children in the new constitution that Zambia will develop.

It was a great opportunity for CHIN and the submission was well received and attracted a lot of attention from various quarters. Even though time for preparing for the submission was limited, CHIN made every effort to consult members and other key stakeholders like UNICEF, Plan International and others.

Here are the conclusions:

Conclusion.

Children need to grow up in an environment where they are provided for, protected and nurtured in order for them to realise their full potential. The country needs to create a culture that is responsive to and respects and upholds the rights of children.

This can only be done when the country prioritises children's rights in its constitution in line with the United Nation's Convention on the Rights of the Child and other international instruments.

Children are often marginalised in key development processes in the country. The country needs to create space and a platform for children to be seen and heard.

It is also critical that the country recognises and appreciates the evolving capacities of children, and that children need to be placed at the centre of and participate in decision-making processes that affect them.

The country must always strive for the best for our children. Thus, wherever standards set in applicable national and international law relevant to the rights of the child are higher than those contained in the UN Convention on the Rights of the Child, those higher standards must and shall always prevail.

The full English text with eight pages is available at request.

II. Advocacy News Kindernothilfe

German MPs promise young people from La Oroya support/Press release on the occasion of a meeting with German MPs in Berlin

Berlin/Duisburg (26/05/2009) Members of the German parliament, the "Bundestag", from different parliamentary committees and parties promised young people from the Peruvian mining city of La Oroya, who had come to the 32nd Protestant Church Convention in Germany by invitation of Kindernothilfe and the Mission Department of the Evangelical-Lutheran church in Lower Saxony (ELM), their solidarity and active support in their fight for the human right to health and a safe environment.

Upon initiative of Christel Riemann-Hanewinckel, member of the parliamentary Commission for Economic Cooperation and at the same time member of Kindernothilfe's Board of Trustees, on Monday 25 May, the MPs Ute Koczy, Sascha Raabe, Jürgen Kucharczyk and Frank Schwabe – plus the academic member of the Social Democratic Party fraction, Michael Schrick – listened to the report presented by the three adolescents Abigail Vilchez (16), María Ramirez (17) and Abraham Canchanya (17) from the ecological network "Filomena Tomaira Pacsi" about the situation in La Oroya, one of the ten most contaminated places on earth. In the Bundestag the young people explained in full detail the consequences of dramatically increased lead, cadmium and arsenic values in the blood of all inhabitants of La Oroya and the corresponding impact on health like massive cancer rates and a wide range of neurological and physiologic disturbances even in small children.

Together with the director and co-founder of Kindernothilfe's partner organisation "Filomena", Esther Hinojosa, the young people shared their experiences with the MPs, describing how since 1997 the US mining and metallurgic corporation Doe Run has been using pretexts, threats and extortion to circumvent the poor minimum ecological standards in Peru, converting the Andean highland around La Oroya with its 30,000 inhabitants into a devil's workshop by up to 800 tons of toxic gases a day that the chimneys thrust into the air. Yet, the metallurgic processes involving lead and heavy metals do not only contaminate the air, but also the river Mantaro, surrounding agricultural fields – and the drinking water.

In her reply to Abigail, María and Abraham, Christel Riemann-Hanewinckel said: "We can only assure you of our admiration and respect for the things you have set in motion and encourage you to go on fighting and not to lose hope. We are convinced that your commitment and the efforts of all the other young people from La Oroya is not in vain. In the end you will reach your goal!" The German MPs took the spontaneous decision to write a joint letter to the Peruvian President Alan García and the country's Minister of Environment and to the responsible managers of the Doe Run corporation in Saint Louis in the US state of Missouri to substantiate the claim that, like in other places, modern filter and waste water purification technology must be installed in La Oroya that could stop the toxic emissions within short time.

Before visiting the Bundestag the three adolescents from Peru, accompanied by Esther Hinostroza, attended a total of three events at the 32nd German Protestant Church Convention in Bremen where they informed about the work of the ecological youth network, funded by Kindernothilfe since 2002 (project 88021). On 27 May they will be guests of the Missionary Department of the Evangelical-Lutheran church in Hermannsburg. And on Thursday, 28 May, at 7 p.m. the group will speak about La Oroya in the Salvator church in the Duisburg city centre, while on Friday before Pentecost they will attend an activity of the "Mining in Peru – Wealth Goes, Poverty Stays" campaign.

"We had never dared to hope" said Abigail Vilchez (16) summarising the experiences made during their tour, "that here in Germany so many people would understand and support us. The spontaneous response of the young people in the confirmation candidates' meeting at the Bremen Church Convention and the interest of the MPs in Berlin were fabulous. That backing will help us a lot when we are back in La Oroya."

III. Campaigns

Individual Communications Procedure to the Convention on the Rights of the Child

The resolution of the UN Human Rights Council adopted on 17 June 2009 is an enormous success. An Open-ended Working Group at UN level will start to work this year. Unfortunately the mandate of this Working Group was diluted above all by the USA, Canada, UK, Sweden and Russia: "The Human Rights Council decides to establish an Open-ended Working Group of the Human Rights Council to explore the possibility of elaborating an optional protocol to the Convention on the Rights of the Child to provide a communications procedure complementary to the reporting procedure under the Convention...". Lobbying needs to go on and must be enforced now. Although 40 states presented the resolution, many are still hesitant or sceptical. The documents required for lobbying are available under: www.crin.org

On this occasion we would like to thank our partner THE CRADLE, and in particular Gilbert Onyango, whose persistent lobbying finally convinced the Kenyan government to back the resolution!

2009 Stand up

In 2006, 23 million people stood up, in 2007 47 million people, last year 116 million people Stood Up and Took Action. Let's break the record again this year and send a louder message than ever - achieve the Millennium Developments

Why Stand Up and Take Action in 2009?

For the fourth year in a row, millions of people around the world will Stand Up and Take Action to show their support for the fight against poverty and the achievement of the Millennium Development Goals

(MDGs). This year Stand Up will take place against the backdrop of a deepening financial crisis and a slowing global economy. It is a time of great challenge for development in general and the MDGs in particular. Already we are seeing the potentially devastating impact of this on the world's poorest and most vulnerable. We know that the current economic climate threatens to undo and possibly even reverse the very significant gains that have been made towards achieving the MDGs. With just six years left to the 2015 deadline for the achievement of the Goals, we cannot afford to let this happen. The achievement of the MDGs must remain a priority on the global political and public agenda. In this environment, Stand Up is a vital opportunity to send a clear and urgent message to world leaders and decision makers and raise the political stakes. Our policy messages and actions must reflect the urgency of the situation and must be an instrument to convey the sense of our growing impatience and intolerance of excuses for and distractions from the implementation of policies and programmes that address the poorest and most vulnerable.

When?

October 16th, 17th, 18th, 2009: From 12 a.m. GMT (relevant local time) on the 16th October to 11.59 p.m. GMT (relevant local time) on the 18th October

More information and material for download: www.standagainstopoverty.org

Kindernothilfe will take part in the 2009 event. We would be happy if again many partner organisations would join us and send us information about what they did. We will be pleased to present details about your activities on the internet. (Contact: Petra.Stephan@knh.de)

Global Day of Action on climate

On 12 December 2009, i.e. during the UN climate negotiations in Copenhagen, this year's Global Day of Action on climate will take place. As a member of the German Climate Alliance, Kindernothilfe will participate in decentralised events in Germany staged by over 100 organisations. We would be pleased if this year Kindernothilfe partners took part in these activities and informed us about what they did. It would be a pleasure to present partners' activities on the internet.

(Contact: Petra.Stephan@knh.de)

The Global Day of Action on climate has occurred every year **since 2005**. The first action day was organised during the Montreal Climate Talks and since then they have been held **every year on a Saturday in December** – coinciding with the annual UN Climate Conference.

On the action day demonstrations, conferences and activities with a focus on climate protection are organised **around the globe**. In 2008 groups from over 64 countries took part, including the USA, Canada, France, Poland, UK, Germany, India, China, Philippines, Taiwan, Bangladesh, Ghana, Senegal, South Africa, Kenya, Bolivia, Peru, Brazil and Costa Rica.

Information about the international event is available under www.globalclimatecampaign.org.

IV. Information and Links

Pretoria/South Africa: Information about a campaign on the occasion of the 2010 Football World Cup through a link provided by the partner Tshwane Leadership Foundation:

www.betterworld.org.za

India: Newsletter of SERFAC "Giving Children A Voice". It may be of interest to you and, if you wish to receive it, please send an email to serfacworldldata@gmail.com

Zambia: Pamela Chisanga, Executive Director Children in Need Network was elected to the board of ECPAT International last December 2008. Congratulations!

India: Newsletter of the HOPE House "Voice of Hope". If you are interested, please send an email to rubynakka@hotmail.com.