



## Press Release

20 November 2018

### **Timor-Leste commemorates International Day celebrating the Convention on the Rights of the Child:**

**“Building a world that is safe from threats so that all children in schools can develop their potentiality”**

20 November is International Children's Day which also celebrates the Convention on the Rights of the Child and State Parties including Timor-Leste, which ratified this Convention in 2003, also celebrate this date. The central theme for commemorating this day in 2018 is *“Building a world that is safe from threats so that all children in schools can develop their potential.”*

Through its commitment to ratifying the Convention on the Rights of the Child, the State of Timor-Leste fulfilled its political obligation to promote and protect children from all forms of violence, especially discrimination against children.

“The theme of this celebration is pertinent and reflects the current context to remind State Parties, and in particular the State of Timor-Leste, about its obligation to ensure all efforts possible to protect and create a safe environment for children and to allow children to develop and explore their potential capabilities,” said Luis de Oliveira Sampaio, Executive Director of JSMP.

In addition, the Acting Commissioner of the National Commission on the Rights of the Child asked for parents to look after children.

“Children have the right to special care from parents as well as the State, because children have the right to develop fully, to live in a family environment that is happy,

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calm and full of peace,” said Eugénio João Amado de M. Soares, Acting Commissioner of the National Commission on the Rights of the Child.

This year the State is celebrating this important day through two stages. The first stage will involve celebrations at the national level with three activities, namely: organising one day to formulate recommendations for children and young people about peaceful environments, peace in schools, families and the community. In addition there will be a peaceful march and music concert, and the launch of transformational thinking to end violence at the household level. The second stage will be celebrated at the municipal level, concentrated in Manatuto Municipality, with activities such as a national seminar held on 29 November 2018 with main topics focusing on peaceful environments, peace in schools, families and the community.

In Timor-Leste children risk all types of violence that do not correspond with their age and capacity, and in particular contradict their rights as children that are guaranteed in the Convention on the Rights of the Child. For example, many children are not yet free from violence, and many have to work to sustain their family; by selling goods on the side of the road, on the footpath, in markets and washing cars on the side of the road.

Based on JSMP observation at the courts, many children are victims of crimes characterized as rape and sexual abuse including incest involving family members who are supposed to protect and provide shelter to children. There are even some cases of sexual abuse involving educators themselves, even though the number might be small. In addition to school activities, teachers are still using physical approaches to introduce discipline to students.

To ensure that children are free from these types of violence the Government, society, educators and families, and parents in particular, need to create an environment that is safe for children. The State needs to develop politics and systems that correspond with the needs and context of Timor-Leste. These include identifying legislative gaps such as a Law on Child Protection that has not been introduced from the first government to the current government.

The Law on Child Protection is an obligation of State Parties as set out in Article 19 (1) of the Convention on the Rights of the Child Convention Rights Labarik that states that *“State Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence,*

*injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child”.*

From January 2015 until October 2018 JSMP monitored 292 cases involving children.

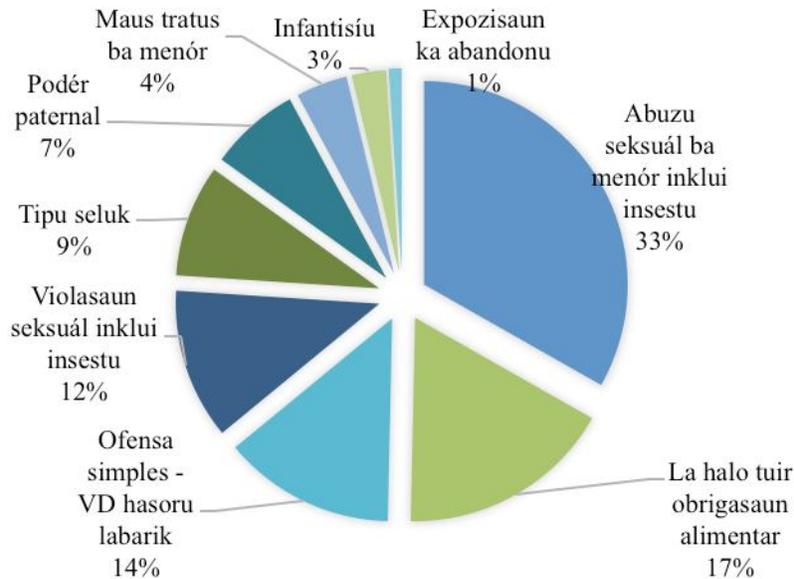
**The following table shows the types of cases involving children that were monitored by JSMP:**

Year	2015	2016	2017	2018 (Oct)
Cases involving children	80	91	55	66

Most of these cases were sexual abuse including incest that involved victims aged below 14 (33%), as well as the crime of failing to provide food assistance (17%), simple offences against physical integrity characterized as domestic violence against children (14%), rape including incest involving victims aged 14 and above (12%), cases of paternal authority (7%), maltreatment of minors (4%), infanticide (3%) and abandonment or exposure 1%). 9% involved other types of cases.

These cases only represent those cases that reached the courts and were monitored by JSMP. JSMP believes that many children encounter problems such as these but the cases are not discovered and taken to court for a range of reasons.

**Statistics on cases involving children monitored by JSMP between January 2015 – October 2018:**



These cases show that children continue to be in vulnerable situations and continue to remain unsafe. Therefore, as highlighted already, children need the full protection of all entities through a specific law for children. This law will guarantee that children will be free from violence and be able to enjoy their rights and when they are conflict with the law they will be protected. A specific law with guarantees can protect them throughout all proceedings involving children at the courts and during other relevant interventions.

In 2017 the Ministry of Social Solidarity (MSS) submitted a Draft Law on Child Protection to the National Parliament but once again it was not discussed because members of parliament did not have enough time.

This draft law proposed a legal framework on care and protection for children and therefore in November 2017 JSMP made a submission\* to the National Parliament that contained an analysis of the draft law on Child Protection and considered that some provisions were too general and ambiguous. In its submission JSMP requested the consideration and attention of the Ministry of Social Solidarity and members of the National Parliament before approving this Draft Law.

The Acting Commissioner of the Commission on the Rights of the Child, Eugénio João Amado de M. Soares, during his final message stated that the commemoration of the

\* JSMP submission on the draft Law on Child Protection: <http://jsmp.tl/wp-content/uploads/2013/03/Analiza-ba-Esbosu-Lei-Protesaun-Labarik-MSS-2016.pdf>

International Day for the Convention of the Rights of the Child can reduce maternal mortality, reduce child malnutrition and end all violence against children in the home, the community and school.

JSMP also demands for State bodies, especially the Government, to continue prioritising the development of children through the provision of special protection such as ensuring that children are not subject to any discrimination, violence and sexual abuse, because children are the future of the nation.

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