

UNEDITED VERSION

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COMMITTEE ON THE RIGHTS OF THE CHILD

47th session

**CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 8 OF THE OPTIONAL PROTOCOL TO THE
CONVENTION ON THE RIGHTS OF THE CHILD ON THE
INVOLVEMENT OF CHILDREN IN ARMED CONFLICT**

Concluding Observations : Timor Leste

1. The Committee considered the initial report of Timor Leste (CRC/C/OPAC/TLS/1) at its 1290th meeting, held on 17 January 2008, and, at the 1313th meeting, held on 1 February 2008, adopted the following concluding observations.

Introduction

2. The Committee welcomes the early submission of the State party's initial report as well as the replies to the list of issues submitted in a timely fashion. The Committee appreciates the constructive dialogue held with the high-level delegation.

3. The Committee recommends that these concluding observations be read in conjunction with the concluding observations adopted on the State party's initial reports on the Convention and on the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.

A. Positive aspects

4. The Committee notes the State party's declaration made upon the ratification of the Optional Protocol that the minimum age for voluntary recruitment into the armed forces of Timor Leste is 18 years. The Committee also notes that provisions prohibiting the recruitment for military service of persons under 18 years of age have been incorporated in the Organic Law of the FALINTIL East Timor Defence Forces. The Committee welcomes the ratification by the State party of the Rome Statute of the International Criminal Court.

B. Main subjects of Concern and Recommendations

I. General measures of implementation

5. The Committee regrets the lack of information about dissemination of information and training with respect to the Optional Protocol.

6. In light of article 6, paragraph 2, of the Optional Protocol, the Committee recommends that the State party make the principles and provisions of the Protocol widely known and promoted by appropriate means. The Committee further recommends that the State party develop systematic awareness-raising, education and training programmes on the provisions of the Optional Protocol addressed to all relevant professional groups working with children, notably medical professionals, social workers, police officers, teachers, lawyers and judges.

II. Prevention

7. The Committee notes that, for enlistment purposes, the UNTAET ID card, issued for the purpose of parliamentary elections in 2001, is used to verify the age of recruits, and that birth certificates or affidavits are being used if such ID card cannot be produced.

8. In order to ensure strict compliance with the minimum age for voluntary recruitment, the Committee recommends that the State party closely monitor the ways and means by which the age of recruits is verified, bearing in mind that not all Timorese are in possession of documents by which their age could be readily established.

9. The Committee regrets the lack of concrete information on human rights and peace education in the State party's school system.

10. The Committee recommends that the State party establish adequate programmes and activities with a view of creating an environment of tolerance, peace and understanding; and that it strengthen its efforts to introduce human rights and peace education in the curricula of all schools, and to train teachers with respect to including these themes in children's education.

III. Prohibition and related matters

11. While noting that provisions prohibiting the compulsory recruitment for military service of persons under 18 years of age have been incorporated in the Organic Law of the FALINTIL East Timor Defence Forces, the Committee regrets that the State party has not so far adopted any provisions criminalizing the forcible recruitment of children or their use in hostilities.

12. In order to deter the forcible recruitment of children or their use in hostilities, the Committee recommends that the State party include in its Penal

Code or other appropriate legislation provisions to make such recruitment or use in its territory a crime.

13. The Committee appreciates the recognition by the State party of the potential risks in connection with the attachment of young persons to martial arts groups, including the risk that such groups could be used for political purposes. The Committee notes the information provided by the State party during the dialogue with the Committee that a draft law regulating the conduct of these groups is being finalized.

14. The Committee encourages the State party to monitor the activities of martial arts groups and finalize and adopt the draft law on martial arts groups as soon as possible.

IV. Protection, recovery and reintegration

15. While noting that the Timorese children who were involved in hostilities during Timor Leste's struggle for independence have long been demobilized and, in the meantime, have exceeded the age of eighteen years, the Committee notes that the consequences for the children and communities concerned persist to this day. The Committee regrets the lack of information about available services devoted exclusively to former child soldiers.

16. The Committee recommends that the State party carry out studies on the full social implications of the experiences of the children involved in hostilities during Timor Leste's armed struggle for independence, aim to identify former child soldiers and provide appropriate psychological and rehabilitative services.

V. Follow-up and dissemination

17. The Committee recommends that the State party take all appropriate measures to ensure full implementation of the present recommendations, *inter alia*, by transmitting them to Government Ministries concerned, Parliament and local authorities for appropriate consideration and further action.

18. In the light of article 6, paragraph 2, of the Optional Protocol, the Committee recommends that the initial report submitted by the State Party and the concluding observations adopted by the Committee be made widely available to the public at large in order to generate debate and awareness of the Optional Protocol, its implementation and monitoring.

VI. Next report

19. In accordance with article 8, paragraph 2, the Committee requests the State party to include further information on the implementation of the Optional Protocol in its next periodic report under the Convention on the Rights of the Child.
