

**Statement by Dr Sukehiro Hasegawa
Special Representative of the Secretary-General and UN Resident Coordinator at the
Closing Session**

Conference on Developing Children's Legislation in Timor-Leste

**24 August 2004
Hotel Timor, Timor-Leste**

Sua Exelensia Senhor Prezidenti 'Kay Rala Xanana' Gusmão,
Sua Exelensia Senhor Primeiru Ministru Mari Alkatiri,
Sua Exelensia Ministru hotu-hotu,
Membriu Parlamentu hotu-hotu,
Representati Korpu Diplomatiku no Ajensias ONU sira hotu,
Karus Kunvidadus,
Senhoras, Senhores, no alin-oan sira-hotu

Hodi ajensias, fundus, no programamas Nasoens Unidas hotu-hotu iha Timor-Leste nia naran, hau hato'o hau nia laran ksolok atu bele mai ko'alia durante sesaun final konferensia dezenvolve lei ba labarik iha Timor-Leste

On behalf of the United Nations agencies, funds and programmes in Timor-Leste, it is my great pleasure to address the closing session of the Conference on Developing Children's Legislation in Timor-Leste.

Over the past two days, there has been a lot of discussions and debate on children's rights. As a follow-up to the very active discussion you held, I wish to make the following five observations.

Firstly, all countries of the world except two, namely Somalia and the United States of America, have ratified the UN convention on the rights of the child which makes the treaty the most widely accepted human rights treaty.

It is commendable that shortly after the admission of Timor Leste as the newest member of the United Nations that the Government of Timor Leste signed this convention in December 2002 and ratified it on 16 April 2003. The decision by the Government of Timor-Leste to develop a Children's Code is therefore a logical way to ensure the implementation of the CRC and to join forces with other countries in the world for the global progressive realization of the rights of all children.

Secondly, you have found out during the two day conference, and I agree, that the ratification of the UN convention on the rights of the child is not sufficient for the protection and promotion of children's rights. It requires the formulation and enactment of domestic law which furthermore must be implemented in order to realize full protection and promotion of children's rights.

We all know that in Timor-Leste, close to 60 percent of the population are children and young people under the age of 18. With regard to children's rights, the Government should develop an enabling environment and implement corresponding measures. In other words, the

potential of children has to be nurtured so that they can be educated and become healthy citizens who can contribute to the creation of stable and democratic society in the years to come.

It is not sufficient for government and police to arrest youth engaged in violent acts of martial arts groups as it happened recently in Ainaro but it is incumbent on the national authorities to develop legal framework and policy instruments to direct the energy and enthusiasm of the youth to develop and demonstrate their potential in sports as well as academic training.

Seen in this context, I not only commend the Government of Timor Leste for its decision to develop a special law for children but also call upon the Government of Timor Leste and the National Parliament to take into account the need to help the children of Timor Leste in developing their potentials.

I would like to take this opportunity to recognise the importance of a recent agreement between the Ministry of Justice and UNICEF which will allow young offenders to undergo community-based rehabilitation programmes rather than imprisonment thus enabling focussing on vocational training and moral instruction as provided by the Don Bosko Canossian Church and other civil society groups.

I would also like to take this opportunity to encourage the continuing discussions of the Government with UNICEF and UNDP to find the best solutions for young offenders of more serious crimes and to avoid, as far as possible, the resort to imprisonment.

Thirdly, the Government of Timor-Leste has already taken many significant and commendable steps for the protection and promotion of children's rights. Over the past years, there has been steady progress in the area of providing quality primary education for both boys and girls, in ensuring basic health services for children and in supporting parents and care-givers in providing proper guidance and care to their children. I hope that the future Children's Code will provide the benchmark against which we will be able to measure further progress in the years to come.

I would like to agree with Minister Sarmiento's sentiments that the Government, civil society and the international community should work together to agree on effective ideas to ensure the promotion and protection of children's rights based on national culture. Furthermore, I would like to emphasise the Minister's remarks in reference to education for children and recognise that one of the fundamental rights of children is to learn in their mother tongue which in the case of Timor-Leste is Tetum language. There is a need to develop and use Tetum in the institutions of education in Timor-Leste to positively benefit the children, who after all, are the future of Timor-Leste.

Fourthly, by its nature, children's rights are cross-cutting and require concerted and integrated efforts by a broad range of partners. While parents and care-givers will always have the primary responsibility for the protection of their children, the Government and other partners have a responsibility to support parents and care-givers to fulfil their role and to create a protective environment for children. In this connection, the UN has developed the United Nations Development Assistance Framework or UNDAF as the planning framework for the development operations at the country-level. Many concerns related to children's rights are well integrated in the UNDAF framework for Timor-Leste, allowing UN agencies, funds and programmes to respond to the challenges faced by children in a coordinated manner. I hope

that it will be possible for the United Nations agencies to sit down with Government ministries and other state institutions to review the UNDAF proposals so that they can be integrated into Government programmes.

Finally, I am pleased to note that this Conference has brought together an impressive gathering, including government leaders and other governmental officials, development partners, civil society, child rights experts and children and young people. I believe that the discussions over the past two days will provide useful input to the process of developing the future Children's Code. An open, participatory process for developing the law will guarantee that the future law will be relevant for context of Timor-Leste and I congratulate the Government for its decision to develop the law for children through broad participation. I hope that the drafting process which will begin now will continue to involve representatives from a broad range of stakeholders and that the spirit of participation will continue throughout the process. Participation and broad involvement of stakeholders, including children and young people, will also be important for the implementation of the law once it has been finalized and approved.

As the Special Representative of the Secretary General and the United Nations Resident Coordinator, I reaffirm our commitment towards intensifying the efforts by the United Nations to assist the government in accelerating the realization of human rights and children's rights in Timor-Leste.

Obrigado Barak