

CRPD	Ratification Date	Care-Related Concluding Observations
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		<b>Country Report</b>
CRC	Accession Date	Care-Related Concluding Observations
	16 April 2003	<p>CRC/C/TLS/CO/2-3                      29 October 2015</p> <p><a href="http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fTLS%2fCO%2f2-3&amp;Lang=en">http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fTLS%2fCO%2f2-3&amp;Lang=en</a></p> <p><b>III. Main areas of concern and recommendations</b></p> <p><b>C. General principles (arts. 2, 3, 6 and 12) Non-discrimination</b></p> <p>24. The Committee commends the inclusion of specific provisions for the protection of children from discrimination in the State party's Constitution and other laws, including with respect to children with disabilities and children born out of wedlock. The Committee is concerned, however, that certain groups of children, especially children of returnees, children who are not in possession of a baptism certificate, children born out of wedlock, children conceived from sexual relations among family members, and children with disabilities, face de facto discrimination, most importantly with regard to access to education and other services.</p> <p>25. <b>The Committee recommends that the State party ensure that all children in the State party enjoy equal</b></p>

	<p>rights under the Convention without discrimination, both de jure and de facto, and that it intensify efforts to ensure the effective elimination of any form of discrimination against the above-mentioned groups of children and other groups of children in marginalized situations through, among other things, awareness-raising campaigns and education, especially at the community level and in schools.</p> <p><b>Best interests of the child</b></p> <p>26. The Committee welcomes the information in the periodic report that the best interests of the child principle is mainstreamed across all sectors of government and is enshrined in the draft children's code and the draft law to prevent, suppress and punish trafficking in persons. However, the Committee is concerned about insufficient information regarding the State party's efforts to ensure the right of the child to have his or her best interests taken into account as a primary consideration in all actions, and to apply that right in all legislation, administrative and judicial proceedings, policies and programmes relating to children.</p> <p>27. <b>In the light of its general comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration, the Committee recommends that the State party strengthen its efforts to ensure that this right is appropriately integrated and consistently interpreted and applied in all legislation, administrative and judicial proceedings and decisions, as well as in all policies, programmes and projects that are relevant to and have an impact on children. In this regard, the State party is encouraged to develop procedures and criteria to provide guidance to all relevant persons in authority on determining the best interests of the child in every area and on giving due weight to those interests as a primary consideration.</b></p> <p><b>E. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)</b></p> <p><b>Corporal punishment</b></p> <p>32. The Committee notes that the draft children's code prohibits corporal punishment in schools and provides for mandatory reporting obligations with respect to child abuse within or outside the school. The Committee welcomes the information in the report of the State party about measures taken by the Ministry of Education to investigate complaints of corporal punishment in schools. The Committee, however, is</p>
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	<p>concerned that corporal punishment is widely accepted in society as a way to discipline children and remains lawful in schools, as well as in the home and in residential institutions. It is also concerned about the lack of data on the number of incidents of corporal punishment in all settings.</p> <p><b>33. In line with its general comments No. 8 (2006) on the right of the child to protection from corporal punishment and other cruel or degrading forms of punishment and No. 13 (2011) on the right of the child to freedom from all forms of violence, the Committee recommends that the State party:</b></p> <ul style="list-style-type: none"><li>(a) <b>Adopt the children’s code and amend its legislation to explicitly prohibit corporal punishment in all settings, including the family, schools and institutions;</b></li><li>(b) <b>Promote positive, non-violent and participatory forms of child-rearing and discipline as an alternative to corporal punishment, and expand parenting education programmes and training for principals, teachers and other professionals working with and for children;</b></li><li>(c) <b>Strengthen and expand its efforts through awareness-raising campaigns to inform the public in general about the negative impact of corporal punishment on children and actively involve children and the media in the process.</b></li></ul> <p><b>F. Family environment and alternative care (arts. 5, 9-11, 18 (1) and (2), 20, 21, 25 and 27 (4))</b></p> <p><b>Family environment</b></p> <p>38. Despite the impressive number of services and programmes aimed at assisting parents and legal guardians in the performance of their child-rearing responsibilities, the Committee is concerned that many families are in situations of poverty, face food insecurity and lack appropriate assistance, resulting in children being placed in residential care facilities. The Committee is also concerned about inadequate financial support, despite poverty reduction initiatives and access to early childhood education and care for young children.</p> <p><b>39. The Committee recommends that the State party:</b></p>
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		<p>(a) <b>Finalize and implement the Child and Family Welfare System Policy with its focus on strengthening families and communities to protect and care for their children;</b></p> <p>(b) <b>Intensify its efforts to provide appropriate assistance to parents and legal guardians in the performance of their child-rearing responsibilities, in particular in situations of poverty and especially in rural areas, including by strengthening the system of family benefits and child allowances and other services, such as accessible early childhood education and care;</b></p> <p>(c) <b>Expand family counselling and parenting education programmes.</b></p> <p><b>Children deprived of a family environment</b></p> <p>40. The Committee:</p> <p>(a) Is concerned that informal foster care arrangements, whereby children are placed in families other than biological families owing to a variety of reasons, put these children at risk of abuse and exploitation;</p> <p>(b) While noting that kinship care is a widespread traditional practice in Timor-Leste and is generally a positive practice, is concerned that the limited monitoring by protection services puts children at risk of abuse;</p> <p>(c) Is concerned about inadequate government oversight regarding the placement of children and the monitoring of the quality of care in residential care facilities.</p> <p><b>41. Drawing the State party’s attention to the Guidelines for the Alternative Care of Children, the Committee emphasizes that financial and material poverty, or conditions directly and uniquely attributable to such poverty, should never be the sole justification for removing a child from parental care, for receiving a child into alternative care or for preventing a child’s social reintegration. In this regard, the Committee recommends that the State party:</b></p> <p>(a) <b>Further strengthen the support provided to biological families to prevent out-of-home</b></p>
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		<p>placements, including informal arrangements;</p> <p>(b) Increase efforts to ensure that children in need of alternative care are placed in family-based care rather than in institutions, and that they maintain contact with or are returned to their families when it is in their best interests;</p> <p>(c) Ensure adequate safeguards and clear criteria, based on the needs and the best interests of the child, for determining whether a child should be placed in alternative care, including periodic review of the placement of children in children’s homes;</p> <p>(d) Strengthen government oversight regarding the operation of residential care facilities, and review the Policy, Procedures and Standards for Child Care Centres and Boarding Houses (2010) to ensure that all residential care facilities are operated in compliance with the policy, which should include an enforcement mechanism;</p> <p>(e) Ensure that adequate human, technical and financial resources are allocated to alternative care centres and relevant child protection services, in order to facilitate the rehabilitation and social reintegration of children resident therein to the greatest extent possible.</p> <p><b>Adoption</b></p> <p>42. The Committee is concerned about the practice in the State party regarding informal adoption whereby families place their children with other families, often because of situations of poverty and indebtedness. It is also concerned that the State party, which has ratified the Convention on Protection of Children and Cooperation in respect of Intercountry Adoption, has not implemented this Convention in practice.</p> <p>43. <b>The Committee recommends that the State party regulate on an urgent basis the issue of informal adoption in the State party. It also recommends that the State party adopt legislation and policies on adoption in accordance with the Convention. The Committee further recommends that the State party adopt laws and policies to implement the Convention on Protection of Children and Cooperation in respect of Intercountry Adoption and provide information on measures taken in this regard, including compliance</b></p>
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		<p>mechanisms, in its next periodic report.</p> <p><b>G. Disability, basic health and welfare (arts. 6, 18 (3), 23, 24, 26, 27 (1-3) and 33)</b></p> <p><b>Children with disabilities</b></p> <p>44. The Committee welcomes the inclusion of disabilities in the Strategic Development Plan with respect to the promotion of health. It also welcomes the establishment of three training centres as pilot projects in Dili, Lautem and Aileu, which provide teachers with training to support children with disabilities in mainstream education. The Committee is, however, concerned that:</p> <p>...</p> <p>(b) Children with disabilities are subjected to widespread discrimination, neglect and abuse, lack access to education and health care, and are not integrated effectively in all areas of social life;</p> <p>...</p> <p>(d) Sufficient and adequate facilities for children with disabilities in schools, sports and leisure facilities and residential facilities are lacking, in particular in rural areas; ...</p> <p>45. <b>In the light of its general comment No. 9 (2006) on the rights of children with disabilities, the Committee urges the State party to adopt a human rights-based approach to disability, set up a comprehensive strategy for the inclusion of children with disabilities and:</b></p> <p>...</p> <p>(b) <b>Strengthen support for caregivers of children with disabilities, including by providing counselling and training, increasing the Bolsa da Mãe stipend and considering implementing a stipend for caregivers to help support children with disabilities;</b></p> <p>(c) <b>Ensure that continuing training is provided for professionals working with children with</b></p>
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		<p>disabilities, such as teachers, social workers and health, medical, therapeutic and care personnel, that guidelines and training materials are developed, and that mechanisms are in place to monitor the performance of care providers; ...</p> <p><b>I. Special protection measures (arts. 22, 30, 32, 33, 35, 36, 37 (b)-(d) and 38-40)</b></p> <p><b>Children in street situations</b></p> <p>58. The Committee welcomes the information regarding initiatives by the State party to address children in street situations. It is, however, concerned about the insufficiency of information and data on children in street situations and the lack of a policy in this regard.</p> <p>59. <b>The Committee recommends that the State party:</b></p> <ul style="list-style-type: none"> <li>(a) <b>Undertake a comprehensive study of the root causes forcing children into street situations, such as poverty, family violence and lack of access to education;</b></li> <li>(b) <b>Develop a comprehensive strategy for the protection of children in street situations with the aim of preventing and reducing this phenomenon;</b></li> <li>(c) <b>Provide children in street situations with adequate protection and assistance for recovery and reintegration, including shelter, education and vocational training, adequate health-care services, including HIV/AIDS screening, and other social services, including substance abuse treatment programmes and mental health counselling.</b></li> </ul>
		<b>Country Report</b>
		<p><b>CRC/C/TLS/2-3</b>  <b>2 December 2014</b></p> <p><a href="http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fTLS%2f2-3&amp;Lang=en">http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fTLS%2f2-3&amp;Lang=en</a></p>

<b>OPSC to CRC</b>	<b>Accession Date</b>	<b>Care-Related Concluding Observations</b>
	16 April 2003	
<b>OPAC to CRC</b>	<b>Accession Date</b>	<b>Care-Related Concluding Observations</b>
	2 August 2004	
<b>ICCPR</b>	<b>Accession Date</b>	<b>Care-Related Concluding Observations</b>
	18 September 2003	
<b>ICESCR</b>	<b>Accession Date</b>	<b>Care-Related Concluding Observations</b>
	16 April 2003	
<b>CEDAW</b>	<b>Accession Date</b>	<b>Care-Related Concluding Observations</b>
	16 April 2003	
<b>UPR</b>	<b>Date of Consideration</b>	<b>Link to Page</b>
	12 October 2011	<a href="http://www.ohchr.org/EN/HRBodies/UPR/Pages/TLSession12.aspx">http://www.ohchr.org/EN/HRBodies/UPR/Pages/TLSession12.aspx</a>
<b>Hague Intercountry Adoption</b>	<b>Accession Date</b>	<b>Link to Country Profile</b>
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**Acronyms and Abbreviations:**

CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CRC	Convention on the Rights of the Child/Committee on the Rights of the Child
CRPD	Convention on the Rights of Persons with Disabilities
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
OPAC to CRC	Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict
OPSC to CRC	Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography
UN	United Nations
UPR	Universal Periodic Review