

## **Report on Community Based Child Protection Mechanisms Supported by Plan in East Timor**



**Shikha Ghildyal, ICPREC**  
*August 2012*

## Table of Contents

I. Executive Summary .....	3
II. Introduction .....	4
III. Methodology .....	5
IV. Introduction to the Country Context.....	7
V. Over view of Plans Strategic Child Protection work and the scope of CBPMs work.....	10
VI. Structural Aspects of CBCPMs.....	13
VII. Functional aspects of CBCPM.....	15
VIII. Case Management.....	22
IX. Children’s participation and involvement in CBCPM.....	24
X. Capacity and Support systems .....	25
XI. Linkages with Civil Society and Government .....	26
XII. Monitoring and Evaluation system and process .....	27
XIII. Sustainability and Scale up.....	28
XIV. Key achievements, challenges and lessons learned.....	30
XV. Conclusion.....	32
ANNEXES.....	35

## I. Executive Summary

This report is a part of the regional comparative analysis on community based child protection mechanisms supported by Plan in the Asia region. The overall objective of this comparative analysis is to increase learning of various structural and functional aspects of the existing community based child protection mechanisms supported by Plan Asia across 13 countries, and to report on their potential for increased impact and sustainability. Since Plan East Timor's work is fairly new in this area, the country report provides an outline of the existing Child Protection Mechanisms (formal and informal) in East Timor and how Plan is supporting existing formal structures. It explores the strengths and challenges and looks at how Plan can in line with its Child Protection Program, strengthen these to create a safe enabling environment for children through Community Based Child Protection Mechanisms in the future.

A 10 day field study was undertaken in East Timor June 2012 to assess and document the situation of child protection mechanisms that are in place as well as gather views of different stakeholders on their effectiveness and impact. A one day consultation workshop was organized in two communities which was attended by 78 participants (25 females, 22 Males, 14 boys and 17 girls). Besides this interviews and focus group discussion took place with Plan staff, government officials, local NGO partners, Child Protection Network members, NGOs and INGO's at national and district level to gather their views. The focus group discussions and interviews both at the national and district level provided a better understanding on the current status of government initiatives and what are the gaps that hinder children from accessing their right to protection. It elaborated on existing laws and policies and their shortcomings as well as the traditional values and beliefs that perpetuate violence against children.

East Timor is in the nascent stages of developing a child protection system. At present the Child Protection mechanisms in place are formal mechanisms that function at the national, district and sub district level that have been strategically designed and supported by Plan with the Government, UNICEF and other international agencies. At the community level there are traditional structures called "adat" that are presently being used to deal with child protection issues. Beside the formal structures there are also coordinating bodies on Child Protection which have been functional at both the national and district level. Child Protection Network was established through signing of an Inter-Agency Memorandum of Understanding in 2007 between all stakeholders (Ministry of Social Solidarity, Ministry of Justice, Ministry of Health, Ministry of Education, Secretary of State for Security, Secretary of State for Labour, UNICEF, NGOs, and church organizations).

The Government of East Timor with support and input from Plan and other key stakeholders has undertaken legislative reform and has generated a range of major legal drafts in child protection (draft Child Rights Code, draft Civil Code, and draft Juvenile Justice Law) with many positive features that are still to be approved officially. Although progress has been made in developing the legal framework, its enforcement is limited due to lack of awareness, lack of human resource within the judicial system and the fact that the laws and judicial process are in Portuguese, a language not understood by the common man

### **Key lessons learned:**

- It is essential to have laws and policies in place on child protection for formal mechanisms to be effective and sustainable
- There should be clarity on the definition of a "child" for legislation to be effectively implemented
- Government ownership and capacity ( human and financial) of the formal structure is essential for sustainability and scale up

- Awareness raising on child rights and child protection at all levels is vital to prepare the ground for effective child protection systems.
- Efforts are required for closer inter-departmental planning and coordination which would enable the departments to look at issues of vulnerability more holistically and would support the development of a more comprehensive service delivery approach. This is especially true at the district level where representatives of the MSS have opportunities to collaborate on the ground with the VPU, Health and education department as well as with key stakeholders through the CPN
- Children's meaningful participation needs to be incorporated in all work related to children's issues.
- Child protection case management is in its early stages of development. There still appears to be reluctance among children, parents and other community members to report cases of child sexual abuse, early marriage and harmful child work. Increased awareness on existing mechanisms, capacity building of government officers dealing with child protection as well as effective and timely case management will result in community trust in the formal system
- There is a need to advocate for sufficient budget allocation and human resource at the national, district, sub district and community level
- There needs to be regular meetings, follow up and capacity building of the CPN at different levels to ensure sharing of information and good practices as well as joint case management and problem solving.
- There is no common child protection data base with disaggregated information on child protection issues. This will be essential for setting up monitoring and evaluation system and developing indicators.
- To establish sustainable and effective CBCPMs, Plan with other child protection actors should engage actively with local 'leaders' such as community chiefs, village elders and other effective community groups. The engagement of local leaders is essential in efforts to change attitudes and behaviors, to reduce stigma, and to respond to and prevent further abuse and exploitation of children. Their participation will provide an important multiplier effect for desired child protection outcomes at the community level.
- Plan should have a more integrated approach within its programs so as to link education and health to child protection issues. Child centred community Development (CCCD) work can be used for awareness raising and community mobilization.
- Plan needs to utilize its learning's and good practice from other countries to develop a strategy on establishing CBCPMs

## II. Introduction

Plan is as an international child-centred development organization working in 50 developing countries across Africa, Asia and the Americas. Plan's vision is of a world in which all children realize their full potential in societies that respect people's rights and dignity. In recent years<sup>1</sup> child protection has become a key programming and thematic area for Plan in which it effectively contributes to the realisation of child rights applying its Child Centred Community Development approach.

For Plan International, child protection encompasses the work and activities it undertakes to prevent and respond to all forms of abuse, neglect, exploitation and violence against children. Plan's child protection work incorporates work on child protection in emergencies (CPiE), child protection programming referred to as child protection in development (CPiD) and Plan's policy to safe guard

---

<sup>1</sup> particularly since 2006

children, “Say Yes! to keeping children safe”. Specific child protection programmes and strategies include:

- Strengthening Child Protection Systems, focusing particularly on community based protection mechanisms;
- Building the capacity of parents, communities and professionals to provide protection;
- Developing children’s resilience and their capacity to participate in their own protection;
- Integrated advocacy to strengthen legal frameworks and for access to basic and specialist services.

Focusing on community based child protection, Plan’s increasing efforts are channelled into establishing and sustaining a variety of local mechanisms, reflecting a specific child rights based situation analysis, aiming at creating protective networks and environments expected to ensure protection of all children and contribute towards strengthening national child protection systems.

The overall objective of this comparative analysis is firstly, to increase learning of various structural and functional aspects of the existing community based child protection mechanisms in Plan Asia and secondly, to provide a comprehensive report on their potential for increased impact and sustainability. The specific objectives of the regional study are:

- to provide a broad mapping of the scale and coverage of community-based child protection mechanisms supported by Plan Country Offices across the Asia Region;
- to document various models and approaches in establishing, supporting and promoting such child protection mechanisms, including defining roles and responsibilities of various actors and processes supporting their functionality;
- to document common roles, responsibilities and key activities of these community based child protection mechanisms;
- to analyze identified achievements and gaps of community based child protection mechanisms in different operational contexts, including crisis/emergency, early recovery and longer-term development; and
- to provide a broad overview of lessons learned on key components and processes contributing towards effective child protection and sustainable community based mechanisms.

Since Plan East Timor’s work is fairly new in this area, the country report provides an outline of the existing Child Protection Mechanisms (formal and informal) in East Timor and how Plan East Timor is supporting existing formal structures. It explores the strengths and challenges and looks at how Plan can in line with its Child Protection Program, strengthen these to create a safe enabling environment for children through Community Based Child Protection Mechanisms in the future.

### III. Methodology

The comparative analysis study has been carried out by a consultancy group in 3 key stages involving data collection, analysis and synthesis:

- 1) Data collection through a desk review of available information and mapping existing community based child protection mechanisms across Asia (*January – April 2012*).
- 2) Data collection and participatory analysis through field visits in 5 countries (Cambodia, East Timor, Nepal, Pakistan and Vietnam) using child/user friendly participatory tools, interviews, Focus Group Discussions and observation with all relevant stakeholders (*May – June 2012*)
- 3) Analysis and Synthesis: comparative analysis of existing models and report writing (*May – September 2012*)

The field visit schedule and methodology for East Timor<sup>2</sup> was modified to the country context, keeping in mind that the Community Based Child Protection Mechanisms had not yet been established and the community was fairly new to issues related to Child Rights and Child Protection. A one day consultation workshop was organized in two communities (Pairara (Lautem District) and Fatisi (Alieu District)). The planning and preparation of the workshop had been left to Plan's Child Protection Manager, keeping in mind availability of participants and time constraints. The consultation workshops were attended by 78 participants (25 females, 22 Males, 14 boys and 17 girls). Since the participants were attending such a workshop for the first time the tools were simplified (Tree analysis and visioning exercise) for maximizing the results.

A district level consultation was held in Los Palos for Child Protection Network members. Only 10 (8 M and 2 F) members attended out of which 8 were from 4 local NGOs (Esperanca, Justice and Peace, Belun and CD), one representative (F) from MOH and Chief of VPU. Because of the low attendance the methodology had to be changed at the last minute from using different tools to group work.

A national level consultation had been planned with Plans key partners and government representatives, however only two NGO representatives (Forum Tau Matan and Ba Fatura) were able to attend. Meetings were held with representatives from National Commission for Rights of the Child (NCRC), Ombudsman, Child Protection Unit (Ministry of Social Solidarity), Justice Facility, Forum Tau Matan, Youth Parliament and Plan staff. Besides this interviews were held at the District level with representative from VPU and local NGO Esperanca and at the community level with parents, teachers and children.

The tools used for the one day workshop and interviews at the community, district and national level were

- **Tree analysis** : Different types of violence that take place in schools, homes and community and what is being done to handle these issues at present
- **Visioning Exercise**: What would you like to be done by adults ( parents, teachers, chief, elders) children, government, NGOs in the next 2 years to keep children safe
- **Group Exercise**: What is being done, challenges and recommendations for the future
- **Interviews**: with parents, children, government representatives (district and national level), NGO (district and national level).

This was the first time that such a workshop had been conducted in the community where the participants came together to discuss and analyse issues through the use of participatory tools. The participants were shy and not open and it took extra time through introductions and energizers to create an enabling and sharing environment. Due to limited time and lack of follow up in planning and preparation for the workshop, last minute changes were made in the approach used. Despite this shortcoming the workshop enabled adults and children to reflect on issues of violence and what needs to be done to keep children safe.

The focus group discussions and interviews both at the national and district level provided a better understanding on the current status of government initiatives and what are the gaps that hinder children from accessing their right to protection. It elaborated on existing laws and policies and their shortcomings as well as the traditional values and beliefs that perpetuate violence against children.

Ethical guidelines have been applied throughout the study, particularly in preparing for, undertaking and following up to the field work to ensure safe, ethical and inclusive participation of girls and boys with

---

<sup>2</sup> See Annex 1: Visit Schedule East Timor

attention to issues of: informed consent, assessment of risks, and opportunities to report on protection concerns relevant to Plan's child protection policy.

#### **IV. Introduction to the Country Context**

Following 450 years of Portuguese rule, 24 years of Indonesian military occupation, and two years under United Nations administration, East Timor (formerly known as East Timor) gained independence in May 2002, to become world's youngest nation. The Democratic Republic of East Timor is a constitutional republic under the 2002 Constitution. Conflict, violence and resulting destruction over the years and in 2006, has had adverse impact on the country and its people as well as government social support systems and services. Families, homes, businesses and infrastructure were badly affected and a large number of people were internally displaced.

In assessing the status of human development in East Timor, it is important to keep in mind the fact that it is only a decade since it gained its independence as well as recognize the difficult conditions under which this was achieved and the challenges the country has been facing since. East Timor's is a unique example of a young, post-conflict, and low-income country that has risen from foreign domination and violent destruction, to become a fast growing albeit still fragile economy.

Despite the setbacks of 2006, East Timor has made considerable progress in improving its people's livelihoods, alleviating poverty and improving social conditions. Recently the percentage of the population living in poverty has been estimated to have fallen from 49.9 percent in 2007 to 41 percent in 2009.<sup>3</sup> East Timor has a strong financial resource base from oil revenues to meet its development challenges. Following a sharp contraction in GDP growth in 2006, East Timor's economy grew, on average, by 9.9 per cent between 2007 and 2010. The IMF has forecast GDP growth of 8.2 per cent in 2011.<sup>4</sup> In the coming years East Timor needs to build a sustainable basis for economic growth, human development and poverty reduction, through the development of the non-oil economy by promoting the agricultural economy which provides livelihoods for around 70 percent of the population of East Timor.

According to the Human development report, East Timor has made considerable progress in many MDG areas. The MDGs on which East Timor was on-track up to 2007 included completion rates in primary education, youth literacy, infant mortality and coverage of improved sanitation. One MDG target achieved by 2007 was the elimination of gender disparity in education, with enrolment of girls exceeding that of boys in primary school, by 10 percent in 2007. However, East Timor remains off-track for achieving remaining MDGs, such as proportion of population below the national poverty line, prevalence of underweight children under five years of age, proportion of children reaching fifth grade, proportion of children immunized against measles, maternal mortality ratio, proportion of population with comprehensive correct knowledge of HIV/AIDS, incidence associated with malaria, and proportion of population using an improved sanitation facility.

Significant human development problems that persist are in the areas of energy provision, food security and nutrition, access to education and health services and high levels of unemployment especially among the youth. Poverty is widespread due to inequitable growth and increasing disparities between rural and urban areas resulting in high levels of migration from countryside to the capital Dilli. The population of East Timor was estimated at 1.066 million people in 2010. About 45 percent of the population is aged 0-

---

<sup>3</sup> UNDP Human Development report, 2011

<sup>4</sup> Timor Leste Country Brief, Australian Government department of Foreign Affairs and Trade, 2012

14 years, 62 percent is under the age of 24, and only 3 percent is above the age of 65 years. More than three-fourths of the population (77 percent) lives in rural areas. Approximately one fifth of the population (21.97 percent) lives in the capital, Dili.<sup>5</sup>

The prevalence of civil and political unrest over the past 35 years has had a profound and disproportionate effect on children - by disrupting schooling, physical and mental development and social cohesion. A high level of violence against children - especially girls - is a major threat against children's health, physical integrity, education and dignity in East Timor with many children victims or at risk of becoming victims of violence. Overall there is very little data or comprehensive information that captures the extent of the problem. Although quantitative, indicator-based surveys have been developed to measure the situation of children in relation to health and education, these have not incorporated assessment of vulnerability to abuse and exploitation. The data that is available suggests that over 40% of children in East Timor suffer from some form of violence - the problem is severe and widespread. Reliance on traditional justice systems, which is reported as increasingly failing to render an agreed settlement, often only focused on harmonization of conflicts in the villages rather than protecting children from violence, may be compounding the problem of unaddressed violation against children's right to protection and could contribute to preserving high levels of violence against children and harmful traditional practices.<sup>6</sup> Evidence from the field level consultations, point at high prevalence of physical punishment, emotional and sexual abuse, incest, hard child work in homes and schools. Physical punishment in homes and school is considered to be part of discipline and is widely accepted both by the children and adults.

*"Sometimes children get beaten in school and they tell their parents. When parents talk to the teacher they feel the teacher was correct and beat the children as well. My father beats me because his father beat him, but now if we know the law and children's rights we will not beat our children. "Boy aged 15, Youth Parliament member*

*"Children accept abuse especially beating by parents and teachers because they think they have done wrong "*  
*Children's group presentation, Fatisi community*

In 2010, the government presented a Medium Term Strategic Plan 2011-2030 (MTSP) for East Timor which envisages by 2030 achievement of universal literacy; universal education up to Grade 12; universal access to health care; eradication of malnutrition; and access to safe water for all. Though these measures are important for ensuring the long-term welfare and protection of children, the strategic plan does not detail specific provisions for the development of a child protection system.<sup>7</sup> During the presentation of the MTSP the government outlined its broad intentions for the enhancement of the social welfare system, in particular: *"(the) establishment of a nationwide social assistance program in 2010...with the development of a policy for disability including child protection systems and a decree law for the implementation of the Bolsa da Mãe conditional cash transfer programme."*<sup>8</sup>

GoTL has committed to the following international conventions and treaties: CRC (2003), CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography (2003), CRC Optional Protocol on Involvement of Children in Armed Conflict (2004), ILO Convention 182 on the Worst Forms of Child Labour (2009), Optional Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (2009), Convention on the Elimination of All Forms of Discrimination

---

<sup>5</sup> Human Development Report, 2010

<sup>6</sup> Right to Protection, Plan Country Program 2011-2016

<sup>7</sup> Mapping and assessment of the Child Protection Systems in Timor- Leste, Child Frontiers Ltd., March 2011

<sup>8</sup> East Timor Development Partners Meeting 7 April 2010, Background Paper



Against Women (2009). The Constitution provides extensive recognition of human rights.<sup>9</sup> It incorporates the Convention on the Rights of the Child into East Timorese law, providing that “children shall enjoy all rights that are universally recognized, as well as all those that are enshrined in international conventions commonly ratified or approved by the State”.<sup>10</sup> It specifically recognizes children’s right “to special protection by the family, the community and the State, particularly against all forms of abandonment, discrimination, violence, oppression, sexual abuse and exploitation”.<sup>11</sup> The Constitution also incorporates into internal law, East Timor’s obligations under international treaties and invalidates local laws that are inconsistent with them.<sup>12</sup> However the government is still in its embryonic stages of understanding its obligations in respecting, protecting and fulfilling rights of the children and youth.

A participatory child rights situational analysis (CRSA) recognized that although there are examples of progress being made towards the achievement of child rights, there remain significant gaps/violations. There are high levels of violence against children in the home setting affecting boys and girls, both directly and indirectly. Over 40% of Timorese children reportedly suffer violence at some stage in their childhood.<sup>13</sup> A pilot study by PRADET TL shows that the most prevalent forms of violence against children are sexual abuse (30% of reported cases) and physical abuse (26%).<sup>14</sup> The mean age of victims at the time of violence is 11.5 years, and 85% of the victims of sexual abuse are girls. Children experience a range of reactions to such violence including fear, confusion, guilt, anger, powerlessness, and denial, lack of confidence, stress and sadness, as well as lasting stigma and exclusion, which can have detrimental effects on society as a whole.

Violence against children at school is also very common. The 2006 study ‘Speak Nicely To Me’ examined the attitudes and practices of teachers and parents towards discipline of children. The study found that over two thirds of children (67%) reported being beaten with a stick by teachers, 39% reported being slapped on the face by teachers. Three out of five (60%) reported being beaten with a stick by their parents.

Although the government has established some mechanisms for the provision of quality and effective prevention, recovery and reintegration services, the practical application of such services is still very limited. Civil society lacks the capacity to engage in dialogue around Violence against children at national and international levels. In addition to the lack of knowledge about the institutions, mechanisms and how to use them, CSOs do not always collaborate and coordinate their efforts. Combined with weak family and community support children and youth are at a very significant risk of being abused and exploited.

It is within this context that Plan International is going to pilot community based child protection mechanisms with an integral focus on empowering the most marginalized youth and children. Plan intends to contextualize methodologies and approaches that will allow for children, youth, families and communities to be more involved in all stages of the programme cycle, bearing in mind the post-conflict context of East Timor.

---

<sup>9</sup> Constitution Part II “Fundamental Rights, Duties, Liberties and Guarantees”

<sup>10</sup> RDTL Constitution Section 18.2

<sup>11</sup> RDTL Constitution Section 18.1

<sup>12</sup> RDTL Constitution Section 9

<sup>13</sup> *Report of the National Consultation on Violence against Children*, May 2005 organized by Plan, UNICEF and Ministry of Education.

<sup>14</sup> *Preliminary Report on Child Abuse and CSEC*, PRADET, 2002. In collaboration with UNICEF and various government departments.

## V. Over view of Plans Strategic Child Protection work and the scope of CBPMs work

Plan has been present in East Timor since 2001, working with communities and other partners in 3 districts (Dilli, Lautem and Aileu) as well as with internally displaced people in camps in the capital Dili. Plan's work, till 2010, revolved around making sure that children are safe, clean, healthy and educated. To do this effectively Plan carried out 4 main activities 1) support the formation of business cooperatives in collaboration with the communities, identify market opportunities and provide vocational skills training in business, development and leadership to youth. 2) Train parents and playgroup workers in early childhood education so that they can better support their children's studies. 3) Train communities on child protection to ensure that children are safe, whether at home or at school 4) Promote sanitation in schools and communities by improving water points and toilets.

Plan East Timor has been implementing a long-term child protection program in selected districts and at the national level since 2005, including playing an important role in the creation and continued development of the CPNs. Plan has conducted and supported multiple seminars, conferences and meetings with child representatives from across the country and has provided ongoing support to government ministries, specifically the Ministry of Social Solidarity (MSS), including the secondment of a child protection advisor for one year. Plan's efforts at providing input into the Children's Code and Laws related to Juvenile Justice and its ongoing participation in national and district level CPN has greatly contributed to GoTL's work on CP.

Plans work on Child Protection in the past entailed capacity building of government representatives from Ministry of Social Solidarity's (MSS) Child Protection Unit and National Commission on Rights of the Child (NCRC), Local Partners and Child Protection Networks (CPN) on CRC and Child Protection, leading on piloting Community based Child Protection Mechanism in IDP camps, providing input into the Governments CRC report, Inputting into law and policy related to Child Protection, providing technical support to Child Protection Unit (CPU) by seconding a Child Rights Advisor and financial support at national level by way of computers and at district level by way of motor bikes. It also supported NCRC in awareness raising programs and events.

Plan East Timor began drafting its 1<sup>st</sup> Country Strategic Plan just as the 2006 crisis started to unfold, and within a complex context characterised by instability and conflict, set about to deliver it. In late 2010, Plan East Timor commissioned an externally-led but highly participatory evaluation to learn from its efforts to deliver CSPI for input into the CSP cycle II (2012-2016).

### **Plans Child Protection work in IDP Camps**

The political and ethnic violence of April and May of 2006 resulted in the displacement of over 150,000 people into host communities and camps. Plan's emergency response activities included taking responsibility for coordination in 13 camps for internally displaced persons (IDPs). Plan focussed its work on children and collaborated closely with UNICEF and the government to bring other child protection actors together to form a child protection working group. Through this it developed a structure for child protection work that encompassed both community groups and elements of the formal child protection mechanism. From 2007 to 2008, Plan seconded a national staff member to the Division of Social Services (DSS) as a child protection adviser. The secondee focused on building the capacity of DSS child protection officers and child protection networks to strengthen existing child protection mechanisms and to increase the involvement of sub-district and village structures in upholding children's rights.

The structure initially focused on the work of trained volunteers who acted as the community-level child

protection focal points (CPFPs) in each block of every camp, focusing on protection activities. Each camp commonly had around eight blocks, and each block focal point made up part of the CPFP team, with one person from each team being nominated as a representative across all the camps. In addition, all the camps were supported by three child protection support teams (CPSTs), comprising staff from the Ministry of Labour and Community Reinsertion (MLCR), the DSS, international and national NGOs. The CPST would regularly visit the camps and CPFPs to provide technical support and training. CPSTs were monitored and supported by members of the Child Protection Working Groups (CPWG).

Within 4 months MLCR had taken over the central coordination role of the CPWG. Although systems for referral to district and national child protection systems theoretically existed, the links were weak and many child protection cases remained at family or community level. It was not until 2008 that links were strengthened by ensuring CPFPs understood the roles of different duty bearers, and were empowered to contact them through introductory meetings.

The CPWG adopted the model as a common approach across all camps linking it with the embryonic child protection system that was in development before the crisis. The involvement of government authorities from the onset legitimised the developing child protection system. Facilitating meetings between the focal points and elements of the formal systems, such as the National Division of Social Reinsertion and Police Vulnerable Persons Unit (VPU), also helped bridge the gap between camp-based and district and national systems. This, in turn, led to a significant increase in the number of child protection concerns and individual cases reported.<sup>15</sup>

Work on child protection is one of four programmes of Plans CSP II (2012-2016) and the goal of the Child Protection Programme is: “*Right to Protection* – Timorese children live in safer, more secure environments as a result of increased participation in their own protection, greater community and civil society understanding of child rights and child protection, and an improved national child protection system”.<sup>16</sup> There are three Key objectives to achieve this goal 1) Children and youth have increased opportunities to express their views and influence decisions in the project cycle and in child protection mechanisms at all level 2) Strengthen the child protection mechanisms at community, Sub District, District and National levels. 3) Strengthen civil society to understand the rights of the child at to establish their own child protection policies and procedures to enable then to respond appropriately to child protection issues.

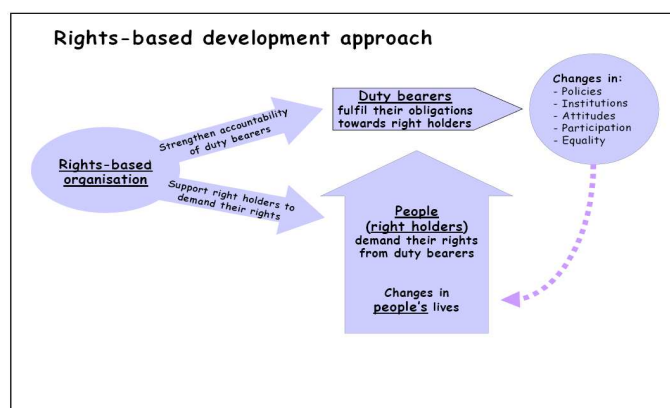


Figure 1 Key principles of rights based approach. Source: Theis.J;2003

Programme approach: Child Centred Community Development (CCCD) is Plan's rights-based approach in which children; youth, families and their communities are active and leading participants in their own development. On the one hand Plan will empower children and communities to advocate for their

rights especially to protection and on the other build capacities of duty bearers to fulfil them in a participatory inclusive manner. Plan will apply an integrated approach which will be applied both

<sup>15</sup> Discussion Paper: Strengthening National Child Protection Systems in Emergency through Community based Mechanism; Published on behalf of the Child Protection Working Group of the UN Protection Cluster by Save the Children UK,2010

<sup>16</sup> Plan Country Program, Right to protection, CSP 11,2011

internally within its different programs and externally by enabling national child protection systems to work in a more inclusive and collaborative manner with key stake holders for effective and sustainable results.

The interventions will focus on a combination of service delivery, capacity building, and advocacy. Plan will work with children as rights-holders focusing on strengthening children affected by violence in different settings such as in school, in the home and in the work place, particularly in rural areas where currently the government as a duty-bearer is often unable to meet its obligations. The primary target group of this strategy is the rights holders, children who are affected by violence or at risk of being affected by violence. Other target groups are primary duty bearers at various levels including government representatives and secondary duty bearers CSOs and their staff. This will include representatives of local implementing partners as well as other national NGOs, alliances and networks identified in the specific projects, including children and youth and their organizations. Staff at Plan also form part of this target group. The Child Protection program will work at the community, district and national level.

At the community level Plan will raise awareness and help develop mechanisms that are applicable to East Timor,. It will build on traditional community structures to protect children and to solve conflict and link them with the formal national child protection system, especially at district level. By raising awareness, providing relevant information and building capacity of both children and communities on Child Protection it will develop a strong self sustaining mechanism. It will also apply lessons learnt from its child protection work in the IDP camps during CSP I.

At the district level Plan will support and build capacity of the Child Protection Officers, facilitate coordination of the Child Protection Network meetings as well as raising awareness of its importance among the representatives from different sectors. In addition, fostering links between the community and District level will continue to be strengthened and community child protection mechanisms will be piloted in cooperation with other CSOs for increased coverage and scale.

Plan will work at the national level with the relevant Ministries to strengthen the child protection network; advocate for changes to realize children's right to protection and provide input to legislation and policies. Improving civil society's knowledge about the UNCRC will be a main strategy to increase the organizations' capacity to advocate for increased child protection.

East Timor is in the nascent stages of developing a child protection system which has presence at the national, district and sub district level. Plan through its CSP II Child Protection Program will strengthen links between formal structures and the community, by establishing Community based Child Protection Mechanisms. This will enable the most vulnerable groups (children/youth with disabilities, living in rural locations at higher altitude, living in female-headed households; and whose mothers have had limited education) and communities to better protect themselves and create a safe enabling environment for children.

Over the next five years, Plan intends to concentrate its interventions in 3 districts of Dilli, Alieu and Lautem. It will work in 36 Sucos in 4 sub districts with a total population of 71 000 people, including up to 14,000 sponsored children and their families. Based on the CRSA, Plan East Timor identified which Timorese children/youth are most impacted by effects of "unfulfilled" rights (for example) and has embraced the principle of inclusion.

## VI. Structural Aspects of CBCPMs

The child protection system in East Timor is still in the nascent stage of development and as yet there are no Community based Child Protection Mechanisms established. It is hoped that the regional analysis and country field visit will provide opportunity to learn from the input from various interviews, FGD and consultations, other countries experiences so as to use good practice model for replication that are tailored to the Timorese context. While many countries struggle with past policies of mass institutionalization, issue-specific programming (for example, child trafficking, and street children) and punitive child justice systems, East Timor is able to adapt and incorporate new thinking towards the protection of children. It is reassuring that the MSS is already aligning its vision towards the development of a comprehensive and sustainable child protection system.<sup>17</sup>

Plan in East Timor has as yet not started its CSP II program on establishing Community Based Child Protection Mechanisms. At present the Child Protection mechanisms in place are formal mechanisms that function at the national, district and sub district level. At the community level Child Protection issues are handled by traditional structures called “adat” that regulate people’s lives at the community level.

Beside the formal structures there are also coordinating bodies on Child Protection which have been functional at both the national and district level. Child Protection Network was established through signing of an Inter-Agency Memorandum of Understanding in 2007 between all stakeholders (Ministry of Social Solidarity, Ministry of Justice, Ministry of Health, Ministry of Education, Secretary of State for Security, Secretary of State for Labour, UNICEF, NGOs, and church organizations).

District level Child Protection Networks (CPN), were established in 2006 to support child protection activities in the districts. It is convened and facilitated by the CPO. The role of the CPN is to bring together multiple actors including different ministries, NGO’s and government department to share information on a regular basis on child protection issues as well as provide input into national policies and programs as well as support the CPO. This also provides a forum to raise cases of violence for violence for effective and collaborative action.

*“We have brought cases of child abuse to the CPN network for action but these are not investigated or taken forward. The CPN has not met at the district level for the past two and a half years. We have recently started meeting again and hope to meet once every two months”* (NGO representative from the district)

Traditional structures exist at the Village (Suco) and Sub Village level. The Chef Suco governs the village level while the Chef Aldea governs the sub village level. East Timor’s Decree Law 5/2004 in order to promote decentralization and good governance has recognized these traditional leaders as official part of the State, making them the liaison persons between their communities and the government. The Chefs do not have an official Government function and adhere to their role of Traditional authority within the community. However they are expected to support initiatives regarding the follow-up and protection of domestic violence victims, and the rehabilitation and punishment of domestic-violence perpetrators so as to suppress the occurrence of such cases within the community.

*“There is a lot of respect given to the traditional system by the communities. Mostly the traditional system deals with minor crime of stealing, however sometimes they even deal with cases of rape and incest. I feel that the traditional system should be formalized so as to reach the community level. There should be a standard code for the traditional system; the serious cases should be reported to the formal system while the minor ones should be dealt with at the community level. The community leaders should be provided with the training on CRC, CP, case*

---

<sup>17</sup> Mapping and assessment of Child Protection Systems in Timor Leste; Child Frontiers Ltd; 2011

*management, existing CP systems and laws. This way the formal system will be strengthened because only serious cases will be referred to them” (Executive Director, Forum Tau Matan)*

A Child Protection structure is guided by the national child protection framework. The TL Constitution Section 18(1) states that “Children shall be entitled to special protection by the family, the community and the State, particularly against all forms of abandonment, discrimination, violence, oppression, sexual abuse and exploitation.” Section 18(2) further notes that “Children shall enjoy all rights that are universally recognized”, while Section 9 directly incorporates into national law the rules of international conventions, treaties and agreements ratified or acceded to by the Government. National legal provisions that are contrary to such international law are considered invalid. This has been accompanied by Governments ratification and accession to different international child protection treaties and conventions. East Timor is State Party to the Convention on the Rights of the Child, its two Optional Protocols, and other important international instruments. Among those listed, the Government of East Timor has not ratified or acceded to the ILO Minimum Age Convention 138, the Hague Convention on Inter- Country Adoption, or the Convention on the Rights of Persons with Disabilities.

Though international child protection instruments are necessary as guiding principles it still requires national legislation to stipulate structures, functions and policies for its implementation.

The primary responsibility for establishing a Child Protection system lies with the Department of Protection and Social Assistance to Vulnerable Children (also referred to as Child Protection Unit, CPU) within the Directorate for Social Reinsertion (DNRS) in the Ministry of Social Solidarity (MSS). CPU, which is headed by a Director and housed in the MSS compound, has the lead responsibility for setting up Child Protection Systems. The MSS is represented at the District level by 13 Child Protection officers (out of which 5 are females). At the sub district level the MSS is represented by Social animators that provide a link between community and the district.

*“The biggest challenge we face is the fact that community does not think Physical abuse is a serious problem. East Timor has gone through decades of violence, we hit are children because we believe it is part of education and discipline. When we discuss this as violence in the community the community does not agree with us. Now there is a law /policy on zero tolerance in school. When I told my teacher about the policy and that it is not good to beat children, he told me that I would not have got such a high position and done so well if he had not beaten me:” (Director Child Protection Unit)*

#### **Challenges faced by CPU**

According to the Director of CPU following are the challenges they face in providing effective protection to children:

- Lack of Human Resource
- Focus of CPN at district level
- No commitment for coming for CPN meetings
- No appointment of a focal point for the CPN by members - anyone who is free is sent
- Lack of technical knowledge on how to develop and implement good CP programs
- Limited equipment and transport
- Weak Data collection - the information of CPO and VPU at district level is different
- Different information disseminated to the community

We need good research on why violence takes place and good data for evidence. There are many reasons given poverty, no privacy, influence of TV etc. but we need proper research on the root causes.

*“There is no clarity on roles and responsibilities of the CPO or Social animators. Cases are reported to CPN at district level but they have not taken it forward. There is a lack of motivation within the government staff. Every month CPO come to Dilli for making report however there is no data collection system.”*  
(Advisor, Access to Justice Policy and Program, Justice Facility).

Besides the MSS there are other Ministries that have been mandated to carry out child protection work. The Ministry of Justice (MoJ) has 5 department/agencies that promote child protection which are: National Commission on the Rights of the Child (NCRC) established in 2009, Public Prosecution Service, Public Defender, Judge and the Police/Vulnerable Persons Unit.

NCRC plays an advocacy and watch dog role, however it is not mandated to have a complaint mechanism. Till now it has raised awareness through information dissemination, organized events on International Children’s Day and organized meetings of the Child Rights network.

*“The biggest challenge is coordination. We try and inform organizations and ministries of our program and what we will do in the future but there is not much sharing or partnership on this. It is difficult to get people together for network meetings especially from different ministries.”* (Commissioner, NCRC)

The Vulnerable Persons Unit (VPU) is a special investigation division of the national and international police force in East Timor. Its mandate is to investigate all crimes against vulnerable persons such as women and children and “persons who, due to mental or physical handicap are less able to defend themselves”. Crimes under investigation by the VPU include, but are not restricted to GBV, rape, domestic violence, child abuse, missing persons and human trafficking<sup>18</sup>

*“We need to have the Child protection law in place, how can we raise awareness if we do not have a law or mechanisms that can deal with child abuse cases? All those responsible should push the process to get law approved. Besides this, VPU lacks human and financial resource. How can we do our duty if we do not have enough staff or enough money to visit the community?”* (Chief of VPU, Lautem)

The Ministry of Education (MoE) declared “Zero tolerance Policy” in 2008, however this is as yet not an official document. MoE has General Inspector, Regional Inspector and District Inspectors to monitor and promote violence free environment in schools. However they have no clarity on their roles and responsibility and do not look into cases of violence. The Ministry of Labour has 18 Inspectors within its Labour Inspectorate; however they are not mandated to nor have legal power to intervene on behalf of exploited children.

## **VII. Functional aspects of CBCPM**

At present there are no Community Based Child Protection Mechanisms in East Timor and most of the cases related to violence against children are either not reported or handled at the community level through traditional mechanisms.

Generally in East Timor’s traditional mechanism the response to injury/grievance does not focus so much on punishment for the injury as much as on securing compensation for the victim and his/her family whose honour has been damaged by the crime or offence. Punishing the wrongdoer through imprisonment for a crime does not satisfy the community sense of “justice” because when an injury is

---

<sup>18</sup> UNMIT, Standard Operational Procedures for District Vulnerable Person Unit

inflicted on others it creates a kind of debt that requires a settlement that will restore normal social relations.

In dealing with child sexual abuse cases (especially rape) through the “adat” process, the traditional authority tries to negotiate a mutually beneficial agreement between the families. The agreement is not legally binding but must be acceptable to both parties. This can result in a penalty for the perpetrator, marriage between the victim and the perpetrator, or both. Through marriage, the honor of the girl can be protected and ensures that she can fulfill her role as a married woman within the community.

During the workshop at the community level the participants were asked to give example of cases of abuse being solved by the traditional system.

*“We will generally do not report a case of abuse because it is a close knit system and would shame the family. Children also did not report because they were scared they would not be believed. However there have been very few cases where the abuse has been reported to the chief and the matter is settled through monetary compensation to the victim and their family. Sometimes these matters are discussed publically in the village so as to shame the perpetrator and set an example for others not to do the same” (Adult, Paraira Community)*

*“Last year a girl was raped by her uncle and she got pregnant. No one knew about her situation till we found out. We made a report to VPU and also Plan Regional Office (as the girl was part of our sponsorship program). We followed up the case with support from PRADET. However the case was resolved through the traditional system where compensation was provided to the family by the uncle and could not be taken up by OPL or VPU.” (Child Protection Manager, Plan)*

The mechanisms that have been set up at both district and sub district level (CPO, VPU, CPN and the Social animators) are supposed to have an outreach at the community level, however this is weak due to lack of human resource, technical capacity and lack of finances for transport as well as community's lack of knowledge of existing CP mechanisms.

The feedback from the community workshops brought to light the fact that issues related to child protection are common and are mostly dealt with at the family or community level. Physical abuse at both school and family level is accepted both by adults and children as a form of discipline. Common issues related to violence against children reported by adults and children in the community were: physical beating (at home and in school), hard work, verbal and emotional abuse, sexual abuse and incest.

*“I have 9 siblings, a sister who is older than me and 8 younger brothers. We have rice field and my mother and father work there. My father is also a Youth coordinator. My father beats me and it scares and frightens me. I have told my mother but she does not do anything about it. I do not know who I can tell who would help me”.*  
*(15 year old girl (6<sup>th</sup> standard), Paraira Community)*

From discussions in the field it was evident that some traditional mechanisms, such as those which circumvent the formal justice systems, contribute to marginalizing girls and women, or which condone violence, are not always in the best interests of children. Plan should therefore consider carefully the best ways of engaging with traditional leaders to positively influence child protection practices. Such efforts must be taken gradually, with full participation of traditional leadership structures. In East Timor, the traditional justice system has existed for far longer than the formal justice system and comprises an important part of community life; there is the need for it to be harmonized with national legislation concerning its relations with the formal justice system. The relationship between traditional justice mechanisms and the formal justice system needs to be defined and some of the positive elements of the traditional justice system need to be incorporated into the formal justice system.



## Department of Protection & Social Assistance to Vulnerable Children (CPU)

Although inter-agency child protection network, police, health care and education officials, NGOs, all play an important role in the overall service delivery, the main responsibility for management of the system, and for making decisions in individual cases is the responsibility of the MSS which was decreed the role of being responsible for the welfare and protection of all Timorese people. Within the MSS the National Directorate for Social Reinsertion's (DNRS) Department of Protection & Social Assistance to Vulnerable Children (CPU) is the primary child and family welfare agency in East Timor and is central to the mapping of the child protection system.

The CPU has a department director who manages the following sections:

- Protection and Assistance to Children at Risk and Victims of Abuse (3 officers);
- Children in Conflict with the Law (2 officers);
- Social Assistance for Orphans (2 officers).

## Child Protection Officers

The MSS is represented in the districts by a Child Protection Officers (CPO) in 2007 so as to improve the access of Timorese families to welfare and protection services. The terms of reference of the CPO include the following responsibilities and activities:

- Monitor child protection trends at the district level and report all related issues to the national DNRS offices;
- Coordinate between the focal points from all related sectors (Health, Education, Police etc), to develop reporting and referral systems, including protocols for cases of violence against children or exploitation;
- Conduct all case management activities, including the monitoring and reporting cases of violence, exploitation and abuse; conducting of case conferences to address individual cases according to guidelines and standards; following up cases with national service providers (e.g. VPU) and reporting back to victims and their families on their case status;
- Facilitation of the Child Protection Networks<sup>19</sup>

Specific tasks of the Child Protection Officer are split into two areas: general child protection activities and support for district level child protection networks.

General Child protection activities include monitoring of overall child protection environment in the district so as to report priority concerns to the DNSS offices, work in close partnership with focal points from Health, Education, Security and other sectors to develop appropriate reporting and referral systems, support institutional and other focal points in **case management** activities and their follow up.

Support to the Child Protection networks by the CPO's includes assessing and mapping government and community capacity at district, sub-district and village level to support child protection activity, support and strengthen the functioning of district level child protection networks by: convening regular meetings of CPN; preparing and distributing minutes of CPN meetings; following up Action Points of CPN meetings; writing reports and developing plans; provide training and support member capacity

---

<sup>19</sup> Mapping and assessment of Child Protection Systems in Timor Leste; Child Frontiers Ltd; 2011

development where possible and support and liaise with sub-district and community level child protection forums on specific child protection initiatives (e.g. advocacy campaigns).

### **Child Protection Networks:**

The core purpose of Child Protection Networks and institution-based focal points is to strengthen the overall protective environment for children in East Timor through promoting cohesive and coordinated approaches to concerns of violence, abuse and exploitation against children at institutional and community level. It is envisaged that the Child Protection Networks will play a pivotal role in supporting planning, delivery, monitoring and evaluation of child protection related activities at district, sub-district and community level in the future. Prevention and early intervention is a priority of CPNs, ensuring that vulnerable children and families have access to information, support and assistance that will reduce vulnerability and strengthen individual resilience. Membership is open to all organisations interested in Child Protection activities working within the respective district. CPN members may include government, non-government and church-based agencies, community-based groups and voluntary sectors. As outlined under Purpose and function, CPN membership should also include designated district level focal points from health, education and law enforcement sectors. All members of district level CPNs are expected to share information on their activities (including assessments) with the group in order to reduce duplication and enhance coordination. Equally, all CPNs are expected to collaborate and where practical, support inter-district, regional and national child protection initiatives.

District-level Child Protection Networks are convened and chaired by the Division of Social Services of the Ministry of Social Solidarity, District Child Protection Officer, with secretarial support provided by the District Office of State Administration, through the position of District Socio-Economic Development Officer where possible. It is the responsibility of the chair with support from District Office of State Administration to prepare the agenda and to hold regular meetings of the CPN. Agreements and action points from these meetings will be documented and shared with all network members in a timely manner. Management of any financial resources available to the Network will be undertaken by DNSS with support from the District Office of State Administration.



CPN consultation, Lautem District, May 2003

Child Protection Networks aims to:

- Promote a cohesive and coordinated approach to the design, implementation and resourcing of child rights advocacy and child protection responses at district, sub-district and community level.
- Contribute to member's knowledge and understanding of child rights and child protection through sharing of evidence-based practice and development of common strategies, training and IEC materials.

- Inform Government, donors, INGOs and NGOs about the conditions and the needs of children at district and community level, highlighting gaps in child protection measures and constraints due to lack of access to resources.
- Contribute to the development of national child protection policy and related district/sub-district-level planning processes
- Enhance participation of children in policy, advocacy and programme work related to their health and well-being

Main CPN Activities are to:

- Map and document all activities at district, sub-district and community level related to child protection (e.g. community volunteers engaged in promoting child friendly schools, women's committees, youth councils, etc.).
- Develop clear referral pathways/reporting procedures for cases of violence, exploitation and abuse against children to ensure swift care and support to victims, including legal, psychosocial and medical support.
- Establish communication channels and partnerships with community level "advocates" undertaking child protection activities.
- Support to institutional focal points (e.g. Health, Education, and Police) involved in case management.
- Lead and support sub-district and community level child rights and child protection initiatives (for example, creation of community education and advocacy forums, establishment and resourcing of child friendly spaces, convening of cultural, recreational and sporting programs).
- Organize collaborative training and sharing of evidence-based practice among CPN members and others working in complementary fields of community education, development, health and/or civil society strengthening.
- Organize child rights and child protection training aimed at developing local capacity to transfer skills and knowledge at sub-district, Suco (village) and Aldea (sub-village) level.
- Initiate and support specific research on child protection issues.
- Disseminate information on national child protection policies and procedures, such as birth registration

During the CPN workshop in Lautem District one of the participant said that the *"CPN had not met for the last one and a half years. They have recently started to have the meetings again and will conduct them once in two months"*

### **Institution-based focal points:**

Institution-based focal points sit as general CPN members and their primary purpose is to ensure accurate and timely reporting, recording and follow-up of child protection cases, thereby enhancing overall coordination of child protection surveillance and response at sub-district/district level. Specific activities of institution-based focal points will comprise:

- Receiving and documenting key information related to child protection concerns, whether confirmed or suspected.
- Maintaining current and accurate records of such concerns and referring cases to relevant authorities and services at sub-district/district level.
- Facilitating and where deemed appropriate or necessary, accompanying referrals to other services.

- Ensuring follow-up and reporting back of child protection cases where requested by DNSS<sup>20</sup>

### **Role of Plan in the present and the future:**

#### **Present:**

- Strengthens the capacity of local authorities and local non-state actors so as to handle cases of violence against children should contribute to more effective sanctions for those who perpetrate violence against children and therefore reduce the levels of violence against children, including sexual abuse.
- Support Child Protection Networks (CPNs) in Dili, Lautem and Aileu Districts (networking, lobbying, financial and technical support to meetings, workshops and relevant trainings)
- Raises awareness on CRC and Child Protection in partnership with MSS and local NGOs Support and strengthen the National Child Protection System Sub-Working Group at national level.
- Build the capacity of Government representatives at the national and district level through training and exchange visits
- Provide child protection training to civil society organizations and assist them in the development of their child protection policies and procedures Build the capacity of civil society organizations to be able to advocate duty bearers on child protection issues and support the coordination of CSOs efforts
- Plan's role through a small team of child protection staff in the Programme Unit and in the country office is to: advocate with the local authorities (at different levels) to support the Child Protection Boards/ Committees, village collaborators and child core groups; to influence policies, laws, guidelines that strengthen the child protection system (at all levels); and to provide technical support and training on child rights, child protection, case management, and life skills.

*“In the past Plan had a good partnership with us, they helped us establish focal points and the CPN in Aileu and Los Palos. They also supported us with computers and material. We also learnt different tools in CRC and CP through the CP Manage” (Director Child Protection Unit)*

#### **Future:**

- Conduct participatory research (with children, their communities and local duty bearers) and assessments to learn more about current and traditional practices to protect children from violence (positive practices, conflict resolution, harmful traditional practices, etc.)
- Facilitate workshops and training programs for community leaders, government representatives and partner CSOs to establish community based child protection mechanisms at the community level in the three districts.
- Access, map and adapt existing materials on child protection and violence against children to the situation of East Timor; develop new ones if needed and disseminate child protection reading materials and information for children, adults and authorities.
- Work with the Ministry of Justice to promote the right to identity for all children, particularly birth registration

---

<sup>20</sup> Terms of Reference, District Child Protection Networks (CPNs) and Institution-based Focal Points, Ministry of Solidarity Social - National Division of Social Reinsertion

- Facilitate meaningful, relevant, safe and inclusive child/youth participation in the project cycle and in governance structures (decision making structures and mechanisms in relation to child protection) at all levels.
- Support the establishment/strengthening of children's networks
- Capacity build parents and care takers, teachers and school staff, local authorities, Village Development Councils and district Child Protection Officers on child protection, child rights and child participation, and participatory planning processes
- Capacity build children and youth on child rights, participation, advocacy, negotiation and leadership
- Train children to be able to protect themselves and to report cases of child abuse, both in emergencies and normal situations
- - Support FONGTIL (East Timor NGO Forum) to deliver CP training and advocate on CP issues
- Adapt existing materials on child protection and violence against children to the situation of East Timor; develop new ones if needed and disseminate child protection reading materials and information for children's self protection.

During the field consultations CPN members, adults and children were asked about the existing mechanisms and what functions they should perform to create a safe environment for the children.

District level CPN members suggested that the Government should establish structure of Child protection at village and sub village level which includes local leader, teacher, parent, youth and children. Plan should provide training to build capacity of children, youth and adults on CRC and CP and train the Chef on leadership and good governance. Plan should carry out strategic awareness raising at the community level on existing CP Mechanisms and laws and follow it up.

Adults in the community said that most of the cases of the abuse should be handled at the community level. Cases of abuse and incest are still not reported to the formal structure because it is a matter of shame. "We report the case to our traditional Leader or Chef. They know about our practice and culture and can give good advice. There is an assessment, a mediator is selected to resolve on behalf of both parties and bring the parties together, once resolved it is monitored by the mediator. Usually cases are solved through compensation." Male adult, Pairara community.

They also said that at the SUCO level we have a Council which has representatives from community chiefs, youth, women and men. There is an election every 5 years. Their role is to train on handicrafts, from saving groups etc. This group could be trained on Child Rights and Child Protection to effectively solve cases of abuse. They also felt that government should appoint Child Protection focal points and a police focal point at the community level.

*"Very few cases of abuse (especially sexual abuse and incest are reported because it is shame for the family, stigma and sometimes they are threatened by the perpetrator. Reporting will also impact on their future."*  
(Adult, Pairara community)

Children said that they did not report cases of physical abuse because they feel they deserved it and had done something wrong. They also said that cases of abuses were not reported to the police because community and children are scared of them.

*"The Government should set up a spy system at the community level that monitors violence against children; it should consist of policemen who do not wear their uniform."* (Youth Parliament member, age 15)

It is important for Plan to link its Child Protection activities with its ongoing programs especially on Youth Empowerment for Sustainable Development and Right to Access to Education for formation of children's groups, information dissemination and training on CRC, CP and positive discipline as well as Right to a Healthy Start in Life for information dissemination. Plan should develop simple child friendly information on CRC, CP and existing child protection mechanisms in the local language and disseminate the same through all its activities at the community level.

Plan, because of its programs has very strong links at the community level. It should in partnership with local NGOs, CPO and VPU strengthen the capacity of the Village Chief, elders, teachers, parents and children in CRC, Child Protection and Child Participation. Once they are trained Plan should involve them in forming CBCPMs at the community level. This would result in enhanced ownership as well as contextual relevance of such mechanism. Plan should also develop child friendly/reader friendly information in local language on violence against children, existing child protection services and what needs to be done for reporting case of abuse. This information should be put up in schools and community halls.

Since Plan has not established any CBCPMs as yet, it can use the regional study as an opportunity to learn from experiences of other countries and apply the good practice from the very beginning. Before forming a CBCPM Plan should have consultations in the community in partnership with Local NGOs, CPO and VPU to discuss how traditional mechanisms can be adapted for effective child protection. Discussion should be carried out on what the roles and responsibilities will be of all involved in the CBCPMs (including children). This would not only result in ownership of the CBCPMs from the beginning but also establish the link with formal structures at sub district and district level. Such a consultation would also provide the CPO and VPU with relevant information from the field and support them in their work. Plan should have a pilot project in 6 communities and once these are functioning scale them up.

## VIII. Case Management

There is no case management carried out by Plan at the Community level. If cases of abuse are identified, they are reported to the CPN, CPO or VPU. CPO's have the primary responsibility for case management and are supported in investigation, referral and data collection by the VPU. Cases of violence against children are mostly under reported because of community's perception of violence. Most of the adults and children consulted felt that physical violence (including hitting, verbal abuse and hard labor) were part of disciplining a child. Some cases of sexual abuse and incest were reported through the VPU /CPO but mostly these were handled through the traditional systems because of stigma or shame the victim's family would undergo.

*"Beating children is considered normal and good for disciplining children. However, in case of sexual abuse and incest it is not reported because it is considered shame for the family, stigma and sometimes because of fear of the perpetrator. Besides reporting cases of abuse will also impact on the future of the child and family"*  
(Adult Male Pairara Community)

In the "Case Management in Child Protection: Policy and Procedures," MSS identifies the Child Protection Unit of the DNRS as its primary agency with responsibility for child protection, and seeks to create standards for child protection interventions. The document is not a legal document but a commitment by MSS to effectively carry out its work. The policy sets out basic social work case management practices including a referral process, assessment, case conferences, case plans, referrals to

other agencies, and record keeping. However, it does not detail the actual assistance, treatment, and care services that are expected and should be provided as appropriate to children and families. This document does not provide details of how to conduct an assessment or a multi-disciplinary case conference.

The “Child Protection ‘Code of Conduct’ Policy for Vulnerable and At-Risk Children” outlines the values, principles, and beliefs of MSS, DNRS, and its Child Protection Unit. This includes their commitment to child protection, and steps to be taken to achieve this. However, this document represents MSS’s self-commitment to such work, not a legal responsibility to undertake this or a defined scope of authority to do so.

A series of other policy documents (both draft and endorsed at the Ministerial level) provide some guidance on how the Child Protection Unit and other actors should approach certain aspects of child protection, and on the role of other ministries and bodies. In brief, these documents include the following:

- MSS Memorandum of Understanding [with other Ministries] – defining district level collaboration for monitoring, reporting, and referrals through child protection Networks
- PNTL Rules of Procedures for Child Victims, Children at Risk and Children in Conflict with the Law – inform PNTL Vulnerable Persons Unit and Community Police Unit roles in preventing and responding to child abuse
- MSS Policy, Procedures and Standards for Care Standards and Boarding Houses – registration, licensing, monitoring, and minimum standards for child care centers and boarding houses
- Referral Guidelines for Police, Service Providers and Child Protection Officers dealing with child protection cases
- National Guidelines on Separated and Unaccompanied Children<sup>21</sup>

At the District level individual CPN members, depending on their area of competence may be directly involved in a child protection response or in disseminating information about available services and referral pathways, including required procedures and protocols, CPNs as collective bodies are not mandated to coordinate referrals or manage individual child protection cases. These roles will be undertaken by designated institution-based focal points that will liaise and coordinate with DNSS, Health, Education and PNTL where appropriate.

*‘We have put a complaint box to deal with violence against children and women at the sub district office. This information has been given to the community through radio and NGOs. Right now we do not have many cases that are reported. Once we have the complaints we will share them with the CPO and VPU at district level for further action’.* (Capacity building Manager, Ombudsman)

In 2011, an incident in Mada Benô (Alieu) came to the notice of Plan through its sponsorship program. A girl had been raped by her uncle and she was pregnant. Not even her parents were aware of this. Plan became aware of the girl’s situation and made a report to its Regional Office and also to CPO and VPU. On follow up it was found that the case had been resolved at the family level and not been taken up for action by the CPO and VPU.

---

<sup>21</sup> Mapping and assessment of Child Protection Systems in Timor Leste; Child Frontiers Ltd; 2011

## IX. Children's participation and involvement in CBCPM

Cultural norms discourage Timorese children and youth from expressing their views and provide few chances for them to participate in a meaningful dialogue with adults and with other children on issues relating to the protection and promotion of their rights. Generally, child/youth participation is still seen as ad-hoc events and not an integral part of all that is done to promote child rights or children's issues. Moreover, children and youth are often considered as homogeneous cohorts, with few specific efforts to promote the participation of poor children/youth, or those children/youth in special circumstances, with regards to decision-making about their own lives. Participation is also weak amongst disabled children/youth who are often 'hidden away' by their families and considered to be 'useless'.<sup>22</sup>

Since there are no CBPM structures established as yet, children's participation is nonexistent at the community level on issues related to Child Protection. However, Plan has recognized that there are many small informal village youth groups that are actively bringing together children and youth mainly for sporting, music and other cultural activities that could potentially be engaged in child rights/child protection networks in the future.

Plan should draw lessons learned from Plans Recovery Program, which supported the establishment of children's councils, trained children/youth in child rights and supported youth to run children's animation and protection activities in their communities for promoting children's participation in CBCPMS in the future.

A Youth Parliament was established in 2010 which has representation from the 13 district. The members aged 12-17 years, meet three times a year in Dilli. The members are provided training on Leadership, health and environment, also on East Timor's history. However there has been no training provided on CRC or Child Protection. To date the youth parliament members have supported the MOH to carry out cleaning activity and share health information with the local community. The



members are asked to visit the community and report on issues which are mostly related to transport, water or education and provide a report making recommendations to the Parliament. There are a total of 130 members (68 girls and 62 boys) from national, district and sub district level

According to a male Youth Parliament member aged 15 years *"I feel that the issues we deal with are too broad. We should focus on issues related to children especially those related to violence against children. My term finishes this year, I would like to support by training new members and be a part of a task force that will be*

---

<sup>22</sup> Country Strategic Plan, CSP II (2012-2016) Plan East Timor



*created to protect children. When children face violence it is difficult for them to report because they are small and afraid but if they have peer support and both parents and children are aware that violence can be reported more children will be able to protect themselves”*

Plan has supported the youth parliament by taking 2 youth members to attend Plans Regional meeting on Child Protection as well as intensive four day training on “Involving Children in their own protection”. This provided an opportunity for the members to share their views on violence against children as well as learn about what is being done in other countries on child protection issues. Plan East Timor is planning on organising a two days workshop in the near future to so as to transfer the learning to more children in its working area.

On being asked during the community consultation about the role of children in Community based Child Protection Mechanisms following suggestions were provided:

Boys: *“Set up a community children’s council and link it to sports and music activity as well as Child Rights and Child Protection. This group should be involved in decision making process related to children’s issues”*

Girls: *“Children should be educated so as to be able to access information and protect themselves”*

Adults Male/Female: Both felt that *“children should be provided training in CRC and Child Protection and be educated so as to access information and actively participate in community activity”*

Field visit workshop in both the communities (Pairara and Fatisi) clearly indicated that there has been no activity on promoting children’s participation. Adults and Children in the community were not aware of CRC or issues around child protection and had not been involved in any discussions or activities to promote children’s participation. There is also no knowledge amongst Plan’s child protection staff (national and district level) on how to initiate a children’s group in the community. The first step would be to learn from past experience of the IDP camps where Plan had established functioning children’s groups, in close collaboration with Right to Access to Education program set up student council which besides looking at broader issues would take up child protection issues as well and also learn from Save the Children’s experience on setting up children’s groups at the community level.

In the future Plan will need to systematically involve both adults and children in all its work, so that traditional barriers regarding children’s participation can be overcome. Adults need to be prepared to listen to children, to share information with them, and to seriously respond to children’s concerns and suggestions. Children also need to be empowered to speak out, express themselves, and play an active role in the development of safe communities.

## **X. Capacity and Support systems**

Since no CBCPMs have been formed there has been no capacity building initiatives in the community. From the field visit one could gauge that the community (including children) were not aware of CRC or CP and there had been no trainings or workshops held at the community level.

However, Plan has provided capacity building and support at both the national and district level. Plan has provided capacity building training to its staff on CRC and Child Protection, especially during the implementation of its CP policy. However the training needs to be followed up in a more systematic way, especially at the district level CP officers so as to enable them to carry out similar trainings at the community level.

Support was provided to NGOs (Forum Tau Matan, PRADET, Ba Futuru and Esperanca) to develop and implement their CP policy. It has also supported FONGTIL (East Timor NGO Forum) to deliver CP training and advocate on CP issues.

In the past Plan had provided training to representatives from MSS (CPU) and MoJ (NCRC) on CRC, CP and child participation. It had also organized exposure visit for the CPO director to attend a Child Protection Conference in Nepal. However there needs to be a regular follow up on the trainings and an action plan developed on how this will be used at the district and community level.

Technical assistance was given to MSS by seconding a Child Protection Advisor for one year and financial support provided by way of computers, motor bikes and material for awareness raising, especially to the CPO in two districts where Plan works.

Support to NCRC on carrying out a situational analysis of child abuse in 13 districts in partnership with by Forum Tau Matan as well as support on writing the CRC report.

According to the Child Protection Manager “We require further training in areas of Child Participation especially on formation of Children’s groups and establishment of CBCPMS and tools for conducting participatory community assessments so as to carry out our responsibilities effectively”

There has been some training for children on child rights, participation, advocacy, negotiation and leadership however this has been more adhoc and not directly related to any program.

Plan in the future should carry out a TOT for staff and representatives from local NGOs at national and district level and develop training material that can be used for training at the field level.

Plan also needs to link community-based groups (traditional mechanisms and other informal groups) with the wider national child protection system through capacity building and information dissemination. This is to ensure that community is aware of what the government is doing or plans to do, what systems exist at the district level or higher.

## **XI. Linkages with Civil Society and Government**

There is no linkage of CBCPM with Civil Society and Government on Child Protection, since they have not been established as yet. Some of the community members said they were aware of the formal Child Protection Mechanisms and have reported cases of abuse to the VPU.

Plan has been working closely with the following NGOs on the issue of Child protection

- Pradet on Counselling of victims of abuse (also shelter) children conflict with law for reintegration and awareness raising of prison staff on CRC and CP
- Ba futuru: Training and Awareness on CRC and CP and Positive discipline (teachers and Parents), conflict resolution training
- Forum Tau Matan: Advocacy on approval of law and draft code, have separate place in prison for children, legal analysis, training on CP systems and CRC, support capacity building for CRC Coalition
- Esperanca: Awareness raising in the community local leaders and children on CRC and CP

Plan will continue to provide child protection training to civil society organizations and assist them in the implementation of their child protection policies and procedures. Build the capacity of civil society organizations to be able to advocate duty bearers on child protection issues and support the coordination of CSOs efforts.

Plan is a member of FONGTIL, an umbrella organization for all INGOs/NGOs/CSOs operating in the country and through this forum has influenced government policies and laws affecting children. Plan has been supporting the Ministry of Social Solidarity to establish a Child Protection System from the national to district level. Child protection mechanisms included establishment of the child protection working group at national level, child protection networks at the District level, assignment of Child Protection Officer in all districts. Those systems are now institutionalised in the government system

Plan will act as a facilitator in linking CSOs local, national and global networks and platforms through which they can feed into the work of different CP mechanisms, and influence their respective governments and other duty bearers at various levels to fulfill CP obligations. Improving civil society's knowledge about the UNCRC will be a main strategy to increase the organizations' capacity to advocate for increased child protection.

Linkages with formal systems enable community-based groups to expand their reach and scope of impact. For example, if Plan in the future will link CBCPM with district-level child protection networks (CPNs) it will help them to mobilize resources and enable effective referrals. Also, CPNs will offer useful means of sharing with many different groups approaches that had proven effective in particular villages or communities. Formal system linkages will also enable communities and groups to refer difficult cases to the local police and justice system.

Although the linkages with non-formal systems are not always as visible or extensive, they are nonetheless important. For example, if the CBCPM have the chief's blessing and are linked with traditional structures and mechanisms, community members will be more likely to see their work as legitimate, important, and worthy of support.

After the establishment of CBCPM, Plan should endeavour to develop effective linkages between CBCPM and national systems of child protection as a priority to improve the sustainability, expand their reach and scope of impact and achieve positive outcomes for children. Since formal systems are already in place this will not prove to be a great challenge, however, issues of responsiveness, capacity, ownership, and potential conflict with traditional practices should be taken into consideration so as not to impede the development of effective linkages.

Effective national child protection systems include a mixture of formal, governmental elements and civil society mechanisms. Mutually supportive interaction between the governmental and civil society aspects strengthen the system and make it owned or supported by the people. When civil society elements such as CBCPMs are disconnected with the national system, however, the national system is at risk of being ineffective, irrelevant, or both.

## **XII. Monitoring and Evaluation system and process**

Since there are no CBCPMs present at the community level there is no monitoring and evaluation system and process at present, however the Country strategy Paper does provide information on how monitoring and evaluation will be carried out once the CBCPMs are functioning.

The program will be monitored at community and organization levels on a regular basis (quarterly and annually). Monitoring will be done through observation, field visits, and meetings with partners and communities (including children). Project staff will continually compare the ongoing results from the monitoring activities to the objectively verifiable indicators of success of the project. This will allow staff to gauge the project's progress and, if necessary, make changes/amendments to activities to ensure that

the project achieves the expected results. The Monitoring and Evaluation coordinator will support in establishing a systematic and effective monitoring mechanism.

Program monitoring will not just focus on monitoring for accountability purposes (e.g. expenditure and output monitoring); it should also provide useful and timely information that assists program staff and key stakeholders to review the relevance of program strategies for achieving the specified outcomes of the program. A simple participatory approach to monitoring (such as the Most Significant Change approach) will be used to facilitate this process

The program will be monitored at community and organization levels on a regular basis (quarterly and annually). Monitoring will be done through observation, field visits, and meetings with partners and communities (including children). Project staff will continually compare the ongoing results from the monitoring activities to the objectively verifiable indicators<sup>23</sup> of success of the project. This will allow staff to gauge the project's progress and, if necessary, make changes/amendments to activities to ensure that the project achieves the expected results.<sup>24</sup>

There is a general lack of information, including disaggregated statistics, on the situation of violence against children in East Timor, to be used by CSOs and children themselves in advocating their governments and other duty bearers. Research on VAC/CP, participatory research and documentation on different aspects of child protection systems will be prioritized in the programme. CSOs will be supported to undertake participatory research, where children and youths are active participants. Support will be given to processes to develop guidelines/tools/materials to be used by Plan and partners to address different aspects of violence, and to advocate for the development of national child protection systems.<sup>25</sup>

Plan will need to create a data base so as to develop indicators and promote effective monitoring of the program. Program monitoring will not just focus on monitoring for accountability purposes (e.g. expenditure and output monitoring); it should also provide useful and timely information that assists program staff and key stakeholders to review the relevance of program strategies for achieving the specified outcomes of the program. A simple participatory approach to monitoring (such as the Most Significant Change approach) will be used to facilitate this process.

### **XIII. Sustainability and Scale up**

Before establishing CBCPM at the community level, Plan should ensure their sustainability and scale up. While dealing with issues of sustainability it is important to look at both process sustainability and outcome sustainability. Process sustainability refers to the continuation of CBCPM beyond the externally funded period while outcome sustainability refers to the continuation of positive child protection outcomes beyond the externally funded period.<sup>26</sup>

---

<sup>23</sup> The log frame expands on the project's objectively verifiable indicators.

<sup>24</sup> Country Strategic Plan (CSP II) 2012-2016, Plan in East Timor

<sup>25</sup> Country Strategic Plan (CSP II) 2012-2016, Plan in East Timor, Country Program, Appendix 3

<sup>26</sup> What Are We Learning About Protecting Children in the Community? An inter-agency review of the evidence on community-based child protection mechanisms in humanitarian and development settings, Mike Wessell, Save the Children, November 2009

To ensure sustainability of the CPN, Plan and UNICEF liaised closely with DNSS in assessing any occasional or recurrent need for resources to support the operations of the Networks. However, emphasis was on trying to minimise resource requirements. This reflects a desire to keep the role of CPNs realistic and not overly ambitious. It also *recognises* a need for minimal overhead costs in order to maximise the Network's sustainability.

During the first two years of its operation, Plan along with UNICEF provided a range of resource contribution to the work of CPN:

- Provision of material and information on children's issues, especially child protection
- Support of occasional professional training on child protection
- Consideration of proposals from the network for specific research and data collection, and the potential establishment of district based data collation

The goal of Plan in establishing CBCPM must be to make it sustainable by looking at long term means of addressing child protection and building on existing informal structures. Experience in other countries has shown that this can be best achieved by ensuring ownership by the local community and empowering it to take action from the very beginning.

Plan should use an approach that builds on existing community resources in partnership with religious and traditional leaders, pre-existing local groups and networks such as women's groups and youth groups. This outcome links back to community ownership, since groups that engaged the resources and mechanisms already present in a community are more likely to be respected, and even owned, by the community, thus promoting sustainability.

During early stages of CSPI, Plan met the immediate needs of a displaced population (immediate impact) and then evolved its programs to have more of a long term approach (i.e. sustainability). During latter stages of CSPI, Plan invested heavily in developing its Partnership Strategy, Policy and associated processes/tools to engage with national and local NGOs. To maximize its impact, Plan needs to continue and intensify its efforts to work at multiple levels (i.e. through ensuring access to service provision, advocacy and capacity building) which will also allow for better use of financial resources and the development of deeper technical capacity of staff and partners. To ensure sustainability, Plan will analyze, align and articulate how CSPII supports the GoTL's 20 year Strategic Development Plan and engage with the GoTL more closely as it implements its 'suco development planning' process in the communities where Plan is delivering projects. <sup>27</sup>

A 'scalable intervention' is one that achieves positive outcomes for relatively large numbers of children, and over a wider geographic area beyond a particular village or community. The development of CPN was a strategy for reaching large numbers of at-risk children. Typically, CPNs are not trying to connect in a systematic manner with groups at the district level or at higher levels

Plan has learned that scaling up impact is not the same as just implementing more programmes; rather, Plan needs to focus on demonstrating how existing programs can be replicated in a way that is cost effective and feasible within the cost structure that the government (or possibly the community itself) can maintain, potentially with the support of a national/local NGO partner. The provision of support on a wide scale is made possible by building horizontal connections among community-based child

---

<sup>27</sup> Country Strategic Plan, CSP II (2012-2016) Plan East Timor

protection groups, and vertical connections with district-level and national-level mechanisms, both formal and non-formal.

During CSPI, Plan created a platform to engage young people in two districts, but this needs to 'step up' to increase levels of engagement that start addressing bigger transformational goals. Plan now needs to move beyond traditional approaches of empowering youth (e.g. via small-scale livelihoods initiatives) to enable them to take on responsibility for all facets of their development <sup>28</sup>

## **XIV. Key achievements, challenges and lessons learned**

Since there are no CBCPMs established as yet the achievements are related to Plans work with the formal system and also within the organization.

### **Key achievements:**

Plan:

- Development of a Child Protection program and CP Policy
- Capacity building of staff on CRC and CP
- Hiring of Child Protection staff at both national and district level
- Active participation in CPN at both national and district level
- Effective advocacy on Policy and legislation
- Input into the CRC shadow report
- Awareness raising on CRC
- Child Rights situational analysis
- Seconding of a Child Protection Officer to the MSS for a year
- Financial support to MSS at national and district level
- Capacity building of MSS Staff and partners on CRC and CP
- Support to partners in development and implementation of a CP policy
- Support provided to Government in designing and implementing child protection systems that have an outreach at the national, district and sub district level.
- Support in establishing CPN at district level

Government

- Political will in protecting children
- Ratifying and acceding international conventions and treaties
- Establishment of a formal child protection system at the national, district and sub district level
- Initiating legal reform process ( development of draft bills and codes)
- Establishment of NCRC and an Ombudsman
- Awareness raising programs on CRC
- Establishment of CPN
- Capacity building of government staff on CRC and CP

### **Challenge:**

Plan

---

<sup>28</sup> Ibid

- No unified understanding of the CBCPM and lack of an implementation strategy
- Lack of an integrated program approach towards Child protection
- Weak staff capacity on Child Protection and child participation at both national and district level
- Limited research and assessment on Child Protection Issues at national, district and community level
- Lack of community involvement (including children) and ownership in designing the Child Protection Program

#### Government

- Lack of policy and legislation on Child Protection
- Lack of a clear definition of a child
- Weak Capacity of government staff on CRC and CP
- No coordination on CP with relevant ministries for more effective implementation
- Lack of finances especially at the district level
- Lack of human resource since both the CPO and VPU staff have other roles and responsibilities to fulfill
- No clarity of roles and responsibility within the CPU, VPU and CPN
- Lack of research and data (especially disaggregated data) on issues related to CP
- Lack of Government Shelters for victims as well as community based reintegration systems
- Lack of coordination between the CPO, police and hospitals to facilitate crime reporting and prosecution results in delay in resolving cases of child abuse
- Gender discrimination and legal language are also factors that make it harder to access the formal child protection system
- Very few ministries/institutions have defined roles and mandates in child protection, including clear definitions of when intervention is required, whereas relevant responsibilities should ideally span across many different ministries /institutions.
- Lack of coordination and planning between different departments to look at issues of vulnerability more holistically so as to develop a more comprehensive service delivery program.

#### Community

- Lack of awareness on CRC and Child Protection
- Lack of awareness on existing formal child protection systems
- Perception of the community including children of the Police which hinders reporting of cases
- Traditional norms and cultures that promote violence against children especially acceptance of abuse as a form of discipline by both adults and children
- Traditional mechanisms that give more importance to compensation rather than punishment of the perpetrator
- Perception of acts of violence against children being a family matter

#### Lessons learned:

- Plan staff needs to have a clear understanding through development of a strategy paper with clear roles and responsibilities on how the CBCPMs will be established at the community level.
- Plan Staff needs to link child protection program to other programs using an integrated rights based program approach
- Regular trainings and their follow up on CRC and CP are required for the staff so as to effectively implement the program at the community level.



- Plan should use child rights as their entry point to work on child protection through its different programs
- The formal Child protection system should recognize that most solutions exist in communities, which should be supported to link with national and district-level referral systems. A sense of community ownership from the very onset of the program will contribute to a higher level of effectiveness of CBCPM when they are established
- There is a need to use a dialogical approach when establishing CBCPM as opposed to a Didactic approach which is top down and does not take into consideration the local context leading to lack of community involvement and ownership. The dialogical approach looks at stimulating genuine dialogue, self-critical reflection and decision making by the community and will lead to sustained social change.
- Sustainability of CBCPM will be promoted through integration into different Plan programs, Ministries and government structures
- Community based child protection mechanisms (CBCPMs) are an essential component of wider child protection systems and are useful in connecting different levels of national child protection systems. The strengthening of CBCPM can be an important step in developing effective national child protection systems. Plan needs to ensure that CBCPM are integrated into the national child protection system from the very beginning so that they do not become a parallel structure.
- The impact of CBCPM depends on how well they link with, support, and derive support from mechanisms at other levels, such as those of the family, Traditional systems, Civil Society and the national government systems and interventions
- Plans effort at community mobilization should empower and facilitate communities, including children so as to identify protection issues and local solutions for preventing violence against children.
- Children's participation is vital for effectiveness of CBCPM and Plan needs to ensure that children and adults are both adequately prepared for children's participation so as to make it both safe and meaningful. Plan should learn from its past experience from IDP program on promoting child participation as well as from Save the Children who has actively promoted children's meaningful participation in all its work.

## XV. Conclusion

East Timor has successfully established formal child protection systems to deal with issues related to protection of Timorese children at the national, district and sub district level. The government in collaboration with UNICEF, INGOs and national NGOs has made efforts to develop and incorporate the following components:

- Political will and commitment to child protection.
- East Timor has ratified and acceded to many key international child protection instruments and is trying to incorporate them into national law so as to provide an important foundation for the national child protection framework.
- The establishment of the NCRC, with a clear mandate for promoting and protecting children's rights, is a positive step forward in monitoring progress of child welfare in East Timor.
- Undertaken a legislative reform agenda across all legal areas, and has generated a range of major legal drafts in child protection ( Child Rights Code, Civil Code and Juvenile Justice Law) so as to ensure a legal framework and policy development process based on the rights of the child



- Independent monitoring through establishment of an ombudsman
- Ongoing Partnership between government and civil society
- Awareness raising on CRC at different levels
- Establishment of a youth parliament for promoting children's participation
- Establishment of a formal child protection mechanism at the national, district and sub district level
- Establishment of a child protection network at the national and district level
- Development for a strategic plan for promoting child protection
- Establishment of a specialist police service (VPU) for investigating crimes against women and children.

However, lack of human and financial resources, legislation and lack of awareness of Children's rights, especially at the community level, hinder formal child protection mechanism's effectiveness and efficiency. Another deterrent factor is that laws and judicial process are in Portuguese, a language not understood by the common man. Besides this the time taken to respond to the cases of abuse reported is lengthy leading to many cases being resolved in the traditional way, which is not always in the best interest of the child. There is an urgent need to increase the capacity of institutions to provide the services and handle legal cases quickly and effectively in order to increase the community's confidence and trust in the formal justice system.

Although the government has committed to the majority of conventions related to protection and has established some mechanisms for the provision of quality and effective prevention, recovery and reintegration services, the practical application of such services is still very limited. Coupled with weak family and community support, children and youth are still at extreme risk of being abused.<sup>29</sup> There is also significantly low awareness amongst parents, teachers and care givers about child/youth rights and what their role is in terms of fulfilling them. There is also a significant gap in understanding that children/youth are meant to be protected by duty bearers who in fact in many cases are the ones that discriminate against or abuse them.

Plan East Timor was a major player in child protection systems both preceding and during the 2006 crisis, including provision of child protection services in IDP camps and return communities. Since 2006, activities have included working with GoTL to set up Child Protection Network mechanism across 13 districts (including District Child Protection Focal Points) and support to the government to establish a referral system through the Network. In 2007, the Child Rights Advisor was seconded to the Ministry of Social Solidarity to strengthen their child protection systems and in late 2009, Plan East Timor commissioned the development of a Child Protection Emergency tool-kit which has been shared with other Plan countries. From March 2010, efforts supported by Plan Sweden have focused on strengthening Plan East Timor staff to fully internalize Child Protection and all the issues it covers first before they continue to provide services, build capacity of others or advocate with the government. Going forward, Plan envisions that it will focus on a range of interventions to improve the situation of children and youth regarding protection from all forms of violence, abuse, neglect and exploitation.<sup>30</sup>

The outcome of the field visit showed that communities (including children) do have the will and capacity to prevent and respond to abuse, neglect, exploitation, and violence against children and the important role that children themselves can play in community efforts to keep all children safe. Community-based child protection mechanisms are a vital component of a broader child protection system that operates at community, district, state and national levels. To be effective, CBCPM need to be integrated and coordinated with the national child protection system at all levels

<sup>29</sup> Child Rights Situational Analysis, Appendix 2, Plan Country Strategy Plan, 2013-2017

<sup>30</sup> Ibid

To make its formal mechanism relevant and effective Plan will need to support the government to incorporate the following components to its existing mechanism:

- Advocate for approval of draft bills and enforcement of law
- Awareness on Law and children's rights especially to protection
- Budget allocations to and sustainable investment in child protection mechanisms and services
- Coordination, multi-disciplinary working and accountability between different Ministries, departments and programs, INGOs, Civil Society etc.
- Preventive, psychosocial, medical, legal and other services for children, families and care givers
- Capacity building of human resource at different levels with clear roles and responsibilities, training and its follow up, regular support and assessment
- Promotion of non-violent attitudes and values within family and at school
- Knowledge and statistical data on incidence of key protection issues
- Active involvement of children in protecting themselves from abuse, neglect, exploitation and violence, and in demanding accountability from adult duty-bearers for the fulfillment of children's rights to protection
- Support establishment of CBCPMs by linking them to the existing traditional mechanisms

Plan East Timor should establish CBCPM BY USING its experience, learning and good practice from other country program to ensure that they are effective, efficient and sustainable.



**ICPREC**

## **ANNEXES**

### **Field Visit Schedule for East Timor Country Field Study for the Comparative Analysis on CBCPMs:**

#### **Introduction:**

For each of the country field studies 8 days have been allocated for field work. Thus, we need to carefully plan for and make most efficient and effective use of the 8 days to learn as much as we can from Plan staff, partners, CBCPM members and from children and young people themselves about their Community Based Child Protection Mechanisms. Where-ever possible we are also keen to listen to the views of district and/or national level officials, and other agencies that collaborate with Plan to support and scale up CBCPMs and their linkages with national child protection systems.

The schedule for East Timor has been adapted to the context, taking into consideration that it is a fairly new initiative and will need to look at how different actors including children have been involved. 2-3 workshops are planned with PLAN staff before, during and after the consultations in the field to prepare for facilitation/translation of consultations and analyze the finding and plan on future recommendations. Field visit will be made to

Core research tools to be used during each field study visit include:

- Interviews and FGDs with Plan staff and partners who are actively/will be engaged in CBCPM work
- FGDs and use of participatory tools with members or future members of CBCP committees/ groups
- Participatory tools with children and young people's representatives either engaged in CBCPM work or have potential to be part of it such as groups/clubs/associations etc.
- Observation in the community.

- Interviews with local officials, and if possible with district and/or national officials. District level are National Division of Social Services (DNSS),
- If possible interviews with other agencies supporting child protection system strengthening

Further to Plan Vietnam's Child Protection focal point interest in Option A within the 8 day field visit we aim to try to: organize a 1 day workshop that brings together representatives from CBCPMs – women, men, girls and boys and Child Groups from 3 CBCPM communities. Plus, 2 community outreach visits to CBCPMs; and interviews / FGDs with Plan staff, partners, officials and other agencies.

#### Proposed schedule for the 8 day field visit schedule:

<b>Days:</b>	<b>OPTION A</b>	<b>Comments</b>
<i>From 26 May to 4<sup>th</sup> June. (10 days)</i>	I Workshop in community with adults and children ( Pairara , Lautem District and Fatisi , Alieu District).One District level workshop with CPN (Alieu District), One partners workshop in Dilli, interviews with Key stakeholders including Government, partners at the district and national level.	The Draft schedule was shared with the Plan Child Protection Manager ( Luis) to make the necessary changes keeping in mind availability and time constraints.
	<i>The consultant will depart from India on 25<sup>th</sup> May (Night) and reach Dilli on the 26<sup>th</sup> May and leave Dilli on 5<sup>th</sup> June. The days are more because there is no daily flight from Dilli to Singapore.</i>	Communication between Luis and Shikha has been happening to ensure planning. A draft child/ parent information sheet has already been shared (that can be translated into local languages).  Where-ever possible the workshop will be organized on a non-school day (a Sunday). Luis to change the time table accordingly  Additionally, the outreach community visit discussions with children can be adjusted to school shifts to meet with children after school has finished.
<i>Day ONE: Saturday May 26<sup>th</sup></i>	Consultant arrives in Dilli and will have a discussion and do planning with Luis and Plan staff on tools, responsibilities for translation, facilitation etc.	
<i>Day TWO: Sunday May 27<sup>th</sup></i>	Preparation for field visit and discussion with Child Protection Manager	
<i>Day THREE Monday May 28<sup>st</sup></i>	Interview NCRC Commissioner, meeting with Plan Country Director and Program Director to discuss the evaluation and travel to Lautem	
<i>Day Four Tuesday 29</i>	Field visit to 1 community in Lautem (detailed plan given below as community visit, Interview parents and children	
<i>Day Five Wednesday 30</i>	Meeting with CPN , Interview VPU Chief AND Esparansa NGO representative and travel to Dilli	
<i>Day Six Thursday 31</i>	Meeting with Partners (FTM and Ba Futura), Interview Joao Saares, Executive Director Forum Tau Matan and Plan Inclusive Officer	
<i>Day Seven Friday June 1<sup>th</sup>:</i>	Preparation for field visit, Interviews planned with UNICEF and PRADET could not take place , Interview Plan Child Protection Manager	
<i>Day Eight Saturday June 2</i>	Field Visit community workshop District Alieu	

Day Nine Sunday June 3	Consultant put together some of the reports	
Day 10 Monday June Sunday 3 <sup>rd</sup>	Meeting with CPU Director MSS, Meeting Youth Parliament Member	
Day 11 Monday 4 <sup>th</sup> June	Meeting with Ombudsman, Justice Facility Putting it all together meetings with any other to be decided by Luis	
Day 11 Tuesday June 5 <sup>th</sup>	Feedback Presentation to Plan Team ,Leave for India	

### Field research:

Participatory research processes and tools with children and adults including:

- visual mapping and drama of protection issues affecting them;
- time line to identify key achievements and challenges faced over time in community based child protection
- venn mapping of community based child protection mechanisms and their links to other structures enabling referral and support
- response pathway exploring how CP risks/ concerns are identified through CBCPMs and what happens next
- body mapping (before and after) to explore the outcomes of community based child protection on girls and boys lives, and/or on parents, caregivers or community members etc

*Note: The tools had to be changed after discussion in the field about capacity of the community and relevance to the CBCPM which had not been formed at the community level.*

### Schedule for one day community visits *(updated with advice from Plan Vietnam CP focal point):*

Time:	Who meet with:	Proposed tool/ methods:	Comments:
2 hrs 20 minutes	<b>CBCPM members</b> (e.g. members of CPC committee, surveillance committee) If all these are not there then meeting with community members, parents adults	Introductions (15 mins) <b>Time Line</b> encompassing the <b>Response pathway</b> (considering before and after CBCPM) and key strengths and challenges (120 mins)	- Introductions will always be ensured. However, the tools in bold are the ones we will prioritise if time is short 😊  - People should be informed

45 minutes	<b>Community members</b> – parents, caregiver, religious elders etc	Introductions <b>Interview or FGD</b> (encompassing the response pathway (45 minutes)	from before so that they can stay for the meeting especially for the first one and a half hours  See if Plan can help provide refreshments to adults and children's participants involved in the consultations.
11.15 – 14:00	Lunch Break	<i>Note: Inform child representatives to arrive by 13:45 so we can start the discussions on time, and they can have chance to draw before 14:00 start</i>	
2.hours 10 minutes	<b>Children's representatives</b> (6 – 20 girls and boys aged 8 -18 years (with a special focus on involving children from marginalised backgrounds) especially those who are members of Child Groups/ councils and/or CPCs.	Icebreaker introductions (15 mins) & finger catch game <b>Body Mapping</b> (90 mins) - exploring what children need protecting from - existence of CBCPMs and Child Groups - pathway response before and after - changes in children before and after 'H' Assessment of CBCPM and Child Groups (20 mins)	
45 minutes	<b>Local official(s) if any in the community</b>	(if time and possible) Interview (45 minutes)	
	Travel back to province		

**Schedule for one day workshop with CBCPM representatives (women, men, girls and boys):**

<b>Time:</b>	<b>Topic:</b>	<b>Method/ tool:</b>	<b>Comments:</b>
45 min	<b>Introductions</b>	<b>Name introductions</b> <b>Purpose - objectives and positive ground rules for the learning exercise</b>	24 participants. The workshop would then involve 6 women, 6 men, 6 girls and 6 boys aged between 8-17, 24 participants.
45 min	<b>What do children need protecting from?</b>	Form five separate circles of: Men; women; children 12 years and under; girls aged 13-17 years; boys aged 13-17years. In each circle play the <b>'finger catch' game</b> which can be used to introduce and explore the theme of <b>'what do girls and boys need protection from?'</b> <b>Brainstorm and post-it exercise</b> in each of these groups Cluster post-its.	
20 min	Refreshments		
1 hour 25 min	<b>Timeline of CBCPMs and Child</b>	Introduction of <b>time line activity</b> (5 mins) Group members work (for 35 minutes) to prepare a Time-line that illustrates the	

	<b>Group – history, key achievements and key challenges</b>	<p>history about when the CBCPM started, when the Child Group was formed. Key changes in how children have been involved in the CBCPM over time. Key achievements of the CBCPM and/or Child Groups over time and key challenges faced by the CBCPM and/or Child Groups over time.</p> <p>Each briefly present their time lines (5 mins to present &amp; 5 min Q&amp;A) = 30 mins</p> <p>Plenary discussion on most interesting findings (5 mins)</p>	
1 hour 45 min	Lunch	<i>Space for creative drawing, poetry, dramas (optional) after lunch</i>	
1 hour 10 min	<b>CBCPMs and their links to other structures</b>	<p>Introduction of <b>venn mapping</b> (5 mins)</p> <p>Women and men work together in one group (for 35 mins) to prepare a venn map that illustrates how their community based child protection mechanisms link to other structures (within their community, in the district and/or nation). Identifying who the CBCPM work in collaboration with, who they get support from and who they send referrals to.</p> <p>The children and young people work together in one group (for 35 mins) to prepare a venn map that illustrates how their Children's Groups link to the CBCPM and other structures (within their community, in the district and/or nation). Identifying who the Child Groups work in collaboration with, who they get support from and who they seek support from.</p> <p>Each group briefly present their venn maps (5 mins to present &amp; 5 min Q&amp;A) = 20 mins. Followed by plenary (10 mins)</p>	
15 min	Refreshment	<i>&amp; Energizer games</i>	
1 hour	<b>Identify key strengths, weaknesses and suggestions to improve CBCPMs</b>	<p>Introduce the <b>'H' Assessment</b> (5 mins)</p> <p>Women and men work together in one group and the children and young people work in a separate group (for 35 mins) to each prepare a 'H' Assessment of the strengths, weaknesses and suggestion to improve community based child protection mechanisms.</p> <p>Each group briefly present (5 mins to present) ~ 15 mins. Followed by plenary (5 mins) – if time encouraging them to share stories of most significant change and challenge.</p>	
5 min	<b>Workshop closure</b>	<p>Share information about how the findings will be used.</p> <p>Ending game.</p>	