

## **EXECUTIVE SUMMARY**

### **Children and the Commission for Reception, Truth and Reconciliation (CAVR) in Timor-Leste**

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In times of conflict children are often both victims of and witnesses to atrocities. As active citizens they also have a crucial role to play in post-conflict processes seeking peace and reconciliation. Because of this, truth commissions addressing past human rights violations have begun to specifically consider violations of child rights and increasingly seek to encourage children's active participation throughout their processes.

When appropriately guided and supported, children's participation in a truth commission can be beneficial not only for the children in terms of their recovery, education and sense of citizenship, but also for the success of the truth commission. Child participation may enhance truth-seeking and broaden the extent of community ownership over the commission's work. Communicating a truth commission's purpose and message to children is also crucial in reaching out to young people and including them in the process of peace- and nation-building. Additionally, it is of paramount importance for a truth commission to understand the extent of child rights violations and the underlying causes of these violations in order to contribute to reforms that will prevent further abuses and promote child rights in the transitional society.

However, post-conflict countries are often burdened by extreme poverty and weak institutions and therefore the involvement of children in a truth commission can present particular challenges. For the purpose of contributing to international standards and best practices of children's participation in truth commissions, this paper analyzes the experience of the Commission for Reception, Truth and Reconciliation (CAVR) in Timor-Leste and the ways in which it dealt with child rights throughout its mission.

The CAVR was created in 2001 as part of an effort to address the legacy of human rights violations and impunity left by 24 years of conflict in Timor-Leste. The CAVR carried out its work from 2002 to 2005 and documented systematic human rights abuses, including torture, rape, arbitrary detention, extra-judicial killings and forced disappearances. According to the CAVR's findings, many children were killed or wounded in the conflict due to a general failure to distinguish between combatants and civilians. But children were also specifically targeted for gross human rights violations, including sexual exploitation and forced recruitment.

This paper assesses the CAVR's work on children in three key areas:

1. Ensuring children's safe participation in CAVR activities: To what extent did the CAVR listen to children's voices while at the same time protecting them from further harm?
2. Researching and documenting violations against children: How well did the CAVR uncover, understand and explain the impact of the conflict on children as part of the search for truth?

3. Communicating the CAVR's message to children: How effectively has the CAVR's work been used as a tool for educating children and cultivating a culture of peace and reconciliation?

Analysis of the Timorese context shows that there were strong reasons for involving children in the CAVR's activities. First of all, there was a need to document and understand the extent of child rights violations throughout the conflict. Secondly, there was an urgent need for children to recover from the trauma they had experienced, to begin a healing process and to be heard by an official body that would help them regain their trust in society. Finally, with more than 50 per cent of the population under 18 years of age, there was a need to involve this young generation in peace-building and reconciliation activities to take the country forward as a nation.

The analysis also shows that in the wake of the conflict, Timor-Leste suffered from limited financial and human resources as well as a shortage of partners to provide technical support and outreach. The extent of the destruction during 1999 and the end of the longstanding occupation by Indonesia meant that infrastructure and institutions had to be created entirely anew. Despite these challenges the CAVR achieved notable successes. Among them was its documentation of past violations against children: detailed research was conducted into violations of children's rights committed during the conflict and specific recommendations were formulated in response. However, in some other respects children were overlooked by the Commission. Meaningful avenues for children's participation were not actively sought and in cases where children did participate, inadequate attention was paid to ensuring their protection. Children were among the recipients of information about the CAVR but neither messages nor communication methods were designed specifically to reach out to children.

In order to learn from the challenges faced by the CAVR in its attempt to focus on children, the paper draws some conclusions about the reasons for the patterns which emerged, and their impact. Factors contributing to the CAVR's limited effectiveness in relation to children included the absence of clear legislative obligations relating to children, a lack of expertise in child rights and limited relevant partnerships. These difficulties were compounded by the Commission's sometimes narrow understanding of the purposes of truth commission activities and a tendency not to recognize the importance of child participation. The result was minimal engagement with children; something which was likely detrimental both to the CAVR's understanding of children's suffering and to the healing process of child victims. An additional and lasting consequence is arguably that children did not feel any connection to the CAVR and now, as youth, are less likely to be among those taking an interest in the Commission's findings or calling for the implementation of its recommendations.

Based on these findings the paper provides recommendations to be considered by future truth commissions.