



REPUBLIC OF TRINIDAD AND TOBAGO

OPENING ADDRESS

**BY
HER EXCELLENCY
MRS. GLENDA-MOREAN PHILLIP S.C.**

**FOURTY-FIRST SESSION OF THE UNITED
NATIONS COMMITTEE ON THE RIGHTS OF THE
CHILD**

16 JANUARY 2006

Ms. Moushira Khattab,

Chairman,

United Nations Committee on the Rights of the Child;

Distinguished Members of the United Nations Committee on

the Rights of the Child,

Members of the Office of the High Commissioner for Human

Rights,

Members of various Non-Governmental Organisations,

Ladies and Gentlemen,

On behalf of the Government of the Republic of Trinidad and Tobago, I wish to express my appreciation to the United Nations Committee on the Rights of the Child for having invited the State to attend the 41st Session of the Committee's work, to consider Trinidad and Tobago's Second Periodic Report under the Convention on the Rights of the Child.

The accompanying members of the Trinidad and Tobago delegation comprise senior officials from Government Ministries and offices. We all look forward to cooperating with the Committee in the promotion, protection and fulfillment of the rights of children.

Before proceeding further, it is with great pleasure that I present the following Members of my delegation:

Ms. Claire Eunice Gittens
Director,
National Family Services Division,
Ministry of Social Development;

Mr. Charles Richard Sabga,
Legal Officer II,
Human Rights Unit,
Ministry of the Attorney General

Ms. Shelley-Ann Clarke-Hinds
Counsellor
Permanent Mission of the Republic of Trinidad and Tobago to the
United Nations,
Geneva

The Convention on the Rights of the Child, adopted by the General Assembly of the United Nations on November 20th 1989, was ratified by the Republic of Trinidad and Tobago on 5 December 1991.

Having ratified this Convention, the State remains mindful of its reporting obligation under the Convention and is fully committed to enacting and implementing the measures requisite for the discharge of its obligations under not only this Convention but also under other international human rights treaties to which the State is party.

The Government of the Republic of Trinidad and Tobago regards this forum as a most welcome built-in mechanism for accountability in relation to the State's duties under the Convention on the Rights of the Child, which also serves to alert States under examination as to those areas requiring attention and greater effort, and acts as a catalyst for implementation.

The Convention on the Rights of the Child as the first legally binding international instrument to incorporate the *full* range of human rights – civil and political rights as well as economic, social and cultural rights - uniquely places children centre-stage in the quest for the universal application of human rights.

In keeping with Trinidad and Tobago's ratification of the Convention on the Rights of the Child, coupled with its signing of the World Declaration for the Survival, Protection and Development of Children in 1990, various strides have been made in the introduction and implementation of measures to safeguard and promote the rights of children.

The Ministry of Social Development, having portfolio responsibility for social planning, programming and project development, retains responsibility for the National Committee to Monitor the Implementation of the *National Plan of Action for Children* and the provisions of the Convention on the Rights of the Child. In 2002, the United Nations General Assembly conducted a Special Session to review the progress achieved since the World Summit and to formulate new goals in keeping with challenges of current times.

The document produced in the aftermath of this session, *A World Fit for Children*, provided the context for the revision of Trinidad and Tobago's *National Plan of Action for Children*, the contents of which are to be considered by the Cabinet of Trinidad and Tobago within the first half of this year. Also addressed in this Policy Document are various strategies in response to this Committee's Concluding Observations on the Initial Report of Trinidad and Tobago.

Throughout today's proceedings, it is hoped that this Committee may be further enlightened as to the advancements made and obstacles associated with the State's full implementation of its obligations under the Convention on the Rights of the Child.

One such development, it is humbly submitted, is the establishment of a Family Court System as a Pilot Project for an initial period of two years in May 2004, which represents a radical departure from the traditional adversarial manner in which family disputes are resolved within the domestic legal system. This Project makes available the use of mediation and other social services to persons involved in matters being adjudicated upon by the Court and encourages the parties involved to play a greater role

in the final determination of their matter in a less acrimonious manner.

I wish to assure the Committee that the Government of Trinidad and Tobago recognises that the protection of human rights is not achieved merely by signing and ratifying international human rights instruments, but must also be accompanied by positive action to convert these rights into the domestic legislative and technical framework.

It is in this light that the Government is mindful of the need to strengthen coordination mechanisms with Non-Governmental and Community-Based Organisations, so that a successful partnering process can continue to flourish. Many of these organisations work assiduously to promote and advance the rights of children and deserve our active support. In particular, I wish to place on record the appreciation of the Government of Trinidad and Tobago for the cooperation of such organisations in providing valuable input into the reporting process.

Ladies and Gentlemen, we in Trinidad and Tobago have begun our journey towards achievement of the Government's goal of attaining developed country status by the year 2020. This achievement is to be measured not only in terms of economic advancement but also by the degree to which this country achieves the United Nations Millennium Development Goals. Ensuring that the rights of children are respected and protected is a condition precedent to Trinidad and Tobago's attaining such goals.

In terms of its overall development, our country has embarked on a number of projects, with emphasis being placed on social sector reform, improving the education system and the health sector, and making justice accessible and affordable, while at the same time working to alleviate poverty. A major objective of all these undertakings is to create a better environment in our part of the world for our children than the one in which we now live.

Madam Chairman,
In the year 2000, a package of Children's legislation was enacted which sought to implement the State's obligations under the Convention on the Rights of the Child. This package comprises the following five pieces of legislation:

- The Children's Authority Act (No. 64 of 2000)
- The Children's Community Residences, Foster Homes and Nurseries Act (No. 65 of 2000);
- The Miscellaneous Provisions (Children) Act (No. 66 of 2000);
- The Adoption of Children Act (No. 67 of 2000); and
- The Children (Amendment) Act (No. 68 of 2000).

In order to ensure proper implementation of the measures contained in the above package of legislation, a number of ancillary systems had to be developed and put in place. One such system was the establishment of a court dedicated to hearing matters pertaining to children and the family as a whole in a non-contentious manner, as far as this is possible.

Following a change of Government in 2001, I, as Attorney General at that time, appointed a Committee to look into the establishment of a Family Court in Trinidad and Tobago. This Committee comprised key stakeholders representing the Judiciary, the Ministry of Social Development, the Ministry of the Attorney General, the Law Association of Trinidad and Tobago and the Non-Governmental Organisations.

In July 2002 the Committee submitted its recommendations for the establishment of a Court as a Pilot Project for a two-year period and in 2004 the Court was established.

In the early part of the deliberations of this Committee, very serious concerns were raised with respect to the workability of the package of Children's legislation. Since that time the Family Court Committee's remit was widened and a Sub-Committee of this Committee has submitted recommendations for amending the existing package of legislation. These recommendations are currently being considered by the Attorney General. In the meanwhile, the Government remains committed to the establishment of a Children's Authority and the implementation of the package of Children's legislation.

Before concluding, my delegation would like to reaffirm that the Government of the Republic of Trinidad and Tobago is committed to working for the full realisation of the rights of children.

My delegation remains ready to engage in a constructive dialogue with the distinguished members of the Committee on the Rights of the Child and to cooperate with them in developing catalysts for the creation of a world determined to respect the dignity and secure the well-being of all children.

Thank you.

