

**THIRD UNIVERSAL PERIODIC REVIEW CYCLE**

**TIMOR-LESTE**

**JOINT CIVIL SOCIETY STAKEHOLDERS' SUBMISSION**

14 July 2021

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### **Note on contributing organisations**

This submission is made by a coalition of 18 national organisations working in Timor-Leste in the area of human rights. A full list is included in the Annex. Preparation of the submission was led by JSMP, HAK and AJAR.

### **Note on references**

All references to recommendations from the last UPR cycle refer to UN Document No. A/HRC/34/11, Report of the Working Group on the Universal Periodic Review, Timor-Leste, 28 December 2016.

## JUSTICE

### *Access to justice*

Last UPR cycle several states made recommendations about the need to improve **access to justice**,<sup>1</sup> including for rural women and victims of sexual and gender-based violence.<sup>2</sup> These included specific recommendations to expand the network of courts and mobile courts.<sup>3</sup>

1. Access to the formal justice system continues to be hampered by poorly resourced judicial institutions, a lack of publicly funded legal representation, and laws which limit accountability.
2. Most disputes are resolved through informal processes at the family or community level. For many cases this is beneficial– the system is familiar, accessible and fast. However informal processes cannot displace the formal justice system in cases of serious (“public”) crimes, and in all cases parties to a dispute should have the option of accessing formal justice if they wish.
3. However, more than 20 years after the UN Transitional Administration legislated for a judicial system with 8 District Courts,<sup>4</sup> only four have been established. Nine of the thirteen municipalities are serviced by district courts based far away in other municipalities. A system of “mobile courts” conducts hearings away from the locations of the district courts.
4. Despite efforts to reduce the backlog in the judicial system, and to increase the number of judges and prosecutors, a very large number of pending cases remains.<sup>5</sup>
5. Access to formal justice mechanisms is also severely impeded by a shortage of publicly funded legal services. No legal aid exists for the use of private lawyers; publicly funded legal assistance is available only through the Public Defenders’ Office (PDO).<sup>6</sup> The number of public defenders has failed to keep pace with prosecutors and judges, although they must act in the vast majority of criminal cases as well as very many civil cases. The PDO has 29 defenders for the whole country and four offices located in the towns with a district court. Public defenders struggle to attend mobile court hearings outside these towns due to lack of transport.<sup>7</sup> The shortage of defenders is so extreme that prisoners on remand report meeting their lawyers for the first time when arriving at court for trial.
6. The shortage of free legal representation also affects domestic violence victims. Although the law recognizes that they have a right to legal representation,<sup>8</sup> this is

rarely realised in practice. Some NGOs provide free legal services to victims, but without government funding their capacity is limited, leaving most victims without assistance. Even where representation is secured it is often ineffective, in part because judicial officials don't understand the role of victims' lawyers in criminal proceedings.

7. Access to justice is also denied in key questions of state oversight by restrictive provisions regarding standing on questions of public law. No procedure exists to allow individuals and organizations to access the courts to challenge state entities' decisions.<sup>9</sup>

#### **Recommendations**

- (i) Commit funds to increasing the number of district courts;
- (ii) Ensure that enough new judicial training graduates are allocated to the PDO; establish a legal aid system for the public funding of private lawyers in certain cases; and provide funding to NGOs representing victims of domestic violence;
- (iii) Ensure sufficient attention in the judicial training program to gender-based violence and the role of victims' lawyers;
- (iv) Legislate to ensure individuals and organisations can access judicial relief where state entities breach their obligations;

#### ***Language***

Two recommendations in the last UPR cycle called for legal documents to be made more accessible to the population, including by making them available in both Tetum and Portuguese.<sup>10</sup>

8. Laws continue to be drafted only in Portuguese. Some are later translated into Tetum. However, doing so after promulgation does not enable transparency and open debate while laws are being made. The majority of laws remain untranslated and accessible only in Portuguese.
9. Similar problems continue in the judicial system. Court documents and oral argument can use either Tetum or Portuguese. Few litigants are fluent in Portuguese and some are not fluent in Tetum (speaking only a local language). Efforts are made to arrange interpretation but often it is so poor that the lawyers and prosecutors intervene to correct it.

### **Recommendation**

- (v) Dedicate resources to expanding and improving translation and interpretation of laws and court proceedings, including by recruiting and training specialised legal translators and interpreters;

### *Independence of judges and lawyers*

Two recommendations in the last UPR cycle addressed the need to ensure the **independence of judges and lawyers**, including by reconsidering the expulsion of foreign judicial actors which occurred in 2014.<sup>11</sup>

10. Timor-Leste has re-established cooperation with Portugal in the judicial sector, including the provision of advisors in the legal institutions. Despite this, concerns related to the 2014 expulsion of foreign court actors persist. First, the expulsion was symptomatic of a willingness of political leaders to exert pressure on the judiciary. Members of the political elite continue to publicly take positions on matter before the courts in a way which appears intended to influence their outcomes.<sup>12</sup> Moreover, Portuguese actors now working in the justice sector are only carrying out advisory roles. With no serving international judges, under existing law<sup>13</sup> the courts cannot try past international crimes.

### *Juvenile justice*

Two states made recommendations in the last UPR cycle concerning the need to strengthen juvenile justice systems.<sup>14</sup>

11. These recommendations have not been adequately addressed. Child prisoners are housed in Becora Prison where they have separate sleeping quarters but otherwise mix with adults prisoners. While the government identified land for a youth prison in 2015, it is yet to commence construction.

### **Recommendation**

- (vi) Ensure incarceration of children convicted of crimes is a last resort, and house them separately from adult prisoners in a facility designed to meet children's needs;

### *Prison conditions*

Although the last UPR cycle did not result in recommendations concerning prison conditions, civil society is concerned that this is a human rights issue of grave concern in Timor-Leste, warranting attention in the present cycle.

12. There are three prisons in Timor-Leste, all are over capacity.<sup>15</sup> There are insufficient beds and overcrowding results in the spread of illnesses, including

tuberculosis. Prisoners at Gleno have reported having insufficient food and water.<sup>16</sup>

#### **Recommendation**

- (vii) Commit funds to improving prisons to ensure adequate space and facilities;

#### *Transitional justice*

In the last UPR cycle recommendations were made calling on Timor-Leste to implement transitional justice programs, particularly to address the rights of victims of past crimes.<sup>17</sup> States called for implementation of the recommendations of Timor's two truth commissions,<sup>18</sup> including those for the establishment of a memorial institution<sup>19</sup> and reparations for victims.<sup>20</sup>

Two recommendations called for Timor-Leste to bring its law into line with the Rome Statute.<sup>21</sup>

13. The prosecution of past crimes has entirely stalled. Since 2014 the Timorese courts are unable to try these cases, even if suspects did come into custody.<sup>22</sup> Senior Indonesian officials accused of responsibility for crimes in 1999 continue to benefit from impunity, with no efforts made to secure their extradition or prosecution. Prosecutions have never been initiated in respect of the Timorese civil war (1975) or the period of Indonesian occupation between 1975 and 1998. Most persons identified as suspects in connection with civil unrest in 2006, including some current senior government officials, have never been tried.
14. Since the last UPR cycle the National Chega Centre (CNC) was established,<sup>23</sup> to implement transitional justice programs following from Timor-Leste's two truth commissions.<sup>24</sup> The CNC's mandate includes memorialisation and education, as well as "solidarity" measures to support victims. The creation of the CNC is a step forward, but direct support to victims is still mostly undertaken by civil society. There is a need for the CNC to increase its accessibility to victims, including in remote areas, and to reinstate efforts for a trust fund to enable international support for reparations. Many victims of past gender-based violence and their children remain without adequate support services from the state. Some persons born during the conflict after sexual violence remain unable to obtain Timorese citizenship papers.<sup>25</sup> Reparations and assistance should be prioritised to the most vulnerable. In the absence of prosecutions, other forms of official recognition about past crimes are essential, particularly where victims continue to experience stigmatization in respect of sexual violence.

15. Both truth commissions recognised that many persons were disappeared during the past conflicts, and that their whereabouts remained unknown. The Timorese government has supported civil society initiatives to locate “stolen children” in Indonesia and arrange family reunions. However, no other government efforts are proceeding in respect of the disappeared. Timor-Leste is yet to ratify the International Convention for the Protection of All Persons from Enforced Disappearance, despite this being recommended in the last UPR cycle.<sup>26</sup> The Commission for Truth and Friendship (CTF) recommendation for a bilateral Commission for the Disappeared has also not been pursued.<sup>27</sup>

#### **Recommendations**

- (viii) Ratify the International Convention for the Protection of All Persons from Enforced Disappearance;
- (ix) Implement CTF recommendations, especially the establishment of a bilateral commission with Indonesia on disappeared persons.
- (x) Prioritise implementation of reparations for victims of past crimes, including by intensifying CNC’s community-level engagement, taking measures to promote the recognition of victims, and establishing a trust fund to receive international contributions;
- (xi) Amend the law to permit prosecutions of serious crimes committed in the context of the Timor-Leste-Indonesian armed conflict to be heard by all Timorese judges or establish a mechanism whereby international judges can be contracted for this purpose;

#### **ADEQUATE STANDARD OF LIVING – FOOD, WATER AND HEALTH**

In the last UPR several recommendations were made on ensuring an adequate standard of living such as: implementing the National Action Plan for Zero Hunger<sup>28</sup>, combating malnutrition<sup>29</sup>, improving food security<sup>30</sup> and doubling investments in agriculture.<sup>31</sup>

Recommendations were also made to improve the coverage, accessibility and quality of health services, particularly in rural areas<sup>32</sup>, and to improve overall government spending dedicated to health.<sup>33</sup>

16. Poverty continues to afflict a significant proportion of the population. Despite this, basic services to ensure access to food, clean water and health services are not sufficiently funded by the state. Government has prioritised risky and harmful large-scale infrastructure projects rather than investments in human development.<sup>34</sup> At the same time, repeated unsustainable withdrawals from

Timor's petroleum fund endanger the country's ability to meet the population's needs in the future.<sup>35</sup>

### *Food and water*

17. Government investment in agriculture is vital to realise the right to adequate standard of living. Agriculture is Timor-Leste's main economic activity, providing subsistence to an estimated 80% of the population.<sup>36</sup> Despite this, the 2021 state budget allocation for agriculture was only 2.16% of the total budget.<sup>37</sup>
18. Malnutrition and food insecurity remain significant problems.<sup>38</sup> Despite targets to increase food crop production,<sup>39</sup> production of maize (the staple food crop) has fallen from 95,433 tons in 2005 to 75,690 tons in 2019.<sup>40</sup> Floods in 2021 destroyed many crops and the government is overly reliant on rice imports to feed the population.<sup>41</sup> The National Council for Food Security, Sovereignty and Nutrition (KONSSANTIL) is not sufficiently resourced to effectively coordinate the different Ministries' work in implementing food security and nutrition policies.
19. Farmers depend on state-constructed irrigation systems for rice and vegetable growing. Civil society monitoring found that the government's current investment in irrigation is insufficient to maintain existing irrigation networks and many have been destroyed by flooding.<sup>42</sup>
20. Access to clean water is widely lacking. In 2021, approximately 0.7% of Timor-Leste's total budget was allocated to water and sanitation.<sup>43</sup> Civil society monitoring during the reporting period found that many schools and health posts did not have access to enough water, impacting upon sanitation and hygiene.<sup>44</sup> Some rural communities need to walk long distances to collect and haul water home.

### *Health*

21. Access to health care remains highly contingent on personal wealth. Urban elites are able to access private health services in Timor-Leste or travel outside the country. Those in rural areas are usually far from essential health services and in many cases remain wary of western medicine. Ongoing and increased efforts are needed to ensure access to adequate health care for all.

### **Recommendations**

- (xii) Prioritise investment in agriculture, water and health, and allocate a higher proportion of the annual budget to these sectors;
- (xiii) Take steps to increase agricultural productivity sustainably and facilitate farmers' access to local markets. This should be done with the aim of



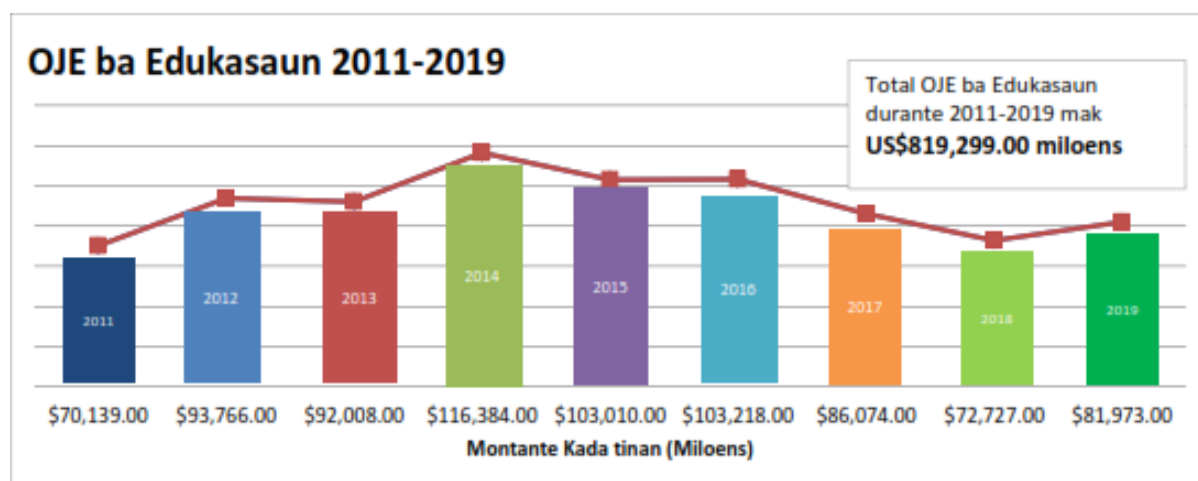
improving food security and reducing Timor-Leste's reliance on imported goods that can be produced locally;

- (xiv) Resource KONSSANTIL so as to implement the National Action Plan for a Hunger and Malnutrition Free Timor-Leste;
- (xv) Strengthen technical assistance programs by increasing the number of agricultural extension workers at the local level, the quality of technical support that they provide and ensuring any technologies used are suited to Timorese farmers' needs;

## EDUCATION

Twelve countries made recommendations on the right to education in the last UPR cycle. These included Timor-Leste investing in education,<sup>45</sup> addressing early dropout of female students<sup>46</sup>, improving education quality through adequate resourcing of teacher training and oversight<sup>47</sup> and improving access to education and literacy, particularly for vulnerable groups.<sup>48</sup>

- 22. Timor-Leste has increased the number of children enrolled in school and the numbers indicate rough parity in the enrollment of girls and boys. However, a large number of children (60%) do not continue to secondary schooling after leaving primary school.<sup>49</sup>
- 23. Girls often drop out of school due to teenage pregnancy, either because childcare support is not available, or because schools will not accept them back. Reproductive health education is formally part of the curriculum but teachers are not given training on how to deliver it.
- 24. While Timor-Leste's young population means that demand for education continues to grow, government investment has not kept pace and is insufficient to implement the National Strategic Plan for Education. In 2021, the education sector received 10% of the national budget. This is an improvement compared to the 7.3% of the 2020 budget allocated to education.<sup>50</sup> But investment in education has not significantly increased over the years:<sup>51</sup>



*State budget allocations (in millions of dollars) for education*

25. Many public schools have seriously dilapidated buildings, making teaching during the rainy season particularly difficult. A desk review evaluating implementation of the National Strategic Plan for Education concluded that 87% of existing primary school classrooms require repairs and an estimated 1500 further classrooms need to be built to accommodate student numbers.<sup>52</sup> Further, schools lack access to clean water or sanitation and have insufficient chairs and desks and teaching resources.
26. Access to education has been further reduced during the COVID-19 pandemic. Schools were twice closed, during which time learning materials were made available through television and smart phones, and some schools distributed a small number of books. Many children were unable to participate, particularly in rural areas, because they did not receive books, did not have a television or could not afford smart phones or data. Parents, due to their own lack of schooling, were often unable to help their children with learning.

### **Recommendations**

- (xvi) Allocate 25% of the State Budget to the education sector;
- (xvii) Develop a national plan for the maintenance and improvement of school infrastructure, including water and sanitation;
- (xviii) Establish a law or policy to ensure girls can return to school after childbirth, and improve reproductive health education to reduce teenage pregnancy, including through appropriate teacher training;

## DISABILITY

Recommendations on the rights of persons with a disability last cycle included for Timor-Leste to ratify the Convention on the Rights of Persons with Disabilities,<sup>53</sup> and to improve the effectiveness of national policies on persons with disabilities,<sup>54</sup> including through the establishment of the planned National Disability Council.<sup>55</sup>

27. Timor-Leste has not progressed plans to ratify the Convention on the Rights of Persons with a Disability, or establish an independent National Disability Council to oversee the National Policy on Inclusion and the Promotion of the Rights of Persons with a Disability.<sup>56</sup>
28. Civil society has examined implementation of the National Policy's goal of involving 10% of persons with a disability in education, and found that it has not been achieved.<sup>57</sup> Most schools are not accessible for persons with a disability. Teachers' knowledge of how to support persons with a disability (particularly sight, hearing and speech impaired persons) in the classroom is poor and training for teachers has been limited.<sup>58</sup> The 2021 budget allocation to implement Inclusive Education was only \$54,000.<sup>59</sup>
29. Outside education, many other public services and institutions are also not accessible to persons with disabilities and prejudices persist among their officials. For example, courts are not accessible to people with mobility limitations, and do not provide sign language interpreters for hearing and speech impaired persons. Similar problems have been identified in health services and the police.

### Recommendations

- (xix) Ratify the Convention on the Rights of Persons with a Disability;
- (xx) Establish an independent National Disability Council to oversee implementation of disability policy;
- (xxi) Develop and deliver in-depth training for teachers on Inclusive Education, and work with disability organisations to allocate resources to each school to assist teachers and students with a disability;
- (xxii) Work in partnership with disability organisations to raise awareness amongst local authorities, communities and parents that children with a disability have a right to education and should be supported to attend school;
- (xxiii) Ensure that public buildings, including schools, health services, police stations and the courts, are accessible to persons with disabilities;

- (xxiv) Ensure that essential public services such as hospitals, police and courts offer language interpreters and other means of ensuring meaningful accessibility to persons with disabilities;

## EQUALITY – NON-DISCRIMINATION

### *Sex discrimination*

Recommendations in the last UPR cycle on addressing sex discrimination included the implementation of CEDAW recommendations,<sup>60</sup> legislative amendments (including to better define prohibited discrimination)<sup>61</sup> and to promote women's empowerment.<sup>62</sup>

30. Despite recommendations from CEDAW and the UPR, Timor-Leste remains without a unified law on sex discrimination (or on prohibited discrimination generally).<sup>63</sup>
31. No legal protection exists against workplace sexual harassment. In principal the civil service has a policy of Zero Tolerance for Workplace Sexual, but implementation has been poor. Few managers or staff know of the policy or the online complaint system. Fear of losing their employment still prevents women from speaking out about sexual harassment.

### **Recommendations**

- (xxv) Legislate to prohibit sex discrimination, including through workplace sexual harassment;

### *Gender-Based Violence*

Seventeen recommendations were addressed to the problem of gender-based violence in the last UPR cycle. They called for implementation of the National Action Plan and other measures,<sup>64</sup> awareness-raising,<sup>65</sup> access to justice,<sup>66</sup> training of law enforcement and judicial actors,<sup>67</sup> sufficient resourcing of key agencies,<sup>68</sup> and support for victims.<sup>69</sup>

32. Gender-based violence is pervasive in Timor-Leste and although government responses to it exist, they are insufficient.
33. In 2017 a new National Action Plan (NAP) on Gender-Based Violence was issued.<sup>70</sup> It includes measures to change attitudes and behaviors and to provide services to victims and improve their access to justice. The NAP recognizes that core work, such as the provision of social services, is being undertaken by NGOs and commits to fund existing services while moving towards a system of government services. The NAP estimated cost for its implementation is \$9.6m over five years.

34. However, NGOs providing legal, health and emergency housing services to victims of gender-based violence have received only a small amount of the public funding that was estimated in the NAP. Government appears to assume that funding will be provided by development partners, rather than establishing sustainable government funding. This limits NGOs' ability to provide essential services, particularly in more remote areas. The government has made little progress in taking over service delivery.
35. Understanding of gender-based violence and how to appropriately deal with its victims remains an issue amongst court actors and the national police, demonstrating that more training is required. For example, women who have experienced violence from a *de facto* partner have reported that police officers do not consider this to be domestic violence although it is categorized as such under the law.<sup>71</sup>

#### **Recommendations**

- (xxvi) Commit the required financial resources to the NAP and ensure that core services for victims of gender-based violence are sustainably supported by public funds;
- (xxvii) Improve training for the police and court actors to assist them understand gender-based violence and appropriate responses;

#### ***Marriages and civil partnerships***

In the last UPR cycle Timor-Leste was recommended to revise its Civil Code to comply with international standards, including to ensure that non-Catholic or non-traditional partnerships are given equal recognition.<sup>72</sup>

36. Timorese law recognises civil, traditional and Catholic marriages<sup>73</sup> but state systems for marriage registration have not yet been effectively and consistently established. This means that in practice, certification of a marriage by the Catholic Church is the only reliable means of proving a marriage.
37. Civil society welcomes the government's initiative, in November 2020, to begin discussing the creation of a civil register which would regulate secular registration of civil and traditional marriages. However there also remains a need to ensure that marriages carried out in other religious traditions (e.g. for Protestant and Islamic communities) are recognised.
38. The government should also ensure that same-sex marriages, currently not recognised under Timorese law, can be registered and are recognised.

### **Recommendation**

- (xxviii) Amend the law to ensure that civil marriages, marriages in religious faiths other than Catholicism, and same sex marriages are given equal recognition in law and in practice;

### ***Discrimination based on sexual-orientation and gender identity***

Two recommendations in the last UPR cycle addressed discrimination against LGBTQI people, including the improvement of anti-discrimination laws<sup>74</sup> and other measures to investigate and punish discrimination, stigmatization.<sup>75</sup>

39. No progress has been made on these recommendations. The law still does not prohibit discrimination based on sexual orientation or gender identity.<sup>76</sup> Cases of discrimination routinely occur, including in state institutions. For example, civil society has raised with government that children are required to wear school uniforms reflecting their biological sex rather than their gender identity.

40. Ignorance and negative attitudes about LGBTQI people remain pervasive. LGBTQI people report being subject to stigmatization including physical and sexual violence, sometimes by their own families.<sup>77</sup> Police and prosecutors will often take no action even where these crimes are reported. Although civil society has been working to educate police and justice sector officials, state initiatives are lacking.

### **Recommendations**

- (xxix) Introduce a prohibition against discrimination based on sexual or gender identity into Timorese law;
- (xxx) Commit resources to attitude and behaviour change on LGBTQI issues, including in key state institutions such as schools, police and the magistracy;

## **CHILDREN**

Previous cycle recommendations included that Timor-Leste develop a national plan and implement existing laws and ratified conventions on child rights<sup>78</sup>, complete the Children's Code<sup>79</sup>, enact anti-trafficking legislation<sup>80</sup> and adopt measures to prevent and punish child abuse.<sup>81</sup>

41. The Child Rights Institute has now been legislated as an independent public institute, responsible for monitoring and reporting on child rights as well as promoting child-rights-sensitive public policy and state budgets.<sup>82</sup> It is

fundamental that the Institute receive adequate funding and secure qualified staff.

42. Timor-Leste remains without a general legal framework on children's rights, or even a basic law on child protection. This contributes to a lack of understanding of children as rights-holders, as well as to endemic problems affecting Timorese children, including corporal punishment, sexual abuse, discriminatory practices against girls, high incidence of malnutrition and poor quality of education. Two draft laws which had been put before the parliament, on child protection and juvenile justice, have lapsed without being passed. They are now being reviewed. The opportunity should be taken to create a comprehensive law on children's rights, to be enacted as soon as possible. Sufficient funding must also be granted for implementation, particularly for strengthening child protection.
43. There is some indication that child abuse is widespread in Timor-Leste. A 2016 study found that 72% of women and 77% of men had experienced physical or sexual trauma during childhood.<sup>83</sup> Children were also found to have frequently witnessed intimate partner violence against their mothers.<sup>84</sup>
44. Many reported cases of child sexual abuse occur in a family setting but Timorese criminal law contains no specific offence of incest. Civil society has called for the law to be amended to highlight the seriousness of sexual violence within the family and put beyond doubt that it cannot be considered consensual for the child, including teenagers.<sup>85</sup>
45. There is an urgent need to expand and improve systems for child protection where child sexual abuse has occurred. Psychological support services are drastically lacking.
46. Violence against children in schools is commonplace. Although the government has nominally adopted a policy of zero tolerance towards corporal punishment, it is not implemented in practice. Teachers are rarely sanctioned for violence and in many cases consider it their only disciplinary tool. Only in few cases, and where parents actively complain, is action taken.

### *Early marriage*

Three states made recommendations in the last UPR cycle directed to addressing the practice of early marriage.<sup>86</sup> However two of these, calling for changes to the law,<sup>87</sup> were noted rather than accepted by Timor-Leste.

47. Early marriage continues to be a significant issue, particularly in rural communities. No specific action appears to have been taken since the last UPR cycle.

### *Birth Registration*

Three recommendations in the last UPR cycle called on improved systems for birth registration and certificates.<sup>88</sup>

48. Children conceived as a result of rape or born to victims of domestic violence are still often unable to have their birth registered. To register a birth the registry requires the identity documents of the mother and father. This presents problems for victims of rape, or pregnant women who have fled violence without the necessary documents.<sup>89</sup>

### **Recommendation**

(xxxi) Adopt a formal birth registration policy that makes it easier for women victims of rape and domestic violence to register their children's births;

## **FREEDOM OF EXPRESSION AND ASSOCIATION**

Several recommendations from the last UPR cycle called for greater protection of journalists, freedom of expression and ensuring that Timor-Leste's new Media Law was brought into line with international standards.<sup>90</sup>

49. Recently the government attempted to introduce significant restrictions on free speech. In June 2020 a proposal was announced to criminalise defamation, making it punishable by one year imprisonment.<sup>91</sup> It was strongly opposed by civil society and the government decided not to proceed with it. However, in January 2021 the government proposed a new draft law concerning cybercrime. It contains insufficient protections for whistle-blowers or persons who inadvertently access online information or systems without authorisation. Further, the wide-ranging search, seizure and liability provisions could be used to intimidate or close civil society or media organisations.<sup>92</sup>

50. The right to protest is hindered by Law No. 1/2006 on the Freedom of Assembly and Demonstration. Article 5 prohibits demonstrations within 100 metres of



public buildings. The number and density of such buildings in central Dili has the effect in practice of preventing demonstrations in the city centre. Article 10 requires that police be informed of demonstration. In practice the police consider themselves empowered to decide whether a protest is authorised and use the 100 metre rule as a justification for opposing protests. Police violence against student protesters, and unnecessary arrests, are frequently the consequence, serving as a *de facto* means of quashing demonstrations.

#### Recommendations

- (xxxii) Drop proposals to criminalise defamation and review the proposed cybercrime law to ensure it is not used to repress free expression;
- (xxxiii) Amend the law to remove the 100 metre rule prohibiting protests near public buildings, and to make clear that police are not empowered to deny permission to protest;

## LAND AND PROPERTY

One recommendation from the last UPR cycle touched upon equality of land and property rights between men and women.<sup>93</sup>

- 51. Land disputes are a continuing source of violence in Timor-Leste.<sup>94</sup> Dispossession and displacement during the Indonesian occupation, as well as poor land titling has complicated land ownership.
- 52. A new land title law was promulgated in October 2017 (Law 13/2017). Since 2013, registration of land title on the National Cadastral System (known by the Timorese acronym SNC) has been administered by two private companies under contract to the Timorese government.
- 53. Rede ba Rai's research on the SNC during the reporting period found that:
  - land registration processes are opaque and SNC administrators often do not comply with legal notice and public education requirements,
  - there are problems with the accuracy of registered titles,
  - most land titles are granted to men as sole owners and there is no evidence to suggest that the SNC is taking steps to avoid discrimination against women and consider the needs of vulnerable persons when registering land.
- 54. This lack of transparency and failure to follow legal process makes land registration vulnerable to corruption, and results in incorrect entries on the land registry. The failure to register collective land title puts communities at risk of losing their land and culture, and non-implementation of anti-discrimination

measures in the law could further entrench gender and other forms of discrimination.

#### Recommendations

- (xxxiv) Carry out an independent audit of registration processes and land titles to confirm and sanction any non-compliance with the law and to check title accuracy;
- (xxxv) Make land title registry documents and regular statistical reports on registrations easily accessible to the public;

### SECURITY FORCES

Two recommendations made to Timor-Leste the last UPR cycle dealt with training for police and defence forces on human rights.<sup>95</sup>

- 55. Human rights training for the security forces is being provided by the Provedore for Human Rights and Justice (PDHJ). Between 2017 and 2019, 2260 military members (9.1% of members) received training.<sup>96</sup> The PDHJ also provided training to police during 2016, 2017 and 2019, reaching 4002 police officers during that time (9.6% of officers). Training for both military and police continued in 2020. However, civil society organizations are concerned that there is a need for training to reach all members of the security forces and to be continuous, rather than once-off.
- 56. Civil society have continued to observe violence from members of the military and police during the period 2016-2021. NGO reporting logged 169 incidents of violence during this period: 37 involving the military and 132 involving the police.<sup>97</sup>
- 57. Most of these involve police and incidents where weapons were utilised other than in accordance with the applicable regulations, or outside of official duty.
- 58. These include incidents in which police officers committed crimes with firearms while off duty.<sup>98</sup> In these cases, the officer in question has usually been dismissed and prosecuted. Police leadership has indicated its determination to enforce rules for the management of firearms. However, effective systems have still not been developed to ensure compliance with these rules.
- 59. In a number of other instances, police officers used firearms disproportionately while on duty, in some instances killing or seriously injuring members of the public.<sup>99</sup> In these instances there is less evidence of accountability. For example,

no person has been charged in relation to death of a youth in Bebonuk on 6 May 2017 when a police officer apparently opened fire while responding to a confrontation between two groups. Civil society has also called for police to be properly equipped with non-lethal weapons and given appropriate training in their use.

60. Another factor contributing to these problems is deficiencies in the PNTL's disciplinary systems. Disciplinary procedures are complex and lengthy, which can lead to a public perception that no action is being taken. There is also continuing instances of interference by members of the political elite in these procedures for family or personal reasons, undermining disciplinary outcomes in particular cases and therefore the integrity of the system.
61. Since the introduction, in March 2020, of a state of emergency relating to the COVID-19 pandemic, civil society has noticed an increase in physical aggression from security forces towards members of the public. In one incident in Covalima tear gas was used on students without apparent justification. This increase in violence appears to have been encouraged by some statements from senior security officials in relation to the state of emergency. For example, the head of the Timorese armed forces said that the security forces would shoot persons who were found not complying with COVID-19-related restrictions on movement. These leaders have attacked human rights defenders who criticise the conduct of their members.

#### **Recommendations**

- (xxxvi) Continue and expand human rights training for national security forces;
- (xxxvii) As an alternative to firearms, equip police with non-lethal weapons and train them in their use;
- (xxxviii) Consistently enforce police rules on use of firearms while off duty;
- (xxxix) Increase the transparency of disciplinary processes so that victims and the public area aware that the police are taking appropriate action;
- (xl) Government and political leadership should respect the professionalism and independence of these institutions and abstain from any interference in them;

## NATIONAL HUMAN RIGHTS INSTITUTION

Four countries in the last UPR cycle recommended that Timor-Leste's national human rights institution be strengthened and appropriately resourced.<sup>100</sup>

62. The PDHJ is an important part of Timor-Leste's human rights system, but despite this still has some key weaknesses.
63. The institution's resources are inadequate for the scale of the work it has to undertake. It requires more investigators and facilities.
64. Internal decision-making procedures within the PDHJ are too bureaucratic, so that decisions and action occur far too slowly, even on urgent issues. Because of this, victims of human rights violations often prefer to seek help from civil society.
65. In some areas the PDHJ takes too narrow a view of its mandate, for example, by not treating victims of past crimes as covered by its work.
66. The PDHJ has also proved reluctant to make full use of its constitutional powers. In some instances civil society has requested the PDHJ to act, for example, where civil society groups or individuals do not have standing before the courts.<sup>101</sup> However the PDHJ has been reluctant to act when powerful political leaders are involved.

### Recommendations

- (xli) Timor-Leste must ensure adequate funding of the PDHJ. The PDHJ itself should improve procedures to ensure that its work is sufficiently expansive, expeditious and independent.

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<sup>1</sup> Mexico, 89.106; China, 89.104; Vietnam, 89.105; Haiti, 89.108; Mongolia, 89.107; Uruguay, 89.96.

<sup>2</sup> Mexico, 89.106; Uruguay, 89.96.

<sup>3</sup> Vietnam, 89.105; Haiti, 89.108; Mongolia, 89.107.

<sup>44</sup> UNTAET Regulation 2000/11 on the Organization of Courts in East Timor, 6 March 2000, Section 7.1.

<sup>5</sup> As at 2020, the courts reported having 3365 criminal cases and 1701 civil cases pending.

<sup>6</sup> JSMP Press release, Suai Public Defenders did not attend mobile trials in Maliana Municipality due to a lack of transport, 9 June 2021, available [here](#).

<sup>7</sup> Access to Justice Clinics have been established within the PDO with assistance from international agencies, which aim to provide paralegal services to complement the formal justice system, including provision of legal information, mobile legal consultations, mediation, and referrals. But this program is limited, currently operating only out of four municipalities, and is funded by international donors.

- <sup>8</sup> Law Against Domestic Violence (Law No. 7/2010), article 25(1).
- <sup>9</sup> For example, the NGO JSMP petitioned the Court of Appeal in respect of the unlawful release by senior state officials of a suspect remanded in custody in a case concerning crimes against humanity committed in 1999. In a decision of 11 November 2009, the Court of Appeal considered the request to be inadmissible.
- <sup>10</sup> Ukraine, 89.30; Uruguay, 89.31.
- <sup>11</sup> Mexico, 89.106; Spain, 89.114.
- <sup>12</sup> For example, in connection with the conviction of former Finance Minister Amelia Pires for corruption, then Minister Xanana Gusmao (also former President and Prime Minister) made public his position that she was innocent and accused the judiciary of corruption.
- <sup>13</sup> UNTAET Regulation 2000/11 on the Organization of Courts in East Timor, 6 March 2000, Section 10.3; UNTAET Regulation 2000/15 on the Establishment of Panels with Exclusive Jurisdiction over Serious Criminal Offences, 6 June 2000, Section 22.2.
- <sup>14</sup> Venezuela, 89.118; Panama, 89.119.
- <sup>15</sup> Becora Prison in Dili Municipality has capacity for 250-300 prisoners but in March 2021 held 556. Gleno Prison in Ermera District and Suai Prison in Covalima Municipality each have capacity for 75 prisoners, but in March 2021 held 108 and 99 prisoners respectively. Figures gathered by the NGO HAK during monitoring.
- <sup>16</sup> The prisoners share a community water source and sometimes this water runs out. Gleno prison's rice quota was reduced from 300 to 200 kilograms a week, which prison officials say is insufficient to feed the prisoners.
- <sup>17</sup> New Zealand, 89.1116; Afghanistan, 89.115; Norway, 89.117; Argentina, 89.109; United Kingdom of Great Britain and Northern Ireland, 89.33.
- <sup>18</sup> New Zealand, 89.1116.
- <sup>19</sup> Afghanistan, 89.115; Norway, 89.117.
- <sup>20</sup> Afghanistan, 89.115; Norway, 89.117; Argentina, 89.109; United Kingdom of Great Britain and Northern Ireland, 89.33.
- <sup>21</sup> Uruguay, 89.31; Switzerland, 89.32.
- <sup>22</sup> Since international judges, required under Timorese law for the trial of these cases, were expelled from the legal system (see above at paragraph 10).
- <sup>23</sup> Decree Law 48/2016 of 14 December 2016 creating the National Chega Centre.
- <sup>24</sup> The Commission for Reception, Truth and Reconciliation, known by its Portuguese acronym, "CAVR", and the Commission for Truth and Friendship, established bilaterally between Timor-Leste and Indonesia.
- <sup>25</sup> The Timor-Leste Constitution (article 4) and Citizenship Law No 9/2002 (article 8) recognise every child born to one Timorese parent in Timor-Leste or overseas as an "original citizen." However, many persons born of war continue to face challenges in attaining their citizenship certificates. In some cases, the practice of relying on baptism certificates issued by the Catholic Church creates an impediment.
- <sup>26</sup> Japan, 89.2; Panama, 89.8; Angola, Cabo Verde, Costa Rica, Iraq, Uruguay, 89.9; France, 89.10.
- <sup>27</sup> New Zealand, 89.116.
- <sup>28</sup> Vietnam, 89.54; Sudan, 89.55.
- <sup>29</sup> Bolivarian Republic of Venezuela, 89.136.
- <sup>30</sup> Cabo Verde, 89.123; Pakistan 89.135; Republic of Korea, 89.133.
- <sup>31</sup> Haiti, 89.154. Double investments in agriculture to protect sources of water, replenish farmers with seeds, improve exports, vaccinate livestock and poultry, and encourage a more nutritious and diverse diet.
- <sup>32</sup> Madagascar, 89.142; Haiti, 89.122; Brunei Darussalam, 89.137; China, 89.138; Maldives, 89.139; Thailand, 89.140.

<sup>33</sup> Australia, 89.141.

<sup>34</sup> See eg La'o Hamutuk's letter to the UN Special Rapporteur on the Rights of Indigenous Peoples, 9 April 2019 ([here](#)), and its [Submission to Committee C, National Parliament of Timor-Leste Regarding the Proposed General State Budget for 2021](#), 13 November 2020, pp4-5, 8.

<sup>35</sup> See eg La'o Hamutuk's [Submission to Committee C, National Parliament of Timor-Leste Regarding the Proposed General State Budget for 2021](#), 13 November 2020, pp3-4; and various sources of information published by La'o Hamutuk on this subject, available [here](#).

<sup>36</sup> See field instructions for the 2019 Agricultural Census available [here](#) and the 2019 Timor-Leste Agricultural Census [here](#).

<sup>37</sup> 2021 budget books are available [here](#). Civil society organisation Lao Hamutuk's English-language analysis of the 2021 budget is available [here](#).

<sup>38</sup> [Preliminary results](#) of the Ministry of Health's Timor-Leste Food and Nutrition Survey 2020 shows declining trends of undernutrition among children aged 0-59 months compared to the 2013 survey. Stunting among children 0-59 months declined from 50.2 % to 47.1 %; wasting dropped from 11 % to 8.6 % while underweight reduced from 37.7 % to 32.1 % for children 0-59 months. Despite improvements, the prevalence of stunting in children aged 0-59 months remains a 'very high' public health problem based on World Health Organization (WHO) 2018 criteria. The prevalence of wasting at 8.6 per cent is considered a 'serious' public health problem. The 2020 Global Hunger Index ranks Timor-Leste 106th out of the 107 countries with sufficient data to calculate 2020 GHI scores. With a score of 37.6, Timor-Leste has a level of hunger that is alarming.

<sup>39</sup> The 2017 National Food Nutrition and Security Policy ([here](#)) and the 2014 National Action Plan for a Hunger and Malnutrition Free Timor-Leste ([here](#)). The latter policy includes the goal of improving small-holder agricultural productivity. Timor-Leste has a 2017 draft Agriculture Policy and Strategic Framework that is yet to be finalised. Draft policy is available [here](#).

<sup>39</sup> Haiti, 89.154.

<sup>40</sup> See Lao Hamutuk note on Food Security in Timor-Leste (in Tetun) [here](#).

<sup>41</sup> See the Timor-Leste Food Security Bulletin for January – March 2021 [here](#).

<sup>42</sup> HAK Association as a member of the Land Network monitoring in Dili, Aileu, Ainaro, Baucau, Viqueque and Ermera.

<sup>43</sup> See Lao Hamutuk submission on the 2021 budget [here](#). Changes in how the budget is reported made it difficult to determine the accuracy of this 0.7% allocated to water and sanitation.

<sup>44</sup> HAK Association as a member of the Land Network monitoring in Dili, Aileu, Ainaro, Baucau, Viqueque and Ermera.

<sup>45</sup> Singapore, 89.130; Thailand, 89.140; Australia, 89.141.

<sup>46</sup> Slovenia, 89.149; Haiti, 89.59.

<sup>47</sup> Norway, 89.147.

<sup>48</sup> Brunei Darussalam, 89.152; Angola, 89.144; Lao People's Democratic Republic, 89.145, Libya; 89.146; Malaysia, 89.151, Spain; 89.72.

<sup>49</sup> Monteiro J, Soares de Araujo A, da Cruz L, 2019, Desk Review – Planu Estrátégiku Nasional Edukasaun, Timor Leste Coalition for Education, p. 25.

<sup>50</sup> See Lao Hamutuk's 2021 budgetary analysis [here](#).

<sup>51</sup> Monteiro J, Soares de Araujo A, da Cruz L, 2019, Desk Review – Planu Estrátégiku Nasional Edukasaun, Timor Leste Coalition for Education, p. 14 (graph produced by the Timor-Leste Coalition for Education).

<sup>52</sup> Monteiro J, Soares de Araujo A, da Cruz L, 2019, Desk Review – Planu Estrátégiku Nasional Edukasaun, Timor Leste Coalition for Education, p. 26.

<sup>53</sup> Bulgaria, Pakistan, 89.11; Turkey, 89.13; Algeria, Angola, Costa Rica, Guatemala, Madagascar, Mongolia, Ukraine, Uruguay, 89.14; Slovenia, Spain, Germany, Thailand, 89.15; Iraq, 89.16; Australia, 89.17; Mexico, 89.19; New Zealand, 89.20; Viet Nam, 89.21.

<sup>54</sup> Brazil, 89.150; Malaysia, 89.151.

<sup>55</sup> Chile, 89.60; Maldives, 89.61.

<sup>56</sup> In the National Report for the last UPR cycle, the Timor-Leste government indicated that it had begun drafting a law to establish the National Council. This law is still in draft form.

<sup>57</sup> Monitoring undertaken by AHDMTL in Covalima and Manufahi municipalities.

<sup>58</sup> The National Institute for Training of Teachers and Education Professionals has provided training on including persons with a disability in education for 10 teachers who then went on to train 40 further teachers at the district level.

<sup>59</sup> See the Ministry of Education's annual action plan for the 2021 budget [here](#) at page 160.

<sup>60</sup> Switzerland, 89.5.

<sup>61</sup> Namibia, 89.69; Slovenia, 89.71; Germany, 89.93.

<sup>62</sup> Nepal, 89.129; Lao People's Democratic Republic, 89.128; Singapore, 89.70; Pakistan, 89.74.

<sup>63</sup> The Timorese Constitution guarantees, in article 16(2) that: "No one shall be discriminated against on grounds of colour, race, marital status, gender, ethnical origin, language, social or economic status, political or ideological convictions, religion, education and physical or mental condition." However, a more detailed law regarding prohibited discrimination does not exist.

<sup>64</sup> Canada, 89.85; Norway, 89.88; Bulgaria, 89.95; Viet Nam, 89.54; Sudan, 89.55; Turkey, 89.81; United Kingdom of Great Britain and Northern Ireland, 89.82; Australia, 89.84; Madagascar, 89.87; Angola, 89.90; Japan, 89.91.

<sup>65</sup> France, 89.86.

<sup>66</sup> Canada, 89.85; Uruguay, 89.96.

<sup>67</sup> Canada, 89.85; New Zealand, 89.92.

<sup>68</sup> Canada, 89.85; United Kingdom of Great Britain and Northern Ireland, 89.82; Australia, 89.84; Germany, 89.93; Slovenia, 89.149; United States of America, 89.89.

<sup>69</sup> Bolivian Republic of Venezuela, 89.83.

<sup>70</sup> [Government Resolution No. 25/2017 of 17 May 2017, Approving the National Action Plan against Gender-based Violence 2017-2021.](#)

<sup>71</sup> Law Against Domestic Violence (Law No. 7/2010), article 2(1); also article 3(b).

<sup>72</sup> Canada, 89.85.

<sup>73</sup> Civil Code, article 1475 (Unofficial translation: "1. Marriage is civil, catholic or monogamous barlaque. 2. Civil law recognizes the value and effectiveness of marriage to Catholic marriage and to monogamous barlaque marriage, under the terms of the following provisions.")

<sup>74</sup> Chile, 89.76.

<sup>75</sup> Argentina, 89.77.

<sup>76</sup> Even the basic Constitutional prohibition on discrimination (article 16(2)) does not cover this form of discrimination.

<sup>77</sup> Rede Feto and ASEAN SOGIE Caucus, [A Research Report on the Lives of Lesbian and Bisexual Women and Transgender Men in Timor-Leste](#), 2017.

<sup>78</sup> Cuba, 89.44; Ukraine, 89.97; Spain, 89.131; Turkey, 89.56; Cuba, 89.53; Viet Nam, 89.54; Algeria, 89.58; France, 89.99.

<sup>79</sup> Portugal, 89.35; France, 89.99.

<sup>80</sup> Canada, 89.36.

<sup>81</sup> Mexico, 89.101; Malaysia, 89.100; Brazil, 89.98; Myanmar, 89.102.

<sup>82</sup> Decree Law 4/2021 creating the Institute for the Defence of Child Rights, 27 January 2021.

<sup>83</sup> The Asia Foundation, [Understanding Violence against Women and Children in Timor-Leste: Findings from the Nabilan Baseline Study](#), May 2016, pp75-76.

<sup>84</sup> *Ibid.*, p56. 55% of women who experienced intimate partner violence said this had occurred at least once in the presence of their children. 29% said their children had witnessed violence several or many times.

<sup>85</sup> See for example: JSMP and ALFeLa, [Improving the Penal Code to better protect women and children: A submission to the Timor-Leste National Parliament](#), January 2015; JSMP and ALFeLa Press Release, [The](#)

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[Civil Society Advocacy Team has requested for the Minister of Justice from the Eighth Constitutional Government to criminalise incest](#), 23 July 2018.

<sup>86</sup> Italy, 89.94; Panama, 89.120; Haiti, 89.121.

<sup>87</sup> Panama, 89.120; Haiti, 89.121.

<sup>88</sup> Turkey, 89.43 (two recommendations); Mexico, 89.42.

<sup>89</sup> Civil society organisation, Fokupers, has begun working with the Civil Registry Office to arrange birth certificates for children of women staying at Fokupers' safe houses. On 1 June 2021, International Children's Day, the Registry Director issued birth certificates to three babies whose mothers were unable to register their babies' births due to the violence the women had experienced. These efforts are welcomed, but systems are required to ensure they are accessible to all.

<sup>90</sup> United States of America, 89.123; Coast Rica, 89.124, France, 89.125; Japan, 89.126; Namibia, 89.127.

<sup>91</sup> <https://www.laohamutuk.org/Justice/defamation/2020/DraftDefamationLaw5Jun2020EnTePt.pdf>.

Or two years with aggravating circumstances. An offence of "defamatory false information", punishable with up to three years imprisonment, already exists but is limited to false accusations *regarding criminal activity* (Penal Code, article 285).

<sup>92</sup> See the International Center for Not-For-Profit-Law comments on the draft law [here](#).

<sup>93</sup> Canada, 89.75

<sup>94</sup> See Belun's Early Warning and Early Response System [here](#).

<sup>95</sup> Chile, 89.40 and Libya, 89.41.

<sup>96</sup> See the Provedore for Human Rights and Justice's 2019 Annual Report [here](#).

<sup>97</sup> As reported by civil society organisation Belun [here](#).

<sup>98</sup> In November 2018 three young men were killed in Dili when two police used their guns at a party. In April 2020 an off-duty member of the Public Order Battalion ("BOP") shot and wounded a man in Maubara. In June 2021 a police officer in civilian clothes shot three people in Dili, killing two and seriously injuring the other.

<sup>99</sup> For example: on 6 May 2017 a youth was killed by a member of the PNTL during a confrontation between two groups in the Bebonuk area of Dili; in November 2017 a similar incident resulted in a youth being shot in the leg.

<sup>100</sup> Philippines, 89.46; Costa Rica, 89.47; Guatemala, 89.48; Nepal, 89.49.

<sup>101</sup> See paragraph 7 above.



## **Annex – Contributing Organisations**

This Joint Submission was prepared by 18 national NGOs in Timor-Leste working in the area of human rights. NGOs contributed their own submissions, based upon their areas of expertise and human rights monitoring, which were amalgamated into a joint submission. A consultant was engaged to support drafting of the report and the report was discussed amongst members of the coalition during a validation workshop in July 2021. The process was led by three organisations: **JSMP, HAK and AJAR.**

### **Overview of submitting organizations:**

#### **1. Asosiasaun Chega ba Ita (ACbit)**

Founded in 2010, ACbit supports and monitors the implementation of the recommendations of the Timor-Leste Commission for Reception, Truth and Reconciliation. ACbit works with victims and veterans of the Indonesian occupation of Timor-Leste and provides assistance to survivors of human rights violations, in particular rape, sexual exploitation and other forms of gender-based violence. ACbit organizes exchanges between survivors and conducts participatory research to support advocacy of the rights of survivors.

#### **2. Asosiasaun Defisiénsia Timor Leste (ADTL)**

The Timor-Leste Association for Disability is the umbrella organisation for non-profit based-organizations that work in the disability sector in Timor-Leste. ADTL advocates for the rights of people with disability against discrimination, abuse, violence, negligence and abandonment, and promotes the rights of people with disability to education, employment, health and social inclusion. [www.adtl.tl](http://www.adtl.tl)

#### **3. Asosiasaun Halibur Defisiensia Matan Timor-Leste (AHDMTL)**

The Association for the Blind and Visually Impaired Timor-Leste was established in July 2011 to promote the rights of Blind and Visually Impaired people and raise awareness about the issues they face. AHDMTL's aims to improve the life conditions of the blind and partially blind people of Timor-Leste through building their capacity.

#### **4. Asia Justice and Rights (AJAR)**

AJAR is a non-profit organization based in Jakarta, Indonesia, working to strengthen accountability and respect for human rights in the Asia Pacific region. AJAR focuses its work on countries attempting to build a stable democratic base following

prolonged conflict, dictatorships and authoritarian regimes. In Timor-Leste, AJAR was set up in 2012. It engages members of parliament and senior government officials to implement the recommendations of two truth commissions, empower victim's organizations, educate the Timorese public on the legacy of the past and advocate for the protection of human rights. [www.asia-ajar.com](http://www.asia-ajar.com)

#### **5. Asisténsia Legál ba Feto no Labarik (ALFeLa)**

Women and Children's Legal Aid - ALFeLa is an independent and impartial not-for-profit legal aid organisation established in December 2012. ALFeLa is the only organisation in Timor-Leste providing free legal assistance to women and children in criminal, civil and family law matters. ALFeLa works in all 13 districts of Timor-Leste. ALFeLa's vision is a formal justice system that is fair, without discrimination and which protects women and children's rights.

#### **6. Asosiasaun Hukum Dan Keadilan (HAK)**

The Association for Law and Justice was established in 1996 as a legal aid office for political prisoners under the Indonesian occupation. For several years now, HAK focuses on human rights monitoring and advocacy in the security sector, in the areas of health, education and an adequate standard of living, and the rights of victims of past crimes to truth and justice. [www.haktl.org](http://www.haktl.org)

#### **7. Belun**

Belun was established in 2004. Its work focuses on three areas: Conflict Prevention, Community Capacity Development, and Research and Policy Development. Belun operates the Early Warning Early Response (EWER) system, a community-level conflict monitoring and analysis system designed to assist government and non-government actors track sources of conflict over time. [www.belun.tl](http://www.belun.tl)

#### **8. Community Based Rehabilitation Network – Timor-Leste (CBRN-TL)**

CBRN-TL advocates for health, rehabilitation, education and other services for people with disabilities, with a focus on preventing violence against women and children with a disability. It works closely with community leaders and organisations to address disability discrimination, as well raising public awareness on disability rights.

#### **9. FOKUPERS**

FOKUPERS was established in 1997 to address gender based violence and human rights violations against women and children, particularly those committed during the Indonesian occupation of Timor-Leste. Today, FOKUPERS expanded its service

delivery to include victim services, non-gender based early childhood education, advocacy, and the empowerment of women. [www.fokupers.org/](http://www.fokupers.org/)

#### **10. Fundasaun Codiva - Coalition for Diversity and Action**

The Coalition for Diversity and Action is a LGBTI-led organisation that aims to coordinate advocacy for the LGBT community and tackle discrimination and stigma against LGBTI persons. It builds the capacity of community members to advocate for their rights, especially in relation to health related issues.

#### **11. Fundasaun Mahein**

Fundasaun Mahein's mission is to assist in increasing the legitimacy and capacity of the Timorese security sector through citizen participation in the development of relevant legislation, policies and budgets. Fundasaun Mahein monitors, analyses and reports on security-sector related developments Timor-Leste.

[www.fundasaunmahein.org/en/](http://www.fundasaunmahein.org/en/)

#### **12. The Judicial System Monitoring Programme (JSMP)**

JSMP was established in 2001 to monitor the processes of the Ad Hoc Human Rights Tribunal in Indonesia and the Special Panels for Serious Crimes in Timor-Leste. Since it started, JSMP has been working to improve the justice and legislative system in Timor-Leste. It conducts monitoring and advocacy, based on observations of trials and wider justice sector developments as well as conduct of debates in Parliament. [www.jsmpt.tl](http://www.jsmpt.tl)

#### **13. JU,S Jurídico Social**

JU,S was established in 2017 as a not-for-profit social enterprise. Its mission is to support the strengthening of human rights in Timor-Leste and other developing countries through improved legal framework and a legal approach to rights guarantees. [www.jus.tl/](http://www.jus.tl/)

#### **14. Lao Hamutuk - Timor-Leste Institute for Development Monitoring and Analysis**

La'ó Hamutuk ("Walking Together" in English) is an independent, non-partisan Timor-Leste civil society organization that monitors, analyses and reports on the principal institutions in Timor-Leste as they relate to the physical, economic and social development of the country. La'ó Hamutuk works in broad thematic areas including: State Finances and Petroleum Dependency, Economics, Agriculture, Governance and Land Rights. [www.laohamutuk.org/](http://www.laohamutuk.org/)

**15. Ra'es Hadomi Timor Oan (RHTO)**

Established in 2006, RHTO is the national organisation for people with disability in Timor-Leste. It has a constituency of over 600 members, comprising people of many different types of disabilities from across Timor-Leste. RHTO works with government and non-government stakeholders to support and improve the inclusion of and access to human rights of People with Disability. [www.dpo-rhto.wixsite.com/timor](http://www.dpo-rhto.wixsite.com/timor)

**16. Rede Ba Rai**

Rede ba Rai (Land Network) is a civil society network, first established in 2001, with a focus on land issues in Timor-Leste. It comprises 24 local, national and international organisations. Rede ba Rai's main role is to advocate for good law and government policy on land, conduct case work and mobilise and educate the community on land issues.

**17. Rede Hametin Agrikultura Sustentável Timor Lorosae (HASATIL)**

The Network for Strengthening Sustainable Agriculture in Timor-Leste – HASATIL, was established in 2002 to promote sustainable agriculture as a way of improving the lives of Timorese farmers. It comprises a network of civil society organisations located across the different municipalities of Timor-Leste.

**18. Timor-Leste Coalition for Education (TLCE)**

TLCE was established in 2009. It is a nation-wide coalition of civil society organisations working to develop Timor-Leste's education sector. TLCE's vision is a quality and accessible education for all. It conducts monitoring, research and advocacy on education issues and builds the capacity of its members. [www.tlce.org.tl/](http://www.tlce.org.tl/)