



**Convention on the Elimination  
of All Forms of Discrimination  
against Women**

Distr.: General  
2 March 2023

Original: English  
English, French and Spanish only

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**Committee on the Elimination of Discrimination  
against Women**

**Eighty-fifth session**

8–26 May 2023

Item 4 of the provisional agenda

**Consideration of reports submitted by States parties  
under article 18 of the Convention on the Elimination  
of All Forms of Discrimination against Women**

**Replies of Timor-Leste to the list of issues and questions in  
relation to its fourth periodic report\***

[Date received: 16 January 2023]

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\* The present document is being issued without formal editing.



## Contents

	<i>Page</i>
Acronyms . . . . .	3
Introduction . . . . .	5
Women’s rights and gender equality in relation to the pandemic and recovery efforts . . . . .	5
Visibility of the Convention and the Optional Protocol thereto . . . . .	7
Legislative framework and definition of discrimination against women . . . . .	7
Access to Justice . . . . .	7
Women and peace and security . . . . .	8
National machinery for the advancement of women . . . . .	9
Temporary special measures . . . . .	9
Stereotypes and harmful practices . . . . .	10
Gender-based violence against women . . . . .	10
Sexual violence against women during conflict situations . . . . .	12
Trafficking and exploitation of prostitution . . . . .	12
Participation in political and public life . . . . .	13
Education . . . . .	13
Employment . . . . .	14
Health . . . . .	15
Economic and social benefits and the economic empowerment of women . . . . .	15
Rural women and indigenous women . . . . .	15
Disaster risk reduction and climate change . . . . .	15
Disadvantaged groups of women . . . . .	16
Marriage and family relations . . . . .	16

## Acronyms

AAP	Annual Action Plan
ADR	Alternative Dispute Resolution
ANAPMA	National Agency for Planning, Monitoring and Evaluation
CAVR	Comissão de Acolhimento, Verdade e Reconciliação (Commission for Reception, Truth and Reconciliation)
CFP	Comissão da Função Pública (Civil Service Commission)
CIGC	Integrated Crisis Management Centre of Pandemic Covid-19
CLC	Community Learning Centre
CNC	Chega! National Centre
CNE	Comissão Nacional de Eleições (National Elections Commission)
CSO	Civil Society Organisation
DV	Domestic Violence
FMIS	Financial Management Information System
FP	Family Planning
GBV	Gender-Based Violence
GDS	General Directorate of Statistics
GMPTL	Grupo das Mulheres Parlamentares de Timor-Leste (Female Parliamentarians Group of Timor-Leste)
GRB	Gender Responsive Budgeting
IGT	Inspeção Geral do Trabalho (General Inspectorate of Labour)
ILO	International Labour Organization
INAP	Instituto Nacional de Administração Pública (National Institute of Public Administration)
LADV	Law Against Domestic Violence
LFS	Labour Force Survey
LJTC	Legal and Judicial Training Centre
MEJD	Ministério da Educação, Juventude e Desporto (Ministry of Education, Youth and Sports)/(former -MoE – Ministry of Education)
MoH	Ministry of Health
MoI	Ministry of Interior
MoJ	Ministry of Justice
MRLAP	Ministério da Reforma Legislativa e Assuntos Parlamentares (Ministry of Legislative Reform and Parliamentary Affairs)

MSSI	Ministério da Solidariedade Social e Inclusão (Ministry of Social Solidarity and Inclusion)
NAP	National Action Plan
NGO	Non-Governmental Organisation
OPD	Office of the Public Defender
PDHJ	Provedoria dos Direitos Humanos e Justiça (the Office of Provedoria for Human Rights)
PFMS	Program Finance Management System
PNTL	Polícia Nacional de Timor-Leste (National Police of Timor-Leste)
PwD	Persons with Disabilities
SEII	Secretária de Estado para a Igualdade e Inclusão (Secretary of State for Equality and Inclusion)
SEFOPE	Secretária de Estado da Formação Profissional e Emprego (Secretary of State of Professional Training and Employment)
SOP	Standard Operating Procedures
SRH	Sexual and Reproductive Health
TIP	Trafficking in Persons
UN-Women	United Nations Entity for Gender Equality and the Empowerment of Women
UNFPA	United Nations Population Fund
UNICEF	United Nations Children's Fund
UNTL	Universidade Nacional Timor Lorosa'e (National University of Timor-Leste)
VPU	Vulnerable Persons Unit

## Introduction

1. The 4th Periodic Treaty-Specific CEDAW Report for consideration by the CEDAW Committee and officially endorsed by the Council of Ministers on the 20th of November 2019, which was submitted to CEDAW Committee through the Permanent Mission of Timor-Leste to the United Nations and other international organizations in Geneva in 2021.
2. The report was prepared by the office of the Secretary of State for Equality and Inclusion (SEII) as the outcome of a close collaboration among all relevant line Ministries and national institutions (16 institutions).
3. The Secretary of State for Equality and Inclusion (SEII) received on 22nd November 2022, an invitation from the CEDAW Committee to present its 4th Periodic CEDAW Report, as well a reminder to respond to the Committee's list of issues and questions.
4. In response to the list of questions from the CEDAW Committee, the Secretary of State for Equality and Inclusion (SEII) held a round table discussion on 6th December 2022 to prepare data and information to respond to the list of questions.
5. On behalf of the Government of the Democratic Republic of Timor-Leste, the Secretary of State for Equality and Inclusion (SEII) has the honour to respond to the list of issues and questions from the CEDAW Committee, as follows:

## Women's rights and gender equality in relation to the pandemic and recovery efforts

6. In 2020, the world was shocked by the global spread of the COVID-19 pandemic. Timor-Leste registered its first case on 21st March 2020, and responded by closing its border and introduced a State of Emergency measures to address the situation, including closing down all in-person school activities and replacing it with online school programme, suspending masses at churches and implementing a lockdown policy except for essential activities and services.<sup>1</sup>
7. The State of Emergency measures that were introduced had socio-economic impacts on the livelihood of the population, and to address the situation, the government approved the Economic Recovery Plan to reduce the socio-economic impact of Covid-19 to the population. The National Parliament approved a total budget of \$219.5 million from the Petroleum Fund for an autonomous COVID-19 Fund to finance the Covid-19 measures where its planning and allocation are coordinated by the Integrated Crisis Management Centre of Pandemic Covid-19 (CIGC).<sup>1</sup>
8. Out of the \$219.5 million, the government utilized \$91,716, 636.00 to implement 19 diverse economic responses, such as the food basket "*Cesta Basica*" programme, which provides food basket worth \$25/per person in the family.<sup>2</sup> *Cesta Basica* is aimed as a strategy to support the people of Timor-Leste while stimulating the dynamic of the local economy through circulating financial resources to improve local production to minimize the effect of the covid-19 pandemic on the country's economy. Additionally, the Government also introduced the following measures: (a) fund to subsidize transport and connectivity of weekly flights between Dili-

<sup>1</sup> General State budget book 1: an Overview. Integrated Crisis Management Center (CIGC) is established to manage Covid-19 fund to finance expenses related to prevention and fight against Covid-19 based on Decree Law No.12/2020.

<sup>2</sup> Decree Law No. 48/2020 of 7 October, as amended by Decree Law No. 1/2021 of 7 January.

Darwin, and maritime transport of two trips/month between Dili to Oe-cusse and Atauro, to ensure sufficient rice supplies, (b) 24-hour support for cargo transportation from Port to warehouse, (c) acquirement of agricultural and fishery inputs (fertilizer, seeds, etc.) to ensure agricultural and fisheries production,) (d) Purchase of SMS bundles to support electricity credits, cash transfers, and other communications, (e) provision of subsidized internet connectivity for 67,500 higher education students and professors and 165,000 secondary students, (f) waiver of 3 months tuition fee for tertiary students, (g) implementation of an alert system to track known COVID-19 cases, (h) provision of \$15 per month of free electricity to an estimated 160,555 metered households, (i) provision of free water to all households, (j) provision a \$200 cash payment to each household (MSSI), (k) wage subsidy payments to an estimated 30,000 wage earners covering 60 per cent of their salaries, (l) assistance to approximately 2,488 Timorese students overseas with living expenses, (m) training at training centres to support the youth to set up a business and (n) transportation subsidy to public transport drivers.<sup>3</sup> The Council of Ministers also decided to develop and implement a shifting system for Government officials' to continue working during the lockdown in order to prevent and reduce the spread covid-19 and, at the same time guaranteeing the delivery of public services and the functioning of Government offices.

9. The economic recovery programme was designed to be implemented in a universal and equal manner for the benefit of all populations, including women, men, people with disabilities and members of the LGBTQI community. At the same time, the Government recognizes that there are still some challenges in the implementation of a \$200 cash payment to the family. These challenges are (1) the cultural practices that usually consider men as the head of the family, and the definition of the family consists of husband, wife and children. Therefore, men and/or husbands are the head of the family, they should be the person who entitles to represent the family to receive the cash. There are cases where women were not given the opportunity to receive the money if their husbands were not present; (2) Widow or single mothers were asked to register under their brothers' family; (3) LGBTQI couples are not considered as family, therefore, they didn't have right to cash payment; (4) Men and women who are single but responsible for family members who are living with them were also having difficulties to have access to cash payment; and (5) lack of information and distance on the process of how to get family card were also the most significant factor for women, people with disability and elderly who lives alone to get a family card and access the support.<sup>4</sup> Therefore, the Secretary of State for Equality and Inclusion (SEII) is working closely with women's organizations to actively advocate and coordinate with relevant Ministries and institutions to improve the process and to provide more information to local authorities to give attention to vulnerable groups properly. Recognizing that the program is relatively new, the Government welcomes inputs to improve the process and services in future.

10. Moreover, the government also established a hotline service to receive information about Covid-19 during lockdown or state of emergency, the Secretary of State for Equality (SEII) and Rede Referral System also distributed information to isolation centres, homes and to the public, in general, to call to if they experience any gender-based violence. The Office of Provedoria dos Direitos Humanos e Justiça also launched a hotline to receive human rights violation complaints from all citizens.<sup>5</sup>

<sup>3</sup> General State Budget Book 1: an Overview.

<sup>4</sup> Gender analysis on the impact of Covid-19 on women's economic empowerment.

<sup>5</sup> The PDHJ Facebook page.

## Visibility of the Convention and the Optional Protocol thereto

11. The Secretary of State for Equality and Inclusion (SEII) continues its effort to raising awareness and visibility on the Convention to the public, including Government officials, students, judicial actors and the community throughout the country through campaigns, socializations and trainings. SEII, in collaboration with partners, also continues making efforts to disseminate the Committee's previous recommendations to Ministries, State Secretaries, State Institutions and Government Agencies. This includes integrating the recommendations in guidelines for gender-responsive planning and budgeting that are sent to all Line Ministries, State Secretaries, State Institutions, and Autonomous Agencies to be considered in their respective Annual Action Plans and Budgets to ensure their implementation. SEII also produced a booklet on CEDAW Concluding Observation, and distributed it to all line Ministries State Secretaries and civil society organizations.

## Legislative framework and definition of discrimination against women

12. SEII regularly includes the Convention in the training materials that are used to train civil servants and law enforcement personnel. Based on the data recorded by Timor-Leste National Police-Vulnerable Police Unit (PNTL-VPU), there were 1087 cases of gender-based violence in 2018, 1139 cases in 2019, 1104 cases in 2020, 1135 cases in 2021 and 1064 cases at the end of November 2022.

13. Timor-Leste considers that gender equality and social inclusion are transversal issues, and it is committed to mainstream and integrate gender equality perspectives in all policies, laws, programmes, plans and budget of the state. Therefore, at the moment, the Government does not foresee adopting a specific law on gender equality.

14. The legislations for civil registration, traditional justice and informal justice processes are currently in the early stage of development. While the law on civil registration has yet to be amended, the government, through head of villages, are trying to register couples who live together or in a union de facto to facilitate their access to available social benefits that are.<sup>6</sup> In addition, the Ministry for Legislative Reform and Parliamentary Affairs (MRLAP) has initiated research on traditional and informal justice.

## Access to Justice

15. Although Timor-Leste has enacted the Law against Domestic Violence since 2010 to protect victims and survivors of domestic violence and other gender-based violence, there remain challenges in the implementation of the Law, arising from the traditional justice process. For example, the law prescribes that domestic violence is a public crime, and therefore it has to go through a formal investigation. However, in practice, there are still many domestic violence cases that are mediated through the traditional justice system as Alternative Dispute Resolution (ADR). The traditional justice system is not limiting women's access to the formal justice system. However, due to various factors, including family reasons, cost and distance, women still prefer the traditional justice process to deal with domestic violence and other gender-based violence cases. In some societies or villages, when victims and families of domestic violence agree to resolve the case through the traditional justice system, local

<sup>6</sup> Information collected from Focus Group Discussion on 6th December 2022 in preparation of writing this report to the Committee.

authorities would facilitate and record the results, which were then formalized in the court. The Government, through the Secretary of State for Equality and Inclusion and its partners, continues conducting awareness raising, socialization and campaign to introduce the Law Against Domestic Violence and the Referral system to women, local authorities, community leaders, and judicial actors aiming to enhance the reporting and effectively addressing gender-based violence cases, as well prosecution of domestic violence and other gender-based violence cases.

16. The approval of Law No. 1/2017, of 18 January, the transitional regime for the recruitment of non-Timorese Magistrates and Public Defenders and Second Amendment to Law No. 9/2011, of 17 August, which approves the Organic Law of the Chamber of Auditors of the Superior Administrative, Fiscal and Audit Court has made progress on providing capacity building to judicial actors. They consist of 34 (14 Female and 20 Male) judges, 36 (6 Female and 30 Male) prosecutors, 34 (5 female and 29 male) public defenders and about 100 (35 Female and 65 Male) trained lawyers. However, due to Covid-19, the Legal and Judiciary Training Centre has not yet conducted recruitment and training for new judicial actors. Consequently, there are still delays and pending in the court, including gender-based violence and other violations of women's rights.

## **Women and peace and security**

17. The Government of Timor-Leste demonstrated its commitment to implement the UN Security Council Resolution 1325 on Women, Peace and Security through the approval of the National Action Plan known as NAP-1325 in April 2016 and launched in October 2016. The Government implemented 70 per cent of the programme under the Action Plan, including: (a) dissemination of information on opportunities for women in recruitment to take part as members of the defence force, (b) socialization and training concluded with 48 secondary schools in 8 municipalities in 2019 with the participation of 629 women out of 974 students (65 per cent women participation), (c) adoption of the Timor-Leste National Police first Gender Strategy, which creates a guide to respond to the barriers faced by women officers in the PNTL and actions for the institution to be able to respond to gender inequality in PNTL and in the community, (d) training for civil servants in transformative leadership for gender equality (TLGE) with 88 per cent already demonstrating changes of character for the promotion of gender equality, (e) training of community mediators with 49 per cent representation from women using gender-sensitive mediation guidelines to community conflict (civil cases), which have become a Ministerial Diploma No. 096/2020 as a guide for mediators from all institutions as part of WPS agenda (NAP-1325 Participation and Prevention Pillar) regarding the women's leading the peace processes, and (f) integration of Gender Marker into programme budgeting structure in Public Financial Management System (PFM) – *Dalan ba Futuru* has made budget allocation by line ministries for the implementation of NAP-1325 increased from USD 391,311 in 2019 to USD 1,364,757 in 2020.

18. Although the NAP-1325 expired in 2020, the Government continues allocating the budget for NAP-1325 in the amount of USD 545,752.00 in 2021, 7,266,399.00 in 2022 and USD\$105,191,659.00 or 3,4 per cent of the 2023 State Budget.

19. The Ministry of Interior (MI) is leading the process of developing the second NAP-1325, which will be presented to the Council of Ministers for approval in the near future.



## National machinery for the advancement of women

20. The Annual Budget for the Secretary of State for Equality and Inclusion (SEII) has increased significantly to USD 2,152,264 in 2023 compared to USD 2,027,440 in 2022 and \$959,910 in 2020 to strengthen its roles as a government institution that coordinates and advocates for gender equality and inclusion in government policies, laws, programmes, plans and budget, promoting gender equality, social inclusion, prevent and combat gender-based violence as well as to empower women economically and politically.

21. The integration of Gender Markers into the Public Financial Management System (PFMS) as an instrument for tracking and earmarking line ministries' budget allocation on gender equality and social inclusion has made progress. As a result, in 2022, the Government has also established a dedicated Programme on Gender Equality and Social Inclusion as well as activities on gender mainstreaming on the government budget structure. Therefore, in 2023 General State Budget shows that there are 57 institutions, including 13 municipalities and Special Administrative Region Oecusse-Ambeno (RAEOA) or 53 per cent out of 108 institutions, that allocated the amount of USD **258,137,782.00 (12 per cent of the total budget)** to implement the programme on gender equality and social inclusion and gender mainstreaming activities.

22. Gender Working group is now established in almost all line ministries and actively engaged and participates in the National Gender Working Group's regular meetings. However, constant changes in the government structure affect the function of the Gender Working Group. SEII continues to coordinate and advocate with other newly established institutions also to establish a Gender Working Group in their institutions. SEII provides \$1000 to Gender Focal Point in all 13 Municipalities to implement activities to promote gender equality, social inclusion, violence prevention, women's economic empowerment and promotion of women's participation in politics and decision-making positions.

23. The Planning, Monitoring and Evaluation Unit of the Prime Minister (UPMA) has now become a National Agency for Planning, Monitoring and Evaluation (ANAPMA) I.P, which has financial and administrative autonomy. ANAPMA.IP is responsible for organizing, coordinating and supervising multiannual planning, monitoring and evaluating its implementation.

## Temporary special measures

24. Timor-Leste women's representation in National Parliament is now 40 per cent, making Timor-Leste the highest in the region. This can be further increased if political parties also continuously make efforts to invest and provide capacity building to women and young women to actively engaged in political parties governing bodies and activities. In this respect, the Government encourages political parties to continue seriously implementing Law No. 7/2011, of 22 June, concerning the Second Amendment to Law No. 07/2006, of December 28 on the Election Law for the National Parliament, specifically article 12 which calls for the list of permanent and alternate candidates must include at least one woman for each set of three candidates, under the sanction of rejection. This means women can be included in lists number one, two or three, and not in every three candidates as was done so far.

25. The Government notes that there remain gaps in women's representation at regional/local authority levels, for example, there is only 5 per cent of women appointed as head of the village (Xefe Suku) and 4 per cent of women appointed as Sub-Village head (Xefe Aldeia) at this time. Furthermore, in 2021, only one woman

(out of 13) was appointed as the President of Municipal Authorities, one woman as Deputy President of the Special Administrative Region of Oé-Cusse-Ambeno and two women of Sub-Municipal Authorities. To address the challenges, SEII, in collaboration with *Grupo Mulheres Parlamentar* (Female Parliamentarian Group) of Timor-Leste and civil society organizations, approved a Strategic Framework to promote women's participation in politics, including engaging political parties and institutions to empower and promote women's participation in politics and decision-making position.

## **Stereotypes and harmful practices**

26. SEII, in collaboration with all entities, undertook 16-days campaign on violence against women and girls through social media, television talk-show, distributing brochures, socialization and training to the public in general, including government officials, politicians, local authorities, community leaders, teachers, students, and parents aiming to eliminate harmful and discriminatory practices. SEII is also advocating with the Civil Service Commission (CSC) to include gender and people with disabilities in the selection and recruitment criteria.

27. The discussion and advocacy on amending articles 1490 and 1500 of the Civil Code (Law No. 10/2011) concerning the registration of all marriages and the elimination of the payment of bride prices are currently ongoing. We recognize that the case of polygamy is rising and has become one of the most significant contributing factors to domestic violence and gender-based violence. Therefore, the Government continues to advocate and raise public awareness to the public and family about the negative impact of polygamy on the family and the development of children.

## **Gender-based violence against women**

28. Statistical data from the Vulnerable Police Unit (VPU) of Timor-Leste National Police (PNTL) shows that gender-based violence has increased significantly to 1,335 (Domestic violence 1,120 and Sexual Violence 15) in 2021 compared to 1,319 (Domestic Violence 1,082 and Sexual Violence 237) in 2020. There were 15 Sexual violence cases recorded in 2020, including incest, among other gender-based violence cases that were reported to Vulnerable Police Unit. Education, socialization and awareness raising on marital rape and rape in the facto unions continue to be carried out to encourage victims to report or file complaints related to marital rape and rape in the facto union. Prosecution and sentencing of incest cases continue to be seriously undertaken by the courts, and essential services such as shelter, medical assistance and legal assistance to ensure access to justice are provided to the victims through Gender Based-Violence Referral Network.<sup>7</sup>

29. The perpetrators in the cases of incest have been charged with Article 173 of the Penal Code on aggravated crimes in family relations. However, incest cases between adult women and men with family relations are considered unimputable. SEII has

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<sup>7</sup> NAP-GBV 2017 – 2022 define Referral Network is a network of service providers who provide support and referral to victims/survivors of GBV. Through this network, practitioners who advocate against GBV in all its forms, monitor the protection status of women, girls and groups at risk and ensure access to appropriate supports and care services (legal, health, social and psycho/social) for victims of violence. Rede Referral is made up of two working groups; 1) Service Providers Coordination Meeting led by the Ministry of Social Solidarity, which is responsible for ensuring coordinated responses and services to cases of gender-based violence; and 2) Meeting on Strategy and Advocacy, led by SEII which advocates for changes in policy and laws, based on recommendations from monitoring and evaluation.

been advocating with judicial actors to conduct a deep gender analysis with regard to the power imbalance between women and men that may lead to sexual violence. Moreover, SEII and relevant partners have established a working group to review and propose the amendment of some articles in the Penal Code and the Law Against Domestic Violence (LADV) to include incest cases with fair and just sentences.

30. The second National Action Plan Against Gender-Based Violence (NAP-GBV) 2017 – 2021 has been concluded, and on 28th September 2022, the Council of Ministers approved the new or third NAP-GBV for the period of 2022 – 2032, which was recently launched on the opening of the 16 Days Campaign of Activism on Violence Against Women and Girls on 25th November 2022.

31. Results across all four pillars have been achieved during the five-year implementation of the NAP-GBV 2017 – 2021. Based on the implementation of NAP-GBV, it is reported that in 2019 and 2020, 13,255 women and men (5901Female and 7354male), including community leaders, teachers, and students both at the national and local levels have increased their understanding and knowledge of gender equality and gender-based violence. They also acquire knowledge on how to report and refer cases related to gender-based violence to competent institutions through training, socialization, awareness raising and campaigns on gender-based violence prevention, the law against domestic violence, women's economic empowerment, sexual reproductive health, CEDAW, NAP-GBV and NAP-1325 on Women, Peace and Security.<sup>8</sup>

32. Media has increased reporting on gender-based violence cases in the last two years following training for media personnel in gender-sensitive reporting and publication. Anger management training is also provided to convicted perpetrators in prison, including providing support for reintegration into the community.

33. From 2019 until 2022, almost 500 groups of women, women victims of past crimes, people with disabilities and members of the LGBTQI community in all municipalities were granted USD 1,228,000.00 of the Government's Public Transfer Funding as financial capital for their economic activities and to generate income for their family and improve their livelihoods so that they can participate in other strategic activities in their community as well as strengthening women's agency to prevent violence and participate in political and decision-making positions.<sup>9</sup>

34. Since 2003, the Government established *Fatin Hakmatek* or a safe house in four hospitals, Dili, Maliana, Suai and Oecusse. In 2021, Fatin Hakmatek was expanded in Baucau, Viqueque and Ermera to attend to and provide safety, care and treatment for victims of domestic violence, sexual assault, child abuse, abandonment and human trafficking.<sup>10</sup>

35. Eleven (11) *Uma Mahon* or Shelters for victims and survivors of gender-based violence is already established in 8 Municipalities to provide essential services to women and girls that are victims and survivors of gender-based violence based on the Standard Operational Procedures (SOP). In 2020, 402 women and girls of victims and survivors had access to the Shelters established in Timor-Leste.<sup>11</sup>

36. SEII and all the partners are conducting training and socialization on the prevention of gender-based violence, and continue to encourage women and men to report cases related to intimate partners. The increase in the cases of gender-based violence recorded to the Vulnerable Police Unit might also be due to women increased knowledge about the process and where to seek help when they experience violence.

<sup>8</sup> 2019 and 2020 Annual Report on the implementation of NAP-GBV 2017-2022 report.

<sup>9</sup> SEII 2022 Annual Report.

<sup>10</sup> Pradet: <http://www.pradet.org/programs/safe-room-fatin-hakmatek>.

<sup>11</sup> Only data that is received by the Secretary of State from partners which has been included in 2020 NAP-GBV implementation report submitted and approved by Council of Ministers.

Timor-Leste National Police has also established a Gender Unit to implement the National Gender Strategy. SEII, PNTL and other institutions have agreed to establish a data centre on gender-based violence. SEII has suggested this proposal to the General Directorate of Statistics (GDS) to be further discussed, especially on the mechanism on how to realize it and what kind of information will be included in the data centre, including who would oversee and manage the data centre. The discussions are currently going on between the relevant partners.<sup>12</sup>

## Sexual violence against women during conflict situations

37. Based on the report of the Timor-Leste Commission for Reception, Truth and Reconciliation (CAVR – the Portuguese acronym), there were 393 cases of women and girls who were victims of sexual and 231 cases of women and girls who were victims of sexual slavery. Most of the perpetrators were Indonesian Military during the Indonesian occupation. A separate study conducted by civil society organizations from 2010-2022 reported that there were 293 sexual violence cases (61 sexual slavery, 28 rape cases, 27 forced marriage, and 167 other forms of violence).

38. The Ministry of Health (MH) provides health assistance to all victims of conflict, including women and girls of victims of sexual violence during conflict. The trauma healing centre is in collaboration with the Timor-Leste Association of Professional Psychologists to provide trauma healing to victims of conflict, including 7 women who are undertaking psychological healing for their mental health issues. In addition, a civil society organization called ACBIT facilitated training on reproductive health to 100 women, including victims and survivors of violence during conflict.

39. The Government of Timor-Leste is committed to ensuring that all victims receive reparations, including women of victims and survivors of past crimes. For this, the Government is providing housing, financial subsidy and health treatment to veterans and national combatants, including women victims and survivors of past conflict. In addition, SEII is actively advocating with relevant ministries and institutions to establish a museum for women heroes, veterans and combatants.

## Trafficking and exploitation of prostitution

40. The Council of Ministers has approved a Decree-Law No. 9/2021 of 30 June to establish a Commission to Combat Human Trafficking, which covers four important pillars: prevention, protection, prosecution and justice. The commission was initially established by the Law No. 3/2017 and consists of relevant institutions such as *Policia Científica Investigação Criminal* (PCIC), Timor-Leste National Police (PNTL), Ministry of Social Solidarity and Inclusion (MSSI), Ombudsman Office for Human Rights and Justice (PDHJ), Ministry of Interior (MI), Ministry of Health (MH), the Secretary of State for Equality and Inclusion (SEII), Judicial System Monitoring Programme (JSMP), ALFELA, and Alola Foundation.

41. The Government also conduct awareness raising activities about trafficking in persons for the public in general and has reached out to 790 (476 female and 314 male) participants from law enforcement personnel such as PNTL, PNTL-VPU, *Policia Científica Investigação Criminal* (PCIC), the Office of *Provedoria dos Direitos Humanos e Justiça* (PDHJ), Ministry of Social Solidarity and Inclusion (MSSI) and SEII.

<sup>12</sup> GDS organized one day seminar with the support from United Nations Populations Fund (UNFPA) to discuss about the mechanism on the establishment of data center on gender-based violence.

42. In 2022, there were 7 cases of trafficking in person reported that involved Timorese women and one female foreign national.

## Participation in political and public life

43. Timor-Leste women's representation in National Parliament is now 40 per cent which made Timor-Leste the highest in the region. However, there remain gaps in women's representation at regional/local authority levels, for example, there is only 5 per cent of women appointed as head of the village (Xefe Suku) and 4 per cent of women appointed as Sub-Village head (Xefe Aldeia) at this time. In 2021, only one woman (out of 13) was appointed as the President of Municipal Authorities, one woman as Deputy President of the Special Administrative Region of Oé-Cusse-Ambeno and two women (out of 67) of Sub-Municipal Authorities.

44. According to the Civil Service Commission's data, the total number of civil servants in 2022 is 36,356, consisting of 12,835 Females (35,3 per cent) and 23,521 males (64,7 per cent). The number consists of 27,665 (9,230 females (33,40 per cent) and 18,435 males (66,60 per cent) as permanent staff and 8,584 (3,575 females (41,50 per cent) and 5,009 males (58,50 per cent) as service contract-based staff. Moreover, there are 836 (21 per cent) women in comparison to 3,047 men (78.5 per cent) in decision-making positions.

## Education

45. Essential measures have been taken to implement the National Policy on Inclusive Education, which was approved in 2017, including developing integrated training rooms, and training for teachers on gender and inclusive pedagogy. In the absence of a re-entry policy, the Ministry of Education, Youth and Sports (MEJD) issued a ministerial dispatch to all schools to allow girls to return to school after giving birth. The MEJD also continues to socialize and advocate for schools, teachers, parents and local authorities to allow pregnant girls and young mothers to rerun to school after giving birth.<sup>13</sup> Public awareness raising education not only focuses on students but also parents and the public to transform and challenge negative attitudes, social norms and stereotypes about sending girls back to school. Recently SEII and FOKUPERS, who is responsible for *UMA Mahon* or shelter, also continue to coordinate and advocate with the MEJD to accelerate and identify schools that can accept children victims of gender-based violence to study in those schools.

46. The Government recognizes that it is important to continue making efforts and taking concrete actions to provide training to teachers on sign language and ensure facilities such as braille, toilet, ramp, and others are available for students with disabilities to participate in the learning process at schools in all levels of education. In 2023, MEJD will also establish 3 integrated training rooms to provide training to teachers and students with special needs. Educational Management Information System (EMIS) form includes information on people with disabilities to help MEJD to identify profiles and information about students with disabilities. Community learning centres are now established in all 65 sub-municipalities to provide learning space for young women and men who dropped out from school. SEII and its partners are also conducting training for students on sexual reproductive rights so that they have information about healthy relations. Coordination is also done with the National University of Timor-Leste to promote a safe campus, as well as to work with students

<sup>13</sup> Information collected from Focus Group Discussion with the representative of the Ministry of Education, Youth and Sport.

to promote survivors going to campus, to build trust and to raise awareness about gender-based violence, which may become a transformative change in the campus.

47. All the designs of new school buildings included necessary facilities such as toilets and water as part of the implementation of a Sanitation and hygiene strategy. However, the provision of safe transportation to and from schools outside urban areas is yet to be implemented. Data on pregnant girls and young mothers benefiting from the programme of literacy, primary and secondary school programme is also not available.

48. Data on the number of investigations, prosecutions and penalties imposed on the perpetrators of violence and abuse against children in educational settings is not available. However, corporal punishment remains a challenge in Timor-Leste. A survey conducted by UNICEF in 2015 shows that “7 in 10 Timorese children reported experiencing physical violence at the hands of their teachers in the last year.”<sup>14</sup> The efforts continue to be taken through the dispatch of MEJD to call to teachers in all schools not to use any forms of corporal punishment to discipline students. The government has already approved government decree No. 29/2017 on the regulation of discipline for teaching and non-teaching staff of school establishments. However, there is still a need to establish a counselling centre and/or complaint mechanism where students can make complaints when they experience corporal punishment and any other gender-based violence at schools. Therefore, SEII and other partners are advocating with educational institutions to establish those facilities in schools.

## Employment

49. Gender pay gap is one of the important issues in Timor-Leste. Although the legal framework guarantees the right of women and men to equal pay for an equal job,<sup>15</sup> there is still a gender pay gap of 22 per cent.<sup>16</sup> According to the Labour Force Survey (LFS), the factors contributing to the gender pay gap in Timor-Leste are the “over-representation of women in typically lower-paying industries and occupations “or “the high rate of women working part-time” (29 per cent women compared to men 13 per cent).<sup>17</sup> The government, through SEII, continues advocating with all government and private sector institutions to hire women into the formal economy.

50. There is a provision in Article 8 of Law No. 5/2009 of 15 July that guarantees equality and non-discriminatory in the recruitment of public service staff and contractual staff.

51. In 2019, Civil Service Commission (CSC), with SEII and UN WOMEN, launched Rosa ChatBot as a mechanism to receive complaints on sexual harassment. However, due to a lack of information, there have yet to be any complaints received through this platform.

52. SEFOPE is leading the process of developing and adopting of domestic worker regime. The domestic worker regime has been submitted to the National Parliament for further consultation and analysis before its approval.

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<sup>14</sup> UNICEF; bringing new life into the classroom: <https://www.unicef.org/stories/bringing-new-life-classroom-timor-leste>.

<sup>15</sup> On May 2016, the GoTL ratified two fundamental ILO conventions, namely the Equal Remuneration Convention, 1951 (100), and the Discrimination on Employment and Occupation (111).

<sup>16</sup> ILO, SEFOPE, UN Women and SEM (2016) Gender analysis of the 2013 Timor-Leste Labour Force Survey: A statistical summary of women and men at work in Timor-Leste.

<sup>17</sup> ILO, SEFOPE, UN Women and SEM (2016) Gender analysis of the 2013 Timor-Leste Labour Force Survey: A statistical summary of women and men at work in Timor-Leste.

53. From January – November 2022, the Secretary of State for Professional Training and Employment (SEFOPE) received 362 complaints for termination of the contract, salaries, resignation, aggravated wrongdoings, leave, annual subsidy, extra hours, economic and structural issues. As a result, 61 cases were resolved, 13 were cancelled, 28 in arbitration, 2 in tribunals, and 2 resulted in inter-employment.

## Health

54. The Government takes note of the question concerning an amendment to Article 141 of the Penal Code and informs that, at the moment, there has been no development on the amendment of Article 141 of the Penal Code. However, the Ministry of Health (MS) has taken action to provide services to women and/or patient who had miscarriage. The implementation of the national programme on family health ‘Liga Inan’ is now being implemented in the whole country. The family health programme is now attended by 6 professional health workers for 300-500 people.

## Economic and social benefits and the economic empowerment of women

55. Payment of *Bolsa da Mãe* has benefited 49,242 people (44,020 female, and 5,222 male); and 103,166 children (50,569 female, and 52,597 male).<sup>18</sup> MSSI continues to maintain good cooperation with 28 social services institutions in the area of protection of children during difficult situations, victims of domestic violence, the elderly, mental health, human trafficking and people with disabilities.<sup>19</sup>

## Rural women and indigenous women

56. Article 4 of the Law. No. 13/2017, of 5 June on Special Regime for the definition of ownership of immovable property guarantees equality between women and men to ownership, access, management, administration, enjoyment, transfer or disposition of immovable property. It also obliges all entities to respect the rights of vulnerable people. Nonetheless, gender disparities in land access to women are still an issue due to cultural practices that placed men in a privileged position to own land and property, particularly when it comes to family land and property. Women might have access if the land and properties were purchased jointly by the husband and wife. The decision on land property division is also made in the family sphere, which tends to be discriminative to women and indigenous women, but often legal and state authorities cannot intervene when there are no complaints. SEII continues to provide socialization and education to the community on the importance of women and other vulnerable groups having access to land and properties.

## Disaster risk reduction and climate change

57. In April 2021, Timor-Leste was hit by Cyclone Seroja which impacted more than 30,000 households, of which 4,000 houses were seriously destroyed, and 44 fatalities were reported.<sup>20</sup> There were around 9,000 population displaced, and about 10,000 homes were damaged. In collaboration with national and international

<sup>18</sup> Government Annual Action Plans Implementation Report in 2022.

<sup>19</sup> Idem.

<sup>20</sup> Timor-Leste: Rebuilding After Cyclone Seroja will be costly but offers opportunities to strengthen disaster resilience, World Bank.

partners, the government provided essential necessities, including renting a house for those affected by the flood and planning to build a new village for those who lost their homes and land. For those who have land, the government provided construction materials to rebuild their own house. Women and other vulnerable groups are equally benefiting from the programmes. The plan to build a new village has yet to be implemented.

58. Government has committed to gender equality and inclusion as a transversal element in disaster risk management. Timor-Leste's National Adaptation Plan included a section on demography, gender, and social inclusion considerations which recommended measures that will incorporate the differential impacts of climate change on men, women, children, elderly people, and other potentially vulnerable groups.<sup>21</sup> It provides more clarity about the impact of climate change on women and men differently, thus, it is important to consider the development of gender mainstreaming guidelines for women and men in climate adaptation response. The Secretary of State for Environment has a specific department, which is headed by a woman as a director who actively campaigns, socializes and promotes green gardens as a measure to fight climate change and reduce gas emissions. Secretary of State for Civil Protection is organizing socialization on managing disaster and climate change involving women and men.

### **Disadvantaged groups of women**

59. The United Nations Convention on the Right of People with disabilities was approved by the Council of Ministers on 4th May 2022 and ratified by the National Parliament on 4th July 2022. That is one of the milestones and progress made by the organization of people with disabilities as part of the implementation of National Action Plans on the Rights of People with disabilities. We recognize that discrimination against people with disabilities and people with disabilities and LGBTQI communities is still a concern. The new NAP-GBV 2022 – 2032 includes violence against women and girls with disabilities, and efforts continue to be taken to improve data which reflects the situation of people with disabilities and LGBTQI communities.

### **Marriage and family relations**

60. Timor-Leste recorded 19 per cent of girls married before 18 and 24 per cent already with a child by the time they turn 20. The majority of young women fell pregnant first before they got married. The causes of early marriages were found to be (1) pregnancy; (2) arranged marriages; (3) marriages pushed by parents because young people were in a relationship; and (4) financial reasons.<sup>22</sup>

61. Timor-Leste Civil Code guarantees monogamist marriage. Article 1475 Civil code also recognizes and defines three monogamy marriages system, including Catholic, civil and cultural marriages or de facto unions. For those reasons, it is difficult to abolish the cultural system of paying barlaque or Bride prices. Because most people still believe that barlaque or bride price is part of a wider system of beliefs and practices. Nevertheless, education to reduce barlaque or bride prices continues in order to provide information to the community to challenge negative norms that can contribute to gender-based violence.

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<sup>21</sup> Timor-Leste's National Adaptation Plan: Addressing climate risks and building climate change.

<sup>22</sup> The study conducted by the Secretary of Youth and Sports, UNFPA and Plan International in 2017.



62. Timor-Leste Penal Code and Law against Domestic Violence criminalize marital rape or union de facto marriage rape. However, report on cases of marital rape is almost non-existent because it is usually included in domestic violence cases. The Penal Code does not protect the victim of incest cases, particularly those in the age of above 14. Therefore SEII, the Ministry of Justice, together with civil society have been advocating for the revision of Penal Code. MSSJ is providing compensation and financial support to vulnerable victims of convicted cases to do economic activities as a source of living and survival. While convicted perpetrators also receive integration support from the Ministry of Justice to restore their life upon return to the family and community.

63. Timor-Leste has also established Referral Mechanism from the village up to the national level to receive complaints and conduct investigations on gender-based violence. Rede Referral covers the four pillars of National Action Plans against Gender-Based Violence (NAP-GBV), which consists of prevention, support to victims, access to justice, coordination, monitoring and evaluation of the implementation of NAP-GBV. As reported in the initial report that although Timor-Leste has enacted Law No. 2/2009 on witness protection, Timor-Leste recognizes that there are still challenges in its implementation due to the need for more human and financial resources as well as changes in government structure which contributed to pending of the establishment of the Committee on Special Security Programs. According to article 22 of the law, the Commission for Special Security Programs reports directly to the Minister of Justice, which is responsible for establishing and ensuring the implementation of special security programs to ensure the implementation of witness protection law.

64. The National Parliament ratified the United Nations Convention on the Rights of People with Disabilities in May 2022. The government has increasingly allocated resources to provide accessible facilities and support to people with disabilities. The new VPU-PNTL offices include a ramp, toilet and other physical facilities to ensure accessibility for people with disabilities. A New National Action Plan against Gender-Based Violence, which was recently approved by the Council of Ministers and launched at the opening of 16 days of Activism campaign against gender-based violence 2022 – 2023, includes services to victims of people with disabilities and LGBTQI. The new President of the Republic has also appointed an advisor from the people with disabilities community to the cabinet of the Presidency as an advisor to the President on the issues of people with disabilities.

65. SEII and civil society organizations have established a working group to conduct a consultation and propose revisions to the Law Against Domestic Violence and Penal Code to include incest cases and other relevant issues.

66. Progress has yet to be made on the amendment of the Civil Code. Although Article 4 of Law N° 13/2017 ensures equal access and bans discrimination to access to land and property, there are challenges in the implementation as it is difficult for the State to intervene because most of the decisions are mostly made within the family, based on the patriarchal system of cultural practices and structures.

67. No data is available on divorces under a fault-based and non-fault-based system.