

## Land and Environmental Rights of Communities in Timor–Leste

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### What is La'o Hamutuk

- The Timor–Leste Institute for Development Monitoring and Analysis, founded in 2000.
- Timorese and international people “walking together” on the journey to create a new Nation.
- An independent, Timorese, non–governmental organization which does research, policy analysis, public education and advocacy.
- A force for participatory, equitable, sustainable and evidence–based policies and practices.

## Topics

- ❑ Legal frameworks
- ❑ Existing major infrastructure project linked to extractive industries: South Coast Petroleum Industry (Tasi Mane Project), TL Cement, and a few other mining activities in Timor-Leste.
- ❑ Major challenges to local communities' lives
- ❑ Key recommendations

## Legal framework

### Environmental Laws

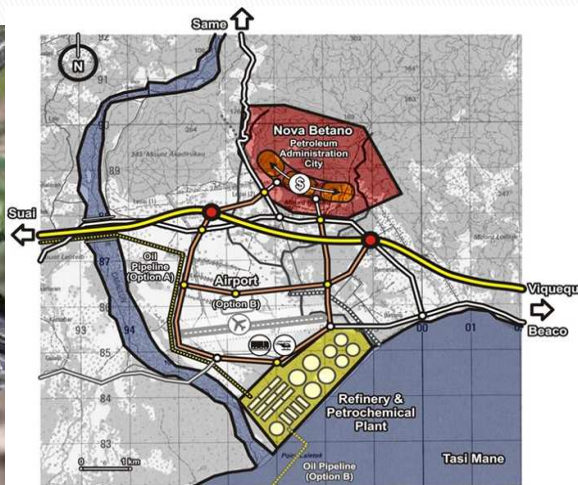
- ▶ Decree-Law no. 26/2012 on Basic Environmental Law
  - ▶ Decree-Law 5/2011 on Environmental Licensing
  - ▶ Ongoing processes on the new Mining Law.
- International pact and best practices:  
EITI, PWYP and other

### Land Laws

- ▶ Land Law and Expropriation Law
- ▶ The government has the power to take land for development purposes including for extractive industry activities
- ▶ The process of taking land from the community has to go through a consultation process involving community members

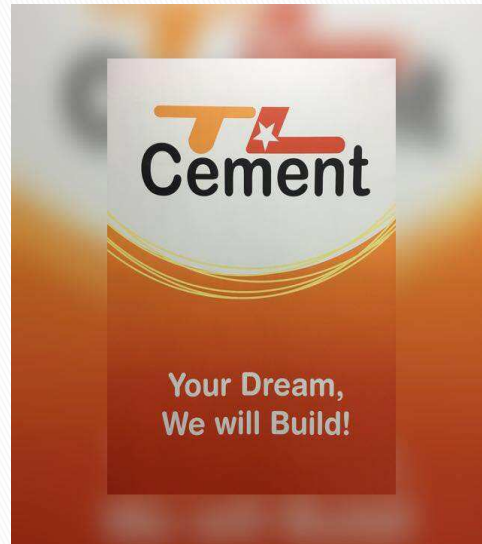
## Current major infrastructure projects

South Coast Petroleum Infrastructure Project (*Tasi Mane Project*): Supply Base, Refinery, LNG-Plant, Highway



## TL Cement project

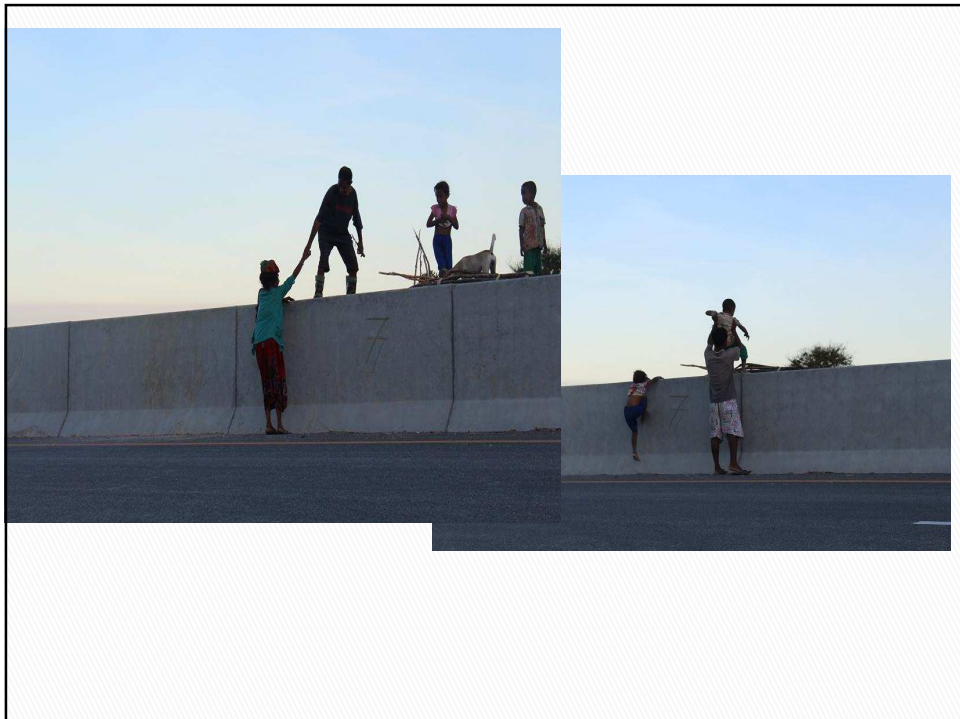
- ❑ Cement plant, Marine jetty, Belt conveyor, and associated infrastructure
- ❑ Limestone mine
- ❑ Clay extraction
- ❑ Road improvements and new roads



## Challenges

1. Lack of public consultation
2. Impact on community: Farmers lost their land and their livelihood
3. Fisher folks can lose their livelihood
4. Community faces difficult access to their farms (because of the highway)
5. Unsustainable compensation policy





## What we expect will happened in the future

- ❑ The government are planning more on–shore extractive industry (mining activities).
- ❑ More land will be taken from the community.
- ❑ Destruction of the environment as the consequence of these activities.
- ❑ More actions are needed to prevent the negative impact of the community livelihood and the environment.

## Key recommendations

- ❑ Extractive industries must follow current legal framework (environmental and land laws) and best practices to guarantee protection of community rights.
- ❑ An in–depth social, economic and environmental study of the impacts of the these projects should be in place before the start of any extractive industry activities.
- ❑ Stop extractive industry, and focus on development of productive sectors including agriculture, tourism and small industry.
- ❑ Strengthening regional and global networks to fight for the rights of communities facing the impacts of extractive industries.