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**Human Rights Council
Universal Periodic Review (UPR) of the
Democratic Republic of Timor-Leste**

40th Session (January - February 2022)

Joint Stakeholders' Submission on:

**Human Rights in Timor-Leste:
The situation of children and women**

Submitted by:

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(NGOs in Special Consultative Status with ECOSOC)

Geneva, 9 July 2021

I. INTRODUCTION

1. This stakeholders' report is a joint submission of the above-mentioned organizations. The report highlights key concerns related to Human Rights in the Democratic Republic of Timor-Leste in the following areas: education, birth registration, vulnerable children and violence against them, employment and access to the labor market, and the rights of women. Each section conveys recommendations to the Government of Timor-Leste.

2. The data and information obtained for this submission came from various sources and includes information from IIMA and VIDES members living and working in Timor-Leste, particularly in Baucau, Dili, Fuiloro, Laga, Maliana, Venilale. All information concerned the period from March 2016 and May 2021.

3. IIMA is an international NGO in special consultative status with the Economic and Social Council. IIMA is present in 96 countries where it provides education to children, young people, and women, particularly the most disadvantaged and vulnerable.

4. VIDES International is an international NGO in special consultative status with the Economic and Social Council, which is present in 42 countries worldwide. It was founded in 1987 to promote volunteer service at the local and international levels for ensuring human rights of vulnerable groups, especially children and women.

II. GENERAL REMARKS

5. This NGO coalition welcomes the constructive participation of Timor-Leste in the 3rd cycle of the Universal Periodic Review (UPR).¹ The present joint submission represents the follow-up to the UPR recommendations accepted by Timor-Leste in 2016, with a special focus on children-related issues such as the full implementation of their right to education. The rights of women in Timor-Leste also are addressed in the present report.

6. This NGO coalition perceives children and women as the most vulnerable groups in Timor-Leste, due to the existing on-going gap in the protection and promotion of their rights.

III. RIGHT TO EDUCATION

Accessibility and Quality of Education²

7. The coalition acknowledges the State's efforts to providing equity in education. Since its independence, Timor-Leste has shown a strong commitment to education, which is reflected in its 2002 Constitution, the 2008 Basic Law of Education, the National Strategic Development Plan (NSDP) 2011–2030, the National Education Strategic Plan (NESP) 2011-2030, and the recently prepared Education Sector Plan (ESP) 2020–2024 by the VIII Constitutional Government.³ It has also increased the budget allocation for education⁴ part of which by means of the reinforcement of the educational subsidy, *Bolsa da Mãe*. The government is also working hand in hand with some Non-Governmental Organizations (NGO) and Church Institutions.

¹ The review of Timor-Leste was held at the 8th meeting on 3 November 2016. [See Report of UPR Working Group on Timor-Leste \(A/HRC/34/11\)](#), 28 December 2016; and its Addendum (A/HRC/34/11/Add.1), 9 March 2017.

² Eight recommendations were addressed to Timor-Leste regarding the right to education. [See Report of UPR Working Group on Timor-Leste \(A/HRC/34/11\)](#), 28 December 2016, paragraphs 133 (Republic of Korea), 140 (Thailand), 141 (Australia), 144 (Angola), 145 (9 Lao People's Democratic Republic), 146 (Libya), 147 (Norway) and 148 (New Zealand)

³ [Timor-Leste Basic Education Strengthening and Transformation](#). World Bank. April 1, 2020.

⁴ "Ministry of Education to expect US\$111.5 million budget allocated for the year 2021." TATOLI News

8. Starting with Pre-school Education, the net enrollment rate for boys is at 22.83 percent while it is 25.34 percent for girls.⁵ This low participation rate may be due to economic deficiencies of families and lack of awareness regarding the benefits of early childhood education. For primary education it is 85.07 percent for boys and 94.10 percent for girls. This is contrasted by a sharp decline in secondary education net enrollment rate which gets only 36.39 percent of boys attending school and 42.83 percent for girls.

9. Even though primary and secondary education are free, there are other indirect costs such as school books, uniform and transportation costs that prevent children from low-income families to attend formal schooling. Most of the out of school children come from low-income families and are living in rural and remote areas with difficulty of accessing schools due to distance from their homes.

10. The education system of Timor-Leste is characterized by a high degree of internal inefficiency: students remain in the education system for long periods, but they make little progress, given high repetition and dropout rates.⁶ 4.72 percent of boys dropout of school in the primary level while there are 3.44 percent for girls. This rate increases in the secondary level at 5.12 percent for boys and 3.58 percent for girls.⁷ Girls drop out due to early pregnancy while boys do not want to continue studying and would prefer to work abroad or at home.

11. Additionally, the rate of out of school children for ages 6-14 is 14.15 percent for boys and 9.53 percent for girls. It is more elevated for those of the age 15-17 years old which is 26.88 percent for boys and 19.23 percent for girls.⁸

12. Moreover, there is a high disparity between public and private run schools. Only a few public schools offer quality education. Most public schools lack appropriate learning environments, infrastructure, school supplies, and adequate teachers.⁹ In fact, they lack systematic government monitoring. Private schools, instead, are more organized, serious and disciplined. They have better teaching and learning programs and educational methodologies. Many parents would prefer to send their children to private schools even if it is not for free, if they only have the means. UNICEF¹⁰, in a research conducted in Timor-Leste, with the participation of 8 Catholic schools, 1 Private school and 2 Public schools, aimed to document good practices in the following areas: a) teaching and learning; b) school governance; and c) parental and community involvement. On a positive note, some of the good practices identified were, in fact, already part of the Ministry of Education's policies and guidelines. What is needed is to fully implement these policies and guidelines nationwide and establish a systematic monitoring school system.

Recommendations:

- 1. Increase the proportion of children receiving pre-school education especially in rural communities;***
- 2. Develop and enhance the pool and skills of school administrators and teachers for Early Childhood Education;***
- 3. Ensure improvement of school buildings, teacher training, delivery of quality and adequate facilities and learning materials with special attention to poorer rural and remote communities.***
- 4. Improve the retention rate of children at all levels and increase the transition rate as the children progress in the educational ladder by addressing the barriers that leave children***

⁵ 2019 Net Enrolment Rate (NER). <http://www.moe.gov.tl/pt/emis/dados-estatistico>

⁶ Timor-Leste Basic Education Strengthening and Transformation Project. World Bank. April 1, 2020.

⁷ 2019 Drop-Out Rate by School Level (DR). (District wise by School Level, by School Type and by Gender). <http://www.moe.gov.tl/pt/emis/dados-estatistico>

⁸ 2019 Out of School Children Rate (OOSC)(District wise by School Level and by Gender). <http://www.moe.gov.tl/pt/emis/dados-estatistico>

⁹ Timor-Leste Basic Education Strengthening and Transformation Project. World Bank. April 1, 2020.

¹⁰ Documentation of Good Practices and Lessons Learned in Church Run, Private and Public Schools. UNICEF 2018.

- out of the educational system.*
- 5. Continue enhancing the collaboration and cooperation with other agents and actors of education especially from the private and religious institutions through sharing of human resource and pedagogical practices and systematic monitoring of the implementation of the National Education Strategic Plan (NESP).**

IV. RIGHTS OF CHILDREN

13. The State had accepted five recommendations regarding the establishing and legislating relevant legal framework for the promotion and protection of the rights of children especially the most vulnerable.¹¹ The current government aims to give more attention through various legal frameworks for instance; the Protection of Motherhood, Paternity Adoption, Law on the Protection of Children in Danger, along with other measures to protect vulnerable children mostly from poor families, child laborers, children living in rural and remote areas and children living on the streets.

14. This coalition commends Timor Leste for putting forth the National Action Plan for Children (2016-2020) outlining the building up of an enabling environment that respects, protects and fulfills the rights of all children particularly those living in a disadvantaged situation.

Recommendations

- 1. Pass into a law the draft bill Child's Code and strengthen the National Commission on the Rights of the Child.**

Birth Registration

15. The State had accepted two recommendations for “additional administrative and legislative measures necessary to ensure birth registration of all children”¹² and to “to increase the rate of issuance of birth certificates, especially in rural areas”¹³ There has been an increase in the rate of birth registration of children under 5 years old, but it is still considered low at 60 percent¹⁴ with only 30 percent¹⁵ of those registered in actual possession of birth certificates. From the same UNICEF report, there are much fewer children from rural areas that are registered and holding birth certificates than those from the urban areas. These are largely due to gaps caused by lack of national strategy on Civil Registration and Vital Statistics (CRVS), lack of capacity at municipal level for timely birth registration and of necessary equipment to cover all municipalities, and lack of community and parental awareness on the importance of birth registration. Birth registration is free of charge except for late registration after the age of 5. Transportation costs and distance from municipality offices also contribute to the low turn-out.

Recommendations:

- 1. Strengthen and improve coordination in all levels between government ministries and institutions in the implementation of the Strategic Plan on Civil Registration and Vital Statistics (CRVS).**
- 2. Continue building local capacity through the training of relevant stakeholders (leaders, midwives, civil registrars) most especially in the rural and remote areas.**

¹¹ See Report of UPR Working Group on Timor-Leste (A/HRC/34/11), 28 December 2016. Paragraphs 94 (Italy), 99 (France), 118 (Venezuela), 30 (Ukraine) and 31 (Uruguay)

¹² See Report of UPR Working Group on Timor-Leste (A/HRC/34/11), 28 December 2016. Paragraph #42 (Mexico)

¹³ See Report of UPR Working Group on Timor-Leste (A/HRC/34/11), 28 December 2016. Paragraph #43 (Turkey)

¹⁴ State of the World's Children 2019. UNICEF.

¹⁵ Timor-Leste Birth Registration Baseline Assessment 2018. UNICEF

3. ***Improve birth registration infrastructures in all municipalities in order to increase considerably the number of children with birth registration and holders of birth certificates.***
4. ***Enhance the strategies at increasing community awareness on the importance of birth registration.***

Vulnerable Children

16. Regarding child labour, a survey indicated a high prevalence of about 24 percent among 6–14 year olds and that 6.9 percent of children aged 5–17 years are involved in hazardous work. Nearly 2 in every 3 children are working as “field crop and vegetable growers”. While 76.7 percent of the children engaged in hazardous work attend school, they are less likely to attend school compared to those not involved in hazardous activities.¹⁶ They do so to supplement family income and to learn skills.

17. Other children who are vulnerable to worst forms of abuse including child labour are children in street situations. So far there has been no assessment made on their situation.¹⁷ Nevertheless, the aforementioned NAPC 2016-2020 includes a study on children in street situations, to develop a strategy for their protection and to provide these children with adequate protection and assistance for recovery and social reintegration, including shelter.

Recommendations:

1. ***Pursue its efforts to provide programs through financial aid and scholarship that support low-income families especially in rural and remote areas to assure access and enjoyment of the right to education;***
2. ***Conduct systematic assessment of children in vulnerable situations including street children and implement measures to protect them from abuse and child labour, provide shelter and assure access to education.***

Violence against Children¹⁸

18. ***In Timor-Leste, a shocking 87.4 percent of children experiences physical or emotional violence at home. Thirty percent of adolescent girls aged (15-19) have experienced physical violence.*** In the year preceding a study conducted in 2016, an estimated 75 percent of boys and 67 percent of girls had experienced physical punishment such as being kicked, slapped or pulled by a teacher.¹⁹ The impact of violence on children have far-reaching consequences. These cases are under-reported due to a societal belief that these domestic and classroom incidents are private.²⁰

19. This coalition recognizes the government’s fight against ill treatment and violence against children in the country but it needs to strengthen its efforts and fast track laws and programs to change harmful rearing practices and stereotypes and deal more effectively with this problem.

Recommendations

¹⁶ Timor-Leste National Child Labour Survey 2016 – Analytical Report, ILO 2019

¹⁷ [Direct Request \(CEACR\)](#) - adopted 2019, published 109th ILC session (2021), ILO.

¹⁸ Several recommendations were addressed to Timor-Leste with regards to violence against children. [See Report of UPR Working Group on Timor-Leste \(A/HRC/34/11\)](#), 28 December 2016. Paragraphs 35 (Portugal), 98 (Brazil), 101 (Mexico), 112 (Germany), 148 (New Zealand),

¹⁹ [Unseen, unsafe](#). The underinvestment in ending violence against children in the Pacific and Timor-Leste. World Vision International, et. al. 2019

²⁰ [Child Protection and Child Participation](#). UNICEF Programme in Timor Leste.

1. *Step up measures to provide legislative and programmatic safeguards to build a strong child protection workforce where children victims can seek support, receive assistance and hold into account the perpetrators of violence;*
2. *Intensify and improve adult and community awareness to change harmful norms, encourage positive parenting and keep a safe environment in the homes as well as in the schools.*

V. EMPLOYMENT AND ACCESS TO LABOUR MARKET

20. The State had received recommendations to consider the ratification of ILO Domestic Workers Convention 2011 (No. 189)²¹ as well as to “recognize and highlight the contribution of women to the national economic, social and political development”²² Concerned NGOs continue to lobby for the drafting of a law that will enshrine Domestic Workers’ labour rights.²³

21. Data²⁴ shows 60 percent of the Timorese population were in active age in 2013 of which only 31 percent were in the labor force (excluding subsistence agriculture). Of those who were part of the labor force, less than 25 percent had formal employment with the remainder in the informal sector or self-employed.

22. According to an Asian Development Bank data, there is a 5.1 percent unemployment rate, 6 percent for female and 3.1 percent male.²⁵ The share of youth population who are not in education, employment or training is at 20 percent.²⁶ Two main reasons are the lack of job opportunities and the lack of skills required for employment. There are young people who prefer to go abroad to find work.²⁷

23. The coalition commends the government’s goal²⁸ to promote the creation of jobs for young people and adults ensuring equal opportunities irrespective of gender. However, there is the need to standardize the qualification of workers through improving their skills and increasing their competitiveness in the domestic and international labour market.

Recommendations:

1. *Set priorities and clear employment targets in labour-intensive sectors such as agriculture and manufacturing in order to generate more jobs;*
2. *Take measures, in law and in practice, to ensure that domestic workers and workers in the informal economy, enjoy equal opportunities and treatment;*
3. *Provide more entrepreneurial skill set among youth, especially for girls and young women and expand training opportunities for youth who have not attended school especially those from rural and remote communities.*

²¹ [See Report of UPR Working Group on Timor-Leste \(A/HRC/34/11\)](#), 28 December 2016. Paragraph 29 (Philippines).

²² [See Report of UPR Working Group on Timor-Leste \(A/HRC/34/11\)](#), 28 December 2016. Paragraph 73 (Malaysia).

²³ Campaign for Women’s Employment Rights in Timor Leste Ramps Up. [Union Aid Abroad-APHEDA](#).

²⁴ National Employment Strategy 2017-2030

²⁵ Asian Development Bank. [Basic Statistics 2021](#).

²⁶ Living No Youth Behind in Timor Leste. Policy Brief #3. April 2018

²⁷ East Timor youth leaving in droves to seek employment. [ABC Radio News and Current Affairs](#).

²⁸ [Program of the VIII Constitutional Government](#). Government of Timor-Leste.

VI. RIGHTS OF WOMEN²⁹

Gender Equality, Political Participation and Economic Empowerment

24. This coalition commends the efforts of the Secretariat of State for Equality and Inclusion (SEII) in partnership with non-governmental organizations and civil society groups in the development and implementation of programmes to encourage greater participation of women.

25. The labour force participation of women is estimated at 25.6 percent compared to 53.6 percent for men. Among leadership and administrative positions like legislators, senior officials and managers, 75.5 percent are male while 24.5 percent are female. It is 66.8 percent for men, while 33.2 percent for women among professional and technical workers. Though there is a good 38.5 percent of women participation in the parliament, there is only 18.2 percent of them in ministerial positions.³⁰

26. The State acknowledges two major reasons for this wide gap: (1) traditional social norms and cultural values are still influencing men and women's roles and (2) the low level of labour force participation rate for women and their concentration in the informal sector, in particular in rural areas, making women particularly vulnerable to extreme poverty. Women's voices are still barely heard and their participation in decision-making processes is hardly recognized.

Recommendations:

- 1. Implement concrete measures to address gender stereotypes regarding women's aspirations and roles in the family and society;*
- 2. Enhance women's access to formal jobs with career prospects and higher pay, in particular in rural areas;*
- 3. Develop a strong gender-equal reward system in the public and private sectors that addresses unconscious bias and includes equal pay and equal opportunities for women;*
- 4. Increase the percentage of women in all levels of governance from national down to the local levels, in management, decision-making and leadership positions.*

Freedom from Gender-Based Violence

27. Gender based violence remains a major human rights concern for the country. In 2017, the Government approved the second National Action Plan on Gender-based Violence (2017-2021) aiming at reducing and ultimately eradicating gender-based violence through a multi-sectoral coordinated approach. These include prevention, provision of services for survivors, improving access to justice, and increasing coordination, monitoring and evaluation.

28. The perception within many communities that gender-based-violence, particularly domestic violence, is a private matter, contributes towards the isolation of victims, who, more often are unable to access to proper assistance and support services. Thirty-three percent of women age 15-49 has experienced physical violence at some time in her life, since the age of 15. Fourteen percent of women with more than secondary education experienced physical violence rate steadily increases to a high of 40% among women with no education With regards to the attitude towards wife-beating, 74 percent of women and 53

²⁹ Several states have addressed recommendations to Timor-Leste for the promotion of the Rights of Women. [See Report of UPR Working Group on Timor-Leste \(A/HRC/34/11\)](#), 28 December 2016. Paragraphs 44 (Cuba), 72 (Spain), 83 (Republic of Venezuela), 86 (France), 89 (United States of America), 91 (Japan), 70 (Singapore), 75 (Canada) and 129 (Nepal).

³⁰ Global Gender Gap Report 2020. World Economic Forum. Page 335.

percent of men aged 15-49 say it is justified.³¹

29. The 2010 Law against Domestic Violence made domestic violence a public crime, but more efforts are needed to transform these harmful mentality and encourage reporting of cases. Two in three women who experienced intimate partner violence remain silent. Thirty-four percent sought help from family or friends. Only 3 percent reported to the police authorities while 2 percent told a local leader and less than 1 percent sought help from women's organization and civil society organization.³²

Recommendations:

- 1. Strengthen protection, support and referrals to other services for women and children survivors of violence through the training of relevant actors and setting up of shelters that provide legal and psycho-emotional help;***
- 2. Provide training to enable survivors to develop livelihood skills so they could support themselves and their children, gain economic independence and reintegrate into their communities;***
- 3. Strengthen awareness campaign against Gender-Based-Violence and engage the survivors and those who are most vulnerable on how to effectively prevent and combat all forms of violence.***

³¹ Timor Leste Demographic and Health Survey 2016.

³² Understanding Violence against Women and Children in Timor Leste. Findings from the Nabilan Baseline Study. The Asia Foundation. Dili, 2016