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### **Summary prepared by the Office of the United Nations High Commissioner for Human Rights in accordance with paragraph 15 (c) of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21**

#### **Timor-Leste\***

The present report is a summary of 10 stakeholders' submissions<sup>1</sup> to the universal periodic review. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), nor any judgement or determination in relation to specific claims. The information included herein has been systematically referenced in endnotes and, to the extent possible, the original texts have not been altered. As provided for in Human Rights Council resolution 16/21, where appropriate, a separate section is provided for contributions by the national human rights institution of the State under review that is accredited in full compliance with the Paris Principles. The full texts of all submissions received are available on the OHCHR website. The report has been prepared taking into consideration the periodicity of the review and developments during that period.

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\* The present document was not edited before being sent to United Nations translation services.



## **I. Information provided by the national human rights institution of the State under review accredited in full compliance with the Paris Principles**

1. The Office of the Provedoria for Human Rights and Justice (PDHJ) noted that Timor-Leste had not ratified the Convention on the Rights of Persons with Disabilities and the Convention for the Protection of All Persons from Enforced Disappearance. The PDHJ recommended that Timor-Leste ratify the latter treaty immediately.<sup>2</sup>

2. The PDHJ highlighted that despite that the Constitution adopts the general and customary principles of international law and treaties ratified by Timor-Leste, and that all national legislation must not be in contradiction with international law, Timor-Leste failed to adopt in full the general recommendations of the treaty bodies, in particular those of the Committee on the Rights of the Child and the Committee on the Elimination of All Forms of Discrimination against Women.<sup>3</sup>

3. The PDHJ also noted that Timor-Leste was already late in presenting its reports under the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the Convention on the Elimination of Racial Discrimination and the Convention against Torture and Other Cruel, Inhuman, Degrading Treatment or Punishment.<sup>4</sup>

4. The PDHJ stated that the budget allocation to the PDHJ did not reflect the previous cycle UPR recommendation, noting a continued decrease of the state budget allocation to the PDHJ from 2012 to 2016.<sup>5</sup>

5. The PDHJ stated that the mandate of the National Children's Rights Commission should be broadened to cover institutional interventions against the ministries working in relevant children's rights areas and to receive complaints regarding violations of children's human rights.<sup>6</sup>

6. The PDHJ noted that cases of domestic violence remained high in Timor-Leste, and that there was long delay in the prosecution, which results in allowing those involved to adopt mediation measures with a view to finding solutions to the case. It also noted that some community members continued to bring domestic violence cases to traditional justice mechanism. The PDHJ further emphasized that a lack of judicial actors impacted the due process of the domestic violence cases brought to the Court.<sup>7</sup>

7. While noting that the Ministry of Education had established a policy on zero tolerance of violence in school premises, the PDHJ recommended that the Government issue a ministerial order to prevent physical violence by teachers against students, as well as violence from students against teachers during teaching and learning process in schools.<sup>8</sup>

8. While noting that Timor-Leste had implemented "Mobile Court" to increase access of the people to the court, the PDHJ recommended that Timor-Leste continue to carry out mobile courts in the districts that currently do not have district courts.<sup>9</sup>

9. The PDHJ also recommended that Timor-Leste adopt a specific law considering people with disabilities, particularly those with vision and hearing disabilities, to give their statements as witness before the court.<sup>10</sup>

10. The PDHJ noted that there was no military court to try members of the defence force (F-FDTL) who committed crimes recommending establishment of military courts as mandated by the Constitution.<sup>11</sup>

11. The PDHJ noted that the draft law on special penal regime to youth from 16 to 21 years of age was submitted to the Council of Ministers, whose approval had been put on hold for a while impacting on the prosecution of cases involving children.<sup>12</sup>

12. The PDHJ noted that Timor-Leste was implementing the national immunization programmes to children from 0 – 9 years of age across the country. However, lack of awareness from the local communities, and lack of access by community members living in very remote areas, to the services provided by health posts and health centres, was complicated by the lack of facility to ensure quality of vaccines.<sup>13</sup>

13. The PDHJ noted that medical staff continued to raise the issue of lack of adequate facilities and equipment allowing them to provide required health services. It also noted that the number of midwives was still very minimal and that there was no posting to specific areas to provide basic medical assistance to women giving births.<sup>14</sup>

14. The PDHJ noted the repeated delays in allocation of budget for the School Feeding Programme affected the implementation of the Programme. The PDHJ recommended a good control of the Programme because the foods provided were of low quality and insufficient quantity. Related to this, the PDHJ recommended that the Government identify and allocate adequate budget for improving school infrastructures supporting the Programme in order to ensure its sustainability.<sup>15</sup>

15. The PDHJ noted that drop-out is a major concern, particularly that of female students in the final years who have to leave their study because of their pregnancies.<sup>16</sup>

## **II. Information provided by other stakeholders**

### **A. Background and framework**

#### **1. Scope of international obligations<sup>17</sup>**

16. Amnesty International (AI) noted that while Timor-Leste supported the recommendations to accede to the Convention for the Protection of All Persons from Enforced Disappearance during the first UPR, the Government had not followed through on these recommendations.<sup>18</sup>

17. AI also noted that Timor-Leste ratified the Rome Statute of the International Criminal Court, however, it had not yet enacted legislation providing for co-operation with the international Criminal Court.<sup>19</sup>

#### **2. Constitutional and legislative framework**

18. Joint Submission 3 (JS3) noted that although Article 52 of the Penal Code considers crimes motivated by discriminatory sentiment on the basis of gender and sexual orientation to be aggravating circumstances, which may incur greater penalties, crimes motivated by bias on the basis of gender identity or intersex status were not subject to any penalty enhancement under the Penal Code. JS3 went on to state that this was particularly problematic, given that transgender people experience high levels of physical and symbolic violence and hate crimes in Timor-Leste.<sup>20</sup>

#### **3. Institutional and human rights infrastructure and policy measures**

19. AI noted that the Office of the Provedoria for Human Rights and Justice had a mandate to monitor and investigate all reports of human rights abuses in Timor-Leste and may refer its reports to the Prosecutor's Office for further criminal proceeding. However, it

faced difficulties owing to its insufficient budget and lack of investigators and legal advisors.<sup>21</sup>

20. Joint Submission 4 (JS4) welcomed the measures undertaken by the Government to implement Recommendation No. 77.41<sup>22</sup> of the previous UPR concerning birth registration. JS4 also noted that in 2011, the National Birth Registration Campaign registered over 63,300 children. However, further efforts were needed to fully implement Recommendation 77.41, especially in rural and remote areas of the country where children are often born at home.<sup>23</sup>

## **B. Implementation of international human rights obligations, taking into account applicable international humanitarian law**

### **1. Equality and non-discrimination**

21. JS3 noted that Timor-Lest did not have any laws prohibiting discrimination on the basis of sexual orientation, gender identity and intersex status. In December 2001, the Constituent Assembly specifically voted against the inclusion of sexual orientation as a non-discrimination ground in Article 16(2) of the Constitution.<sup>24</sup>

22. JS3 stated that the lack of specific legislation was a contributing factor to the discrimination experienced by lesbian, gay, bisexual, trans-gender and inter-sex (LGBTI) persons in all areas of public life in Timor-Leste.<sup>25</sup>

23. JS3 also emphasized that the lack of legal gender recognition left trans-gender people to significant discrimination in all areas of life where gender information is required, including employment, healthcare, education and access to justice.<sup>26</sup>

24. Joint Submission 1 (JS1) stated that a comprehensive definition of discrimination against women remained absent from the domestic legal framework and the Civil Code contained some discriminatory provisions, for instance, no recognition of religious marriages other than Catholic and de facto relationships.<sup>27</sup> In this connection, JS1 noted that the vast majority of women in Timor-Leste were in de facto unions or had not yet registered their traditional marriage in the absence of a civil registration code, which has consequences for women's rights to marital property and spousal alimony.<sup>28</sup>

### **2. Right to life, liberty and security of the person**

25. AI stated that human rights violations by Timorese security forces had persisted since the last review and accountability mechanisms remained weak. In this regard, AI referred to the reports it received on unnecessary and excessive use of force and firearms by the Public Order Battalion.<sup>29</sup>

26. AI also expressed concern about the lack of accountability for reports of arbitrary arrests and torture and other ill-treatment of dozens of individuals by security forces as part of joint security operations between the national police (PNTL) and the military force (F-FDTL) in *Baucau* district, between February and May 2014 and between March and August 2015. AI further noted that these operations had been launched in response to attacks allegedly carried out by Mauk Moruk, the leader of the Maubere Revolutionary Council (KMR).<sup>30</sup>

27. Moreover, AI noted that local human rights organizations had documented dozens of cases where individuals, accused of being followers of Mauk Moruk, who was killed in August 2015, were beaten and kicked repeatedly by the security forces during arrest and detention, some while their hands and legs were tied.<sup>31</sup>

28. In this respect, JS1 recommended that the Government strengthen training on human rights standards to PNTL and F-FDTL and ensure that operational procedures of both security forces and rules of engagement of joint operations are in compliance with human rights standards enshrined in international humanitarian law, the Constitution and the Law on Internal Security. The Government should also strengthen internal accountability mechanisms within PNTL and F-FDTL and increase transparency of results of investigations into allegations of human rights violations.<sup>32</sup>

29. Cultural Survival (CS) noted that despite the Law against Domestic Violence and the National Action Plan on Domestic Violence, the Government had failed to implement necessary service and protection for indigenous women and girls.<sup>33</sup> AI expressed similar concern that the Law against Domestic Violence did not adequately meet the standards of the Convention on the Elimination of All Forms of Discrimination Against Women.<sup>34</sup> JS1 recommended that Parliament discuss and adopt the proposed amendments to the Penal Code and the Law against Domestic Violence, as well as the draft (anti) Human Trafficking Law with due consideration of comments submitted by civil society.<sup>35</sup>

30. JS4 noted that few cases of violence and fewer cases of sexual abuse against children went to court. The law placed primary responsibility on parents to initiate cases of sexual abuse for a child under the 15 years of age. Problem arose when the alleged offender was a parent, which leaves the child trapped in an abusive family.<sup>36</sup>

31. CS noted that policing and judicial processes for survivors of domestic violence seeking both protection and justice from their abusers were lacking.<sup>37</sup> JS1 also stressed that with regard to charging, legal errors were made charging a lesser crime, and that prosecution of rape within marriage was virtually non-existent. Lack of resistance by victims was often seen as evidence of consent, and that little effort was made to look for corroborating evidence when there was no medical evidence available. Sentences were often suspended, involved fines, and lacked auxiliary orders such as reporting conditions by perpetrators.<sup>38</sup>

32. In addition, JS4 highlighted that due to fear of reprisals, victims often prefer not to report the abuses. Even when the cases of violence were known, domestic disputes were often solved using traditional laws and practices either within the family or before the community leaders.<sup>39</sup>

33. JS1 also stated that the implementation of legal mechanisms for protection of victims and witnesses particularly women and children victims of violence needed to be strengthened. Witnesses and victims were not, in practice, afforded effective protection measures even when there were obvious threats to their safety and well-being.<sup>40</sup>

34. Global Initiative to End All Corporal Punishment of Children (GIEACPC) stated that corporal punishment of children in Timor-Leste was unlawful in the penal system but it was not prohibited in the home, alternative care settings, day care and schools. GIEACPC further noted that a draft Children's Code was under discussion, which provides an immediate opportunity for prohibiting all corporal punishment.<sup>41</sup> JS4 also expressed concern that corporal punishment was a common practice that remains difficult to eradicate, particularly in the education system.<sup>42</sup>

35. JS4 stated that child labour was common regarding support of family income and families often prioritized labour over education for their children, especially in rural areas. Most often, children worked on family farming plots in their local villages in the informal economy and many were involved in work that is dangerous or onerous.<sup>43</sup>

### 3. Administration of justice, including impunity, and the rule of law

36. JS1 noted that resolutions by Parliament and the Government in October 2014 had resulted in the immediate expulsion from Timor-Leste of five international judges, two prosecutors and one anti-Corruption Commission investigator, to which the Courts refused to adhere. As a direct consequence of such resolutions, the Legal Training Centre was forced to suspend training to magistrates.<sup>44</sup>

37. JS1 also noted that while budget allocation to the justice sector had increased, the Public Defenders' Office continued to face major challenges, partly due to the lack of its own separate budget. In this regard, JS1 recommended that the Government and Parliament provide the Public Defenders' Office with its own budget and ensure the draft law on remuneration for judicial actors provides for more equitable pay and conditions for public defenders.<sup>45</sup>

38. JS1 highlighted a relatively high number of detainees held in pre-trial detention, 30.3 per cent of the total prison population in 2013 and 24 per cent in 2015. According to JS1, one of the factors causing prolonged pre-trial detention is detainees' lack of access to legal assistance. Detainees complained that Public Defenders almost never visited their clients in prison, and that detainees tended to meet their lawyer for the first time in court.<sup>46</sup>

39. JS1 noted that women who come into contact with the justice sector as litigants, victims and defendants constantly faced negative attitudes and gender stereotypes, which has particularly serious consequences for women who are charged with domestic violence cases of self-defence. In this regard, JS1 recommended that the Government should legislate mandatory continuing legal education for judges, prosecutors, public defenders and lawyers on gender equality, women's human rights and root causes of violence against women.<sup>47</sup>

40. AI highlighted that the Penal Code was insufficient to challenge impunity for past crimes, and some aspects of it were neither consistent with the Rome Statute and other human rights treaties, nor with customary international law. In particular, the Penal Code did not appear to include guarantees that in the future there will be no national amnesties, pre-conviction pardons or similar measures of impunity for crimes under international law.<sup>48</sup>

41. AI regretted the lack of justice, truth and reparation for women and girls who were subjected to sexual violence and gender-based violence by members of the Indonesian security forces and their auxiliaries, as well as by Timorese men, during the Indonesian occupation and the independence referendum between 1975 and 1999.<sup>49</sup>

42. JS1 highlighted the remaining important gaps in the legislative, policy and institutional framework for child protection and juvenile justice. According to JS1, two draft laws relating to juvenile justice, the Tutelary and Education Law for children 12 to 16 years of age and Special Penal Regime for 16 to 21 year-olds have not moved forward within the Ministry of Justice and need further consultation.<sup>50</sup>

### 4. Right to privacy, marriage and family life

43. International Human Rights Advocacy Group, William S Richardson School of Law, University of Hawaii at Manoa (IHRAG) noted that the customary practices of Timor-Leste had the children go with the husband rather than the mother if there is a divorce.<sup>51</sup>

44. IHRAG highlighted that the customary practice of "*barlake*" played a substantial role in arranging the marriage of a young woman in exchange for payment. Most women and young girls also faced domestic violence in their public and private lives severely impacting their ability to gain access to education and become equal members of society.<sup>52</sup>

45. IHRAG also noted that the customary practice led to the inherited property usually passing on to the eldest surviving male heir if the surviving spouse is a woman.<sup>53</sup>

## 5. Freedom of expression, association and peaceful assembly

46. AI noted that the Media Law passed in 2014 stipulated that in order to work as a journalist, individuals are required to have undergone a six-month internship in a media organization and be accredited by a Press Council. According to AI, this could stifle freedom of expression in the country.<sup>54</sup>

47. While noting that any breaches of the provisions of the Media Law could trigger fines against journalists and media outlets, AI also expressed concern that the vague language in the law could be used to prevent media outlets from being able to be critical of the Government.<sup>55</sup>

48. AI stated that the Law on Freedom of Assembly and Demonstration placed unreasonable restrictions on freedom of assembly by prohibiting assemblies and demonstrations within less than 100 metres from offices of organs of sovereignty, residences of officeholders of organs of sovereignty, military and militarized installations, prison buildings, offices of diplomatic missions and consulates, and offices of political parties. In this connection, AI highlighted that because of the close proximity of government buildings and diplomatic missions in the capital, Dili, and its location close to the sea, this requirement under the Law on Freedom of Assembly and Demonstration made it virtually impossible for protestors to organize a demonstration within sight and sound of their target.<sup>56</sup>

49. AI noted that the national police continued to interpret the Law on Freedom of Assembly and Demonstration (No. 1/2006) as requiring the organizers of a demonstration to obtain a permit and had banned a number of peaceful gatherings linked to demands for accountability for past crimes, as well as to corruption by government officials.<sup>57</sup>

## 6. Right to work and to just and favourable conditions of work

50. JS3 emphasized that Timor-Leste's lack of anti-discrimination was particularly worrying given that the previous Labour Code enacted in 2002 and repealed in 2012, prohibited on the basis of sexual orientation in employment, which represents a step backwards leaving lesbian, gay, bisexual, trans-gender and inter-sex workers open to discrimination and harassment and interferes with their right to work.<sup>58</sup>

51. While noting a large number of complaints regarding violations of the Labour Code from workers of 80 national and international companies for the period of 2012 and 2015, JS1 recommended that the General Labour Inspectorate conduct regular, comprehensive and impartial inspections of working conditions in all enterprises in Timor-Leste, and that the National Labour Council raise the minimum wage by 50 per cent.<sup>59</sup>

## 7. Right to social security and to an adequate standard of living

52. JS1 noted a reduction in public spending for health, education and agriculture while 75 per cent of the population depend on agriculture for basic needs and subsistence.<sup>60</sup>

53. JS1 noted the *Bolsa Da Mãe* (mother's purse) programme that targets families in a situation of high vulnerability living below the poverty line on the condition that their children attend school and are immunized. JS1 also noted the concerns over a lack of effective control mechanisms of the programme to ensure the schooling and immunization requirements are fulfilled.<sup>61</sup>

## 8. Right to health

54. JS4 welcomed the measures undertaken by the Government to progressively establish medical centres and clinics in all districts in line with Recommendation No. 77.45<sup>62</sup> of the previous UPR in order to improve access to health services. However, JS4 was concerned about persisting disparities in the quality of health services between main cities and mountain and rural villages.<sup>63</sup>

55. Joint Submission 2 (JS2) noted the seemingly lack of synergy between the departments of Health and Education responsible for children regarding their access to healthcare services. As such, the major issues of respiratory problems, diarrhoea in babies, precautions against tuberculosis and dangers of betel nut chewing and smoking habits appeared not to be addressed by either department in a systematic manner through the provision of education and prevention programmes.<sup>64</sup>

56. JS3 noted reports of discrimination against transgender people and men who have sex with men when accessing health checks in hospitals and clinics. According to JS3, transgender people and men who have sex with men experience high levels of stigma in healthcare settings. The difficulties to accessing healthcare in a safe and non-discriminatory manner discourages lesbian, gay, bisexual, trans-gender and inter-sex people from accessing healthcare.<sup>65</sup>

## 9. Right to education

57. JS2 noted the assurances of the Government that it was working towards implementing the National Education Strategic Plan (2011-2013) through a review of the curriculum, conducting regular training for teachers, and keeping of detailed records of attendance. JS2 however expressed concern that the appalling level of staff and children absence from school was not being addressed.<sup>66</sup>

58. Similarly, JS4 noted that despite an impressive increase in enrolments in Timor-Leste in recent years, many children still did not have access to school, entered school late, were at risk of repetition, or dropped out early.<sup>67</sup>

59. IHRAG highlighted that there was a gap in the primary education of boys and girls that by the time secondary education is completed created a significant impediment to women having equal status in society.<sup>68</sup>

60. JS4 also noted that although the national law recognized the rights of the child and prohibited discrimination, discrimination in access to school, especially for some vulnerable groups of children such as those from the poorest families, girls and children with disabilities persisted.<sup>69</sup>

61. JS4 stated that the availability of education was a major concern where poor physical infrastructure of schools, shortage of textbooks and teaching materials and an ambiguous schedule for school hours can prevent the provision of quality education for the children.<sup>70</sup>

62. Similarly, JS1 noted that school facilities remained inadequate in number and conditions such as lack of access to learning materials, sanitation and classroom furniture, as well as frequent absenteeism of teachers.<sup>71</sup>

63. JS1 noted that a draft national policy on inclusive education acknowledged pregnant girls and young mothers as a group at risk of unofficial exclusion.<sup>72</sup>

64. JS4 noted that Tetum was currently more commonly used in schools attended by children of the poorest areas and Portuguese was more commonly used in schools attended by children from higher income families, leading to an economic bias in education.<sup>73</sup> JS2 also expressed concern about engrained nepotism in the system whereby family members

are appointed to teaching positions over qualified teachers emerging from the National and Baucau Teachers Colleges.<sup>74</sup>

#### 10. Persons with disabilities

65. JS1 noted that the Government adopted a national policy for the inclusion and promotion of the rights of persons with disabilities in 2012 and a corresponding national action plan for 2014-2018. JS1 also noted the Government's intention to establish a National Council for Persons with Disabilities. Joint Submission 5 (JS5) noted that implementation of the policy's commitments was weak.<sup>75</sup> In this regard, JS1 recommended that the Government should continue its consultations on the regulatory framework for a National Council advocating the rights of people with disabilities, adopt it, and establish the Council as soon as possible. JS1 also recommended a clear and integrated strategy on community-based rehabilitation needs that aims to widen the reach of rehabilitation services beyond Dili.<sup>76</sup>

66. JS5 noted a lack of statistical data concerning women and girls with disabilities in Timor-Leste. As a result, the Government was making programming and budget decisions that do not take into account all people with disabilities, including women and girls with disabilities.<sup>77</sup>

67. JS5 stated that violence and neglect of children with disabilities was widespread in Timor-Leste. Due to the shame and stigma associated with disability, many families hide children inside the house or limit the child's exposure to society. JS5 also noted the shackling and restraining of children with disabilities, particularly children with psychosocial impairments.<sup>78</sup>

68. JS1 also noted that persons with disabilities faced continued physical and other obstacles in their access to courts. Although judges are legally required to facilitate access by ensuring technical assistance from interpreters for speaking and/or hearing impaired persons, in practice rarely this occurs.<sup>79</sup> JS5 recommended that the Government provide adequate support and resources such as provision of interpretation services, assistive devices and accessible transport, to enable women with disabilities to access victim assistance support, and support from police and the judicial system.<sup>80</sup>

69. JS5 further recommended that the Government reform the Witness Protection Law to include provisions for assistants and sign language interpreters to enable persons with disabilities, in particular people with sensory impairments to provide testimony in the court.<sup>81</sup>

70. JS5 also noted that people with hearing impairments had limited freedom of expression as there was no official sign language developed or recognized by the State. In this regard, JS5 recommended that the Government commit resources and support to enable the Timor-Leste Deaf community to develop a recognized sign language ensuring that children and young people who are deaf and who have hearing impairments have the opportunity to be taught in their national sign language.<sup>82</sup>

71. JS5 stated that the lack of a specific carer's allowance to support those who look after children with disabilities under the age of 18 was creating problems for families who struggle to support their children with disabilities. In this regard, JS5 recommended that the Government reform Decree Law Number 19/2008 on the Subsidy to the Elderly and Disabled People to make the subsidy easier to access, and reform Decree Law Number 18/2012 on *Bolsa Da Mãe* to revise the criteria to prioritize families that include a member with disability to receive the *Bolsa Da Mãe*, and ensure that citizens are aware of this eligibility.<sup>83</sup>

72. JS5 stated that people with disabilities had the same needs for health services, including primary healthcare and health screening services. They also have specific healthcare needs related to their disability, for example, physiotherapy or assistive devices, and require additional support. However, they are not able to access healthcare on an equal basis with others, due to: 1) discriminatory or stereotyped attitudes of healthcare workers; 2) health facilities that are inaccessible; and 3) lack of awareness-raising targeting persons with disabilities on available services.<sup>84</sup>

73. JS5 emphasized that children with intellectual impairments and sensorial impairments such as children who are blind or deaf faced particularly significant challenges in attending school and accessing learning material. Regular schools throughout the country were not equipped to provide Braille materials or sign language interpretation, and they were not able to reach in these formats. In this regard, JS5 recommended that the Government take concerted steps towards inclusive education prioritizing the training of all teachers in inclusive education as an integral part of core teacher training curricula and in continued in-service teacher training, and allocate budget for the availability for assistive device and accessible materials, equipment and environments in schools as well as the provision of support in classrooms to children with disabilities.<sup>85</sup>

74. Moreover, JS5 highlighted that people with disabilities faced barriers in accessing education and vocational training thereby hindering their ability to enter into employment. JS5 recommended that the Government improve access to employment by creating a quota that requires one per cent of all positions in public service and private sector must be for persons with disabilities. JS5 also recommended that the Government develop vocational and employment programmes and training targeted to persons with disabilities to boost their opportunities for entry and advancement in the workplace, and ensure that people with disabilities are able to access mainstream vocational training opportunities.<sup>86</sup>

#### **11. Indigenous peoples**

75. CS noted that attempts to create a national identity after independence led to Portuguese being heavily prioritized in education, which imperilled the moth tongues of indigenous peoples in Timor-Leste because their children were forced to assimilate in educational settings.<sup>87</sup>

#### **12. Right to development and environmental issues**

76. JS1 noted that while there were some socialization campaigns, there were no meaningful consultations regarding the large infrastructure projects and the affected communities were neither informed nor active participants in these processes. In this regard, JS1 recommended that the Government ensure meaningful participation and access to impartial and accurate information for communities affected by large infrastructure projects, and that the affected communities have the opportunity to participate in shaping land agreements and benefit from them fairly and on an equal basis. The Government also should strengthen its social impact assessment and monitoring systems.<sup>88</sup>

## Notes

<sup>1</sup> The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: [www.ohchr.org](http://www.ohchr.org). (One asterisk denotes a national human rights institution with “A” status).

*Civil society*

## Individual submissions:

AI	Amnesty International, London (United Kingdom of Great Britain and Northern Ireland);
CS	Cultural Survival, Cambridge, Massachusetts, (United States of America);
IHRAG	International Human Rights Advocacy Group, William S Richardson School of Law, University of Hawaii at Manoa, Hawaii (United States of America);
GIEACPC	Global Initiative to End All Corporal Punishment of Children, London (United Kingdom of Great Britain and Northern Ireland).

## Joint submissions:

JS1	Joint submission 1 submitted by: Asosiasaun Chega ba Ita (ACbit), Dili (Timor-Leste), The Asosiasaun Defisiénsia Timor Leste (ADTL), Dili (Timor-Leste), Asia Justice and Rights (AJAR), Jakarta (Indonesia), Asosiasaun Hukum Dan Keadilan (HAK), Dili (Timor-Leste), and The Judicial System Monitoring Programme (JSMP), Dili (Timor-Leste);
JS2	Joint submission 2 submitted by: Edmund Rice International and Fondazione Marista per la Solidarietà Internazionale ONLUS;
JS3	Joint submission 3 submitted by: Kaleidoscope Australia Human Rights Foundation (Kaleidoscope) (Australia) and the Sexual Rights Initiative;
JS4	Joint submission 4 submitted by: Istituto Internazionale Maria Ausiliatrice (IIMA) and International Volunteerism Organization for Women, Education and Development (VIDES International);
JS5	Joint submission 5 submitted by: Ra'es Hadomi Timor Oan (RTHO), (Timor-Leste), East Timor Blind Union (ETBU) (Timor-Leste), Halibur Defisiénsia Matan Timor-Leste (HDMTL) (Timor-Leste), AGAPE School of the Deaf (Timor-Leste), Ahisaun Disability Foundation (Timor-Leste), Psychosocial Recovery and Development East Timor (PRADET) (Timor-Leste), Alma Sisters (Timor-Leste), Centro Aleizador Timor-Lorosa'e (KATILOSA) (Timor-Leste), Fuan Nabilan (Timor-Leste), Centro Nasional Rehabilitasaun (CNR) (Timor-Leste), and the Leprosy Mission Timor-Leste (TLMTL) (Timor-Leste).

## National human rights institution(s):

PDHC	The Office of Provedoria for Human Rights and Justice*, Dili (Timor-Leste).
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<sup>2</sup> PDHJ, paras. 2 – 3.

<sup>3</sup> PDHJ, para. 4.

<sup>4</sup> PDHJ, para. 4.

<sup>5</sup> PDHJ, paras. 7 – 8.

<sup>6</sup> PDHJ, paras. 9 – 10.

<sup>7</sup> PDHJ, para. 24.

<sup>8</sup> PDHJ, para. 18.

<sup>9</sup> PDHJ, paras. 28 – 29.

<sup>10</sup> PDHJ, para. 29.

<sup>11</sup> PDHJ, para. 30.

<sup>12</sup> PDHJ, para. 20.

<sup>13</sup> PDHJ, para. 16.

<sup>14</sup> PDHJ, para. 32.

<sup>15</sup> PDHJ, para. 19.

<sup>16</sup> PDHJ, para. 23.

<sup>17</sup> The following abbreviations are used in UPR documents:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
OP-ICESCR	Optional Protocol to ICESCR
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
OP-CRC-IC	Optional Protocol to CRC on a communications procedure
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Convention on the Rights of Persons with Disabilities
OP-CRPD	Optional Protocol to CRPD
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance

<sup>18</sup> AI, p. 3.

<sup>19</sup> AI, p. 3.

<sup>20</sup> JS3, paras. 8 – 13.

<sup>21</sup> AI, p. 3.

<sup>22</sup> “In light of what is provided in article 7 of the Convention on the Rights of the Child and with the support of the international community, improve the system of birth registration, including by intensifying efforts to sensitize and mobilize public opinion regarding the advantages of birth registration in the process of establishing children’s identity and the enjoyment of their rights (Uruguay)”, A/HRC/19/17.

<sup>23</sup> JS4, para. 11.

<sup>24</sup> JS3, para. 14.

<sup>25</sup> JS3, para. 15.

<sup>26</sup> JS3, paras. 23 – 25.

<sup>27</sup> JS1, paras. 9 – 10.

<sup>28</sup> JS1, paras. 9 – 10.

<sup>29</sup> AI, p. 4.

<sup>30</sup> AI, p. 4.

<sup>31</sup> AI, p. 4.

<sup>32</sup> JS1, paras. 13 – 17.

<sup>33</sup> CS, p. 4.

<sup>34</sup> AI, p. 6.

<sup>35</sup> JS1, paras. 21 – 25.

<sup>36</sup> JS4, para. 10.

<sup>37</sup> CS, p. 4.

<sup>38</sup> JS1, paras. 26 – 27.

<sup>39</sup> JS4, para. 29.

<sup>40</sup> JS1, para. 30.

<sup>41</sup> GIEACPC, p. 2.

<sup>42</sup> JS4, para. 25.

<sup>43</sup> JS4, para. 9.

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- <sup>44</sup> JS1, paras. 32 – 33.  
<sup>45</sup> JS1, paras. 34 – 35.  
<sup>46</sup> JS1, paras. 40 – 41.  
<sup>47</sup> JS1, paras. 11 – 12.  
<sup>48</sup> AI, p. 3.  
<sup>49</sup> AI, p. 4. See also JS1, paras. 36 – 39.  
<sup>50</sup> JS1, paras. 18 – 20.  
<sup>51</sup> IHRAG, para. 4.  
<sup>52</sup> IHRAG, para. 3.  
<sup>53</sup> IHRAG, para. 5.  
<sup>54</sup> AI, p. 5.  
<sup>55</sup> AI, p. 6.  
<sup>56</sup> AI, p. 5.  
<sup>57</sup> AI, p. 5. See also JS1, paras. 55-58.  
<sup>58</sup> JS3, paras. 19 – 22.  
<sup>59</sup> JS1, paras. 42 – 43.  
<sup>60</sup> JS1, para. 44.  
<sup>61</sup> JS1, paras. 49 – 50.  
<sup>62</sup> “Adopt urgent measures to improve access to health services, particularly in remote communities (Costa Rica),” (A/HRC/19/17).  
<sup>63</sup> JS4, paras. 33 – 34.  
<sup>64</sup> JS2, para. 14.  
<sup>65</sup> JS3, para. 15.  
<sup>66</sup> JS2, paras. 16- 17.  
<sup>67</sup> JS4, para. 15.  
<sup>68</sup> IHRAG, para. 3.  
<sup>69</sup> JS4, para. 16.  
<sup>70</sup> JS4, para. 18.  
<sup>71</sup> JS1, para. 52.  
<sup>72</sup> JS1, paras. 53 – 54.  
<sup>73</sup> JS4, para. 23.  
<sup>74</sup> JS2, para. 19.  
<sup>75</sup> JS5, p. 2.  
<sup>76</sup> JS1, paras. 1 – 6.  
<sup>77</sup> JS5, p. 2.  
<sup>78</sup> JS5, p. 3.  
<sup>79</sup> JS1, paras. 7 – 8.  
<sup>80</sup> JS5, p. 3.  
<sup>81</sup> JS5, p. 4.  
<sup>82</sup> JS5, p. 4.  
<sup>83</sup> JS5, p. 5.  
<sup>84</sup> JS5, pp. 6 – 7.  
<sup>85</sup> JS5, p. 8.  
<sup>86</sup> JS5, p. 6.  
<sup>87</sup> CS, p. 5.  
<sup>88</sup> JS1, paras. 45 – 46.
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