

Responses to Recommendations

TIMOR-LESTE

Review in the Working Group: 12 October 2011
 Adoption in the Plenary: 16 March 2012

Timor-Leste's responses to recommendations (as of 07.02.2012):

In the Report of the Working Group:	In the Addendum:	During the plenary:	Summary:
88 recs. accepted (among which 42 were considered as already implemented or in the process of implementation); 1 rejected; 36 pending			Accepted: 88 Rejected: 1 No clear position: 0 Pending: 36

List of recommendations contained in Section II of the Report of the Working Group A/HRC/19/17:

77. The recommendations listed below enjoy the support of Timor-Leste.

A - 77.1. Ratify the Convention on the Rights of Persons with Disabilities (Austria);

A - 77.2. Ratify the CRPD (United Kingdom of Great Britain and Northern Ireland);

A - 77.3. Proceed to ratification of the Convention on the Rights of Persons with Disabilities (Australia);

A - 77.4. Ratify the Convention on the Rights of Persons with Disabilities (Slovenia);

A - 77.5. Become party without delay to the Convention on the Rights of Persons with Disabilities (New Zealand);

A - 77.6. Finalize as soon as possible a national policy to implement the rights for persons with disabilities and the ratification process of the Convention on the Rights of Persons with Disabilities (South Africa);

- A - 77.7. Sign and ratify the Convention on the Rights of Persons with Disabilities (Spain);
- A - 77.8. Study the possibility of ratifying the Convention on the Rights of Persons with Disabilities (Argentina);
- A - 77.9. Conclude and adopt the Children's Code as a matter of priority (Portugal);
- A - 77.10. Ensure that the principle of the best interests of the child is adequately reflected in relevant laws (Austria);
- A - 77.11. Expedite the completion of statutes that provide a guarantee for further human rights promotion and protection, including on land rights, on access to the courts, and on combating human trafficking (Indonesia);¹
- A - 77.12. Consider intensifying its efforts towards the improvement of its legislature, in accordance with its own priorities and national capabilities, while taking into consideration pertinent international human rights obligations (Philippines);
- A - 77.13. Strengthen the state of laws and good governance, especially on the legal enforcement and capacity building for national agencies on human rights (Vietnam);
- A - 77.14. Increase human and financial resources of the Provedoria for Human Rights and Justice to improve the protection of human rights (Spain);
- A - 77.15. Improve its processes for considering the recommendations of the Provedoria for Human Rights and Justice, and respond to them without delay (New Zealand);
- A - 77.16. Consider establishing a national action plan on the rights of the child (Austria);
- A - 77.17. Provide the National Commission for the Rights of the Child with the necessary resources to ensure that it is able to carry out its mandate (South Africa);
- A - 77.18. Implement without delay and with the assistance of international cooperation, a broad strategy which complies with the Convention on the Elimination of All Forms of Discrimination against Women, aimed at modifying or eliminating practices and cultural stereotypes that are harmful and discriminate against women (Uruguay);
- A - 77.19. Ensure full respect for equal rights of women in all areas of life, including by ensuring the equal participation of women in decision making (Slovenia);
- A - 77.20. Ensure effective and adequate protection of women against domestic violence, including by providing legal assistance and shelters (Austria);
- A - 77.21. Ensure the effective implementation of legislation to combat domestic violence (France);
- A - 77.22. Oversee the effective implementation of the law on domestic violence (Italy);
- A - 77.23. Make the Law against Domestic Violence widely known to public officials and society and monitor its effectiveness (Austria);
- A - 77.24. Step up efforts to raise awareness on and pursue full implementation of the Law against Domestic Violence (LADV) 2010 (Malaysia);
- A - 77.25. Increase human and technical resources for the effective implementation of the Law Against Domestic Violence (LADV). (Spain);
- A - 77.26. Persist in its efforts to eradicate corruption, corporal punishment of children, discrimination against women and domestic violence (Holy See);
- A - 77.27. Adopt a specific legislation to explicitly prohibit all forms of corporal punishments (Brazil);

A - 77.28. Increase actions against the growing phenomenon of human trafficking for the purpose of sexual exploitation (Algeria);

A - 77.29. Adopt an minimum age limit for access to the labour market which is in conformity with international standards, in particular with that which is established by the ILO Minimum Age Convention (Spain)

A - 77.30. Move forward as quickly as possible on further development of its judicial system based on the Strategic Plan for the Justice Sector (2011–2030) (Japan);

A - 77.31. Increase and intensify the on-going efforts namely through the Legal Training Center (CFJ) to capacitate and qualify the legal professions, one essential pillar of the Justice system (Portugal);

A - 77.32. Strengthen judicial institutions, inter alia by the provision of adequate staffing as well as material resources (Poland);

A - 77.33. Taking urgent measures to strengthen the judicial institutions by allocating more funds to judicial districts, to expand the use of mobile courts and provide adequate forensic equipment (Hungary);

A - 77.34. Efforts be further accelerated to clear the backlog of pending cases in the Courts and that there should be early conclusion in the study now underway for strengthening the judicial system (Ireland);

A - 77.35. Strengthen the judicial system, in particular through the implementation of a specific legal framework which regulates the responsibility of minors and which is consistent with existing international instruments in this area (Spain);

A - 77.36. Ensure that the principle of “best interest of the child” is well integrated in the draft legislation on juvenile justice and that children in conflict with the law are deprived of their liberty only as a means of the last resort (Norway);

A - 77.37. Make serious efforts to ensure that every individual has access to legal recourse for human rights violations through the formal judicial system, especially residents of districts and rural areas (Republic of Korea);

A - 77.38. Make greater effort to ensure that victims of human rights violations, most often women and children, are allowed to exercise their right to seek redress in the formal judicial system, and to prevent any practices that fall short of international human rights standards (Republic of Korea);

A - 77.39. Take new measures to promote access to justice, in particular for rural communities and women (Algeria);

A - 77.40. Increase its efforts to promote civil registration of the Timorese population, particularly of children (Brazil);

A - 77.41. 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 - 77.42. Intensify programs to combat unemployment and poverty (Algeria);

A - 77.43. Speed up implementation of policies and measures for promotion and protection of the basic social and economic rights, where major challenges would be disease control, illiteracy eradication, poverty reduction and food security (Vietnam);

A - 77.44. Strengthen its efforts to meet the challenge of sustaining and improving the standard of living of the people and employment opportunities in rural areas (Lao People's Democratic Republic);

A - 77.45. Adopt urgent measures to improve access to health services, particularly in remote communities (Costa Rica);

A - 77.46. Consult and involve NGOs as well as civil society in the follow-up to the UPR (Austria).

78. The following recommendations enjoy the support of Timor-Leste which considers that they are already implemented or in the process of implementation:

A - 78.1. Continue to cooperate with the UN and other international organisations to develop its legal and institutional framework with respect to the promotion and protection of Human Rights in Timor-Leste (Lao People's Democratic Republic);

A - 78.2. Continue building and strengthening national democratic mechanisms including the judicial institutions, and put in place all necessary institutional mechanisms for protecting the vulnerable population from all kinds of abuses (Nepal);

A - 78.3. Consider drawing up a comprehensive human rights' national plan of action (Indonesia);

A - 78.4. Increase and consolidate the level of public awareness of the law and of mechanisms that are available to enforce human rights, particularly among women and young girls (Portugal);

A - 78.5. Further increase regional and international cooperation on human rights, particularly with the ASEAN nations and with the Human Rights Council (Vietnam);

A - 78.6. Continue to intensify strategies to eliminate violence against women, ensure that women enjoy a legal capacity identical to that of men, and remedy the gender gap faced by women in employment (Japan);

A - 78.7. Continue efforts to ensure gender equality and participation of women in public institutions, including local institutions, as well as in the private sector (Spain);

A - 78.8. Organize campaigns aiming at promoting gender equality and to reinforce existing mechanisms to combat and to punish perpetrators of violence against women (Brazil);

A - 78.9. Persist in its efforts aimed at the prevention, punishment and eradication of all forms of violence against women as well as its efforts to guarantee equality and ensure equal recognition in the law of civil, political, economic and social rights between men and women (Argentina);

A - 78.10. Fight domestic violence and discrimination against women by improving gender awareness in strategic sectors (Norway);

A - 78.11. Strengthen and intensify actions to combat domestic violence (Portugal);

A - 78.12. Continue with the current efforts against the practice of domestic violence (Mozambique);

A - 78.13. Continue to take a comprehensive approach through its law and justice, civil society and health programs to address the high incidence of domestic violence, particularly in strengthening women's access to the formal justice system (Australia);

A - 78.14. Make more efforts to raise awareness among the public in general, and in particular, by the law enforcement bodies, that domestic violence must be dealt with as a serious public crime (Republic of Korea);

A - 78.15. Effectively implement the Law against Domestic Violence by raising awareness of this law to public officials, to local community leaders and by citizenship education; and additionally discourage cultural practices that violate women's rights, such as forced and early marriage (Germany);

A - 78.16. Take steps to support the implementation of its Law Against Domestic Violence including providing law enforcement officials with training on sexual violence (Canada);

- A - 78.17. Comprehensive training on positive discipline to teachers (Hungary);
- A - 78.18. Seek the cooperation of UN agencies, such as ILO, to combat child labour (Brazil);
- A - 78.19. Continue joint and mutually beneficial efforts to implement the plan for action to implement the recommendations of CTF (Indonesia);
- A - 78.20. Continue to strengthen accountability in the security sector, in particular, regarding use of excessive force and abuse of authority by the police and the military (Republic of Korea);
- A - 78.21. Ensure that the police and the armed forces respect human rights and prevent human rights violations, in particular ill-treatment and excessive use of force, by carrying out trainings and strengthening civilian control of security forces (France);
- A - 78.22. Continue to provide adequate training, particularly in human rights, to the national police and defence force (Australia);
- A - 78.23. Seek technical assistance from the international donor community including relevant UN agencies and funds for building capacity for government officials, particularly law enforcement, legal and judicial personnel (Malaysia);
- A - 78.24. Continue supporting and cooperating with the UNDP in projects aiming at strengthening the institutional capacity of the justice system (Norway);
- A - 78.25. Establish a minimum age for marriage in line with international standards (Italy);
- A - 78.26. Continue strengthening its efforts to combat poverty through introducing comprehensive national strategies in order to allocate more resources to social services for vulnerable groups living in rural areas, and increase its efforts to tackle the discrimination against women in all areas (Myanmar);
- A - 78.27. Continue to fight poverty with active support of the international community and through strengthening the capacity to implement and monitor poverty reduction strategies at the local and community levels (Cambodia);
- A - 78.28. Persevere in the implementation of its commitment to strengthen various existing programs to eradicate poverty and ensure universal access to public services, despite constraints in the areas of health, education, housing, nutrition and other areas related to human rights and to seek the support of the international community to implement projects in these areas (Morocco);
- A - 78.29. Continue its efforts in the development of overall infrastructure in the country and capacity building for its personnel to ensure the provision of the basic needs of its people, particularly for food, energy, education, health care and access to justice (Thailand);
- A - 78.30. Continue efforts to develop policies and programmes to reduce malnutrition throughout the country, in particular by improving school meal programmes (Costa Rica);
- A - 78.31. Continue implementation of effective policies and programmes aimed at improving among others the health, education, standard of living and access to safe drinking water and sanitation of the people (Malaysia);
- A - 78.32. Continue improving the health and education systems (Holy See);
- A - 78.33. Continue implementing the strategies and plans for socioeconomic development of the country to make progress towards achieving the Millennium Development Goals from now to 2015 (Cuba);
- A - 78.34. Continue to implement its healthcare-related campaigns and programmes to improve public health standards and provide access to healthcare services for all, with the support of the international community (Singapore);

A - 78.35. Reinforce initiative to mobilize assistance and external resources to face tuberculosis, malaria and diarrheal infections (Mozambique);

A - 78.36. Continue its efforts to strengthen its education system in accordance with the Basic Law on Education (Singapore);

A - 78.37. Further implement the National Education Strategic Plan 2011-2013 (Indonesia);

A - 78.38. Continue its efforts to offer universal education for all through the development of a greater number of primary school institutions as well as by increasing support to economically disadvantaged and vulnerable children, and providing support to children with disabilities (Costa Rica);

A - 78.39. Take steps to improve equality in education in response to the low enrolment rate of female students in secondary and higher education (Japan);

A - 78.40. Ensure that education programmes pay special attention to the prevention of sexual abuse and harassment and enable women to return to school after pregnancy (United Kingdom of Great Britain and Northern Ireland);

A - 78.41. Continue efforts to promote and protect the human rights of the vulnerable (Indonesia);

A - 78.42. Continue to build partnerships with friendly countries and organizations, and explore all possible avenues of cooperation, either at bilateral, regional or international levels, to improve the country's capacity and to enhance its manpower in order to allow the people of Timor-Leste full enjoyment of their rights (Philippines).

79. The following recommendations will be examined by Timor-Leste which will provide responses in due time, but no later than the 19th session of the Human Rights Council in March 2012:

P - 79.1. Ratify or accede, as appropriate, to the First Optional Protocol to the International Covenant on Civil and Political Rights, the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights as well as the International Convention for the Protection of All Persons from Enforced Disappearance (Uruguay);

P - 79.2. Ratify the Optional Protocol to the Convention on the Rights of Persons with Disabilities and the first Optional Protocol to the International Covenant on Civil and Political Rights (Austria);

P - 79.3. Ratify the Optional Protocol to the Convention against Torture and accede to the International Convention for the Protection of All Persons from Enforced Disappearance (France);

P - 79.4. Ratify the First Optional Protocol to the International Covenant on Civil and Political Rights (Poland);

P - 79.5. Ratify the Optional Protocol to the Convention against Torture (OP CAT), which was signed already in 2005 (Estonia);

P - 79.6. Ratify the OPCAT (United Kingdom of Great Britain and Northern Ireland);

P - 79.7. Sign and ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Spain);

P - 79.8. Study the possibility of ratifying the Optional Protocol to the Convention on the Rights of Persons with Disabilities and the International Convention for the Protection of All Persons from Enforced Disappearance (Argentina);

P - 79.9. Ensure the prompt implementation of the provisions of the Rome Statue in the national law (Hungary);

- P - 79.10. Accelerate efforts aimed at the effective implementation with full enforcement of its relevant plans of action and policies including that of the anti-trafficking legislation (Cambodia);
- P - 79.11. Amend the statute of the National Children's Rights Commission (NCRC) to include legal competencies to undertake institutional interventions against ministries working with children's rights and receive complaints of rights violations (Norway);
- P - 79.12. Submit as soon as possible reports complying with its reporting obligations to the respective treaty bodies (Austria);
- P - 79.13. Expedite the presentation of reports to human rights mechanisms, especially in cases where the initial reports are long overdue (Estonia);
- P - 79.14. Take concrete actions to speed up the reporting process for overdue treaty body reports and include all stakeholders in a transparent process (Norway);
- P - 79.15. Give priority to submitting periodic reports with those treaties for which no report has yet been provided (New Zealand);
- P - 79.16. Issue a standing invitation to the HRC special procedures mandate holders (Brazil);
- P - 79.17. Issue a standing invitation to all special procedures of the Human Rights Council (Austria);
- P - 79.18. Issue a standing invitation to special procedure mandate holders (Slovenia);
- P - 79.19. Consider issuing a standing invitation to all special procedures mandate-holders (Republic of Korea);
- P - 79.20. Review the legislation having discriminatory consequences on women (Italy);
- P - 79.21. Persevere in its efforts to protect human life from conception until natural demise (Holy See);
- P - 79.22. Accord higher priority to the investigation and prosecution of domestic violence cases (New Zealand);
- P - 79.23. Take concrete measures to ensure that justice be rendered to the victims of human rights abuses during the period of the war for independence as well as for their families and survivors (France);
- P - 79.24. Continue with efforts aimed at promoting truth, justice, memory and reparation for the serious human rights violations committed between 1974 and 1999 (Argentina);
- P - 79.25. Address violations in the past and encourage adequate parliamentary procedures on laws drafted to ensure political stability and reduce potential domestic tensions (Norway);
- P - 79.26. Pursue legislation to regulate the Presidential pardons process in order to increase transparency and provide victims and prosecutors an opportunity to input into this process (Canada);
- P - 79.27. Guarantee the effective follow-up to as well as the implementation of the recommendations by the Commission for Reception, Truth and Reconciliation and the Commission of Truth and Friendship (Austria);
- P - 79.28. Adopt the recommendations of the CAVR and the CTF Commissions, including establishing reparations programs for victims of past human rights violations (Canada);
- P - 79.29. Give priority to implementing the CAVR and CTF recommendations regarding victims' rights to justice truth and reparations (New Zealand);
- P - 79.30. Make further progress on follow-up to the work of the CAVR and Commission on Truth and Friendship – particularly with regard to adopting legislation on reparations for the victims of past

abuses and the establishment of a “Memory Institute (United Kingdom of Great Britain and Northern Ireland);

P - 79.31. Ensure that the recommendations of the Commission for Reception, Truth and Reconciliation are implemented and that the necessary support is provided to the victims of past human rights violations (South Africa);

P - 79.32. Further strengthen the judicial institutions through the improvement of the remunerations for public defenders and prosecutors and to take measures to reduce the number of pending cases (Germany);

P - 79.33. Continue to consult UNICEF and the NCRC in the process of finalizing the draft law on juvenile justice to ensure that the law is clear and that the procedures are appropriate and take into consideration the local context and available resources (Norway);

P - 79.34. Safeguard the family institution and marriage as a marital union between a man and a woman based on free consent (Holy See);

P - 79.35. Continue, with urgent international assistance and cooperation without conditionalities, to strengthen its policies in the fields of education and health in order to be able to provide the basic social services required by its people, in conditions that guarantee equal access, with special attention to the most vulnerable sectors of the population (Venezuela);

P - 79.36. Strengthen the Government response to incidents of violence against members of minority religious groups (Canada).

80. The recommendation below did not enjoy the support of Timor-Leste.

R - 80.1. Repeal provisions in its legislation which are discriminatory towards women, including in respect of inheritance, land ownership and legal capacity (Canada)

Notes:

1 The recommendation as read during the interactive dialogue: “Expedite the completion of statutes that provide a guarantee for further human rights promotion and protection (Indonesia)”..

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