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**Human Rights Council**  
**Working Group on the Universal Periodic Review**  
**Twenty-sixth session**  
Geneva, 31 October-11 November 2016

### **Draft report of the Working Group on the Universal Periodic Review\***

#### **Timor-Leste**

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\* The annex to the present report is circulated as received

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## Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1, held its twenty-sixth session from 31<sup>st</sup> October to 11 November 2016. The review of Timor-Leste was held at the 8th meeting on 03 November 2016. The delegation of Timor-Leste was headed by H.E. Mr. Ivo Jorge Valente, Minister of Justice. At its 13th meeting held on 08 November 2016, the Working Group adopted the report on Timor-Leste.
2. On 12 January 2016, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Timor-Leste: China, the Netherlands, and South Africa.
3. In accordance with paragraph 15 of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, the following documents were issued for the review of Timor-Leste:
  - (a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/26/TLS/1);
  - (b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/26/TLS/2);
  - (c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/26/TLS/3).
4. A list of questions prepared in advance by Mexico, Spain and the United Kingdom of Great Britain and Northern Ireland was transmitted to Timor-Leste through the troika. These questions are available on the extranet of the UPR.

## I. Summary of the proceedings of the review process

### A. Presentation by the State under review

5. The head of the Timor-Leste delegation, H.E. Mr. Ivo Valente, Minister of Justice expressed a deep sense of gratitude to the United Nations for its role in promoting human rights in Timor-Leste, and welcomed the universal periodic review as an opportunity to engage in open and constructive dialogue and to reaffirm the commitment of Timor-Leste to respect, protect and promote human rights.
6. Following a tumultuous history marked by the destruction and absolute decapitalization of the country's technical, human, and financial resources, Timor-Leste noted that in just over a decade, it had transformed into an ideal of democracy, characterized by free and fair elections, a multi-party, decentralized power, and participatory policies promoting equal rights, greater representation of women in decision-making processes, and freedom of expression, information and assembly.
7. Despite the withdrawal of UNMIT in 2012, Timorese authorities have continued to benefit from cooperation with United Nations bodies, particularly since the first periodic review, during which time Timor-Leste has adopted numerous structural laws, including the Civil Code, the law on pardon, the law on strike, the labour law, and a mass media law, created new bodies such as the Scientific Police for Criminal Investigation and Chamber of Auditors, and enhanced efforts to combat corruption through the work of the Anti-Corruption Commission and the newly established Financial Intelligence Unit.

8. The head of the delegation also shared news of the National Parliament's recent approval of a law to combat and prevent human trafficking and a law to combat drug trafficking, the former of which sets 18 years as the age of majority, a threshold that applies to Criminal Code provisions on exploitation, forced marriage, begging, and involvement in armed conflict or civil insurrections.

9. Timor-Leste recognized several challenges to achieving an independent, fair, and transparent justice system, accessible to all citizens, which were highlighted by the mass departure of judges in 2014. The head of the delegation explained that the newly created Commission for the Legislative Reform and Justice Sector, renewed dialogue with partners, and adoption of a Strategic Plan of the Justice Sector had helped address deficiencies and promote access to justice for citizens, including those living in remote areas. Timor-Leste also stressed the importance of cooperative agreements with Community of Portuguese Languages Countries (CPLP) countries, and a recently-approved initiative to hire foreign magistrates and technical staff to support the courts and the offices of the Attorney General, Public Prosecutor, Public Defender, and Chamber of Auditors.

10. To promote a new national narrative of reconciliation, development, and economic recovery, and to ensure that its history of conflict is not repeated, Timor-Leste described initiatives to preserve collective memory and honour victims of past violence through the creation of a Memorial Institution in accordance with recommendations from the CAVR and CTF. Timor-Leste also described efforts to reunite missing persons with their families through family reunification programmes established by the Ombudsman for Human Rights and Justice and the Indonesian Human Rights Commission.

11. Timor-Leste confirmed that the promotion and protection of rights of women remains a priority, particularly in the areas of education, economics, and political participation, and noted that in addition to having one of the highest global rates of women serving in Parliament, initiatives such as the "100% Hau Prontu" have resulted in a considerable increase of women's participation in local elections.

12. Timor-Leste also noted efforts to adopt a comprehensive legal framework to provide greater legal and social protection for children, and referred to the Draft Law on Punitive-Educational Measures for Minors currently under final review, as well as the Law on Education, the National Strategic Plan for Education and the Annual Action Plan of the Ministry of Education that promote non-discriminatory, inclusive, and universal access to education that is compulsory and free to all children, without exception.

13. Timor-Leste referred to its Strategic Development Plan (SDP 2011-2030), which sets goals for national development, including plans to transition to a middle to high-income country by 2030 through the construction of essential infrastructure, economic diversification, and increased investments. Nevertheless, Timor-Leste acknowledged that it must continue efforts to realize the economic, social, and cultural rights of its citizens through specific initiatives to improve health and living conditions, to increase access to food, water, sanitation, and electricity, and to reduce infant mortality.

14. Timor-Leste highlighted its contributions to foreign relations and international cooperation, and specifically mentioned its role as a donor to Guinea Bissau and Sao Tome and Principe, its assumption of the rotating presidency of the CPLP from 2014-2016, its early accession to the Sustainable Development Goals, and its leading role in the G7+ and its efforts to secure the inclusion of Target 16 in Agenda 2030 and subsequent implementation.

15. Timor-Leste reaffirmed its commitment to guarantee full freedoms of expression, information, assembly, and association, and freedom of the press, as demonstrated by state-sponsored training for journalists, funding for media outlets and institutional and legislative initiatives, including the recently established news agency and the 2014 Media Law, which

defends freedom of the press, ensures access to information, and establishes a Press Council to regulate the media.

16. Timor-Leste acknowledged critiques of the joint operation between security forces (PNTL) and defence forces (F-FDTL) but assured that this initiative was created in compliance with the Constitution and domestic law, that security forces receive formal training on human rights, and that such operation is a necessary response to threats to national security by illegal armed groups, including the recent attacks on the Banguia police.

17. The head of the delegation expressed regret to learn that Timor-Leste had failed to provide timely responses to requests by the Human Rights Council, treaty bodies and special procedures mandate holders made during the period under review, including those made by the Committee on Elimination of Discrimination against Women, and the special rapporteurs on the independence of judges and lawyers, the promotion and protection of the right to freedom of opinion and expression, and the rights to freedom of peaceful assembly. Timor-Leste confirmed that it was working to improve communication channels, and reiterated its commitment to the United Nations system and human rights instruments.

18. Timor-Leste also reaffirmed its commitment to the ratification of international instruments, to which it has not yet acceded; however, it explained that such ratifications must occur gradually so that the necessary conditions for implementation are in place prior to ratification. Timor-Leste suggested that even though it had not formally ratified the Convention on the Rights of Persons with Disabilities, it had nevertheless laid the groundwork for implementing obligations under the Convention through the adoption of a National Policy for the Inclusion and Promotion of the Rights of Persons with Disabilities and drafting of the National Strategy for Mental Health. Similarly, Timor-Leste noted that it had incorporated a minimum employment age and prohibitions on forced labour into its national legal framework despite not formally ratifying the International Labour Organization (ILO) conventions that embody these obligations.

19. Timor-Leste expressed appreciation to those delegations that submitted questions prior to the Working Group session; in response to outstanding issues raised by Mexico, Timor-Leste confirmed efforts to promote the rights of women, gender-equality, and to combat gender-based violence, not only through national legislation, but also through an integrated multi-sector approach. The head of the delegation recalled that the Draft Law on Punitive-Educational Measures for Minors was in the final stage of review and recently discussed by the Council of Ministers, and noted actions to combat violence against children, including the “zero tolerance” policy for corporal punishment in schools.

20. In response to questions submitted by the United Kingdom of Great Britain and Northern Ireland, Timor-Leste confirmed its intent to ratify the Optional Protocol to the Convention against Torture, highlighted efforts to disseminate information on human rights legislation, including law against domestic violence, and confirmed the existence of accountability mechanisms to respond to instances of non-compliance with human rights obligations by security forces. In response to questions submitted by Spain, Timor-Leste confirmed initiatives to ensure universal and free access to basic education for all children, and inclusive education policies for girls and persons with disabilities and special needs.

21. Timor-Leste reaffirmed its unequivocal commitment to human rights, its readiness to openly and positively receive all constructive comments and recommendations from the delegations present, and expressed certainty that the outcome of the review will have an extremely positive impact by strengthening efforts of Timor-Leste to promote human rights.

## **B. Interactive dialogue and responses by the State under review**

22. During the interactive dialogue, 59 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

23. Singapore noted that the Government had established mechanisms to strengthen gender mainstreaming and welcomed the efforts to increase employment in the country. Singapore remained committed to supporting Timor-Leste through the Singapore Cooperation Programme to help the country achieve its development goals and develop its human capacity.

24. Slovenia acknowledged the efforts of the Government to ensure gender equality, address domestic violence and access to quality education. Slovenia regretted that Timor-Leste had not issued a standing invitation to the special procedures. It expressed concern about high school dropout rate among girls between primary and secondary levels.

25. Spain congratulated the Government for the nutrition programme established in partnership with UNICEF and the WFP, and welcomed the new “telenovela” project aimed at raising awareness against domestic violence.

26. Switzerland welcomed the cooperation between the Government and civil society in preparing the national report. It noted the steps taken to reform the judiciary, but remained concerned about the lack of efforts to bring to justice those responsible for crimes committed in the past and to fight impunity.

27. Thailand commended Timor-Leste on the efforts in protecting the rights of the child by adopting a minimum age for employment and improving child nutrition, including through the cooperation with the Thai Royal Initiated Projects. Thailand stood ready to provide closer technical cooperation for human rights promotion and sustainable development.

28. Turkey encouraged the Government to increase the effectiveness of the protection mechanism prescribed by the Code on Domestic Violence. Turkey appreciated that the Government had established a birth registration system for new-born babies in all municipalities and had prepared an agreement with hospitals to register young children.

29. Uganda noted that the second review of Timor-Leste was prepared with the support of the UN Human Advisory Unit and praised the Government for preparing its initial and periodic reports to CEDAW, CRC, ICRMW and CAT. Uganda also welcomed the visits of various Special Procedures.

30. Ukraine commended the commitment of Timor-Leste to implement UPR recommendations, in particular regarding the strengthening of the judiciary through capacity-building and meritocracy and the good functioning of the Ombudsman.

31. The United Kingdom of Great Britain and Northern Ireland called on Timor-Leste to ensure that those who were indicted for international crimes under the UN-backed Special Panels of the Dili District Court face justice. It also believed that gender-based violence and gender equality needed to be addressed as priorities.

32. The United States of America was encouraged by the steps taken to prosecute those in the security forces who used excessive force or inappropriately treated detainees, though it considered that impunity remained. It was concerned about the prevalence of gender-based violence and threats to freedom of the press.

33. Uruguay encouraged Timor-Leste to increase efforts to submit its backlog reports to treaty bodies and implement their recommendations. Uruguay expressed concern about the absence of legislation preventing discrimination on grounds of sexual orientation and gender identity, which affected LGBT persons.

34. The Bolivarian Republic of Venezuela acknowledged Timor-Leste's efforts to advance economic, social and cultural rights and praised initiatives to provide adequate housing for vulnerable people and their families as well as initiatives to enforce the Law against Domestic Violence such as the establishment of a network of protection for victims.
35. The Philippines appreciated efforts to address gender inequality and domestic violence, including the enactment of several domestic laws and public awareness campaigns. It also encouraged Timor-Leste to remain committed to confronting the patriarchal system as a factor in preventing women from obtaining opportunities, causing them to face discrimination and be victims of domestic violence in their homes.
36. Afghanistan valued the efforts of the Government to institutionalize human rights through the legal framework, and believed that this was the best way to achieve human rights related goals.
37. Algeria welcomed the adoption of a law against violence and ill treatment, as well as the promotion of gender equality. It also acknowledged the establishment of mobile courts and initiatives to protect children and fight child labour.
38. Angola welcomed the commitment of Timor-Leste to promoting and protecting human rights, as well as its cooperation with the international human rights mechanisms. It praised the implementation of the social inclusion programme for persons with disabilities and the establishment of a disability pension for all citizens.
39. Argentina noted the development of various human rights plans, and hoped that Timor-Leste could advance in their implementation. It took note of the measures taken and the pending challenges regarding impunity, and appreciated that the work began with civil society to combat discrimination on the basis of sexual orientation.
40. Armenia welcomed the steps taken to protect persons with disabilities and the efforts regarding education. It was concerned by the low number of children enrolled in primary and secondary schools encouraging the Government to step up efforts to ensure access to education for marginalized groups of children.
41. Australia welcomed the efforts to address gender-based violence and to realise economic and social rights, but remained concerned that 42 percent of the population lived below the poverty line. It welcomed the National Plan for People with Disabilities but remained concerned that it had not been executed.
42. Brazil praised the continued efforts undertaken to improve the health system. It expressed concern about the persistent discrimination on the basis of sex, sexual orientation and gender identity. It invited Timor-Leste to take measures aimed at holding to account individuals responsible for acts violence against LGBTI persons.
43. Brunei Darussalam noted the National Policy for the inclusion and promotion of the rights of Persons with Disabilities, and welcomed the establishment of the National Action Plan 2014 – 2018. It also noted the improved health-care system over the past decade.
44. Bulgaria appreciated the establishment of the National Directive Commission with the main objective of designing and drafting the National Human Rights Action Plan and the National Action Plan on Children. It expressed concern about manifestations of violence and discrimination against women, which affect their social, economic, cultural and political rights.
45. Cabo Verde noted the efforts made to meet the commitments made during its first UPR cycle. In this regard, Cabo Verde highlighted the Law on Combating Domestic Violence and the establishment of the Office of the Ombudsman.

46. Canada expressed concern about the high rate of domestic violence in Timor-Leste and the problems that victims of rape and sexual abuse continue facing in seeking access to justice. It was concerned about the lack of an anti-discrimination legislation prohibiting discrimination on the basis of sexual orientation, gender identity and intersex.
47. Chile noted the initiatives undertaken aimed at strengthening the institutional capacity to deal with human rights international obligations, including the elaboration of a Strategic Plan for Justice and the adoption of the Dili Declaration aimed at ensuring equal opportunities for women and children.
48. China appreciated Timor-Leste's commitment to the promotion of economic and social development and to protecting housing, food, health, education, employment for its people. It highlighted the progress made to eliminate domestic violence and discrimination against women. It also welcomed the enactment of the 2014 - 2018 National Action Plan on Disability.
49. Costa Rica noted the holding of the 2012 presidential elections expressing the appreciation that one third of the elected representatives in the Parliament are women.
50. Cuba highlighted Timor-Leste's achievements in the areas of education and health. It also underlined the enactment of the Law on Combating Domestic Violence and the National Action Plan Against Gender-based Violence. It further highlighted the creation of a National Commission for Combating Child Labour.
51. Timor-Leste stated that it had a holistic plan for ensuring gender equality, based on Security Council resolution 1325 and its own Strategic Development Plan for 2011-2030. A comprehensive action plan had been adopted for the protection of women's rights and the prevention of discrimination against them in line with the Dili Declaration on women, peace and security, the Convention on the Elimination of All Forms of Discrimination against Women, and the recommendations of the Working Group on the Universal Periodic Review. In addition to promoting gender equality, the aim of the plan was to empower both women and girls in building a modern, economically developed society. In addition to the Law Against Domestic Violence, there was a National Action Plan on Gender-based Violence. The Government recognised the importance of raising awareness of gender-based violence among community leaders and law enforcement officials, and a training course on the prevention of domestic violence had been held for police officers, community focal points and village chiefs.
52. Concerning early pregnancy and school dropouts, the impact of pregnancy on educational opportunities for girls and their right to education was well recognised. At present, seven per cent of girls aged 15-19 became pregnant or already had a child. In those circumstances, provision made for girls to sit their school examinations at Ministry of Education premises in Dili, so avoiding both exam failure and social constraints. Afterwards, the girls could re-join the ordinary education system through adult classes.
53. Since 2010 police officers and members of the military and security services had been held accountable for human rights violations and given human rights training. The Office of the Ombudsman had organised a human rights course, in conjunction with the United Nations. The Ministry of Justice had a National Action Plan in preparation, subject to public consultation, for the monitoring of human rights by public bodies, churches and civil society.
54. Denmark welcomed Timor-Leste's commitment during its first UPR to ratify OP-CAT expressing the hope that the Government will take the necessary steps towards its ratification. Denmark requested Timor-Leste to elaborate on the status and prospects for final ratification of the instrument.
55. France welcomed the delegation of Timor-Leste and made recommendations.



56. Germany welcomed the progress made with regard to the rights of persons with disabilities. It regretted that Timor-Leste had not yet ratified the CRPD. Germany was concerned that violence against women remained widespread, and that domestic laws still did not fully align with the CEDAW.
57. Guatemala noted the progress made in the promotion and protection of human rights. It also noted that the Office of the Ombudsman was not provided with sufficient financial and human resources, which affect the fulfilment of its mandate.
58. Haiti took note of the progress made between in terms of access to justice, access to basic health services, and access to the formal job market.
59. Indonesia stated its full commitment to forward-looking bilateral relations with Timor-Leste. It commended Timor-Leste's endeavour to further implement the two states' Commission of Truth and Friendship recommendations. Indonesia also welcomed the achievement in maintaining the A status of its national human rights institution, as well as the new draft law on human trafficking.
60. Iraq praised efforts towards the promotion and protection of human rights nationwide and the adoption of the Dali Declaration, which calls for the empowerment of women and gender equality. Iraq also praised the inclusion of constitutional provisions aimed at protecting children from discrimination.
61. Italy welcomed the Dili Declaration, as well as the Timor-Leste's commitment to implementing a gender action plan for all the municipalities. Italy took note of Timor-Leste's Strategic Development Plan 2011 – 2030 aimed at providing information about the negative impact on local communities of early marriage.
62. Japan commended Timor-Leste for its emphasis on human rights in its national policies and on the many human rights provisions included in the constitution. While appreciating the adoption of the Law on Combating Domestic Violence, Japan continued to be concerned at the prevalence of violence against women and girls, and at the high rate of school dropout among girls in Timor-Leste.
63. The Lao People's Democratic Republic welcomed the efforts undertaken to combat domestic violence, gender disparity and to address human trafficking by strengthening its judicial system with a view to protecting the rights of vulnerable groups, including women and children. It encouraged Timor-Leste to ratify the CRPD.
64. Libya welcomed the efforts made in the implementation of many recommendations accepted during the first UPR cycle relevant to the promotion of respect for human rights and the rule of law.
65. Madagascar welcomed the efforts made to respect international human rights instruments and the adoption of the Labour Code which guarantees equality of opportunities and equality of treatment in employment. It also welcomed the progress made in the fields of socio-economic and cultural rights.
66. Malaysia noted efforts to strengthen the judicial system, to overcome discrimination and violence against women, and to reduce unemployment. It also noted positive results from the implementation of mobile courts.
67. The Maldives welcomed the implementation of recommendations from the previous UPR cycle, in particular those related to birth registration, which led to better child protection and social services. It stated that strengthening the Ombudsman for Human Rights and Justice was essential to ensure the rule of law.

68. Mexico welcomed putting in place the national vaccination programme for children aged between 0 and 9 years old, and the establishment of mobile courts to facilitate access to justice for all sectors of the population.

69. Mongolia welcomed efforts to strengthen the institutional capacity and financial independence of the Ombudsman for Human Rights and Justice. It also welcomed the steps taken to promote gender equality, to combat domestic violence, and to protect the rights of children, youth and persons with disabilities.

70. Montenegro welcomed efforts to develop a national human rights action plan, and to include specific provisions in the Constitution and other laws for the protection of children from discrimination, while expressing concern that certain groups of children are still being discriminated against regarding access to education and other services.

71. Mozambique noted efforts to curb domestic and gender-based violence. It also welcomed the Dili Declaration on “Invest in women and children – invest in Equality”. It appealed the international community to provide technical assistance and capacity building support to Timor-Leste.

72. Myanmar welcomed the National Action Plan for persons with disabilities, and the launch of disability allowance to create favourable conditions for persons with disabilities. It also welcomed the establishment of the Commission on the Rights of the Child.

73. Namibia welcomed the establishment of the National Directive Commission, tasked to design a national human rights action plan. It requested Timor-Leste to share the progress made in implementing the national action plans on gender-based violence and on zero hunger.

74. Nepal welcomed Timor-Leste’s submission of reports to the treaty bodies, the national action plan for persons with disabilities, and the plans to develop a national human rights action plan and an action plan on children’s rights. It also praised efforts to combat discrimination and violence against women and to promote gender equality.

75. The Netherlands regretted reports of excessive use of force, ill-treatment and arbitrary arrest by police and military, and that information on the investigations into the allegations and their outcomes is insufficiently available. It also expressed concern about the high maternal mortality rate while welcoming the draft 2016 -2019 Emergency Obstetric and Newborn Care Plan of Action.

76. New Zealand noted that access to education for all had nearly been achieved. It also recognized the unacceptably high rate of violence against women and children. It welcomed the National Policy for the inclusion and protection of the rights of persons with disabilities.

77. Norway recognized efforts to secure increased political participation of women in Parliament and in local and regional ballots. It noted that women continued to suffer disproportionately from domestic violence.

78. Pakistan welcomed the establishment of the National Directive Commission to develop a national action plan for children. It also welcomed the development of various national action plans and legislations such as the Law against Domestic Violence.

79. Panama welcomed the Inter-agency working group on trafficking, and the bill on prevention, suppression and punishment of trafficking in persons, which specifically deals with child victims and witnesses.

80. Viet Nam welcomed the establishment of new relevant laws, policies and institutions, especially those focusing on vulnerable groups. Viet Nam encouraged further regional and international integration of Timor-Leste in this regard.

81. Portugal welcomed the progress made in the ratification of international human rights instruments and the visits of the special rapporteurs to the country.
82. The Republic of Korea welcomed the establishment of various human rights mechanisms since its independence. It also highlighted its provision of official development assistance to Timor-Leste in the areas of health and education. It also expressed its readiness to contribute to further improvement of basic infrastructure.
83. Senegal welcomed the measures taken to promote the rights of persons with disabilities, and to combat impunity with an emphasis on victims.
84. Sudan acknowledged the efforts of the Government to promote and protect the human rights of its citizens. It also welcomed the ratification of the ILO core conventions and ensuring access to education for all.
85. Timor-Leste welcomed the awareness of the progress made by Timor-Leste in the observance of human rights, and the challenges it faced. Concerning gender identity, Timor-Leste had supported the first Human Rights Council resolution on LGBTI rights, and was tackling the related problems in access to services and job placement. The Ministry of Justice was seeking additional funding for the Ombudsman for Human Rights and Justice to enable it to fulfil its mandate in accordance with the law and the Constitution. At present, it received USD1.4 million a year from the State budget. Concerning the protection of children's rights, a number of draft legal instruments were awaiting parliamentary approval, including an Act on juvenile justice and another on specific educational provision for juvenile offenders in custody and young people at risk, as well as provision for the social protection of abandoned children and vulnerable orphans. A national action plan on children's rights had been adopted. Priority Education Programme No. 6 focused on social inclusion and equal access for girls to education and skill training, which was essential in a country where half the population were under the age of 19.
86. Timor-Leste highlighted that the Government's approach to health-care was to bring health services close to the people, through a network of primary health-care centres at municipal level and in all villages, backed up by mobile clinics. The centres provided treatment, immunizations and nutritional support. They also improved women's access to antenatal care and encouraged them to give birth in regular health facilities. On the question of incest, which was not yet criminalized as such, the Criminal Code formally prohibited sexual abuse of minors and rape, the latter being punishable by imprisonment for five to 20 years. Perpetration of those offences by a family member was considered an aggravating factor. Information campaigns were conducted to sensitize the public to those dangers.
87. Timor-Leste emphasized that great strides had been made in the registration of births since 2011. A Code on Birth Registration defined the legal arrangements for registration and authorized village chiefs and parishes to notify birth registration offices of births in their districts.
88. Timor-Leste concluded that it remained willing to cooperate with the Human Rights Council and to receive reports on its compliance with human rights instruments.

## II. Conclusions and/or recommendations\*\*

89. The following recommendations will be examined by Timor-Leste which will provide responses in due time, but no later than the thirty-fourth session of the Human Rights Council in March 2017:

89.1. Continue the ratification process of the main international human rights instruments (Italy);

89.2. Proceed with the early ratification of the remaining important international human rights treaties, in particular the Convention on the Rights of Persons with Disabilities and the International Convention for the Protection of All Persons from Enforced Disappearance (Japan);

89.3. Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Portugal); Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and accept its procedures on investigation and communications between States (Uruguay);

89.4. Ratify the First Optional Protocol to the International Covenant on Civil and Political Rights (Portugal);

89.5. Implement the recommendations made in 2015 by the UN Committee on the Elimination of Discrimination against Women (Switzerland);

89.6. Ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment (Senegal);

89.7. Ratify the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment (Cabo Verde; Costa Rica; Denmark; Guatemala; Montenegro; Portugal; Ukraine);

89.8. Consider ratifying the Convention for the Protection of All Persons from Enforced Disappearance, the Convention on the Rights of Persons with Disabilities, which will help to enhance the enjoyment of human rights and fundamental freedoms in all aspects of life (Panama);

89.9. Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Angola; Cabo Verde; Costa Rica; Iraq; Uruguay);

89.10. Strengthen its legal framework by acceding to the International Convention for the Protection of All Persons from Enforced Disappearance, to the Convention on the Rights of Persons with Disabilities and by ensuring that the national legislation is in accordance with the provisions of the Rome Statute of the International Criminal Court (France);

89.11. Consider ratifying the Convention on the Rights of Persons with Disabilities (Bulgaria; Pakistan);

89.12. Consider ratifying the Convention on the Rights of Persons with Disabilities and continue its efforts to implement the National Action Plan on persons with disabilities 2014 -2018 (Sudan);

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\*\* The conclusions and recommendations have not been edited

- 89.13. Sign and ratify the Convention on the Rights of Persons with Disabilities (Turkey);
- 89.14. Ratify the Convention on the Rights of Persons with Disabilities (Algeria; Angola; Costa Rica; Guatemala; Madagascar; Mongolia; Ukraine; Uruguay);
- 89.15. Ratify the Convention on the Rights of Persons with Disabilities, as previously recommended (Slovenia); Ratify the Convention on the Rights of Persons with Disabilities as soon as possible (Spain); Ratify the Convention on the Rights of Persons with Disabilities without further delay (Germany); Ratify the Convention on the Rights of Persons with Disabilities in due course to strengthen its implementation framework in line with the Convention (Thailand);
- 89.16. Ratify the Convention on the Rights of Persons with Disabilities, pursuant to the Human Rights Council recommendations (Iraq);
- 89.17. Implement its commitment under the first UPR to ratify the UN Convention on the Rights of Persons with Disabilities, ensuring the rights and voices of people with a disability lead this process (Australia);
- 89.18. Ratify immediately the Convention on the Rights of Persons with Disabilities, and establish the planned National Council on Disability after, rather than prior to, ratification to ensure a speedy ratification process (Canada);
- 89.19. Ratify the Convention on the Rights of Persons with Disabilities and its optional protocol (Mexico);
- 89.20. Finalize its ratification of the Convention on the Rights of Persons with Disabilities, and actively address the needs of persons with disabilities especially in remote areas of the country (New Zealand);
- 89.21. Take further steps to consider adhering to the Convention on the Rights of Persons with Disabilities (Viet Nam);
- 89.22. Expedite the process for ratifying the Convention on the Rights of Persons with Disabilities in line with Timor-Leste's National Action Plan for Persons with Disabilities 2014-2018 (Indonesia);
- 89.23. Accede to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness (Australia);
- 89.24. Ratify the Convention on the Prevention and Punishment of the Crime of Genocide (Armenia);
- 89.25. Ratify the Kampala amendments to the Rome Statute (Switzerland);
- 89.26. Ratify, without reservations, the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity (Uruguay);
- 89.27. Bring its national legislation into line with the Rome Statute, including by incorporating provisions to promptly and fully cooperate with the International Criminal Court (Guatemala);
- 89.28. Ratify the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity (Armenia);
- 89.29. Consider ratifying ILO Convention 189 (Philippines);

- 89.30. Ensure that all legal documents, including legislation and its draft, are available in both Tetum and Portuguese (Ukraine);
- 89.31. Strengthen the rule of law by conforming the national legislation to the Rome Statute of the International Criminal Court and by strengthening the accountability mechanisms as well as ensuring that legislation, bills and other legal documents are accessible to the population (Uruguay);
- 89.32. Revise the Penal Code and the legislative framework in accordance with the Rome Statute of the International Criminal Court and other international obligations of Timor-Leste (Switzerland);
- 89.33. Prioritise the approval of the draft law on reparations (United Kingdom of Great Britain and Northern Ireland);
- 89.34. Continue in reviewing the legislation having discriminatory consequences on women (Italy);
- 89.35. Complete the Children's Code with the inclusion of specific provisions for the protection of children from discrimination, abuse, exploitation, neglect and violence (Portugal);
- 89.36. Enact comprehensive anti-trafficking legislation to ensure that everyone, including those under 18, is protected in accordance with the Protocol to Prevent, Suppress and Punish Human Trafficking (Canada);
- 89.37. Implement the Media Law in line with all obligations under international human rights law (Norway);
- 89.38. Consider reviewing the provisions in its penal code which contain punitive measures against women who have undergone illegal abortions (Norway);
- 89.39. Continue working for the neediest sectors of the population, by strengthening social policies (Venezuela (Bolivarian Republic of));
- 89.40. Strengthen training for the police on human rights norms and standards, including the procedures to be used during security operations (Chile);
- 89.41. Continue efforts to increase trainings for members of the police and defence forces on human rights (Libya);
- 89.42. Intensify existing efforts and take additional administrative and legislative measures necessary to ensure birth registration of all children born in Timor-Leste, particularly those born in homes (Mexico);
- 89.43. Continue to adopt measures to increase the rate of issuance of birth certificates, especially in rural areas, while introducing specific measures to register migrant children at birth (Turkey);
- 89.44. Continue implementing the Dili Declaration, titled "Invest in women and children – invest in Equality", endorsed by the National Parliament, the Government, the Church and civil society (Cuba);
- 89.45. Continue to protect vulnerable groups particularly children and women (Senegal);
- 89.46. Provide adequate funding and human resources to its national human rights institution to enable it to fully implement its mandate (Philippines);

- 89.47. **Strengthen and adequately fund the Ombudsman in conformity with the Paris Principles (Costa Rica);**
- 89.48. **Provide the Ombudsman for Human Rights and Justice with sufficient financial independence in order to guarantee its conformity with the Paris Principles relating to the Status of National Institutions (Guatemala);**
- 89.49. **Give continuity to strengthening of national human rights institutions and mechanisms (Nepal);**
- 89.50. **Consider adopting an integrated national human rights action plan as a general guidance and point of reference for various thematic national action plans (Indonesia);**
- 89.51. **Develop a national human rights action plan, and further promote the development of human rights in the country (China);**
- 89.52. **Effectively implement the National Action Plan on Human Rights to promote and protect the most vulnerable groups including women, children and persons with disabilities (Republic of Korea);**
- 89.53. **Finalize the elaboration of the National Action Plans on Children and Human Rights (Cuba);**
- 89.54. **Allocate sufficient resources and adopt effective measures to further establish and implement national strategies on human rights, including National Action Plan on Human Rights, Action Plan on Children's Rights, National Action Plan on Gender-based Violence, and National Action Plan on Zero Hunger (Viet Nam);**
- 89.55. **Implement the National Action Plan on gender based violence and the national action plan for zero hunger (Sudan);**
- 89.56. **Adopt a national plan of action for children's rights and provide the National Commission for the Rights of the Child with necessary resources (Turkey);**
- 89.57. **Finalize and implement the Child and Family Welfare System Policy (Turkey);**
- 89.58. **Adopt a national plan of action for the rights of children (Algeria);**
- 89.59. **Establish a national action plan with the view of implementation, with the special mandate of keeping girls in schools, particularly in rural areas, providing for their specific needs and helping them in secondary education (Haiti);**
- 89.60. **Continue consultations aimed at establishing a National Disability Council and develop a clear and integrated strategy on rehabilitation needs (Chile);**
- 89.61. **Finalize the creation and facilitating the functioning of a National Council for Persons with Disabilities (Maldives);**
- 89.62. **Continue utmost efforts to implement effectively the National Action Plan for persons with disabilities (Myanmar);**
- 89.63. **Continue her efforts in implementing the accepted recommendations in the 1<sup>st</sup> review (Uganda);**
- 89.64. **Submit all overdue reports to treaty bodies as soon as possible (Ukraine);**

- 89.65. **Submit reports to the international human rights treaty bodies (Iraq);**
- 89.66. **Submit outstanding reports to the respective treaty bodies (Portugal);**
- 89.67. **Exert further efforts to submit the periodic reports to the treaties bodies (Sudan);**
- 89.68. **Issue a standing invitation to special procedure mandate holders (Bulgaria); Extend a standing invitation to the Special Procedures of the Human Rights Council (Turkey); Issue a standing invitation to all United Nations Special Procedure mandate holders (Guatemala; Portugal); Extend a standing invitation to all Special Procedures mandate holders (Montenegro; Republic of Korea);**
- 89.69. **In line with the recommendation by the Committee on the Elimination of Discrimination against Women, consider introducing legislation, which includes a definition of discrimination against women in accordance with article 1 of the Convention on the Elimination of All Forms of Discrimination against Women (Namibia);**
- 89.70. **Continue to implement policies and programmes to promote gender equality and to provide more opportunities for women to improve their social, economic and political standing in society (Singapore);**
- 89.71. **Adopt specific gender equality legislation in line with the provisions of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), including by defining discrimination against women in accordance with Article 1 of CEDAW (Slovenia);**
- 89.72. **Take measures to eliminate discrimination against women, especially on the issues of violence, land rights, right to work, right to education, and other forms of gender inequality (Spain);**
- 89.73. **Intensify efforts in recognizing and highlighting the contribution of women to national economic, social and political development, uplifting women from poverty, and providing victims with adequate protection and resource to justice in cases of violence against women (Malaysia);**
- 89.74. **Continue implementing policies to protect the rights of women and girls, including legal actions against violence and discrimination (Pakistan);**
- 89.75. **Bring the Civil Code into full conformity with its international obligations and commitments, including the Convention on the Elimination of All Forms of Discrimination Against Women, to ensure that civil partnerships and de facto non-traditional or non-Catholic marriages are recognized by the Civil Code and that women have equal rights as men in matters of inheritance and land ownership (Canada);**
- 89.76. **Strengthen the legal framework in order to ensure gender equality and to ban discrimination on the grounds of sexual orientation and gender identity (Chile);**
- 89.77. **Develop and adopt legal and administrative measures to investigate and punish acts of discrimination, stigmatization and violence against LGBTI persons (Argentina);**
- 89.78. **Implement actions to improve the relationship between the security forces, judicial bodies and civil society, specifically with regard to arbitrary detention, excessive use of force during arrests, judicial due process, abuse of**



power and torture, and allocate the necessary resources to ensure that the aforementioned abuses do not remain unpunished (Spain);

89.79. Recognize the legitimacy of the work of human rights defenders and provide them with protection, as well as avoid arbitrary arrests and reprisals, investigate threats or attacks against them and bring those responsible to justice (Uruguay);

89.80. Adopt measures to prevent arbitrary detention and to avoid excessive use of force by security forces (Costa Rica);

89.81. Finalize the adoption of a national plan of action on gender-based violence (Turkey);

89.82. Finalise the National Action Plan on Gender Based Violence and allocate sufficient resources to it to ensure its implementation (United Kingdom of Great Britain and Northern Ireland);

89.83. Continue with the development of programmes for the reintegration of victims of gender violence, the provision of psychosocial support, and public awareness (Venezuela (Bolivarian Republic of));

89.84. Designate a central high level agency responsible for implementing the National Action Plan on Gender Based Violence and ensure adequate budget is allocated to seriously tackle widespread and intergenerational rates of child abuse and violence against women (Australia);

89.85. Implement the National Action Plan against sexual and gender-based violence, including by improving access to justice for victims, providing targeted training and capacity-building to law enforcement and judicial officials, and dedicating sufficient resources to enable key ministries to implement the Action Plan and increase coordination (Canada);

89.86. Continue efforts to counter violence against women and to promote equality between women and men, including by conducting awareness-raising programmes for the public opinion on the subject (France);

89.87. Accelerate the implementation of a national action plan on gender-based violence as well as action plans in favour of women and persons with disabilities (Madagascar);

89.88. Ensure implementation of the second phase of the National Action Plan on Gender Based Violence and continue efforts to improve access to justice and shelter for victims of abuse (Norway);

89.89. Work with civil society and local authorities to address domestic and sexual violence and provide the national police's Vulnerable Persons Unit with sufficient resources to maintain an adequate presence around the country (United States of America);

89.90. Strengthen the implementation of policies fighting domestic violence (Angola);

89.91. Continue to strengthen its measures to counter human rights violations against women and girls, in particular domestic violence, and at the same time enhance its measures to promote the social participation of women and girls (Japan);

89.92. Make urgent strides towards decreasing domestic violence by ensuring that laws, policies and practices in relation to domestic violence are in

line with Timor-Leste's obligations under the Convention on the Elimination of Discrimination against Women, and ensure law enforcement officials receive training to implement these laws (New Zealand);

89.93. Effectively implement laws concerning sexual and gender-based violence by providing the human, financial and institutional resources necessary and assure conformity of domestic laws, policies and practices with Convention on the Elimination of All Forms of Discrimination against Women (Germany);

89.94. Strengthen the measures for the protection of the rights of the child, also in order to prevent the practice of early marriage (Italy);

89.95. Finalize the adoption of a National plan of action on gender-based violence and human trafficking (Bulgaria);

89.96. Ensure access to justice for all the population, especially for victims of sexual and gender violence (Uruguay);

89.97. Ensure the implementation of already ratified international conventions in the spheres of women's and children's rights, including those related to combating violence against them (Ukraine);

89.98. Step up measures to fight violence against children, particularly through the implementation of the prohibition of all corporal punishment in all settings, including within the family, in alternative care settings and schools, as set out in the Draft Children's Code (Brazil);

89.99. Continue the efforts undertaken to protect children from violence, neglect and abuse, including by adopting the Code of children, and to ensure that the national strategy for the Protection of Children 2011-2030 will be effectively implemented (France);

89.100. Combat all forms of violence and exploitation against children including incest, human trafficking and human organ trafficking, ensure their access to justice, and provide rehabilitation of victims into the society (Malaysia);

89.101. Strengthen the framework of protection of the rights of children, in particular by adopting legislative and programmatic measures to prevent and punish sexual abuse, exploitation and violence against them, as well as measures to facilitate access to legal assistance, and medical and psychological support to victims of these crimes (Mexico);

89.102. Further strengthen its measures to protect children and youths from all forms of violence (Myanmar);

89.103. Strengthen its laws dealing with trafficking in persons (Uganda);

89.104. Promote judicial reforms and continue reducing the number of annual pending cases (China);

89.105. Take further steps to effectively implement the Justice Sector Strategic Plan, including through intensifying the network of courts in municipalities (Viet Nam);

89.106. Strengthen the justice system by establishing legislative and administrative measures to safeguard the independence of judges and lawyers, as well as by adopting measures to ensure and promote the access of all people,

particularly rural women, to justice, legal assistance, psychological support and reparation (Mexico);

89.107. Further strengthen the judicial institutions and expand the use of mobile courts (Mongolia);

89.108. Establish permanent courts in all 13 municipalities to increase access to justice, particularly in rural areas (Haiti);

89.109. Further advance on the area of reparations for victims of human rights violations, including the awareness raising of the population about the situation faced by these persons (Argentina);

89.110. Strengthen efforts to bring security sector members to justice in cases of excessive use of force or inappropriate treatment of detainees (United States of America);

89.111. Ensure that violations committed by members of the security forces are subject to judicial proceedings (France);

89.112. Take effective measures to prevent human rights violations by the military and security forces, such as further training and establishing more transparent mechanisms for investigating violations (Germany);

89.113. Conduct immediate, impartial and exhaustive investigations into all allegations of excessive use of force, ill-treatment and arbitrary arrests by all law enforcement agencies, and strengthen accountability mechanisms (Netherlands);

89.114. Reconsider the decision to expel judges, prosecutors and other foreign professionals who are assisting in the judicial reform of Timor-Leste (Spain);

89.115. Accelerate the process of drafting and ratification of the Law on victim's reparations as well as the establishment of the memorial institution as per the National Parliament action plan (Afghanistan);

89.116. Continue to give priority to implementing the Commission for Reception, Truth and Reconciliation in East Timor (CAVR) and Commission of Truth and Friendship (CTF) recommendations regarding victims' rights to justice, truth and reparations (New Zealand);

89.117. Prioritize and resolve past crimes, through accelerating the discussion and approval of draft laws on reparations and the memory institute (Norway);

89.118. Continue strengthening the initiatives taken for the observance of the rights and responsibilities of children and adolescents in conflict with the law (Venezuela (Bolivarian Republic of));

89.119. Implement actions with a comprehensive and preventive approach in relation to children in conflict with the law through alternative justice measures of deprivation of freedom, taking into account different programmes for children in conflict with the law (Panama);

89.120. Raise the minimum age for marriage at 18 for boys and girls, in accordance with the general recommendations No. 31 and No. 38 of the CEDAW Committee and the Committee on the Rights of the Child adopted respectively in 2014 (Panama);

- 89.121. Set the age of marriage in law and in practice to a minimum of 18 years for both sexes, with no exceptions, traditional or otherwise, and raise public awareness of this law (Haiti);
- 89.122. Increase support for programmes and initiatives by strengthening partnerships with relevant stakeholders, United Nations programmes and civil society working to introduce family planning in rural areas (Haiti);
- 89.123. Uphold its international human rights obligation and constitutionally provided rights of freedom of expression, including freedom of the press to all persons in Timor-Leste (United States of America);
- 89.124. Take the necessary political and legal provisions to ensure that the implementation of the Media Law of 2014, particularly the requirement of accreditation of journalists and their obligation to defend the public interest and the democratic order, will not be translated into limitations on freedom of expression and the press (Costa Rica);
- 89.125. Bring the new Media Law in line with international standards, and particularly ensure that it does not undermine the work of journalists, the freedom of expression and the right to information of the population (France);
- 89.126. Take further measures to ensure freedom of expression (Japan);
- 89.127. Continue to take measures to ensure freedom of the press and media (Namibia);
- 89.128. Enhance women's empowerment and greater represent women in decision-making sectors (Lao People's Democratic Republic);
- 89.129. Continue investing in women's empowerment and promoting their participation in all aspects of the State machinery (Nepal);
- 89.130. Continue to invest resources and prioritize efforts to provide relevant education and training to enhance the employability of its citizens, particularly the youth and unemployed (Singapore);
- 89.131. Implement programmes to guarantee the rights of children with regard to health, education and protection from violence, and develop national awareness-raising plans to combat school dropout (Spain);
- 89.132. Pay particular and multi-sectoral attention to the disadvantaged socio-economic situations prevailing in rural areas (Cabo Verde);
- 89.133. Redouble its efforts to improve basic standard of living including health and education system (Republic of Korea);
- 89.134. Study the introduction of a universal basic income for all citizens of Timor-Leste over 18, without preconditions, with payments made from the interest on investments accrued from oil royalties (Haiti);
- 89.135. Continue to implement policies for development of its people, including measures to eradicate poverty and ensure food security (Pakistan);
- 89.136. Continue implementing programmes to combat malnutrition in hospitals and awareness programmes on nutrition for the population (Venezuela (Bolivarian Republic of));
- 89.137. Continue its efforts to ensure that that its people have access to healthcare services, especially in rural areas (Brunei Darussalam);

- 89.138. Continue to advance health services and better guarantee the right to health of the people (China);
- 89.139. Continue its efforts to improve access to health care service (Maldives);
- 89.140. Step up its efforts to provide adequate health facilities and comprehensive education for all (Thailand);
- 89.141. Increase the percentage of overall government spending dedicated to health and education (Australia);
- 89.142. Improve the coverage and quality of health services and set up the national action plan on persons with disabilities (Madagascar);
- 89.143. Step up efforts to reduce maternal mortality by expanding coverage and quality of health services, goods and facilities focusing on maternal health care (Netherlands);
- 89.144. Consolidate the access to education, especially for the most vulnerable sectors of the population (Angola);
- 89.145. Ensure the rights to access to quality of education for vulnerable groups people, including women and children (Lao People's Democratic Republic);
- 89.146. Continue to promote policies and programmes providing access to education for all, as well as on literacy (Libya);
- 89.147. Continue efforts to increase the quality of and accessibility to education, including adequate resourcing of teacher training and oversight (Norway);
- 89.148. Increase its investment in education so that future generations are better able to engage in the social and economic development of the country and to further take steps to eradicate corporal punishment in schools (New Zealand);
- 89.149. Adopt concrete measures and programmes to effectively address the causes for high school dropout rates among girls such as early pregnancy, gender-based violence and the lack of adequate sanitation in schools and to ensure their implementation, including by providing the necessary funding (Slovenia);
- 89.150. Take all necessary measures to enhance the effectiveness of its national policy on the rights of persons with disabilities (Brazil);
- 89.151. Continue to implement and increase the effectiveness of national policies on persons with disabilities, including on access to education, access to public services, work opportunities, as well as adequate training and awareness programmes to mainstream the rights of persons with disabilities to the public (Malaysia);
- 89.152. Take steps to ensure that vulnerable groups, especially children with disabilities continue to gain access to free education in an inclusive learning environment (Brunei Darussalam);
- 89.153. Consider the possibility of ensuring the implementation of the right to vote for Timorese migrant workers residing abroad (Ukraine);

89.154. **Double investments in agriculture to protect sources of water, replenishing farmers with seeds, improving exports, vaccinating livestock and poultry, and encouraging a more nutritious and diverse diet (Haiti);**

**90. All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.**

## Annex

### Composition of the delegation

The delegation of Timor-Leste was headed by H.E. Mr. Ivo Jorge Valente, Minister of Justice and composed of the following members:

- H.E. Mr. Marciano Da Silva, Ambassador and Permanent Representative of Timor-Leste in Geneva;
  - Mr. Flaviano Moniz Leão, National Director for Human Rights;
  - Mr. Nelinho Vtal, National Director;
  - Ms. Guilhermina Saldanha Ribeiro, Director-General of the Ministry of Interior;
  - Mr. Narcisio Fernandes, National Director for Policy and Cooperation of the Ministry of Health;
  - Mr. Jerónimo Freitas, National Director of Strategic International Planning of the Ministry of Defense;
  - Mr. Marino Vicente Da Costa, Representative of the Ministry of Education;
  - Mr. Egídio Martins Carion, Representative of the Ministry of Social Solidarity;
  - Mr. Francisco Xavier Soares, Chief of Department;
  - Ms. Patrícia Coutinho, Adviser;
  - Ms. Joana Santos, Executive Assistant; and
  - Mr. Sidónio Trindade da Costa Freitas.
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