

## **ADVANCE QUESTIONS TO TIMOR LESTE**

### **CANADA**

#### **Past Human Rights Violations**

- What steps have been taken by Timor-Leste to address past serious human rights violations?
- Does Timor-Leste plan to continue to pursue legislation to establish a national reparations programme for victims?

### **CZECH REPUBLIC**

- How does the Government tackle the critical lack of judicial personnel (namely judges, prosecutors, public defenders), effectively resulting in frequent violence of the right to a fair trial?
- We note there has been some improvement in accountability for human rights violations happening between 1974 and 1999, nonetheless, how does the Government respond to the allegations that virtually none of the persons convicted for serious crimes conducted within the 1999 conflict actually served their sentences and that there is a general feeling that impunity has been granted to those perpetrators?
- With regard to women's rights which's enforcement remains a major issue in the country, we appreciate that Timor-Leste adopted a Law against Domestic Violence. What steps does the Government foresee taking to ensure full enforcement of this law? Does it also plan on presenting a bill on sexual harassment which yet remains a serious unaddressed problem?
- Can the Government be expected to ratify ILO Convention No. 138 concerning the Minimum Age for Admission to Employment in the near future and by its efficient implementation ensure the eradication of child labor?

### **DENMARK**

- What is Timor Leste's plan of action and corresponding time line regarding ratification of relevant international conventions and agreements?

### **IRELAND**

#### **Religious Minorities**

- Ireland welcomes the strong protections contained within Constitution of Timor-Leste for the freedom of expression and of association. Ireland also notes that the development of a Law on Religious Freedom has been included in the National Report of Timor Leste as a national priority. Ireland would like to recommend that this law is developed in such a manner that the freedom of religious expression, as expressed in the Constitution, is guaranteed, especially with regard to minority religions.

#### **Gender Based Violence**

- Ireland welcomes the very positive step taken by the Government of Timor-Leste in passing the Law Against Domestic Violence. Ireland recommends that further steps are taken to ensure that adequate resources are now provided to fully implement this law and would welcome an update from the Government on their intentions in this matter.

#### **Chega! Report of the CAVR Commission**

- Ireland welcomes the energy and commitment Timor Leste and Indonesia have demonstrated in advancing reconciliation and maintaining good relations between the two states. Ireland requests an update from the Government of Timor Leste on when it anticipates a parliamentary debate, as defined in the legislation, taking place on the Chega! Report of the CAVR Commission (Truth, Reception and Reconciliation Commission) which was presented to parliament in October 2005. Ireland recommends that this matter be addressed urgently following forthcoming parliamentary elections

## **NETHERLANDS**

- The Netherlands is concerned with the situation in Timor Leste with regard to justice for the victims and perpetrators of human rights violations. Impunity is a serious problem in Timor Leste. The Netherlands would therefore be grateful to know what concrete steps the government of Timor Leste is to take to bring justice to all persons responsible for crimes against humanity and other human rights violations committed in the past and how to build sufficient mechanism to check on the behavior of police and army in the future.

## **UNITED KINGDOM**

- What plans do you have to ratify the Optional Protocol to the Convention against Torture and other cruel, inhuman or degrading treatment or punishment?
- What is your time-line for ratifying the Convention on the Rights of Persons with Disabilities?
- What concrete targets exist to improve investigative processes and so reduce the back-log of thousands of cases at the Public Prosecutor's Office?
- What efforts are being made to raise awareness amongst the general public, law enforcement authorities and local community leaders regarding the 2010 Law against Domestic Violence?
- What steps are planned to address traditional attitudes, early pregnancies and early marriages as well as the problems of sexual abuse and harassment which restrict many girls in their right to education?
- What is your time-frame for adopting the laws on awarding reparations to victims of past abuses and establishing a 'Memory Institute'?
- What specific plans do you have to strengthen accountability within the security forces in relation to on-going reports of abuse of power and the ill treatment of civilians?
- Can you give us an indication of when the Land Law Bill will be passed into law?

## **NORWAY**

- What steps are the government of Timor-Leste taking to ensure that principles of international human rights law and treaties ratified by Timor-Leste are integrated in the policies, programs, legislations and the budget to improve the overall human rights situation in the country? How do you plan to address the recommendations from the Office of the Provedor for Human Rights and Justice (PDHJ)?
- What is being done to strengthen the justice sector in terms of
  - Capacity building and improvement of investigation
  - Ensuring full respect for the independence of the judiciary (without political interference)
  - Achieving proper, fair and timely justice and reducing the number of pending cases in court and the large backlog within the prosecution office
  - Ensuring civilian oversight of the security sector and disciplinary systems within the security forces
  - Ensuring that all legislation, draft legislation and other legal documents are available in both Portuguese and Tetum.
- What measures will be taken to stop the reported widespread violence against women? What will be done to ensure that the draft civil code addresses discrimination against women in all areas covered by the convention, in particular with respect to inheritance and ownership rights to property on divorce and legal capacity?
- How does the government of Timor-Leste plan to clarify the legal status and mandate of the National Commission for the Rights of the Child (NCRC) to ensure it can work efficiently? When is it expected that the drafted Children's Code seeking to safeguard children's rights in the context of legal reform and enhanced justice for children in conflict with the law is passed by the parliament?
- What measures will be taken to overcome the obstacles delaying the parliamentary discussions on the two draft laws establishing a national reparations programme for victims and an "Institute for Memory"?