



Convention on the Elimination of All Forms of Discrimination against Women

Distr.: General
20 November 2015

English only

Committee on the Elimination of Discrimination against Women Sixty-second session

Summary record (partial)* of the 1358th meeting

Held at the Palais des Nations, Geneva, on Wednesday, 11 November 2015, at 3 p.m.

Chairperson: Ms. Hayashi

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* No summary record was prepared for the rest of the meeting.

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The meeting was called to order at 3 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention (continued)

Combined second and third periodic reports of Timor-Leste (continued)
(CEDAW/C/TLS/2-3; CEDAW/C/TLS/Q/2-3 and Add.1)

1. *At the invitation of the Chairperson, the delegation of Timor-Leste took places at the Committee table.*

Articles 1 to 6 (continued)

2. **Mr. Henrique Da Silva** (Timor-Leste), replying to questions raised in the previous meeting, said that the new ministerial-level gender working groups were ideally placed to monitor the implementation of gender policies and budgeting. Gender focal points had been phased out and replaced with a gender working group mechanism at both the ministerial and municipal level and members had expertise in planning, budgeting and monitoring. The Secretary of State for the Socioeconomic Empowerment of Women would work alongside the Ministry of Finance to ensure that gender-responsive budgeting was included in its upcoming fiscal reform plans. He emphasized that the Secretary of State for the Socioeconomic Empowerment of Women was a coordination agency responsible for advocating and raising awareness about gender mainstreaming; it did not have decision-making powers, however.

3. **Ms. Da Costa** (Timor-Leste) said that, while it was true that protection orders in cases of domestic violence had not yet been applied, such cases were handled in accordance with the Code of Criminal Procedure. Regarding the collection of evidence in cases of sexual assault, a victim's statement was sufficient for proceedings to be instituted without further evidence. Although mediation was one method of resolving cases of domestic violence, such traditional methods did not rule out penalties against the offender and compensation to the victim.

4. **Mr. Vital** (Timor-Leste) said that data on women with disabilities was not yet being collected and that the judiciary had not yet received specialized training on domestic violence cases involving women and girls with disabilities. Training sessions had, however, been conducted by the Legal Training Centre on domestic violence in general and other related issues. Law enforcement officers had received training on trafficking in persons. In that connection, the Ministry of Justice had set up a specialized criminal investigation unit to investigate trafficking offences.

Articles 7 to 9

5. **Ms. Gbedemah** said that, in view of the fact that women continued to face numerous obstacles to participation in public and political life, she would be interested to know the outcome of recommendations to establish a 30 per cent quota and allocate specific financial resources to foster women's participation in decision-making roles. Drawing the delegation's attention to the Committee's general recommendation No. 25 on temporary special measures, she asked whether any such measures had been introduced or were envisaged to increase women's participation and representation in decision-making posts, particularly at the local level and in senior managerial positions in the private sector; whether the delegation could explain if the requirement that every fourth candidate standing for election should be female was applicable at all levels of political representation; whether gender and inclusivity training had been provided to community leaders; and what concrete action had been taken to address the detrimental effects of pervasive stereotypes and remove barriers to women's

participation. In that connection, what measures had been introduced to enable more women to take up roles in international organizations and foreign missions?

6. **Ms. Alves** (Timor-Leste) said that the Government acknowledged that women's representation, particularly at the local level, remained very low. Efforts were under way to increase their participation, including through gender-mainstreaming policies. Women's associations had been established in certain districts to coach women prior to standing as candidates in local elections, and the Secretary of State for the Socioeconomic Empowerment of Women worked in collaboration with NGOs to provide training and capacity-building at the local level. Lastly, efforts would also be made to raise the media profile of women candidates in order to increase the number of women elected at the local level.

Articles 10 to 14

7. **Ms. Bailey**, while commending the State party's efforts to ensure de facto equal educational opportunities for girls and young women, said that the Committee was concerned at the low enrolment rate of girls in secondary and higher education. Living in rural areas and poverty seemed to be the major obstacles to their continued education, but another important factor was the lack of adequate sanitary facilities in schools. Noting that, under the National Education Strategic Plan, various schools had recently been refurbished, she asked whether those renovations had extended to creating hygienic toilet facilities and whether making such improvements had had a direct impact on school dropout rates. In that connection, she asked whether the State party had devised a clear, comprehensive school readmission policy and, if so, whether it was in line with article 30 of the draft child code, which provided for the reintegration of pregnant students and young mothers and prohibited disciplinary action from being taken on the grounds of pregnancy.

8. She also wondered whether the significant decrease in the number of reported cases of sexual violence in schools was more likely due to underreporting rather than a reduction in the prevalence of such incidents. She also wished to know why teachers and other educational staff who perpetrated sexual violence were merely transferred to another school by the Ministry of Education, which was, frankly, unacceptable. Information should also be provided on the roles and responsibilities of school inspectors and head teachers in such cases. Lastly, she would welcome further information on the State party's new sex education programme and how it dealt with the traditional attitudes towards the role of women and girls in society.

9. **Mr. Bruun**, while welcoming the adoption of the Labour Code, said that the Committee was concerned that its previous recommendations had not yet been implemented, namely the ratification of the International Labour Organization (ILO) Equal Remuneration Convention 1951 (No. 100) and the ILO Discrimination (Employment and Occupation) Convention, 1958 (No. 111). The high rate of unemployment or underemployment among women was also cause for concern, as was the fact that when they were employed it was generally in the informal sector, which severely limited their access to social protection schemes and maternity benefits. He wished to know what measures had been taken or were envisaged to overcome those obstacles. In that connection, he asked how the new minimum wage legislation was implemented in the private sector and what was being done to address the gender pay gap. He would welcome information on how the provisions of the Labour Code prohibiting sexual harassment and discrimination were put into practice and what the new Labour Relations Board's mandate was, as well as the number of complaints it had dealt with so far. He pointed out that the institutional framework for the ILO-backed National Strategy and Action Plan for Gender and the Private Sector was still not in place. What was the latest status of implementation of that Plan?

10. Lastly, the Committee was particularly concerned about reports that 65 per cent of women with disabilities in Timor-Leste were unemployed and some 86 per cent could not receive vocational training. He would be interested to hear what concrete steps were being taken or envisaged to ensure that those women enjoyed equal employment opportunities.

11. **Ms. Patten**, pointing out that the rate of maternal mortality in Timor-Leste was the highest in East Asia, said that maternal deaths were not properly recorded through the country's health management information system. The maternal death surveillance and response system, which had been established in 2014, was reportedly limited in scope and covered only hospitals, despite the fact that only about 16 per cent of children were born in hospital. She asked whether maternal mortality prevention was one of the Government's priorities and whether it planned to make the announcement of maternal deaths and the assessment of their causes compulsory. Were there plans to establish a high-level interministerial committee to monitor the maternal death surveillance and response system?

12. Women with disabilities, in particular those living in rural areas, were reported to have poor access to health-care services. For example, there was a lack of special physiotherapy services and assistive devices. Moreover, negative attitudes among health staff towards such women were not uncommon. In addition, persons with disabilities were not always informed about the services available to them. She asked what measures the Government would take to make all health facilities more accessible to women with disabilities and to expand the coverage of specialized health services.

13. She was concerned about the fact that abortion was a criminal offence that was punishable by prison sentence. Given that family planning services and contraceptive devices remained limited, she asked whether the Government planned to amend article 141 of the Penal Code concerning termination of pregnancy. Did the Government plan to lift the requirement for a woman to obtain approval from a panel of three doctors before getting an abortion? It would also be useful to know if the Government planned to decriminalize abortion in the event of rape, incest or harm to the mother's psychological health.

14. Young people in general and women and girls in particular still encountered serious difficulties in gaining access to sexual and reproductive health services. She wished to know whether the Government would consider removing the requirement for family-planning service providers to record the marital status of their clients and take concrete steps to improve access to confidential youth-friendly sexual and reproductive health services for all young people, regardless of their marital status.

15. Furthermore, she would welcome information on measures to expand the coverage of sexual and reproductive health services and, in particular, to ensure that women and girls were offered family-planning services and qualified childbirth and postnatal care. Did the Government have a plan for improving human resources and building the capacity of health workers in order to ensure the continuous provision of qualified sexual and reproductive health services? It would also be useful to know what measures had been taken to provide girls and young women with information about sexual and reproductive health services for adolescents. How did the Government address negative attitudes towards the discussion of sexual health issues? Such discussion could play an important role in preventing adolescents from engaging in risky behaviour.

16. **Mr. Pires** (Timor-Leste) said that the Ministry of Education was making efforts to improve access to water and sanitation in the country. In 2014 and 2015, work had been carried out in a number of schools in order to expand and improve sanitation

facilities. In all its programmes, the Government took into account the need to improve access to water, with the involvement of local communities. It was concerned that girls would be particularly affected by poor hygiene and was making every effort to improve hygiene conditions for girls.

17. Although the school dropout rate among girls in general was low, the rate among young pregnant girls was close to 50 per cent. The Government was taking steps to reinforce its school readmission policy in order to enable more girls to return to school after childbirth. Steps were also being taken to offer educational opportunities to pregnant girls.

18. The Ministry of Education had started drafting a “back to school” policy with a view to improving access to education and preventing gender-based discrimination through inclusive education. The Government’s policy on inclusive education was expected to be approved by the Council of Ministers in 2015 and would ensure that all children, including pregnant girls, could exercise their right to education. Special efforts would be made to prevent discrimination against young pregnant women. Lastly, cases of sexual abuse in school were investigated, and teachers accused of such abuse were subject to either administrative or criminal proceedings. If convicted, teachers were no longer allowed to exercise their profession.

19. **Ms. Da Cunha Gomes** (Timor-Leste) said that the national parliament had recently issued a decision approving plans to ratify ILO Conventions No. 100 and No. 111. Under the Labour Code, male and female workers had the right to equal employment opportunities, equal treatment, adequate working conditions, vocational training and adequate remuneration. Furthermore, the Labour Code protected workers from discrimination in employment. A minimum wage was in place in both the public and private sectors, and the National Labour Council was responsible, inter alia, for protecting workers’ rights and ensuring the application of the minimum wage, in particular in the private sector. The Council was mandated to handle labour conflicts but could not impose sanctions on or provide compensation to workers in the event of violations, which was a matter for the districts courts. Although remuneration differed depending on the type of work performed, the Government was making efforts to ensure equal pay for work of equal value for men and women.

20. Maternal health was one of the Government’s absolute priorities and prevention was the best way to tackle the problem, including at the community level. In that regard, the Ministry of Health had introduced a number of programmes and preventive measures in health centres and hospitals throughout the country.

21. With regard to human resources, he said that, although efforts were being made to increase the number of qualified staff working in health facilities across the country, human resources were still a challenge. The Ministry of Health had developed a number of strategies to improve the situation, in particular by training more doctors. For example, with a view to facilitating access to health care for young mothers in rural areas, a number of doctors had been sent to Cuba to undergo professional medical training and had been assigned to medical centres and hospitals in 442 villages throughout Timor-Leste upon their return.

22. **Mr. Vital** (Timor-Leste) said that, under the current law, abortion was a crime. The Government did not have any plans to amend the Penal Code in that regard.

23. **Ms. Pomeranzi** commended the Government for adopting Decree-Law No. 19/2008, concerning support to older persons and persons with disabilities. She would be interested to know whether the Government planned to move from a transitional social security system to a permanent one. Had gender issues been integrated into the social security system? Given that most housework was carried out by female family

members, it would be useful to know whether financial support was provided to women who took care of children with disabilities.

24. With regard to the Mother's Purse (Bolsa da Mãe) cash transfer programmes, she asked how much money was transferred per month to the beneficiaries. According to some sources of information, only very limited funds were earmarked for women and girls living in poverty. Had the Government taken measures to increase its financial assistance to that group of the population? It would also be useful to know whether women who had to leave their homes because they had been subjected to violence could benefit from the cash transfer programmes and how much financial support they could expect to receive. Lastly, she enquired whether a policy was in place to provide financial support, training, technical assistance and facilities to women wishing to start a small business.

25. **Ms. Zou Xiaqiao** asked what steps had been taken to raise awareness of women's land and property rights and eradicate direct and indirect discrimination against women during the division and allocation of land. She also wished to know what measures had been adopted to support women agricultural workers and facilitate their access to appropriate farming equipment and supplies. What was the current status of the National Water Resource Policy which aimed to supply clean drinking water for rural and urban women?

26. **Ms. Das Doreis** (Timor-Leste) said that the "Bolsa da Mae" scheme provided cash transfers of between \$US 80 to \$US 160 per year to vulnerable female-headed households. Women victims of domestic and gender-based violence received special support and financial assistance. The Government also worked closely with NGOs to provide psychological counselling and follow-up in such cases.

27. **Ms. Da Silva Suriano** (Timor-Leste) said that a large proportion of the national budget had been allocated to the social security system, which provided comprehensive assistance to vulnerable persons in society, including women with disabilities and older women. The Government also cooperated closely with NGOs to implement various programmes aimed at promoting women's rights and access to essential services, such as health care.

28. **Mr. Henrique Da Silva** (Timor-Leste) said that efforts had been made to provide financial assistance to women's groups in rural areas on a regular basis, including specific support to women agricultural workers. The Government had launched a general assessment of its various cash transfer systems in 2015 and the results would be used to devise gender-sensitive social security policies in future.

29. **Mr. Vital** (Timor-Leste) said that women had been actively involved in consultations on the land law bill, which was currently before the Council of Ministers. The Government had also introduced a compensation fund for women whose land had been reallocated and had conducted numerous campaigns to raise awareness of women's land rights, particularly in rural areas.

30. **Ms. Monteiro** (Timor-Leste) said that significant assistance had been provided to women agricultural workers in recent years, including through the "Seeds of Life" programme. The Government had also provided farming equipment and supplies to women so that they could establish their own farming businesses.

Articles 15 and 16

31. **The Chairperson**, speaking in her capacity as an expert, asked what measures had been taken to raise awareness of the national marriage registration process and promote the registration of traditional and church marriages with the civil registration service. She also wished to know whether the State party would consider repealing the

provision of the draft civil registration code that required women to list the biological father's name on their child's birth certificate, particularly in cases of rape. Similarly, she asked whether the State party would amend the Civil Code to guarantee equal rights for men and women in marriage and upon divorce and repeal the provision that set the period of time that must pass before a person could remarry after a divorce or the death of a spouse at 180 days for men and 300 days for women. Lastly, she enquired whether steps had been taken to raise the legal age for marriage to 18, in conformity with the Convention.

32. **Mr. Vital** (Timor-Leste) said that the Government had no immediate plans to amend the minimum age for marriage or the number of days that must pass before a person could remarry after a divorce or the death of a spouse. Women wishing to remarry earlier could request authorization from the courts. With regard to birth certificates, the biological father's name must be listed unless the identity of the father was unknown. The Civil Code recognized three types of marriage: civil, traditional and church marriages. Couples who married in church usually did not register their marriages with the civil registration service.

33. **The Chairperson** said she wished to thank the delegation for the constructive dialogue, which had enabled the Committee to gain further insight into the situation of women in Timor-Leste. She commended the State party for its efforts and urged it to take all necessary measures to address the Committee's concerns and recommendations.

34. **Ms. Lemos** (Timor-Leste) thanked the Committee members for their comments and recommendations and said that her country looked forward to receiving the Committee's concluding observations.

The discussion covered in the summary record ended at 5.10 p.m.