



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women
Forty-fourth session**

Summary record of the 899th meeting

Held at Headquarters, New York, on Thursday, 30 July 2009, at 10 a.m.

Chairperson: Ms. Gabr

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The meeting was called to order at 10.05 a.m.

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

Initial periodic report of Timor-Leste (CEDAW/C/TLS/1; CEDAW/C/TLS/Q/1 and Add.1)

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

2. **Ms. Rodrigues** (Timor-Leste), introducing her country's initial periodic report (CEDAW/C/TLS/1), said that Timorese society was based on a patriarchal system that had adversely affected women's lives. Women had also been particularly badly affected by the years of conflict preceding the restoration of independence. They were, however, proud to have played an active role in the struggle for independence and now participated to a major extent in national institutions and political life.

3. The Constitution set out detailed provisions regarding the fundamental rights of citizens, including full equality of rights between women and men in all spheres of life. The current Government had demonstrated its commitment to strengthening women's rights and gender equality by establishing, in June 2009, a State Secretariat for the Promotion of Equality (SEPI), which had taken over the work previously carried out by the Office of the Advisor on the Promotion of Gender Equality. As the main body responsible for the design, execution, coordination and assessment of policies relating to the promotion of gender equality, SEPI had recently revised and developed its Strategic Plan for 2010-2015, which was based on four goals, namely, to build its institutional capacity; to advocate for gender-responsive policies and legislation; to advocate for gender mainstreaming in Government institutions and State agencies; and to raise gender awareness among stakeholders and the public at the national and local level.

4. In relation to the first goal, SEPI had developed a new organizational structure and was recruiting several civil servants to strengthen its capacity. Funding for a new building was also under consideration, as the current facilities did not meet its growing needs. Moreover, SEPI was committed to ensuring close cooperation with external stakeholders, such as civil society organizations, relevant parliamentary

committees and development partners, including through regular monthly coordination meetings.

5. With regard to the second goal, the new Penal Code approved in March 2009 contained a number of articles with a direct impact on women's lives. As a result of an article criminalizing domestic violence, criminal proceedings no longer depended on a formal complaint by the victim and were now within the sole jurisdiction of the state justice system, to the exclusion of any traditional justice mechanisms that might exist. The criminalization of abortion, on the other hand, was a matter of concern. Timorese society was strongly influenced by the Catholic Church and, although the Council of Ministers had decided to legalize abortion when the life, or the physical or psychological health, of the mother or foetus was at risk, Parliament had rejected the legislation and introduced further restrictive measures. SEPI was, however, determined to raise public awareness of women's rights so that a change of mentality would allow for the early decriminalization of abortion. It was also actively engaged in mainstreaming gender in government policies, including in relation to the National Priorities process, a yearly strategic planning exercise in which all the ministries defined their main policies, objectives and targets within the framework of national development priorities.

6. With regard to the third goal, SEPI was revising the five-year gender mainstreaming policy approved by the Government in 2002, as well as providing training and support to the gender focal points re-established in March 2008 at the level of ministries and districts. Development partners had, moreover, provided assistance measures to strengthen the Government's gender mainstreaming approach. As a result, international gender and development advisers had already been recruited to work directly with the gender focal points in the Ministries of Health, Education, Agriculture and Justice, while additional advisers were expected to be placed in other relevant ministries.

7. As for the fourth goal, regular meetings were held between SEPI and media representatives to ensure closer collaboration and raise gender awareness in the media sector; specifically, a memorandum of understanding had been signed with the national radio and television stations to allow the production of programmes addressing women's rights and their contribution to peace and development. SEPI had also developed awareness-raising initiatives on a number of

specific topics, including the new law on decentralization and local elections to encourage women's participation in politics. Several campaigns to combat violence against women had been organized throughout the country, including in remote rural communities; police officers also received ongoing training on gender-based violence. International Women's Day, the International Day of Rural Women and National Women's Day were three major annual events for the promotion of women's rights, gender equality and the strengthening of public policies to foster women's empowerment. To mark International Women's Day in 2008, the Government and Parliament, together with civil society and religious organizations, had signed the joint Dili Declaration. In so doing, they had agreed to develop gender-sensitive budgeting; eliminate violence against women and girls; and develop a mechanism to promote equal access to property and land rights, as well as to higher education. Among other commitments, they had also undertaken to promote a gender-sensitive health policy on HIV/AIDS, family planning and integrated community-based health services; ensure an integrated gender approach in the second national development plan; create a dynamic partnership for sharing resources and knowledge on gender equality and invest in women through a decentralization policy, all with a view to achieving the Convention's goals.

8. A year later, the Government had taken stock of its achievements and challenges in implementing the Dili Declaration. Progress had been made in the area of education: the proportion of girls and boys enrolled in primary school was now almost equal, with more girls staying in school until Grade 6; more girls than boys were enrolled in secondary school; and 40 per cent of students in technical and higher education were female. Furthermore, literacy classes, which mainly targeted women and offered a flexible timetable well suited to women's schedules, had been launched in all districts. Thanks to a pilot project, which would subsequently be replicated throughout the country, the districts of Oecusse and Atauro were expected to be free from illiteracy by 2010. A primary school equivalence programme allowed young women to gain a formal education in three years. In response to the high rate of teenage pregnancy, which led in many cases to girls dropping out of school, the Ministry of Education and Culture was running a pilot life skills education programme for young people not attending school and was also developing a national secondary school

curriculum that included sexual and reproductive health issues.

9. In the area of health and reproductive rights, the 2002 maternal mortality rate of 660 per 100,000 births, one of the highest in the region, was the most recent figure available. A demographic and health survey was therefore being conducted to establish the current situation. The Government was strongly committed to reducing maternal mortality and had taken a number of measures, including the establishment of a Reproductive Health Strategy and a National Family Planning Policy, training for health-care providers on safe delivery practices and emergency obstetric care, and the equipment of health facilities, which should help achieve the target maternal mortality rate of 480 per 100,000 births by 2010. In 2008, the Government, in conjunction with the National University, had established a midwifery and nursing school to increase the number of midwives able to offer maternal health services, especially in rural areas. The Ministry of Health was also implementing a programme to introduce maternal health and family planning services at the local community level. Most women received family planning supplies from the public sector. Within the framework of the Reproductive Health Strategy and the National Family Planning Policy, advocacy had been undertaken with the support of major stakeholders at the national and regional levels, including representatives of the Health and Education Ministries, religious and community leaders, young people and parents.

10. In the area of agriculture, seven women's farmers groups had received technology input, while the food security committees established in 12 out of 13 districts each included at least three female representatives. The Ministry of Agriculture had implemented a gender action plan in all district agricultural offices; furthermore, seven out of 12 Ministry departments now had female managers. In addition, as part of the 2009 National Priorities process, the Ministry had established targets for training and input delivery to women farmers. With regard to equal access to property and land rights, a set of recommendations had been included in the draft Civil Code, following public consultations led by SEPI in conjunction with other stakeholders.

11. In the economic sphere, the Government, through SEPI, had provided financial support to 24 projects led by groups of women in 2008, and 29 in 2009, in order

to encourage women's small business initiatives. The Ministry of Economic Affairs and Development had introduced temporary special measures by giving priority to women's groups in its microcredit funding; women also now had easier access to banking services across Timor-Leste, thanks to the opening of banks in most districts. For the second consecutive year, SEPI, in cooperation with other governmental bodies, development partners and non-governmental organizations (NGOs), would be holding a one-week fair, in the context of the International Day of Rural Women, which would provide an opportunity for rural women to present and sell their products, as well as offering training and seminars to support women in business.

12. In the area of justice, a draft law against domestic violence — which aimed to establish and strengthen the necessary mechanisms to prevent domestic violence, promote the rights of victims and guarantee their legal protection — was under discussion by the Council of Ministers; the Government and Parliament had shown a strong commitment to achieving its adoption before the end of 2009. The draft law proposed, *inter alia*, to strengthen the network of support centres and define the responsibilities of the various government bodies that, in conjunction with civil society organizations, acted as service providers.

13. **The Chairperson** commended the State party for its strong political will to eliminate discrimination against women and welcomed the active role played by NGOs in Timor-Leste, as well as the existence of an Ombudsman for Human Rights and Justice. While she acknowledged that Timor-Leste was already a party to many international conventions, she hoped that it would accede to the Convention on the Rights of Persons with Disabilities and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, and that it would accept the amendment to article 20, paragraph 1, of the Convention.

Articles 1 to 6

14. **Ms. Šimonović** congratulated Timor-Leste on its ratification of the Optional Protocol. While she welcomed the participatory process that had been employed for the preparation of the initial periodic report, she noted that, contrary to the Committee's requirements, Parliament did not appear to have been

involved in that process. With regard to the legal force of the Convention, although Timor-Leste had a monistic system and the Convention was therefore, in theory, directly applicable, the courts were not applying its provisions. The State party should therefore clarify whether, under article 9 of its Constitution, the Convention was considered to have greater or equal weight relative to domestic laws. It should also explain how conflicts between the Convention and domestic law were resolved, and how it planned to use the Convention as a tool to change discriminatory pieces of domestic legislation. Even under a monistic system, it was very important to give full effect to the provisions of the Convention through domestic legislation.

15. **Mr. Flinterman**, referring to article 2 (a) of the Convention, expressed concern that, according to paragraph 125 of the core document (HRI/CORE/TLS/2007), the principle of equality before the law applied only to citizens. He wondered why that restriction existed and whether stateless or foreign women would consequently be denied access to the courts. He also noted that the Constitution referred to equality of opportunities between women and men and thus did not fully meet the requirements of article 2 of the Convention, as acknowledged by the State party in the core document. He would therefore appreciate clarification on how the Government intended to ensure that the relevant provisions of the Constitution were interpreted in the light of the Convention. Furthermore, while the Constitution prohibited discrimination on the basis of sex in article 16, no definition of discrimination was provided. It was therefore unclear whether article 16 would be interpreted in accordance with the definition contained in article 1 of the Convention. Lastly, since the core document (para. 386) stated that the most pervasive form of disadvantage faced by a particular group in Timor-Leste was discrimination on the basis of gender, it was important to clarify that the reference to discrimination on the basis of sex in article 16 of the Constitution referred to the same concept.

16. **Ms. Popescu**, welcoming the revision of the Penal Code, and in particular the criminalization of domestic violence, requested clarification as to how a woman would seek justice in the event of a violation of her rights on the basis of gender. Additional information on measures to protect women against the violation of their rights and facilitate their access to

justice — such as free legal counselling — should be provided. It would also be useful to know how customary law could be changed so that women were able to obtain justice under that mechanism.

17. **Ms. Neubauer** welcomed the significant progress made in strengthening mandates and mechanisms for the promotion of gender equality. Noting that the Organic Law on the Secretary of State for the Promotion of Equality had broadened that office's mandate, she asked what additional functions it now had. She asked whether the Unit of Politics and Development and the Unit of Administration and Finance, established under the Strategic Plan for 2006-2011, still existed under the new structure. In addition to an increase in staff, what changes were envisaged under the new Strategic Plan for 2010-2015 and the Organic Law? How many staff did SEPI now have? Did the Organic Law allow the Secretary of State for Promotion of Equality to attend meetings of the Council of Ministers? Lastly, noting that gender focal points had been set up in ministries and district administrations, she asked whether there was any intention of establishing a high-level interdepartmental structure with decision-making authority to ensure effective implementation of gender mainstreaming.

18. **Ms. Popescu** welcomed the strengthening of national machinery for gender equality, and asked what measures had been adopted and were envisaged to reach women in remote areas, and to translate the Convention and Optional Protocol into local languages. Noting the difficulties of transportation in the country, she asked whether there was a network of regional and local gender advisers able to transmit information to women in remote areas. Lastly, she asked what priorities had been established under the two Strategic Plans, what difficulties had been encountered in implementing gender mainstreaming and gender equality, and what progress had been made.

19. **Ms. Rodrigues** (Timor-Leste) said that while the patriarchal system that prevailed in her country remained a major obstacle to gender equality, article 17 of the Timorese Constitution guaranteed full equality of rights to all citizens irrespective of gender. The Office of the Secretary of State for the Promotion of Equality held monthly meetings and made regular visits to rural areas, involving development partners, United Nations agencies, civil society organizations and the media, in order to address the gap in information about gender equality among the rural

population. Gender focal points from Government ministries and districts also participated in the visits.

20. As Secretary of State for the Promotion of Equality, it was her responsibility to ensure that all legislation, programmes and policies were gender-sensitive. Established in 2007, her office had received budgetary and staff increases and was currently better prepared to implement its strategic plan for the years 2010 to 2015. However, given the difficulty of finding gender focal points who met the human resources criteria set by her office, a training programme for gender focal points at the ministerial and district levels was envisaged. Gender mainstreaming was being carried out in all Government ministries, with the assistance of civil society organizations.

21. It was true that the majority of rural women did not have access to the justice system. Measures being taken to improve their situation in that regard included regular monthly meetings with development partners and NGOs in order to coordinate campaigns aimed at educating rural women on how to gain access to the justice system. A monthly debate and a weekly radio programme were two of the means used to disseminate information to women in rural areas, and to the population at large, in order to change popular views on gender relations.

22. Pursuant to Decree No. 5 of 2004, community leaders were given authority over village matters, in order to enable them to prevent gender-based violence. A comparable system was established at the district level but had yet to be implemented.

23. The Office of the Secretary of State for the Promotion of Equality also met regularly with Members of Parliament in order to ensure that a gender perspective was introduced into national legislation. The Office also met with all gender advisers, from Government, United Nations agencies and civil society organizations, along with donors who had supported gender equality programmes so as to coordinate the implementation of gender mainstreaming policies. In addition, Parliament and the judicial branch were receiving training on the Convention, and specifically on preventing domestic violence and treating it as a public crime.

24. In line with the Timorese Constitution, all documents and legislation would be made available in the official languages of Timor-Leste, namely,

Portuguese and Tetum, in addition to Bahasa Indonesia and English.

25. **Mr. Flinterman** asked why the principle of equality before the law was restricted to citizens of Timor-Leste and what the implications were. He asked how articles 16 and 17 of the Constitution, dealing with equality, were interpreted, in particular since there was no definition of discrimination on the basis of sex. Was there a general awareness of the need to interpret those articles in accordance with article 1 of the Convention? With regard to article 2 (c) of the Convention, which was very important in terms of ensuring effective protection, the State party had indicated that remedies remained difficult to obtain and that the office of the Provedor was overwhelmed. Did the Government have any kind of five-year plan to correct those shortcomings?

26. **Ms. Pimentel** welcomed the protection against discrimination afforded by the Constitution and the guarantee of equal rights and responsibilities of men and women in the cultural, social, economic and political domains. Nevertheless, amendments to legislation were necessary and in that connection she welcomed the new Penal Code and the draft Civil Code with provisions on violence against women. She wished to know whether the former had a gender-based focus, making, for example, marital rape a crime and abolishing patriarchal provisions victimizing women who suffered sex crimes. She requested more detailed information on the new Civil Code, and asked whether it was free from discriminatory provisions, including, for example, with regard to parental rights over children.

27. **Ms. Popescu**, noting that the Strategic Plan on Gender Equality 2006-2011 would be superseded by a new plan for the period 2010-2015, asked what the major challenges encountered during the first plan had been, and what the aims of the second plan were.

28. **Ms. Šimonović** asked what status the provisions of the Convention enjoyed in the legal system and, in particular, whether they took precedence over other legislation. If so, they could serve as a powerful instrument for changing discriminatory practices.

29. **Ms. Awori** said that while a judicial training centre had been established in 2004 for future lawyers, judges and prosecutors, it appeared that the curriculum did not cover gender and human rights issues or the

provisions of the Convention. What did the Government intend to do about that?

30. **Mr. Cardoso** (Timor-Leste) said that as a democratic republic, his country regarded article 1 of the Convention, and the principle of equality more broadly, as the pillar upon which all future legislation would be based. However, as a new country, Timor-Leste had not yet integrated article 2 of the Convention into its legal system. In 2006 a training programme on the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child had been established for judges, prosecutors and public defenders. The judicial branch had just begun using both international instruments to indict perpetrators of sexual and domestic violence.

31. The Civil Code included provisions guaranteeing gender equality, such as the stipulation that both men and women must be at least 18 years of age to marry. In order to improve access to justice, beginning in 2005 judges were sent to remote areas to hold hearings. Under article 26 of the Timorese Constitution, all citizens had the right to free legal assistance provided by public defenders.

32. The absence of legal terminology in Tetum remained an obstacle preventing Timorese citizens' access to justice; therefore, the Government was working to develop the relevant terminology and translate existing legislation from Portuguese into Tetum.

33. While traditional customary practices dated back several generations, such practices had undergone some changes under Portuguese and Indonesian rule and in the period since independence. It had been shown that cases could be resolved within the community; in the event that criminal charges were brought the community consensus on the matter could be referred to the court.

34. **Ms. Neubauer** said that since the Constitution contained no definition of discrimination on the basis of sex, it would appear that it provided no definition of or legal basis for temporary special measures pursuant to article 4 and as elaborated by the Committee in its General Recommendation No. 25. It was clear that such measures had not been adopted in the areas where they were needed to ensure de facto equality. Did the Government have any plans to provide a legal basis for such measures? The measures referred to by the delegation as special temporary measures were, rather,

equal opportunity measures, and were not enough to overcome the negative impact of past discrimination.

35. **Ms. Hayashi**, noting that the Election Law of 2007 stated that women must hold 30 per cent of positions in political parties, asked what roles women had played in terms of achieving gender mainstreaming and whether that target had already been met. She welcomed the statement that 27 per cent of parliamentarians were women, and wondered what actions the Government was implementing to improve participation by women in public life, perhaps through special intervention mechanisms. The Gender Cabinet had the task of raising awareness, and in that connection encouraged women to participate in professional training. However, did the Government also attempt to create jobs in rural areas that women could then perform? Lastly, while free access to the system of justice was guaranteed, were there special measures ensuring access by women? The Government, in addition to ensuring such access, must strengthen the capacity of the judiciary by funding projects on women's issues and by providing relevant training for legal professionals.

36. **Ms. Rodrigues** (Timor-Leste) said that Timorese jurists would need more time to familiarize themselves with the new Penal Code. All Timorese citizens enjoyed the right to equal pay and there was no discrimination in that regard. Turning to scholarship programmes, she noted that owing to the historically patriarchal nature of Timorese culture, most parents preferred to send boys to school instead of girls. In response to that phenomenon, the Government had established a scholarship programme under which 50 per cent of grants would go to girls, but that target had not been met.

37. The adoption of temporary special measures had led to an increase in female representation in Parliament, to 28 per cent. Although only seven women had been elected village chiefs, the Government was committed to working with development partners and civil society in order to increase the number of women candidates for village office in the upcoming elections.

38. The Ministry of Justice had incorporated a gender perspective into its strategic plan. With regard to female participation in economic development, women were engaged mainly in small-scale economic activities, especially in rural areas and often lacked the resources to pursue business opportunities. The

Ministry of Tourism, Trade and Industry and other development-related ministries were preparing women to develop business plans in order to help their family economies, and a public transference fund for women in rural areas had also been established. The Ministry of Social Solidarity provided subsidies to both men and women on a basis of equality. Lastly, with regard to the judicial system, the first priority in her Office's strategic plan was to provide gender-sensitivity training.

39. **The Chairperson**, speaking in her capacity as an expert, said that while the Committee fully shared the State party's concern about preserving the national identity after centuries of colonial domination, it was dangerous to link the question of gender equality to foreign ideas introduced into and refuted by Timorese society. Cultural specificity must indeed be respected, but negative stereotypical images of women rooted in tradition and culture must be challenged. She would like to know how the Office of the Secretary of State for the Promotion of Equality intended to use the media in a country facing the problem of illiteracy to transform traditional practices.

40. She expressed concern at the idea of keeping women in their traditional, domestic role, a role that had its importance but that should not preclude their playing other roles, particularly in a post-conflict society. In that connection, with the tenth anniversary of Security Council resolution 1325 (2000) approaching, Timor-Leste should strive to serve as an example of the positive role that women could play in promoting peace and security.

41. It would be useful to know how the State party planned to change the traditionally negative image of women in educational curricula. Women must also be given the information needed to make their own decisions concerning family planning. With regard to the marriage age, while the State party was in compliance with the Convention on the Rights of the Child with respect to the minimum age for civil marriage, the age for traditional marriage — set at 15 — was problematic. Lastly, the question of bride price must be addressed, as it was often used as a means to coerce young girls into marriage.

42. **Ms. Rodrigues** (Timor-Leste) said that traditional community leaders had an important role in solving problems related to domestic violence. The

Government had worked with development partners to train them to prevent gender-based violence.

43. With regard to Security Council resolution 1325 (2000), various programmes were being carried out that contributed directly to its implementation. The question of educational curriculum was a priority, but the Government currently lacked the human resources to develop a gender-sensitive curriculum.

44. While it was true that Timorese women were bearing 7.5 children on average, and that girls sometimes became victims of forced marriages due to the bride price, measures were being taken to address those problems, such as the recent drafting domestic violence law and consultations with community leaders.

45. **Mr. Soares** (Timor-Leste) said that the primary school curriculum included books recently developed in Portugal and sent to Timor-Leste in the previous few months. As for the secondary school curriculum, it was still in the process of being developed, in collaboration with the United Nations Children's Fund (UNICEF), other United Nations agencies and civil society, with the aim of ensuring that points relevant to gender, such as women's rights and civic education for boys and girls, would be addressed. The curricula currently in use were transitional and covered only the first to sixth levels of primary education.

46. **Ms. Gomes** (Timor-Leste), referring to the number of children born to Timorese women, said that the Ministry of Health emphasized the importance of spacing births for maternal health and well-being.

47. **The Chairperson**, speaking in her capacity as an expert, asked how the State party planned to combat stereotypical ideas about reproductive health and maternity.

48. **Ms. Rodrigues** (Timor-Leste) said that it was in response to the prevalent stereotypes and attitudes in Timorese culture that education campaigns and other programmes were being conducted, with the participation of the Ministry of Health, in order to help women to understand their rights and decide how many children they wanted to have.

49. **The Chairperson**, speaking in her capacity as an expert, noted with pleasure the State party's effort to introduce a new curricula and new ideas. While it might be convenient to borrow from other Portuguese-speaking countries during the current transitional

period, she hoped that Timor-Leste would ultimately be able to develop its own educational materials and curricula.

50. **Ms. Rasekh** said that she would like to know when the domestic violence law was expected to be passed. As a post-conflict country, it was important for Timor-Leste to be able to seize the opportunity to start fresh under the Convention and eliminate all discriminatory legislation. Noting the absence of uniform data on gender-based violence — a lack mentioned in the State party's report — she wondered what steps were being taken towards systematic data collection on gender-based violence. It would also be useful to know how the Government intended to remedy rural women's lack of access to protective and supportive services for victims of domestic violence.

51. As the State party acknowledged that poverty was a root cause of prostitution and trafficking, further information would be welcome on measures it had taken to stop women entering the sex trade. Had anything been done to promote the economic empowerment of women and provide psychological counselling for women suffering from trauma?

52. With regard to the case of a man and seven women arrested for trafficking and prostitution, in which the man had been freed and the women had been charged and deported, she would like to know why the perpetrators had been treated differently, given their equal guilt. Lastly, she sought further details on Government actions, if any existed, to stop demand for prostitution and to protect female sex workers from abuse by men.

53. **Ms. Chutikul** said that she would like to know whether sustained strategies aimed at eliminating gender stereotypes, as opposed to seasonal ones like International Women's Day, were planned by the State party. In addition, what future concrete measures related to both promotion of gender equality and prohibition of sexist advertisements and violence against women on radio and television broadcasts did the Government envisage? It would also be useful to know whether complaints on media-related matters were encouraged.

54. Turning to trafficking, she enquired about the status of the revised Penal Code and requested details on its provisions on anti-trafficking. She also sought details on the proposed witness protection law. Noting that the inter-agency working group on trafficking had

not met since February of 2008, she would like to know the reasons for its inactivity and whether the void thereby created was being filled by the International Organization for Migration and local non-governmental organizations or by some Government entity. She requested additional information on specialized support services for victims of human trafficking and on any guidelines and procedures for identifying them. Moreover, further clarification was needed on whether the Government had ways of monitoring migrant women who came to Timor-Leste from other countries in the region to work as prostitutes and on the possibility of conducting a study on the situation, the results of which might be used for strategic planning to tackle those phenomena.

55. **Ms. Rodrigues** (Timor-Leste) said that the domestic violence law had to be approved both by the Council of Ministers and the Parliament. Her Office was working with the Parliament to ensure speedy adoption of the law. Her Office had also been working with the Ministry of Social Solidarity to standardize all data on gender-based violence on an annual basis, and it had hired an international adviser to address the difficulty posed by the fact that each non-governmental organization had different statistics.

56. A Vulnerable Persons Unit had been established within the national police force to assist women, particularly in rural areas, and children who might be victims of gender-based violence. The language barrier was a major obstacle to many women's pursuit of justice through formal legal channels.

57. With regard to prostitution, her Office was working with a women's group in Parliament, and preliminary consultations on a gender equality law were under way. Once the domestic violence law had passed, an anti-trafficking law would be drafted. As no data on prostitution among Timorese and migrant women had been compiled previously, it would be useful to begin gathering statistics on the situation.

58. **Ms. Pimentel** said she was interested to know whether the Penal Code and the draft Civil Code maintained certain stereotypes regarding women. Specifically, was marital rape a crime, and were sex crimes against women classified as crimes against custom, honour and morality, or were they now defined as offences against the person? Did the draft Civil Code maintain the idea of the supremacy of the man in

the marital relationship and the primacy of the father in decisions relating to the couple's children?

59. **Ms. Šimonović** said that she was pleased that Timor-Leste was taking into account the Committee's General Recommendation No. 19, and wondered what steps it had taken in response to any concluding observations from the Committee on the Rights of the Child, which had also expressed views on violence against women and girls.

60. She asked whether the Organic Law on the Secretary of State for the Promotion of Equality contained any provisions actually dealing with gender equality or whether it merely established the new office. In addition, she wished to know whether the Convention was on the same level, legally speaking, as the Organic Law.

61. **Ms. Begum** noted that the Council of Ministers had decided to legalize abortion in cases where the life and physical and psychological health of the mother or foetus were at risk but that the Parliament had not only rejected that initiative but had also established further obstacles to the termination of pregnancy. That was very regrettable. It was tantamount to violence against teenage mothers to compel them to continue an unwanted pregnancy. Given the country's very high rates of maternal mortality and teenage pregnancy, she urged the Government to protect teenage girls and reconsider its stand on the criminalization of abortion. She enquired about the existence of shelters for women in remote areas, and the services they provided, and about services for the country's war veterans.

62. **Ms. Rasekh** recalled that, in response to the question she had asked about rural women's access to services for victims of domestic violence, the delegation had highlighted the difficulties in securing convictions owing to the lack of laboratory facilities for identifying the DNA of the perpetrators. However, her question had related to specific measures or strategies to facilitate access to justice and services for women who lived far from the capital and suffered, or were at risk of suffering, violence.

63. She had also asked about an incident described in the report in which seven Indonesian women and one Timorese man had been arrested on charges of being involved in prostitution. According to the report, the man had been questioned and released, while the women had allegedly been harassed by the police, one of them even being raped by a policeman. She sought clarification of why the man had been released while

the women had been charged and subsequently deported, and whether any action had been taken against the police officers.

64. **Ms. Chutikul** asked whether the law regarding witness protection that was currently being discussed in the Parliament was an existing law or a new proposal. She was interested to know what issues were being discussed.

65. **Mr. Cardoso** (Timor-Leste) said that, while the Civil Code stipulated the marriage age, it was possible for younger persons to marry with family authorization. Forcing someone to marry was a criminal offence. Draft legislation on children's rights was currently being discussed in the Council of Ministers. Once a law had been enacted, the existing National Commission for the Rights of Children would be responsible for implementing it.

66. **Ms. Rodrigues** (Timor-Leste) said that the Penal Code was very new and that the State party would provide the Committee with the detailed information requested about it at a later date.

67. With regard to criminalizing abortion, the Government and Parliament differed on the issue, and the latter was in the process of drafting an amendment on abortion.

68. Even though the domestic violence law had not yet been enacted, the Government was trying to establish a shelter, with the help of non-governmental organizations. There were currently four shelters in the capital and three others in different districts.

69. Turning to the issue of veterans, the Ministry of Social Solidarity had prepared a report on all beneficiaries, male and female, to which it paid subsidies. No discrimination on the basis of gender existed in the payment of veterans benefits. The law on veterans was under discussion in Parliament and might be revised once more.

70. **Mr. Santos** (Timor-Leste), replying to Ms. Rasekh's question about the police's handling of an incident involving prostitution in 2003, said that, at the time of the incident, the police came under the authority of a United Nations mission and observed the relevant international standards.

Articles 7 and 8

71. **Ms. Murillo de la Vega** noted that, while women could stand for election under the Constitution of

Timor-Leste, they hesitated to do so, fearing reprisals and even physical harm. An additional deterrent was the fact that a woman could not stand for election without her husband's permission. She therefore wished to know whether there had been any prosecutions for intimidation of a female candidate for election.

72. Even though the same selection criteria were applied to men and women in recruitment to the public service, she did not see how it was possible to ensure genuine equality of opportunity, as required by law, when the rate of adolescent fertility was so high and dropping out of school was so prevalent among girls. Women must have the right to decide whether or not to have children, and family planning services must be provided to them.

73. She was concerned that some Timorese perceived gender equality as a foreign concept and considered that non-governmental organizations that advocated for women's rights were meddling. She asked whether non-governmental organizations received any public funding. She would appreciate it if any information in that regard could be broken down by type of organization (secular or religious). Finally, since the statistics showed that equality was not yet a reality, she wished to know whether any affirmative action was contemplated as a way of addressing the situation.

74. **Ms. Belmihoub-Zerdani** congratulated Timor-Leste on ratifying the Convention without a single reservation, something that demonstrated the country's determination to apply international law following its rebirth after more than 400 years of colonial rule.

75. She suggested that a quota policy should be established for the participation of women in political life, and that it should be set at 33 per cent in the Parliament, 30 per cent in the Government, and higher at local government levels. If the political parties did not comply, they should no longer receive government subsidies. Timorese women should also represent the country in the United Nations and its specialized agencies and in the diplomatic service.

The meeting rose at 1.05 p.m.