



**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 900th meeting

Held at Headquarters, New York, on Thursday, 30 July 2009, at 3 p.m.

Chairperson: Ms. Gabr

Contents

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

Initial periodic report of Timor-Leste (continued)

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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)

Initial periodic report of Timor-Leste (continued)
(CEDAW/C/TLS/1; CEDAW/C/TLS/Q/1 and Add.1; HRI/CORE/TLS/2007)

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

Article 7 (continued)

2. **Ms. Rodrigues** (Timor-Leste) said that all citizens were entitled by law to participate in elections and that her office had received no reports of attempts by husbands to discourage their wives from participating.

Article 9

3. **Mr. Flinterman** said that it was not apparent that Timor-Leste's laws on citizenship and the acquisition of citizenship fully complied with the Convention, especially in that they did not favour allowing a child whose parents were of differing nationalities to adopt both nationalities and hold dual citizenship. Information had reached the Committee that the children of Indonesian mothers in Timor-Leste were denied Timorese nationality and were officially stateless.

4. **Mr. Cardoso** (Timor-Leste) said that the Constitution specified the requirements for citizenship. The problems relating to the children of Indonesian mothers in Timor-Leste were caused mainly by Indonesian legislation barring the acquisition of Timorese nationality by the children of Indonesian nationals. There were no such problems with the children of parents of other nationalities, who could adopt the nationality of either parent or even both. The procedure for acquiring Timorese nationality required five years' residence in Timor-Leste, the ability to speak one of the official languages, i.e. Tetum or Portuguese, and a formal letter of application for citizenship.

Articles 10 to 14

5. **Ms. Bailey**, while recognizing the heroic achievements of the country in the short post-

independence period, said that the Committee had some concerns with regard to the education system as it was taking shape. The net enrolment ratios seemed low, although less so at the primary level, and the completion rate for girls was lower than that for boys. Various factors seemed to be involved; one of them, according to information that had reached the Committee, was that some girls were or felt intimidated by their male teachers and simply dropped out. That was a problem that reached beyond the situation in schools and could reflect broader societal attitudes towards gender roles and women's participation in all aspects of public life. The Government needed to ensure a comfortable and welcoming environment for girls by eliminating patriarchal attitudes and harassment. Noting that the secondary school figures were not disaggregated by sex, she pointed out that the Committee needed to see figures that presented the situation of girls in relation to boys. She asked what the Government planned to do to improve school infrastructure and teacher training. Another problem relating to girls in school was the incidence of early pregnancies and marriages, which led to a loss of access to education for teenage mothers. The Government needed to have a policy that promoted the elimination of traditional gender roles and societal norms disfavoured girls and women and it needed to enforce that policy. She noted that health and family life topics, in particular sex education, seemed mostly absent from school curriculums.

6. **Ms. Pimentel**, stressing the importance of education and literacy campaigns in the transition from a patriarchal mind set, noted the significant improvements in literacy among young people. What was important now was to convince parents of the need to get girls to go to and stay in school. She asked what measures the Government had taken or was planning to take to integrate the families themselves into the schools, which would provide a valuable opportunity to make parents aware of the issues of gender equality and the important role played and to be played by women in society.

7. **Ms. Rodrigues** (Timor-Leste) said that traditional patriarchal attitudes underlay the sternness and even corporal punishment that teachers sometimes inflicted on children, all of which could, unfortunately, scare girls away from school. Given the distance to school in many cases and the risks in the environment, both at school and on the way, some girls eventually stopped

going, while boys persisted. The Government was working actively to change those attitudes and improve the situation. A gender curriculum had been prepared for university students in the hope of improving awareness, gathering data on gender issues and forming more progressive attitudes among future teachers. Various offices, including hers, were working with the Department of Statistics to obtain the disaggregated data that was needed to understand the situation fully and establish a workable gender perspective. With such information ministries could set gender targets for their staff and programmes.

8. **Mr. Soares** (Timor-Leste) said that the law provided for equal and universal access to education for all children, and various measures had been taken to improve attendance and retention, particularly among girls, namely, a school lunch programme and subsidies to schools where the distance to school was a problem. World Bank assistance and support from the United Nations Development Fund for Women had proved valuable in that connection. Data for 2007 showed that girls constituted 47 per cent of the primary school students and 48 per cent of those in secondary school. The problem of the intimidation of students by teachers was known and was declining, as students had been made aware of their rights and were reporting on the behaviour of their teachers. Every effort was being made to get Ministries to gather data in a disaggregated form as requested by the Committee, and that situation was improving every year. Training courses had been instituted for teachers to improve their qualifications and teaching methods. A pilot literacy programme had been started in two districts and it would be generalized to the entire country if the results of the pilot proved encouraging.

9. **Mr. Bruun** commended the range of employment law that had been introduced in Timor-Leste in such a short time. However, in practice, there was a very large wage gap and the Committee had received information that women were not always given paid maternity leave and could not always return to work. Therefore, the Committee would welcome any information about measures being taken to implement employment legislation. It was important to bear in mind that only a small percentage of women were employed in the formal sector and there was a very large informal sector that also needed to be taken into consideration. There were concerns about the extent of child labour in Timor-Leste, to which girls were particularly

vulnerable. It was alarming that Timor-Leste had not ratified the International Labour Organization (ILO) Worst Forms of Child Labour Convention (Convention No. 182). He asked whether the Government of Timor-Leste was working with ILO on employment issues and intended to ratify the ILO Discrimination (Employment and Occupation) Convention (Convention No. 111) and Equal Remuneration Convention (Convention No. 100), which were both closely related to the Convention on the Elimination of All Forms of Discrimination against Women.

10. **Ms. Patten** echoed the concern about the wide wage gap and also urged Timor-Leste to consider ratifying ILO Convention No. 100 and the other core conventions. She asked what mechanism would regulate wage levels under the proposed new Labour Code. The Committee would also appreciate further information about the status of the draft laws that were being developed on those issues not addressed in the draft Labour Code and the likely time frame for their adoption. She asked whether the draft Labour Code included provisions on sexual harassment and what sanctions were envisaged for such offences. The Government's exploration of a variety of avenues, including overseas, in an effort to give women greater employment opportunities, was to be commended, but the Committee would welcome an explanation of what safeguards were in place.

11. **Ms. Rodrigues** (Timor-Leste) said that all female public servants were entitled to three months' maternity leave with full pay.

12. With regard to opportunities for women, she explained that 80 per cent of microcredit was given to women, but women often found it difficult to sell their products. An action plan had therefore been developed to introduce specialized centres to sell products made by local women in all thirteen districts of Timor-Leste, with a planned start date in 2010.

13. Responding to the query about the minimum wage, she said that the Government had signed an agreement following discussions in Geneva. The delegation was not able to provide further details of the agreement at that time but would be in a position to do so upon its return to Timor-Leste.

14. She acknowledged that the issue of sexual harassment needed to be discussed in order to raise awareness of what constituted harassment and how it should be reported.

15. **Ms. Arocha Domínguez** recognized that efforts had been made to improve women's access to health care. However, the indicators for maternal and infant mortality and complications in pregnancy remained very high, since cultural stereotypes meant that reproductive health issues were often taboo. The Committee would appreciate further information about preventive health care for women and any measures being taken to encourage a culture of responsibility among pregnant women and their partners. It would also be useful to know whether efforts were being made to involve men in family planning, since the report indicated that most women had never discussed the issue with their husbands. She asked the delegation whether there were any programmes to address other health issues concerning women, including cancer and mental health issues.

16. It had been noted earlier that an effort to legalize abortion had been rejected by Parliament. However, the report had indicated that discussions were under way about the causes and consequences of abortion, so the Committee would appreciate any further information about the results of those discussions.

17. **Ms. Zou Xiaojiao** requested clarification on the issue of maternity leave since the Timorese Labour Code stated that women had the right to 12 weeks' leave with only two-thirds pay. Had the Labour Code been changed?

18. Timor-Leste had an extremely high fertility rate and a very low level of awareness about contraception. A shortage of medical facilities and qualified personnel both contributed to a high maternal mortality rate. The Government's commitment to reducing that rate by 2010 was commendable and the Committee would welcome further information about measures to help achieve that target. She would be interested to know whether family planning campaigns were being run in coordination with civil society groups and non-governmental organizations.

19. Turning to the matter of access to health services for women in rural areas, she asked what proactive measures were being taken to ensure they had access to affordable health care and whether the Government planned to establish more clinics or mobile medical teams. The statistics about awareness of HIV/AIDS were a cause of concern and the Committee would welcome further information about any planned

measures to improve awareness and screening programmes.

20. **Ms. Rodrigues** (Timor-Leste) said that women working in public service faced no discrimination when it came to maternity leave, so the legal provisions governing their situation served as a good model. Since women working in other sectors might experience some difficulties, there was a need for more efforts to raise awareness and for dialogue on the issue with employers. AIDS awareness was already a high priority and a target had been set.

21. **Ms. Gomes** (Timor-Leste) said that the Government was indeed working with social partners on family planning issues. The Ministry of Health had undertaken campaigns to raise awareness among both men and women, particularly encouraging men to get involved, and had developed a communication on behavioural change within communities. A screening programme had been set up for cervical and breast cancer, and all mothers had been encouraged to be screened.

22. Timor-Leste had a very high fertility rate, minimum use of contraception and very high maternal mortality. The Ministry of Health had responded with plans to improve access to health services, especially in rural areas; to improve the quality of care, concentrating on maternal care in the countryside; and to improve community involvement in health service provision through the Integrated Health Services in the Community programme.

23. Regarding HIV/AIDS, emphasis was being placed on education and the promotion of health services in the community, especially for youth. The Government had established a volunteer confidential counselling and testing group, operating in nine of the country's districts. Health service personnel had also been trained in counselling, education and promotion. The Government was working with United Nations agencies, principally the World Health Organization, to procure equipment and medicines, mainly retroviral drugs, to treat those with HIV/AIDS.

24. With reference to the high mortality rate, Timor-Leste was training midwives and nurses and creating facilities in rural areas where they could care for pregnant women. Six hundred and forty Timor-Leste health workers were being trained in Cuba and they would bolster the human resources of the health sector upon their return after graduation.

25. **Ms. Awori** asked for information, in regard to article 13, on the institutions that provided microcredit. She wondered what proportion of loans were for women, and especially rural women, and whether former discriminatory practices remained in place, such as banks requiring a husband's signature on loan application forms. Information was requested regarding Timor-Leste's efforts to end cockfighting, in the light of the harm to society described in the initial report.

26. **Ms. Rodrigues** (Timor-Leste) said that microloans were being granted in eight districts and that more would be done to ensure availability of credit in the subdistricts and villages. Assistance for small enterprises came not only from the World Bank but also from the Government, through programmes to encourage self-employment. More than 55 per cent of microloans were given to women, according to data from the Ministry of Economic Affairs and Development. Requirements and regulations for loans depended on the banks concerned. However, the option of the Government's microcredit programme greatly facilitated loans for women. Rural women were also receiving Ministry of Agriculture, Forestry and Fisheries support in the form of hand tractors.

27. **Ms. Begum**, referring to article 14, wanted to know what proportion of microcredits were allocated to elderly women and widows and was interested in Government programmes to promote self-employment among those groups. Rural areas should be supported through sustainable economic development programmes. The Committee would be interested in programmes to improve potable water coverage. With regard to health-care issues, she wanted to know about training for traditional birth attendants and care for the victims of rape during the occupation.

28. **Ms. Patten** requested information on training for rural women in new agricultural and soil conservation techniques in their communities. She asked about access to land for such women, microcredits for cooperatives and supports to guarantee food security. Information was needed on women who had been internally displaced and who were returning to their places of origin.

29. **Ms. Rodrigues** (Timor-Leste) said that the victims of the military crisis of 2006 had received Government assistance. Mothers of very large families had been provided with housing and there were scholarships for mothers. Widows, orphans and single

mothers had obtained emergency support. Internally displaced pregnant women had been safely accommodated at hospitals. Victims of violence among internally displaced persons were supported by civil society and women's committees.

30. **Mr. Almeida** (Timor-Leste) said that 70 per cent of the population lived in rural areas and 80 per cent of them worked in agriculture, evenly divided between men and women. Rural spouses worked together on family farms and therefore had equal access to property. Some farmers were living in poverty, unable to grow enough even to feed their own families, but the Government itself was still too weak to help all of them to develop their farms and increase their income. However, extension workers had been assigned to each of the 442 *sucos* or townships in East Timor to train farmers in recommended new techniques, and the programme was proving especially helpful to rural women. Once farmers were trained, the Ministry of Agriculture, Forestry and Fisheries supplied tractors that enabled them to diversify their crops and not depend on imported food. The government-sponsored "One Village/One Product" project was directed especially at women to allow them to produce more food and earn some income, and reflected the national priority on food security. Another income-generating programme was the "Farmers plant/Government will buy" project, under which the Government went directly to villagers who lacked access to markets and bought their produce at a higher, subsidized price.

Articles 15 and 16

31. **Ms. Halperin-Kaddari**, referring to article 15, asked whether under existing law and the draft Civil Code, women actually enjoyed an independent, legal capacity for all purposes, including contracts and litigation; the report (p. 138) stated, for instance, that a woman's personal assets had to be managed by her husband and that she could not generally appear in court without the assistance of her husband. Also, the written response to question 27 of the list of issues indicating that women had equal property and contractual rights was contradicted by the statement in the report that in the event of divorce or separation, a woman must often return to her family's home. In general, more information should be provided about the difference between the *de jure* and *de facto* status of divorced women's property rights and what exactly was included under property.

32. Referring to article 16, she asked if existing law made marital rape a criminal offence. Also, there was alarming information that occasionally young girls were forced into marriage following forced sexual relations and wondered how the Government was eradicating such a practice if it existed.

33. **Ms. Coker-Appiah**, enquiring if the draft Civil Code had been adopted yet by Parliament, asked if it included a provision doing away with the traditional but demeaning bride-price system, which both the core document and the report recognized as discriminatory; and if the grounds on which women and men could sue for divorce were the same.

34. **Ms. Rodrigues** (Timor-Leste) said she knew that the Adviser to the Prime Minister on the Promotion of Equality had, after extensive consultation with government departments and community leaders, made recommendations to the Ministry of Justice on the issue of the division of property after divorce.

35. **Mr. Cardoso** (Timor-Leste), noting that the draft Civil Code was currently before the Council of Ministers, said that its provisions set the minimum age for marriage at 18 years for both men and women, and established regulations for the division of property after divorce: assets that belonged to the spouses before marriage were returned to each individually, assets accumulated during the marriage were divided equally, except that priority consideration was given to the needs of any children of the marriage.

36. **Ms. Rodrigues** (Timor-Leste) observed that the bride price was an ancestral custom that had some positive sides — it was thought to enhance the value of women in some areas of the country — and hence opinions were divided, even among women, as to its abolishment. It should also be noted that in some districts the woman gave a dowry to the groom's family. From the point of view of gender equality, of course, the bride price was seen as an affront to the dignity of women and the future family. Many studies were currently being done on traditional practices as they affected the women of Timor-Leste in modern society, and on their advantages and disadvantages.

37. **The Chairperson** invited the Committee to pose follow-up questions.

38. **Ms. Pimentel** expressed concern that often women were denied their rights in the interests of preserving the status of the family. She was also concerned about the impact that HIV/AIDS, abortion,

family planning and contraception all had on maternal mortality. Sex education was not effective if the Government did not make contraceptives available to all: it must remember that governments as such were secular and the observance of international treaty obligations could never be subordinated to any religious considerations.

39. **Ms. Murillo de la Vega** asked the delegation to comment on the statement in the core document (HRI/CORE/TLS/2007) (para. 511) to the effect that regional workshops had indicated that women feared to run for office because of the threat of violence or reprisals.

40. **Mr. Bruun** asked again whether child labour, especially in the case of girls, existed in Timor-Leste, if the Government was keeping statistics on the matter and what it was doing about it.

41. **Ms. Halperin-Kaddari** said that she had not received answers to her questions regarding the legal capacity of married women, marital rape, or forced marriage through rape.

42. **Ms. Awori** said that she would like a response to her question about certain cultural practices, especially cockfighting.

43. **Ms. Rodrigues** (Timor-Leste) said, with regard to child labour, that Timor-Leste had ratified, and hence would observe, the Convention on the Rights of the Child and had submitted its initial report to the relevant Committee in 2008. Unfortunately, forced marriage via rape did exist in remote areas as an ancestral holdover, the idea being that a large dowry should be given in return. However, there were long-term plans to educate the public on the question country-wide and the Government had been working in partnership with non-governmental organizations and representatives of the various faiths to combat the custom. An inter-faith working group had been established to provide information on how all could promote equality. More time, however, was needed to eliminate traditional practices, not an easy task. Again in the case of cockfighting and other gambling practices that were common among men and had a harmful effect on the families involved, more time was needed to eliminate them.

44. **Mr. Cardoso** (Timor-Leste) pointed out that under the law, there was no obligation for a young girl to marry a man who had raped her with that end in mind.

45. Under both the Labour Code, and specific provisions regulating the protection of children, minors were forbidden to work, but some did, on their own initiative, in order to help their families.

46. **Ms. Rodrigues** (Timor-Leste) said that any questions left unanswered would be given a response subsequently.

47. She pointed out that Timor-Leste was a new nation established only seven years earlier, which was facing daunting challenges. It had much progress to make and therefore it welcomed the Committee's recommendations for ways to proceed. She assured it of her country's strong commitment to the international obligations it had undertaken. Timor-Leste knew that as it sought to move forward it could not leave out 50 per cent of its population.

48. **The Chairperson** said that the Committee's close questioning of the delegation should be taken as an indication of the importance it attached to Timor-Leste's initial report. The Committee was aware of the difficulties it was facing as a new nation and also of its commitment to the rights of women in the many areas touched upon in the discussion.

The meeting rose at 5.30 p.m.