



PROVEDORIA DOS
DIREITOS HUMANOS
E JUSTIÇA

Submission to the Universal Periodic Review

Ombudsman for Human Rights and Justice Timor-Leste (PDHJ)

4th Cycle

17 July 2026

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INTRODUCTION & METHODOLOGY

1. The Office of the Ombudsman for Human Rights and Justice (“PDHJ”) was established under the Constitution of the Democratic Republic of Timor-Leste¹ in May 2002 and operates as the nation’s independent National Human Rights Institution. PDHJ’s mandate is to promote and protect human rights, good governance and justice.
2. This report was prepared by PDHJ as an assessment of human rights developments in Timor-Leste since the 3rd UPR Cycle in 2021. This submission is based on PDHJ complaint data from 2021 to 2026; monitoring visits to public facilities; a desk review of laws, policies, and reports; consultations with civil society organizations, the UN Human Rights Advisor, PDHJ program directors, and PDHJ’s Legal Advisor; and research by PDHJ’s Legal, Administrative, and Research units.

I. HUMAN RIGHTS FRAMEWORK

A. Compliance with International Obligations

3. In 2022, Timor-Leste ratified the Convention on the Rights of Persons with Disabilities (“CRPD”), bringing Timor-Leste in compliance with eight of the nine core human rights treaties.² Timor-Leste also ratified the Optional Protocol to the CRPD, enabling individuals to submit complaints to the Committee on the Rights of Persons with Disabilities after exhausting domestic remedies.³
4. However, Timor-Leste has not yet ratified the International Convention for the Protection of All Persons from Enforced Disappearance (“ICPPED”),⁴ the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (“OP-ICESCR”), or the Optional Protocol to the Convention against Torture (“OPCAT”).⁵
5. *PDHJ recommends that Parliament:*
Ratify the ICPED, OP-ICESCR, and OPCAT by 2027.

B. Human Rights Infrastructure

6. Timor-Leste has continued to strengthen institutional capacity to implement its international human rights obligations through cooperation with the United Nations and development partners. However, Timor-Leste has not yet adopted a comprehensive National Human Rights Action Plan, relying instead on sector-specific action plans.⁶

7. *PDHJ recommends that the State:*

- a) *Adopt and adequately fund a National Human Rights Action Plan for 2026-2030, with clear indicators, timelines, budget, and monitoring by PDHJ and civil society.*

II. PROMOTION & PROTECTION OF HUMAN RIGHTS

A. Civil & Political Rights

1. Use of Force by Security Personnel

8. Timor-Leste has continued efforts to prevent torture and ill-treatment through human rights training for law enforcement and justice-sector personnel. Between 2021 and 2025, 443 police officers and 241 prison guards received human rights training.⁷ However, concerns regarding the use of excessive force by security personnel remain. Since the last review, PDHJ has investigated 169 cases of excessive use of force by security forces and one complaint of torture by prison guards.⁸ Security personnel continue to account for the largest share of alleged human rights violations reported to PDHJ, with the National Police receiving an average of 31 complaints annually.⁹

9. *PDHJ recommends that:*

- a) *The National Police establish an independent complaints mechanism, and publish annual disaggregated data on use-of-force investigations and disciplinary outcomes; and*
- b) *The Minister of Justice provide robust and continuous human rights training for prison guards, including training on the prevention of torture, and establish effective mechanisms to prevent and address any acts of torture and ill-treatment against prisoners.*

2. Impunity & Transitional Justice

10. The Commission for Reception, Truth and Reconciliation (“CAVR”) and the Commission of Truth & Friendship (“CTF”) have given recommendations on justice, truth, and reparation relating to human rights violations committed during the Indonesian occupation of Timor-Leste, but such recommendations have yet to be implemented.

11. *PDHJ recommends that the State, by 2028:*

- Implement the CAVR and CTF recommendations, including through a national reparations program.*

3. Rights of Persons Deprived of Liberty

12. Since Cycle 3, Timor-Leste rehabilitated a prison facility for female prisoners in Gleno, Ermera, improving accommodation, safety, and sanitation.¹⁰
13. Nevertheless, prison conditions in many facilities remain below international human rights standards. As of 2026, PDHJ found that several facilities still experience overcrowding, inadequate healthcare services, poor sanitation, insufficient access to nutritious food, limited access to legal aid, and reports of excessive physical force by security personnel against prisoners.¹¹ These conditions violate the United Nations Standard Minimum Rules for the Treatment of Prisoners.¹²
14. PDHJ also notes an increase in reports of juvenile criminal activity and has petitioned the Court of Appeals to declare the absence of a comprehensive Juvenile Justice Law in Timor-Leste an unconstitutional legislative omission.¹³ Although the Court did not grant the constitutional remedy requested, it acknowledged the urgent need for a dedicated legal framework to regulate the juvenile justice system and strengthen the protection of children's rights.¹⁴
15. *PDHJ recommends that the State, by 2028:*
 - a) *Increase funding for the construction and rehabilitation of prison facilities;*
 - b) *Expedite the establishment of the Weberek Productive Prison and the Tibar Youth Centre, to separate prisoners by age, gender, and category of offence;*
 - c) *Ensure effective legal assistance for all detainees throughout the criminal justice process;*
 - d) *Strengthen prison healthcare by increasing medical staffing and improving health facilities;*
 - e) *Ensure food provided to prisoners meets nutritional standards;*
 - f) *Prevent the use of excessive force through oversight, accountability, and training of prison personnel;*
 - g) *Establish a Juvenile Rehabilitation Centre and raise the minimum age of criminal responsibility in line with international standards; and*
 - h) *Invest in child psychology and social work, to prevent juvenile offending and support rehabilitation.*

4. Forced Labour & Human Trafficking

16. Timor-Leste has taken concrete steps to prevent and counter human trafficking. The Government has passed Decree-Law 9/2021, establishing the Committee to Combat Human Trafficking (“KLATU”)¹⁵ and has developed a National Action Plan to Prevent and Counter Trafficking 2026 – 2030.¹⁶

17. PDHJ notes media reports concerning a 2021 case involving allegations of trafficking facilitated by public officials. The case remains under investigation.

18. *PDHJ recommends that the State, by 2028:*

- a) Fully fund and implement the National Action Plan to Prevent and Counter Trafficking 2026-2030 with measurable indicators;*
- b) Strengthen victim identification, referral, and protection services, including shelters and legal aid, and ensure victim protection regardless of cooperation with prosecution;*
- c) Increase investigation and prosecution of trafficking cases, including cases involving public officials; and*
- d) Publish annual disaggregated data on trafficking cases through KLATU.*

5. Freedom of Expression

19. The Constitution of the Democratic Republic of Timor-Leste guarantees freedom of expression.¹⁷ PDHJ is concerned by Parliament's consideration of a 2026 draft law to criminalize defamation. Freedom of expression is a fundamental pillar of democracy and crucial to keeping public authorities accountable to the people. Timor-Leste's civil law sufficiently provides recourse for offences against one's reputation, negating a need for criminalization.

20. *PDHJ recommends that Parliament:*

- a) Refrain from approving the 2026 draft law on defamation; and*
- b) Ensure that any legislation affecting freedom of expression complies with Article 40 of the Constitution and Article 19 of the International Covenant on Civil and Political Rights ("ICCPR").*

B. Economic, Social, and Cultural Rights

1. Right to Health

21. Timor-Leste continues to provide free public healthcare and has expanded primary healthcare, rural health infrastructure, and the health workforce through investments in community health services, referral hospitals, and specialist training.¹⁸

22. However, significant disparities remain between urban and rural areas. Many health facilities experience shortages of qualified personnel, essential medicines, laboratory services, and medical equipment. Inadequate infrastructure, including unreliable electricity and water supply, affects the

quality of care.¹⁹ PDHJ monitoring further identified weaknesses in medicine management and distribution, resulting in persistent shortages, particularly in remote areas.²⁰

23. *PDHJ recommends that the State, by 2028:*

- a) Increase investment in health infrastructure, including reliable electricity, clean water, and well-equipped health facilities, to improve the quality and continuity of healthcare services;*
- b) Strengthen equitable access to quality healthcare in rural and remote areas by deploying more qualified health professionals, essential medications, and medical equipment;*
- c) Allocate adequate financial and human resources to ensure the sustainable supply of essential and life-saving medications; and*
- d) Improve coordination between the Ministry of Health, municipal health authorities, and health facilities to ensure timely forecasting, procurement, and replenishment of essential medications.*

2. Right to Marry

24. Under Article 1475 of the Civil Code, Timor-Leste recognizes only civil, Catholic, and monogamous traditional marriages. However, the State has not established the administrative mechanisms to register civil or monogamous traditional marriages. Consequently, only Catholic marriages can effectively obtain legal recognition.

25. PDHJ considers this discriminatory. The law excludes marriages of other religious denominations, while the absence of administrative mechanisms effectively compels many couples to marry through the Catholic Church to obtain legal marital status, regardless of their religious beliefs. PDHJ challenged Article 1475 before the Court of Appeals.²¹ Although the Court upheld its constitutionality,²² PDHJ maintains that the legal framework and its implementation violate the rights to equality²³ and freedom of religion.²⁴

26. *PDHJ recommends that the State:*

Amend the Civil Code to recognize marriages of all religious denominations and establish the administrative mechanisms necessary to ensure legal recognition of all marriages recognized by law by the next UPR review.

3. Access to Clean Water

27. The Government continues to work with national and international partners to expand access to clean water in rural and urban areas. However, access remains below national targets. Only 38.8% of urban communities and 12.2% of rural communities have access to clean piped water.²⁵
28. Under the Strategic Development Plan 2011–2030, the Government aims to achieve equitable access to clean water for all citizens and has tasked Bee Timor-Leste (“BTL”) with managing the country's water resources.²⁶
29. PDHJ has identified several challenges to water service,²⁷ including inadequate infrastructure, frequent leaks and breaks in pipelines, illegal connections, meter tampering, non-payment of water bills, limited technical capacity of BTL, and climate-related impacts to water sources.
30. *PDHJ recommends that the State, by 2028:*
- a) Develop and fund a strategic plan to rehabilitate and protect water sources; and*
 - b) Strengthen regular monitoring and enforcement of water supply and sanitation systems, with the involvement of community leaders to address illegal connections, meter tampering, and damage to pipelines.*

4. Forced Evictions

31. Since 2023, the Government has carried out administrative evictions with significant adverse impacts, particularly in Dili. Homes have been demolished without first ensuring adequate evictions safeguards, including fair compensation or suitable alternative accommodation.²⁸
32. PDHJ monitoring in 2025 identified cases in Dili and Baucau where evictions occurred without meaningful consultation, written notice, or effective remedies. In some cases, this resulted in homelessness, damage to personal property, disruption of children's education, loss of livelihood, and psychological harm, particularly for women, children, and other vulnerable groups.
33. PDHJ further identified concerns with institutional coordination and the legal framework governing evictions. Stronger safeguards are needed to ensure that eviction procedures comply with domestic law, constitutional guarantees, and Timor-Leste's international human rights obligations, including the rights to adequate housing, property, due process, and an effective remedy.

34. PDHJ recommends that the State:

- a) *Create an Urban Master Plan for development that includes meaningful consultation, written notice, fair compensation, and adequate alternative accommodation before eviction; and*
- b) *Improve coordination among responsible institutions in accordance with national and international human rights standards.*

5. Right to Education

35. Timor-Leste continues to implement the National Education Strategy Plan 2011 – 2030.²⁹ However, many schools lack the infrastructure necessary to provide a dignified learning environment. Insufficient access to electricity, adequate desks, and potable water disproportionately affects students in rural areas.³⁰

36. Students receive instruction in Tetum and Portuguese. However, many children enter the school system speaking only their mother tongue, and there is a shortage of teachers with fluent command of Portuguese,³¹ which affects learning outcomes.

37. Corporal punishment is still practiced in some schools, resulting in physical harm, psychological trauma, and school dropout.³² Zero-violence policies have not been effectively implemented, particularly in remote areas, where they lack reinforcement through teacher training or staff meetings.³³

38. PDHJ recommends that the State, by 2027:

- a) *Increase budget for rural school infrastructure, including electricity, water, and furniture;*
- b) *Develop a strategic plan to improve Portuguese literacy while respecting mother tongue instruction in early grades;*
- c) *Ban corporal punishment by law and provide mandatory teacher training on children's rights, positive discipline, and non-violent classroom management.*

C. Rights of Specific Persons or Groups

1. Rights of Women

a. Gender-Based Violence

39. Shelters and protection centres play a critical role in helping victims of gender-based violence recover from trauma, rebuild their confidence, regain hope, and become self-reliant. However,

PDHJ has found that many victims continue to face stigma within their communities and rejection by their families.³⁴

40. Victims also continue to face challenges to justice. Judicial proceedings for victims' cases are often excessively delayed, and access to legal assistance remains limited. Many cases of sexual violence against children are still pending before the courts, delaying access to justice for victims. In addition, there are frequent attempts by family members and/or perpetrators to pressure victims into withdrawing complaints or settle cases outside the formal legal process, undermining accountability and victims' rights to justice.

41. *PDHJ recommends that the State, by 2027:*

- a) Strengthen legal protection mechanisms and ensure victims have access to adequate legal aid and psychosocial support throughout judicial proceedings;*
- b) Publish annual disaggregated data on gender-based violence cases, including figures on investigation, prosecution, and conviction rates;*
- c) Strengthen implementation of the National Action Plan on Gender-Based Violence through adequate and sustainable funding for survivor services;*
- d) Improve investigation, prosecution, and timely adjudication of gender-based violence cases; and*
- e) Criminalize marital rape and incest as distinct offences in the Penal Code.*

b. Discrimination in Property Rights

42. Women in rural areas continue to face discrimination in inheritance and property rights under customary patrilineal practices, compounded by low rates of marriage registration.³⁵

43. *PDHJ recommends that the State:*

Expand outreach and legal aid for women's inheritance, property, and marriage registration rights in rural and remote communities by 2027.

c. Family Planning

44. Under the National Family Planning Policy,³⁶ “couples” may receive state-funded family planning services. The legal definition of “couples” excludes single women from receiving these services.

45. PDHJ views this as discrimination based on marital status,³⁷ and challenged the constitutionality of the Policy through a judicial review before the Court of Appeals.³⁸ The Court declined the review.³⁹ PDHJ maintains that the exclusion of single women from these family planning services is an infringement upon their human rights.

46. PDHJ recommends that the State:

Amend the National Family Planning Policy by 2027 to include single women as beneficiaries of state-funded family planning services.

2. Rights of Children

47. Progress has been made to ensure children are registered with civil registration authorities.⁴⁰ However, 65% of children under the age of 5 still do not have a birth certificate.⁴¹

48. PDHJ recommends that the State:

Provide free, mobile civil registration in all Sucos, and remove fees for late registration to ensure 100% birth registration by 2030.

49. The draft National Action Plan on the Worst Forms of Child Labour has yet to be adopted,⁴² and the list of hazardous work prohibited for children is still pending before the Council of Ministers.⁴³

50. PDHJ recommends that the State:

Adopt the National Action Plan on Worst Forms of Child Labour and set 18 as the minimum age of marriage without exception by 2027.

3. Rights of Persons with Disabilities

51. PDHJ notes that persons with disabilities continue to face barriers to justice and other basic human services. These barriers are reinforced by inaccessible infrastructure, limited awareness of rights, underfunded disability services, and the absence of comprehensive legislation aligning domestic law with the CRPD. Children with disabilities face obstacles to inclusive education, including inaccessible schools, inadequately trained teachers, and limited participation in decisions that affect them.⁴⁴ Women and girls with disabilities remain at heightened risk of violence, while the absence of disability-disaggregated data hinders effective protection. Government information and services also remain insufficiently accessible through sign language, Braille, and other formats.

52. PDHJ recommends that the State, by 2028:

- a) Establish the National Disability Council;*
- b) Adopt legislation implementing the CRPD;*
- c) Allocate adequate resources for the National Action Plan;*
- d) Strengthen inclusive education through accessible infrastructure and teacher training;*
- e) Improve the collection of disability-disaggregated data;*
- f) Ensure public information is available in accessible formats;*

- g) *Strengthen health and rehabilitation services for persons with disabilities; and*
- h) *Establish accessible complaint mechanisms for persons with disabilities within PDHJ.*

4. Rights of LGBTIQ+ Persons

53. Timor-Leste has no specific law criminalizing same-sex relations. However, LGBTIQ+ persons report experiences of stigma, discrimination, and limited access to justice and health services.
54. Civil society organizations continue to advocate for greater inclusion and protection of LGBTIQ+ persons, including in education, employment, and public participation.
55. *PDHJ recommends that the State, by 2027:*
- a) *Adopt comprehensive legal protections against discrimination based on sexual orientation and gender identity;*
 - b) *Establish safe, confidential, and accessible reporting mechanisms for discrimination and violence;*
 - c) *Facilitate the legal recognition of gender identity; and*
 - d) *Continue working with civil society to promote awareness, inclusion, and the meaningful participation of LGBTIQ+ persons in public life and ensure access to healthcare services without discrimination.*

¹ Constitution of the Democratic Republic of Timor-Leste, Art. 27.

² National Parliament Resolution No. 29/2022.

³ National Parliament Resolution No. 30/2022.

⁴ Office of the United Nations High Commissioner for Human Rights (OHCHR), *UN Treaty Body Database*, available at: https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/treaty.aspx.

⁵ PDHJ, *PDHJ submits official recommendation to Parliament for ratification of OPCAT*, available at: <https://www.pdhj.tl/en/pdhj-submits-official-recommendation-to-parliament-for-ratification-of-opcat/>; PDHJ, *PDHJ meets with Parliament President to push for OPCAT ratification*, available at: <https://www.pdhj.tl/en/pdhj-meets-with-parliament-president-to-push-for-opcat-ratification/>

⁶ See, for example, the National Action Plan to Prevent and Counter Trafficking and the National Action Plan for Persons with Disabilities.

⁷ PDHJ, *Promotion Reports (2021–2025)*.

⁸ PDHJ, *Investigation Reports (2021–2025)*.

⁹ PDHJ, *Investigation Reports (2021–2025)*.

¹⁰ PDHJ, *Annual Report 2023*, p. 53.

¹¹ PDHJ, monitoring visits to 17 prison facilities (2024–2025).

¹² UN General Assembly, Resolution 70/175, *United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules)*, 17 December 2015.

¹³ PDHJ, *Application for Constitutional Review of the Legislative Omission concerning Juvenile Justice* (Ref. 16/G/PDHJ/XII/2025, 23 December 2025), available at: https://www.pdhj.tl/wp-content/uploads/2026/04/Verificacao-da-Inconstitucionalidade-por-Omissao_Referente-a-protecao-da-crianca-consagrada-na-Constitucao-RDTL-no-seu-relacionamento-com-a-Justica-Juvenil-.pdf

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- ¹⁴ PDHJ, *Court of Appeal Rejects Ombudsman's Petition but Recognizes Urgent Need for a Juvenile Justice Law*, Facebook, 16 July 2026, available at: <https://web.facebook.com/photo?fbid=1440705641426738&set=a.244846514345996>.
- ¹⁵ Decree-Law No. 9/2021 on the Establishment of the Committee to Combat Human Trafficking (KLATU).
- ¹⁶ Government of Timor-Leste, *National Action Plan to Prevent and Counter Trafficking 2026–2030*, available at: https://asiapacific.unwomen.org/sites/default/files/2025-08/tl-20250416976-english_nap-tip_tl_18aug2025.pdf
- ¹⁷ Constitution of the Democratic Republic of Timor-Leste, Art. 41(5).
- ¹⁸ PDHJ, monitoring visits to 71 health facilities (2024–2025).
- ¹⁹ PDHJ, *Annual Report 2025*, p. 81.
- ²⁰ PDHJ, *Annual Report 2025*, p. 60.
- ²¹ PDHJ, *Application for Abstract Constitutional Review of Article 1475 of the Civil Code (Types of Marriage)* (2024), available at: <https://www.pdhj.tl/wp-content/uploads/2025/02/FAS-Codigo-Civil-Art-175-Lei-Casamento.pdf>
- ²² *Tribunal de Recurso* (Timor-Leste), *Acórdão*, Proc. No. 04/CONST/2024/TR (2025).
- ²³ Constitution of the Democratic Republic of Timor-Leste, Art. 16.
- ²⁴ Constitution of the Democratic Republic of Timor-Leste, Art. 45.
- ²⁵ Community Water, Sanitation and Hygiene Programme (BESIK), report.
- ²⁶ Decree-Law No. 41/2020.
- ²⁷ PDHJ, monitoring visits to water service areas in Dili, Covalima, Ermera, Liquiçá and Manatuto (2023).
- ²⁸ PDHJ, *Ombudsman calls for a human rights-based approach to urban planning and evictions in Timor-Leste*, available at: <https://www.pdhj.tl/en/ombudsman-calls-for-human-rights-based-approach-to-urban-planning-and-evictions-in-timor-leste/>
- ²⁹ Government of Timor-Leste, *Strategic Development Plan 2011–2030*, available at: https://timor-leste.gov.tl/wp-content/uploads/2012/02/Strategic-Development-Plan_EN.pdf
- ³⁰ UNICEF Timor-Leste, *Annual Report 2024*, p. 22.
- ³¹ UNESCO, *Strengthening multilingual education for a sustainable future in Timor-Leste*, available at: <https://www.unesco.org/en/articles/unesco-and-unicef-strengthening-multilingual-education-sustainable-future-timor-leste>; Broken Chalk, *Educational Challenges in Timor-Leste: A Nation Rebuilding its Educational System*, available at: <https://brokenchalk.org/educational-challenges-in-timor-leste-a-nation-re-building-its-educational-system/>
- ³² Ministry of Justice, *Violence Against Children in Timor-Leste*, available at: <https://www.jus.tl/post/violenceagainstchildrenintimor-leste>; UNICEF Timor-Leste, *Timorese children join the battle to end violence against children*, available at: <https://www.unicef.org/timorleste/stories/timorese-children-join-battle-end-violence-against-children>; *European Journal of Educational Research*, p. 54, available at: <https://files.eric.ed.gov/fulltext/EJ1505676.pdf>
- ³³ *International Journal of Contemporary Educational Research*, vol. 13, No. 1 (March 2026), p. 53.
- ³⁴ PDHJ, monitoring visits to 17 social protection centres (2024–2025).
- ³⁵ UNDP, *Timor-Leste Gender-Based Violence and the Law: An Assessment of Laws, Policies and Practices Affecting Gender Equality and Gender Justice in Timor-Leste* (2024), p. 70, available at: https://www.undp.org/sites/g/files/zskgke326/files/2024-08/spotlight_genderjusticereport_full_en.pdf
- ³⁶ Government Resolution No. 10/2022 (9 March 2022).
- ³⁷ Constitution of the Democratic Republic of Timor-Leste, Art. 16(1).
- ³⁸ PDHJ, *Application for Abstract Constitutional Review of the National Family Planning Policy* (2024), available at: <https://www.pdhj.tl/wp-content/uploads/2025/02/Fiscalizacao-Abstrata-Sucessiva-da-Constitucionalidade-da-Politica-Nacional-de-Planeamento-Familiar.pdf>
- ³⁹ *Tribunal de Recurso* (Timor-Leste), *Acórdão do Plenário*, Proc. No. 06/CONST/2024/TR, 29 January 2026.
- ⁴⁰ UNICEF Timor-Leste, *Birth registration: the first step to securing a child's future*, available at: <https://www.unicef.org/timorleste/stories/birth-registration-first-step-securing-childs-future>
- ⁴¹ Timor-Leste Demographic and Health Survey 2026.
- ⁴² ILO and UNICEF, *Call for urgent measures to stop the worst forms of child labour in Timor-Leste*, available at: <https://reliefweb.int/report/timor-leste/ilo-unicef-call-urgent-measures-stop-worst-forms-child-labour-timor-leste-entetum>
- ⁴³ Draft National Action Plan on the Worst Forms of Child Labour (pending before the Council of Ministers).
- ⁴⁴ Government of Timor-Leste, available at: <https://timor-leste.gov.tl/?p=35692&lang=en&n=1>; CRPD Civil Society Coalition, *CRPD Shadow Report 2025*.