

Helpdesk Research Report: Violence against women and girls in Timor-Leste

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Query: Please provide a review of the literature that looks at violence against women and girls (VAWG) in Timor-Leste.

Specifically, please note: information on the prevalence of VAWG; causes; relevant legislation and national policy frameworks; past or current government, development partner or civil society initiatives; success or failure of interventions; links with HIV/AIDS; and gaps in the literature.

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1. Overview

The high prevalence of gender-based violence, particularly domestic violence, in Timor-Leste is considered to be a key challenge for the country. Sexual and gender-based violence has been defined as 'encompassing a range of harms, including rape, marital rape, and attempted rape; sexual violence, including assault, abuse, and harassment; sexual exploitation and trafficking; forced marriage; intimate partner and family violence; and harmful cultural practices' (Harris-Rimmer, 2009, 1). The Law Against Domestic Violence, promulgated in Timor-Leste in 2010, defines domestic violence broadly as 'any act or sequence of acts committed within a family context, with or without cohabitation, by a family member against any other member of that family, where there is a situation of ascendancy, notably physical or economic, in the family relationship, or by a person with regard to another person with whom the former has had an intimate relationship which resulted, or may result,

in physical, sexual or psychological injuries or suffering, economic abuse, including threats such as intimidating acts, bodily harm, aggression, coercion, harassment, or deprivation of freedom' (Art 2).

Not only is the extent of gender based violence a serious concern, but also the severity of the violence. Women's organisations in Timor-Leste have identified domestic violence as a health hazard: 'They linked physical injuries, disabilities, mental health problems and sometimes even death as relating to extreme and systematic violence against women' (see O'Reilly and Jevtovic, 2008, 21).

The prevalence of violence against women and girls

Most of the available information on Timorese women and girls from 1975 to 1999 concerns experiences of sexual violence during the Indonesian occupation. The Commission for Reception, Truth and Reconciliation (CAVR) documented 853 reported instances of sexual violations, with rape being the most commonly reported violation (CAVR, ch. 7.2, 2).

There is recognition that incidents of intimate partner violence and family violence have increased significantly since 1999 (Harris-Rimmer, 2009). A baseline study of two districts of Timor-Leste (Bobonaro and Covalima) found that domestic violence is a 'normal' occurrence for many women (Alves et al. 2009). Although exact statistics on the prevalence of violence against women and girls in Timor-Leste is lacking, various sources provide a sense of the scale of the problem:

- **Social surveys:** The Demographic and Health Survey 2009-2010 found that approximately one-third of women aged 15-49 (38 per cent) have experienced physical violence since the age of 15 (NSD and ICF Macro, 2010 p. 228). A 2002-2003 study by the International Rescue Committee (IRC) found that in 2003, 51 per cent of married Timorese women consulted in the last 12 months said they felt unsafe in their relationship (Joshi and Haertsch, 2003, p. 6).
- **Complaints to police:** Police data demonstrates a high incidence of reports of gender-based violence relative to all other crimes since 2000. Within the category of gender-based crimes, domestic violence was the most frequently reported crime across all districts of the country between 2000 and 2009 (Harris-Rimmer, 2009 and 2010).
- **Hospital and NGO service provision:** A TLAVA (Timor-Leste Armed Violence Assessment) survey found that almost one-fifth of all women present at emergency rooms in Dili and Baucau hospitals in the summer months of 2006–08 were recorded as victims of domestic violence (Harris-Rimmer, 2009, 3).
- **Court reports:** A 2010 Judicial System Monitoring Programme (JSMP) report found that: 'the number of cases of domestic violence and other forms of violence against women continue to increase in all areas within the territory of Timor-Leste, based on numbers of cases in each court jurisdiction and attended to by the JSMP's Victim Support Service.'

Causes and contributing factors of VAWG

Various factors play a role in the high levels of violence against women and girls in Timor-Leste:

- **History of violence:** The legacy of violence and insecurity during periods of colonisation and occupation continues to play a role in violence against women and girls. The failure to address the crimes of the past has also contributed to violence in the present day (Harris-Rimmer, 2009).
- **Continued insecurity:** The conflicts following the independence referendum in 1999 and those subsequent to independence in 2002 devastated the country's infrastructure and

caused massive displacement of people. There are several issues related to the closure of internally displaced persons (IDP) camps that contributed to the exacerbation of domestic violence (Ferguson, 2011).

- **Patriarchal society:** Timor-Leste is described as a heavily patriarchal society, influenced by indigenous beliefs, the legacy of Portuguese colonialism and Catholicism (Harris-Rimmer, 2009). This heavily male-dominated society has resulted in a high level of tolerance of violence committed by males, particularly against women. Domestic violence is considered by both men and women as an acceptable way for a husband to discipline his wife.
- **Cultural practices:** Much of the literature supports the view that gender power inequalities and violence against women are reinforced by *barlake* payments (dowry or bride price) at marriage. Such payments have evolved into a kind of transaction in which women are subsumed as the 'property' of the man. Polygamy is also considered to be a factor contributing to gender-based violence in Timor-Leste.
- **Poverty and social exclusion of women:** Poverty and the economic dependence of women on men exacerbates the issues discussed above, contributing to greater levels of violence against women and girls (Alves et al., 2009; Ellsberg et al., 2008). Many women feel they must risk their safety and bypass formal justice systems in order to preserve the material welfare of themselves and their children (Kovar, 2012; Ferguson, 2011; Ellsberg et al., 2008).
- **Culture of impunity:** In addition to the belief that domestic violence can be acceptable in certain situations, there is also much family and community pressure in Timor-Leste to keep issues of abuse within the family for the sake of family dignity and reputation. Women are reluctant to access formal justice systems not only because of economy dependency, but also because of the beliefs that domestic problems should remain within the family (Kovar, 2012).
- **New challenges:** Newer challenges identified in the literature that are contributing to greater prevalence of gender-based violence in Timor-Leste include: rural to urban drift; male youth unemployment; increasing alcohol abuse; and increasing prostitution and trafficking (Ferguson, 2011).

Legislation and national policy frameworks

Various advances have been made in strengthening the enabling environment for addressing violence against women, including key legislative developments. The country's legal and policy framework in this area is based on its obligations under international conventions and new domestic legislation and reforms.

Timor-Leste has acceded to a number of core international human rights covenants, including the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention Against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment, and the Convention on the Rights of the Child (Kovar, 2012).

The following comprise the core components of the national framework for preventing and reducing violence against women and girls in Timor-Leste:

- **The Constitution** of Timor-Leste guarantees equality before the law for all citizens, male and female, with all citizens exercising the same rights and being subject to the same duties. It also grants equality between women and men in the context of family relations.
- **Penal Code, 2009:** Domestic violence and sexual crimes were entered into the penal code in 2009. The code acknowledges all forms of violence as a violation of women's rights to bodily

security and integrity and ensures that criminal proceedings do not depend on a formal complaint from the victim.

- **The Law Against Domestic Violence, 2010:** Key additions provided by the LADV include a broad definition of domestic violence, an outline of services to be provided, and specific obligations of the police. While the development, passage and promulgation of the LADV remains a significant achievement, in practice it remains underused. This is largely due to lack of awareness; women's concerns over economic dependency; and the belief that domestic violence should be dealt with privately or through traditional justice (Macdonald, 2012).

The formal state justice system in Timor-Leste, re-established over the course of the past eight years, faces significant capacity challenges. Due to various reasons, including a lack of knowledge about the formal system, women are often more comfortable going through local justice processes (Kovar, 2012). The formal justice system tends to undervalue the seriousness of cases of domestic violence, and cases are often referred to mediation. Where cases do proceed through the formal justice system, there are often significant delays and inappropriate application of laws. Where decisions are eventually handed down, the accused often receive short sentences. (Kovar, 2012; Harris-Rimmer, 2009; O'Reilly and Jevtovic, 2008).

A significant proportion of domestic violence cases are resolved through **informal justice mechanisms (the *adat* system of traditional justice)**. They remain popular, in large part because of their familiarity, affordability and accessibility (Kovar, 2012; O'Reilly and Jevtovic, 2008). Traditional justice systems have been critiqued for various reasons, however, including: the dominance of patriarchal beliefs and lack of female involvement; lack of transparency; and lack of enforcement of local rulings.

Past or current initiatives and interventions

There are various past and current government, development partner and civil society initiatives aimed at addressing violence against women and girls in Timor-Leste. There is, however, very limited analysis of the success or failure of such interventions. Very few programmes have been evaluated or have used baseline data to track the impact of their programmes objectively (Robertson, 2005).

Government initiatives

The Office of the Secretary of State for the Promotion of Equality (SEPI) is the main government body working on issues of gender-based violence. One of its four core programmes is the strengthening of national capacity to address gender-based violence. Its head sits on the Council of Ministers and is thus able to influence decision-making. The inclusion of women in politics through SEPI has contributed to a growing perception by women that they will receive greater protection (Ferguson, 2011).

The 'Gender Based Violence Referral Partners Network' was established in 2001 and has been run by SEPI since 2009. The Network brings all major agencies together and coordinates partners around advocacy and service provision.

Vulnerable Persons' Unit, National Police Force: A notable accomplishment of the United Nations administration in Timor-Leste was the establishment of the Vulnerable Persons' Unit (VPU) within the national police force. The VPU functions at the national and district level to handle cases of sexual

assault, domestic violence, child abuse and missing persons. It has provided an identifiable access point and designated police officers within the police services for victims of gender-based violence and service providers. This, in turn, has fostered positive collaboration and coordination between the police and NGO service providers (Alves et al., 2009; Robertson, 2005).

International development organisation initiatives

There is very little information available about the specific roles that international development agencies and international NGOs are playing in addressing gender-based violence in Timor-Leste. Many of their activities seem to be focused on supporting and funding various local NGOs operating in this area and the national government, primarily SEPI.

International NGOs have largely been involved in prevention activities, specifically education and awareness-building. Oxfam, Caritas Australia and the International Rescue Committee (IRC) have all undertaken education on gender-based violence and gender issues at the local level (Robertson, 2005). UNIFEM has engaged in various prevention activities in Timor-Leste.

Civil society initiatives

Civil society organisations in Timor-Leste remain the primary actors on gender-based violence issues.

Support and service activities

Fokupers Fórum Komunikasi Perempuan Lorosa'e (East Timorese Women's Communication Forum) – FOKUPERS provides the most comprehensive services to victims/survivors of gender-based violence and their families, including specialised counselling, legal advice, court accompaniment, and shelter.

Psychosocial Recovery and Development in East Timor – PRADET is a national NGO that specialises in **mental health counselling and psychosocial support**. It works in partnership with the VPU, Fokupers, JSMP, SEPI, Caritas Australia and other organisations and provides support to clients who suffer from trauma stemming from violence. The organisation works directly with the Ministry of Health in the training of nurses and obstetricians on recovery from trauma. It also provides extensive training and workshops to the police and other service providers. PRADET operates the Safe Room (Fatin Hakmatek) funded by UNFPA, Caritas Australia (and previously the IRC). This involves a crisis service of counselling, medical care and forensic documentation of injuries resulting from gender-based violence.

The Judicial System Monitoring Programme (JSMP) is a national NGO that engages in **court monitoring** and judicial system and legislative analysis; provides **legal support** and witness support during the court processes; and undertakes extensive training and outreach work (Alves et al., 2009). The JSMP established the Victim Support Service (VSS) which provides information, advice and support to victims/survivors of gender-based violence in order to empower them and improve their ability to access the formal justice sector. Ellsberg et al. (2008, 39) find that the VSS has helped improve outcomes for women.

The JSMP's Women's Justice Unit implemented the project: 'Training for Women about Gender-Based Violence and Formal Justice' (2006-2008). Trembath et al. (2010, 134-135) find that: 'In terms of positive impacts, JSMP's training has appeared to have contributed to attitudinal change, moving

the community toward the idea that violence against women is a legitimate problem rather than acceptable practice; and to the view that the formal justice system has a role in addressing violence against women.

Prevention activities

There are various civil society organisations involved in **awareness-raising and campaigning** and in **education and training** on violence against women. One of the biggest challenges to public education on gender-based violence is the level of literacy. Many activists recognise the importance of involving the Catholic church, a key institution in the country, in efforts to end gender-based violence, in the hopes that the church can provide moral persuasion against violence (Robertson, 2005).

One of the most widely-cited successful public education efforts is the *Association of Men Against Violence (AMKV)*. Its main objective is to sensitise young men and raise community awareness about gender inequality and ending violence against women and girls. (Alves et al., 2009; Harris-Rimmer, 2009). AMKV's activities involve group education sessions. The organisation engages the community by helping groups of men to organise around their own priorities, with discussion of violence against women and gender equality arising naturally during these activities (Ellsberg et al., 2008).

Alongside support for community education, policies that **address women's economic and social disadvantage** and promote women's participation in public decision-making and leadership are key to reducing rates of violence against women (Macdonald, 2012). There are various organisations engaged in such work. For example, *Feto iha Kbiit Servisu Hamutuk (FKSH)* works to increase and reinforce women's economic capacity, defend women's rights, and organise women's activities, so as to encourage independence. They hold the view that helping women to find economic independence can contribute to reducing domestic violence. Another organisation is the *Alola Foundation*, whose vision is for Timorese women to have 'equal status in all aspects of life (access, participation, role in decision-making, enjoyment of benefits of development) through education, community development, health and community leadership' (Trembath et al., 2010, 68).

Links with HIV/AIDS

There is very limited discussion in the literature on violence against women and girls in Timor-Leste and the links with HIV/AIDS. Ellsberg et al. (2008, 20) note in their study of the Melanesia and Timor-Leste region that sexual and physical violence against women contributes to the spread of HIV. Ferguson (2011) discusses the links between gender-based violence, sex work and the risk of HIV infection. Increasing incidents of gender-based violence, including domestic violence, contribute to sex working. In turn, sex working has contributed to increasing cases of violence. Such sex work has also resulted in growing concerns over safety, health and medical issues, in particular the spread of sexually transmitted infections and HIV/AIDS.

Gaps in research

There is limited mention in the literature of additional research that needs to be conducted in relation to violence against women and girls in Timor-Leste. Research gaps noted include the need for:

- more accurate data on the prevalence of violence against women and girls
- evaluations of gender-based violence programming

- more reliable information on justice issues
- research on the nature and effects of social pressure
- evidence on whether there is a direct relationship between the custom of paying *barlake* and the increase in the incidence of domestic violence.

2. The prevalence of violence against women and girls

Data on gender-based violence in Timor-Leste, including domestic violence, has been collected in a disparate manner. Different organisations have relied on different collection methods, terminology, and in some cases even definitions of domestic violence. In addition, much of the data does not give sufficient information on the exact nature of domestic violence crimes. Thus, although a high level of violence against women and girls can be confirmed, available figures remain inexact (Kovar, 2012, 209-210). There have in recent years been some attempts to develop a stronger evidence base on gender-based violence, including a recent Demographic and Health Survey which included a module on domestic violence and several other ongoing research initiatives (Ellsberg et al., 2012).

Violence against women and girls in the pre-independence period

Most of the available information on Timorese women and girls from 1975 to 1999 concerns experiences of sexual violence during the Indonesian occupation. An unverifiable number of Timorese women and girls were abducted, raped, and impregnated by Indonesian soldiers. During the post-referendum violence in 1999, Timorese women and girls were systematically raped in the context of their forced deportation to West Timorese camps. While the UN and various international and national NGOs have collected testimonies of these events, there are no accurate statistics on the scale and distribution of sexual violence during the occupation until 1999 and during the period of forced deportation and internment in West Timor. This lack of documentation is one of the key obstacles to Timorese women and girls seeking redress in the post-occupation period (Harris-Rimmer, 2009, 2).

The most comprehensive overview and statistical documentation of sexual violence during the occupation can be found in chapter 7.7 of the final report of the Commission for Reception, Truth and Reconciliation (CAVR). From its statement-taking process, the Commission documented 853 reported instances of sexual violations, with rape being the most commonly reported violation (CAVR, ch. 7.2, 2). The CAVR further reported that the incidence of sexual and gender-based violence was likely to be several times higher than the number documented. Other data tends to support this higher level of incidence: 'In a 2004 study of 288 Timorese women, one in four reported being exposed to violence during 1999. Leading Timorese women's NGO Forum *Komunikasi Untuk Perempuan Timor Lorosa'e* (FOKUPERS) documented 46 cases of rape during the 1999 violence. Meanwhile, in the refugee camps of West Timor, to which tens of thousands of women and girls were forcibly deported, a fact-finding team in one study alone found 163 different cases of violence against 119 women' (Harris-Rimmer, 2009, 2).

Violence against women and girls in the post-independence period

The high prevalence of gender-based violence, particularly domestic violence, is considered to be a key challenge for the country. The first National Women's Congress in 2000 identified domestic violence as a priority issue (Harris-Rimmer, 2009; Robertson, 2005). There is recognition that incidents of intimate partner violence and family violence have increased significantly since 1999

(Harris-Rimmer, 2009). A baseline study of two districts of Timor-Leste (Bobonaro and Covalima) found that domestic violence is a 'normal' occurrence for many women (Alves et al. 2009).

Although, as discussed above, exact statistics on the prevalence of violence against women and girls in Timor-Leste is lacking, various sources provide a sense of the scale of the problem:

1. Social Surveys

Demographic and Health Survey 2009-2010

The Demographic and Health Survey 2009-2010, conducted by the National Statistics Directorate (NSD), relies on reports by Timorese women themselves regarding domestic and family violence. The survey included over 13,000 women between the ages of 15-49. Its findings (NSD and ICF Macro, 2010) include the following:

- Approximately one-third of women age 15-49 (38 per cent) have experienced physical violence since the age of 15 (p. 228).
- Twenty-nine per cent of women experienced physical violence often or sometimes in the past 12 months (p. 228).
- The proportion of women who have ever experienced physical violence is highest among women aged 25-29. These women are also more likely to report having experienced physical violence sometimes or often in the past 12 months (p. 229).
- About two per cent of women aged 15-49 have experienced both physical and sexual violence and one per cent of women aged 15-49 have experienced only sexual violence (p. 233).
- The likelihood of having experienced either physical or sexual violence increases with age, from 31 per cent among women aged 15-19 to 49 per cent among women aged 25-29, before declining to 38 per cent among women in their 40s (p. 233).
- Overall, 36 per cent of ever-married women have experienced some kind of violence (physical, sexual, or emotional) by a husband or partner (p. 236).
- Among the various physical acts of violence experienced by women in the past 12 months, slapping was the most commonly reported act, experienced by 28 per cent of women. Fourteen per cent of women were pushed, shaken, or had something thrown at them by their husband or partner (p. 237).
- Domestic violence is not limited to physical and sexual violence. Verbal abuse, restrictions on freedom of movement, and withholding funds can also constitute violent behaviour (p. 236).
- Eighty-six per cent of women and 81 per cent of men thought that domestic violence was in some circumstances justifiable (pp. 213-15).

International Rescue Committee 2002-2003 Study

The 2002-2003 IRC study, based on social surveys of Timorese families, provided some of the very first data on gender-based violence in Timor-Leste. Findings include (Joshi and Haertsch, 2003, 6):

- Violence by perpetrators outside the family was significantly lower post-crisis, with a 75.8 per cent decrease in physical violence and a 57.1 per cent decrease in sexual violence.
- In 2002, 43 per cent of married Timorese women surveyed reported at least one incident of violence by their partners.

- In 2003, 51 per cent of married Timorese women consulted in the last 12 months said they felt unsafe in their relationship and 25 per cent had experienced violence from an intimate partner.
- The most common forms of domestic violence were physical abuse such as being hit, kicked, punched, slapped, twisting of the arm or hair pulling (21 per cent); and psychological abuse such as the husband threatening to harm the children or the woman's possessions, the husband stopping his wife from making her own decisions, or making her feel bad about herself (21 per cent).
- Only two per cent of victims reported such abuse to the police and 84 per cent of respondents felt that family problems should be discussed only with people in the family.
- Women who married young were at significantly greater risk from some forms of intimate partner violence, especially intimidation and control.
- The five most common injuries experienced as a result of domestic violence in the last 12 months were 'psychological difficulties such as nightmares, intrusive memories, significant changes in sleep patterns, feeling constantly afraid and scared' (22 per cent); 'loss of consciousness' (13 per cent); bruises, scrapes or welts (12 per cent); 'deep wounds or cuts' (11 per cent); and 'unwanted pregnancy' (9 per cent).

2. Complaints to the police

In a 2008 survey of police officers, 45 per cent of those surveyed cited domestic violence as the most serious security problem facing the area in which they work – a much higher proportion than for any other crime (Chinn & Everett, 2008; cited in Kovar, 2012, 210).

The Vulnerable Persons Unit (VPU) is part of the national police of Timor-Leste (see section 5 on initiatives and interventions). The VPU has been collecting information on gender-based violence since October 2000. Police data demonstrates a high incidence of reports of gender-based violence relative to all other crimes since 2000. Within the category of gender-based crimes, domestic violence was the most frequently reported crime across all districts of the country between 2000 and 2009 (Harris-Rimmer, 2009 and 2010).

In 2008, the VPU adapted its classification of gender-based violence cases. It moved rape from 'domestic violence' to 'sexual offences' and established two new categories of 'assault/domestic' and 'dispute/domestic' in order to better document and understand the nature of cases (Harris-Rimmer, 2009). The VPU has since updated its 2008 and 2009 data, which resulted in an upwards revision of the number of cases of domestic violence previously reported for 2008 and showed persistently high levels for 2009. In Dili, VPU reports in 2009 indicate that more than three domestic violence cases were reported per day (1,095 per year). Moreover, they calculate that for every case reported, at least 10 are unreported (Ferguson, 2011, 60). In 2009, 679 cases of gender-based violence were reported to the police, of which 462 cases were categorised as domestic violence (UNHCR and UNMIT, 2010; cited in Kovar, 2012, 210).

Harris-Rimmer (2010) states that the VPU data is likely to undercount actual incidents of sexual and gender-based violence. In the case of Bobonaro, for example, statistics for 2008 revealed a low level of family violence. However, a baseline survey of the district in 2007 (see Alves et al., 2009) found that communities in Bobonaro believed that domestic violence is a private issue that should not be discussed in public. In addition, there are some gaps in the overall VPU data as the unit was not operational during the 2006 crisis.

3. Hospital and NGO service provision

Although hospitals and other health facilities do not generally maintain standardised records on gender-based violence or screen for such violence, hospital emergency room and admissions data can provide information on prevalence of incidents. A TLAVA (Timor-Leste Armed Violence Assessment) survey found that almost one-fifth of all women present at emergency rooms in Dili and Baucau hospitals in the summer months of 2006–08 were recorded as victims of domestic violence, with this proportion rising to one-third for women aged 20–39 years (Harris-Rimmer, 2009, 3). Statistics are also collected and maintained on women contacting the various support services provided by NGOs in Timor-Leste. Based on data collected from 2004 to 2009 by FOKUPERS, a local NGO that administers various referral and safe-house programmes (see section 5 on initiatives and interventions), there have been persistently high and increasing levels of recorded domestic violence (Kovar, 2012, 210; Harris-Rimmer, 2010, 38).

4. Court reports

Court statistics also indicate the incidence and severity of violence against women. This data is often collated and published by the Timorese legal NGO, Judicial System Monitoring Programme (JSMP) (see section 5 on initiatives and interventions). The organisation's reports provide a key source of information on police and court treatment of gender-based violence (Harris-Rimmer, 2009, 3).

A 2010 JSMP monitoring report finds that: 'the number of cases of domestic violence and other forms of violence against women continue to increase in all areas within the territory of Timor-Leste. This is evidenced by the number of cases of domestic violence and other types of violence against women that are listed in each court jurisdiction including cases attended to by the JSMP's Victim Support Service (VSS) that show that violence against women and domestic violence in particular are the most prevalent types of violence in Timor-Leste' (p. 3). More specifically, a study conducted by the JSMP from October 2008 to August 2009 found that of the 152 clients of their Victims Support Service, 73 (48 per cent) were victims of domestic violence or physical assault (JSMP, 2009; cited in Harris-Rimmer, 2010, 38). JSMP's monitoring work in 2003 found that 55 per cent of the total criminal cases heard by the Dili District Court during JSMP's observation period were cases involving women. It also found that there were no final decisions in the cases involving women during this observation period (JSMP, 2005, 8).

The JSMP also relies on reports to police. Monitoring from 2004 reveals that between January and August 2004, nearly 300 cases of gender-based violence were reported to police (JSMP 2004; cited in O'Reilly and Jevtovic, 2008, 21). Kovar (2012) cautions that data drawn from reports to police and to service providers are very likely to understate the extent of domestic violence as only a fraction of crimes are brought to the attention of the police or service providers. In addition, the data provided on cases currently does not offer information on the per centage of cases that have been pursued before and after the promulgation of the 2010 Law Against Domestic Violence (see section 4 on legislation) or any other data on the sentences applied in domestic violence related cases (Kovar, 2012, 211).

3. Causes and contributing factors of VAWG

Many of the factors that have contributed to gender-based violence in Timor-Leste, such as high rates of poverty and a history of violence at a societal level, are common to situations of gender-based

violence all over the world (Robinson, 2005). Below is an overview of the key contributing factors discussed in the literature.

Pre-independence period

Gender-based violence existed in Portuguese colonial times: 'instilling it was part of the patriarchal control of the many by the few'. In 1942, the invading Japanese forces committed rape and sexual slavery, forced labour, torture and execution against the Timorese. A high prevalence of violence, rape, sexual assault and intimidation against women and girls was also documented during the 1975-1999 occupation by Indonesian military and militia groups (Ferguson, 2011, 54). This type of violence was politically motivated and systematic. A UN report found that '[r]ape was used by the military as a form of revenge, or to force the relatives out of hiding' (cited in Harris-Rimmer, 2009, 2). The militarised situation also resulted in lack of attention to incidents of intimate partner and family violence (Harris-Rimmer, 2009).

Post-independence period

History of violence

The present situation in Timor-Leste is greatly influenced by the historical and cultural context of prior political subjugations and violence under occupation and colonialism (Ferguson, 2011; Robertson, 2005). According to Ferguson (2011, 59): 'Controlling women and children through violence and the threat of violence has become a culturally accepted assertion of power by Timorese men. In part it is colonially inherited patriarchy well learned and reinforced by the memory of Indonesian violence'.

The failure to address the crimes of the past has also contributed to violence in the present day. Sexual violence during the Indonesian occupation occurred on a regular basis in the absence of any legal protections or laws that prohibited it. Although communities witnessed such acts, they often remained silent about them. As a result, such practices of sexual violence have now been perceived as 'normal' in community life (Alves et al., 2009). Still today, the response to survivors of gender-based violence in armed conflict has ranged from denial to silence (Harris-Rimmer, 2009).

Continued insecurity

The conflicts following the independence referendum in 1999 and those subsequent to independence in 2002 devastated the country's infrastructure and caused massive displacement (Ellsberg et al., 2008). The goal of humanitarian assistance in Timor-Leste during the crisis of 2006-2010 became increasingly centred on the closure of IDP camps, with support for the return of IDPs to their communities or to alternative living situations. Several key issues related to the closure of IDP camps contributed to the exacerbation of domestic violence. One is the issue of debt: 'As the IDP camps closed, stall owners called in debts for payment. Many women IDPs had asked for goods on credit: in some cases the amount owed was more than \$200. Women had every reason to fear as the kiosk owners reported the magnitude of these debts to unknowing husbands or partners. [...] Some men become drunk and there were reported instances of domestic violence against women and their children that were alcohol related, due to such debts' (Ferguson, 2011, 58).

Another issue involved government payments to returning IDPs. These settlements were paid to the male heads of households. There was evidence of the misuse of resettlement funds by men as well

as an increase in the incidence of domestic violence against women and children. In many of these cases, gendered quarrels over access to money were reported by women (Ferguson, 2011).

Another aspect of gender abuse involves lack of contact between school-going children in Dili and their parents living in rural areas without accessible education. The 2006 crisis in Dili and ensuing insecurity resulted in a breakdown of regular visits, which had a particular impact on female children. There were reported cases of forced domestic servitude, child labour abuses and domestic violence assaults on children. There was also the risk of more serious sexual violence or trafficking with rural children being schooled in Dili (Ferguson, 2011).

Patriarchal society

Timor-Leste is described as a heavily patriarchal society, influenced by indigenous beliefs, the legacy of Portuguese colonialism and Catholicism (Harris-Rimmer, 2009). This patriarchal structure places men as the main power holders and as heads of the families, with women in a subordinate position as 'second class' citizens and family members. Men are given acknowledged rights and access to education, employment and decision-making, whereas women's roles are relegated to the private or domestic sphere (Alves et al., 2009; Robertson, 2005).

The major religions in the region, Christianity and Hinduism, support the belief that the husband is the head of the family and that women should be submissive (Alves et al., 2009; Ellsberg et al., 2008). In addition, traditional culture is focused on the maintenance of peace between groups and their (male) leaders. The interests of women and girls are inseparable from those of the group. As such, injuries against a woman or girl are dealt with by compensating the males who have rights to her. According to Ellsberg et al., (2008, viii), 'The practice of compensating women's husbands, fathers or tribal group creates a disincentive for addressing violence against women'.

In this heavily male-dominated society, there is a high level of tolerance of violence committed by males, particularly against women. Domestic violence and sexual assault are often considered not as crimes but as normal and acceptable parts of life (Alves et al., 2009; Robertson, 2005). Domestic violence is considered an acceptable way for a husband to discipline his wife if he feels that she has not fulfilled her expected role as a housewife and mother (Kovar, 2012; Alves et al, 2009). Such beliefs are confirmed by various studies on gender-based violence in Timor-Leste and reflect the views not only of men but of many women.

- The Demography and Health Survey of 2009 found that 86 per cent of women and 80 per cent of men believe that a husband is justified in beating his wife for neglecting duties, including burning the food, refusing to have intercourse with him, or neglecting the children (NSD and ICF Macro, 2010, 213).
- The 2002-2003 IRC survey of women found that over half of the respondents (51 per cent) strongly agreed with the statement that 'a man has good reason to hit his wife if she disobeys him' (Joshi and Haerstch, 2003, 6).
- A baseline study on the two districts of Bobonaro and Covalima found that domestic violence or gender-based violence is commonly viewed as 'normal' as it 'happens almost everyday' (Alves et al., 2009, 14).
- A study on four sub-districts (Ermera, Atauro, Venilale and Manatuto) also revealed tolerance for domestic violence against women. In response to the statement 'I can accept it if a man hits his wife if she has done something wrong', 38.0 per cent, 26.6 per cent, 51.1 per cent of respondents in Ermera, Atauro and Venilale, respectively, agreed with the statement. In

Manatuto, 63.3 per cent of respondents disagreed with the statement. These results show that while substantial proportions of the populations believe in the acceptability of domestic violence in particular circumstances, such beliefs are not universal and there is variation across the country (Trembath et al., 2010, 47, 74, 103, 129).

Cultural practices

Dowry or bride price (barlake payments)

Much of the literature supports the view that gender power inequalities and violence against women are reinforced by *barlake* payments (dowry or bride price) at marriage. While *barlake* was originally seen as a symbolic act to value women and to establish and strengthen relations between the bride and groom's families, it has evolved into a kind of transaction in which women are subsumed as 'property' and viewed as a possession of the man. This view contributes to discrimination against women and the prevalence of violence by men against their wives (Macdonald, 2012; Ferguson, 2011; Alves et al., 2009; Robertson, 2005; Swaine, 2003).

Kovar (2012) argues that although there is a widespread belief cited in the literature that there is a direct relationship between the custom of paying *barlake* and the increase in the incidence of domestic violence in Timor-Leste, solid evidence is lacking. More in-depth research is required before the effects of *barlake* on domestic violence can be properly determined.

Polygamy

Polygamy is also considered to be a factor contributing to gender-based violence in Timor-Leste (Alves et al., 2009; Robertson, 2005). In the past, men who had many wives or women were considered wealthy, with high status in society. The women or wives were well looked after by the husband and seldom experienced physical abuse. Alves et al. (2009) state that this is no longer the case in Timor-Leste: when a new wife is taken, the other wives are either abandoned or discriminated against.

Poverty and social exclusion of women

As of 2009, Timor-Leste is considered the poorest country in Asia and one of the least developed countries in the world (Harris-Rimmer, 2009). Poverty is considered to be one of the factors contributing to gender-based violence, affecting women's status and roles. Poor education and illiteracy generally, but particularly for women, result in fewer opportunities for women to have jobs or small businesses. Poverty and the economic dependence of women on men exacerbates problems stemming from the legacy of past violence and the influence of a patriarchal society and cultural practices, contributing to greater levels of violence against women and girls (Alves et al., 2009; Ellsberg et al., 2008).

Violence against women has been linked to lack of power in decision-making by women (Alves et al., 2009). Results from the Demographic and Health Survey 2009-2010 demonstrate a strong relationship between women's empowerment status and their experience of spousal violence: 'Women whose husbands display five to six controlling behaviors are more likely to report experiencing emotional, physical, or sexual violence by their husbands than women whose husbands display no controlling behaviors (58 and 29 per cent, respectively). Women who participate in three or

four household decisions are less likely to experience spousal violence than women who participate in fewer decisions' (NSD and ICF Macro, 2010, 240).

Women's lack of control over economic resources and economic dependence is frequently cited as a key deterrent to women taking action against violence, whether this involves complaining about violence, pursuing legal claims against violence or escaping violence. Many women feel they have no choice but to risk their safety in order to preserve the material welfare of themselves and their children (Ellsberg et al., 2008). The provision of family support or government programmes providing income support for women leaving violent family situations could greatly assist women to pursue action against violence (Macdonald, 2012).

Kovar (2012) highlights women's economic dependency on their husbands as one of the key factors impacting on women's access to formal justice. Should charges be brought against their husbands potentially resulting in breakdown of marriage and the husband being sent to prison, women would lose the breadwinner of the family. This would mean a loss of income for the whole family given traditional gendered divisions of labour. As such, many women do not file formal complaints; if they do, many eventually withdraw their cases and opt to solve problems through local justice, privately, or not at all (see also Ferguson, 2011). Respondents to surveys carried out in Bobonaro and Covalima districts disclosed that the length of time and delays involved in bringing cases forward and the absence of social welfare benefits resulted in some women dropping cases after being bribed with food. This resulted in the offender simply having to pay a fine or having the matter settled through traditional or family agreements (Alves et al., 2009). A study conducted in Manatuto sub-district found that women were reluctant to pursue formal justice for domestic violence as they feared that this would be seen as a betrayal, resulting in marriage breakdown and the loss of economic support from their husband, and the loss of community acceptance and support more generally (Trembath et al., 2010).

Culture of impunity

In addition to the belief that domestic violence may be acceptable in certain situations (see 'Patriarchal society' sub-section above), there is also much family and community pressure in Timor-Leste to keep issues of abuse within the family for the sake of family dignity and reputation. This means that many women are unwilling to speak publicly about their experiences due to shame, fear and frustration that nothing will be done. The Catholic church also plays a role here, emphasising the need to keep families together, despite difficulties (Alves et al., 2009; Robertson, 2005). The 2002-2003 IRC survey of women found that 84 per cent of respondents strongly agreed with the statement that 'family problems should only be discussed with people in the family' (Joshi and Haerstch, 2003, 6).

Women are reluctant to access formal justice systems not only because of their economic dependency (see 'Poverty and social exclusion of women' sub-section above), but also because of these widespread beliefs that domestic problems should be solved and discussed only within the family (Kovar, 2012). In a study on four sub-districts in Timor-Leste (Ermera, Atauro, Venilale and Manatuto), male and female respondents were asked about the best means to resolve cases of violence against women: through the family or household, through local leaders, or through police and courts. In all four research sites, the vast majority of respondents said that in their opinion such issues were best resolved within family or household structures (70.2 per cent, 84.4 per cent, 90.2 per cent and 65.5 per cent, respectively). The next preferred option was through local leaders. The option of police and courts was the least preferred option, registering below 10 per cent in all four cases. It is

important to note, however, that in all four sites, respondents were far more likely to represent sexual violence than domestic violence as a crime, with greater support for relying on the police and courts in the case of the former (Trembath et al., 2010, 47, 74-75, 103, 130).

Limited reliance on the formal justice system can also be attributed to the weakness of the system. Reports from the Judicial System Monitoring Programme have consistently documented the failure of both the formal and traditional systems to provide equal justice for women. In the case of the formal justice system, this has resulted in a loss of confidence in the police, prosecutors and the court (Alves et al., 2009).

For further discussion on the problems with the justice system, see the following section on 'Legislation and national policy frameworks'.

New challenges

The following are a list of some newer challenges identified in the literature that are contributing to the greater prevalence of gender-based violence in Timor-Leste (Ferguson, 2011, 55):

- rural to urban drift, especially of male youth
- male youth membership of gangs and martial arts groups
- high levels of male youth unemployment
- increasing alcohol abuse, street drug use and gambling (see also NSD and ICF Macro, 2010; Robertson, 2005)
- the associated and growing phenomena of prostitution and trafficking, with the attendant geometric rise in cases of STDs and HIV/AIDS
- male social jealousy as an outcome of urban crowding and mounting urban poverty resulting in property and land ownership disputes.

4. Legislation and national policy frameworks

Various advances have been made in strengthening the enabling environment for addressing violence against women, including key legislative developments. The country's legal and policy framework in this area is based on its obligations under international conventions and new domestic legislation and reforms. According to Harris-Rimmer (2010, 45), 'Reforming legal norms is an essential first step and an indication of the society's intention to change'.

International Conventions

Timor-Leste has acceded to a number of core human rights covenants including the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the Convention Against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment, and the Convention on the Rights of the Child (Kovar, 2012). The key international instrument relating to the rights of women is CEDAW, which was ratified by Timor Leste in 2003.

Section 9 of the Constitution of Timor-Leste states that 'all rules that are contrary to the provisions of international conventions, treaties and agreements applied in the internal legal system of East Timor shall be invalid'.

National law and policy

The following comprise the core components of the framework for preventing and reducing violence against women and girls in Timor-Leste.

The Constitution

The Constitution of Timor-Leste guarantees equality before the law for all citizens, male and female, with all citizens exercising the same rights and being subject to the same duties. It also grants equality between women and men in the context of family relations; protection of children; and the right to freedom and for every individual to be free from unlawful or harmful treatment. Provisions set out in the Constitution provide points of reference for the competent authorities of the state to provide appropriate legal mechanisms to protect their citizens from a wide range of violence and discrimination (JSMP, 2010).

Law on Community Authorities, 2004

This law requires that village/community (*suco*) chiefs are required to promote awareness of and prevent domestic violence. In addition, village councils and community and sub-district police are responsible for enforcing laws to reduce gender-based violence, including domestic violence (Ferguson, 2011). Thus, prior to the enactment of the Penal Code and the Law Against Domestic Violence (discussed below), it was local community authorities who had the responsibility to provide for the creation of local structures for the settlement and resolution of disputes (Kovar, 2012).

Penal Code, 2009

Domestic violence and sexual crimes were entered into the penal code in 2009. The code acknowledges all forms of violence as a violation of women's rights to bodily security and integrity and ensures that criminal proceedings do not depend on a formal complaint from the victim (JSMP, 2010). This means that the police are obligated to investigate cases of violence reported by anyone, not only by the victim/family. A criminal case can be carried forward by the state justice system, regardless of a victim's wishes that it be dropped. The new provisions also stipulate that village/community (*suco*) chiefs, as public officials, must report violence to the police when such cases come to their attention. The criminalising of domestic violence was a major victory for the Timorese women's movement and for political activists (Ellsberg et al., 2012; Kovar, 2012).

Law Against Domestic Violence, 2010

The Law Against Domestic Violence (LADV) was passed unopposed in Parliament in May 2010 and promulgated by the President in June 2010. This landmark piece of legislation represents another significant achievement. It supplements the provisions in the Timorese Criminal Code that came into force in 2009 that make domestic violence a public crime and the Law on Community Authorities. Key additions provided by the LADV include a broad definition of domestic violence, an outline of services to be provided, and specific obligations of the police.

- Article 2 of the law defines domestic violence broadly to include physical, psychological, economic and sexual mistreatment.
- Article 3 provides protection to family members, including spouses and ex-spouses, ascendants/descendants and domestic workers.

- According to Articles 15 and 16, victims of domestic violence will be eligible to receive rehabilitative services, including shelter access, legal representation, medical and psychological assistance, and in justifiable cases, training on personal, professional and social skills in order to 'contribute to their successful social reintegration'.
- Article 24 obliges police officers, when necessary, to refer victims to a shelter or legal and medical services and inform victims of their rights and the status of their cases. They must file a report with the Office of the Public Prosecutor within five days of receiving information about the case (drtl, 2010, cited in Kovar, 2012, 211-212).

The law also requires the Government to develop a system of services for victims, create a National Action Plan against domestic violence, provide training and public awareness programmes and incorporate information about domestic violence in school curriculum (Ferguson, 2011).

While the development, passage and promulgation of the LADV remains a significant achievement, in practice it remains underutilised. A number of small changes have been made since its introduction, but cases have yet to be prosecuted (Macdonald, 2012). Reasons for this underuse include:

- Lack of awareness: 'Timor-Leste's remote, generally illiterate population and limited government resources make dissemination a slow process and behavioural change a distant goal'. An awareness-raising workshop for lawyers, doctors, nurses and midwives carried out by the JSMP found that, pre-workshop, there were low levels of knowledge about the new law and the responsibilities that it creates (Kapur in Macdonald, 2012, 8).
- Continued issues of domestic violence being seen as a source of shame and stigma for women and concerns among women over economic dependency and loss of income; and continued preference for the traditional system over the formal justice system (Macdonald, 2012).
- The deeply engrained system of patriarchy and gender inequality in the country and entrenched attitudes and behaviours that are difficult to change. Alves et al. (2009) find that even though respondents in the communities they visited had received information about laws and conventions and understood that men and women have the same rights, in daily practice, patriarchal attitudes and behaviours remain.
- Domestic and family violence cases continue to receive low priority, meaning that women may have to wait up to a year for charges of violence to be heard in a courtroom (Macdonald, 2012).

Some specific critiques of the LADV include: the lack of a protective order mechanism, which means that women and children in shelters often have to live in secret to avoid the perpetrator finding them (Macdonald, 2012); the failure to link economic aspects of domestic violence (e.g. thefts and property damage) included in the scope of the definition of domestic violence to specific provisions in the Criminal Procedure Code (Ferguson, 2011).

The formal justice system

The formal state justice system in Timor-Leste faces significant challenges. There are only a small number of legally qualified Timorese judges, few of which are women or familiar with issues of gender-based violence (Harris-Rimmer, 2009). There is also a lack of physical access to formal justice institutions in most communities; and a lack of information and understanding of the formal system and the formal laws that govern it (Kovar, 2012). The language of the law and the courts is Portuguese, which is spoken by less than 10 per cent of the population. This makes it difficult for the

promotion of public knowledge and for the participation of victims, witnesses and the accused (Ferguson, 2011).

The formal justice system thus continues to be a problematic route for victims of domestic violence seeking justice. Due to various reasons, including a lack of knowledge about the formal system, women are often more comfortable going through local justice processes (Kovar, 2012). Further, the formal justice system tends to undervalue the seriousness of cases of domestic violence; police investigators and prosecutors have treated many such offences inappropriately by referring them to mediation for resolution. Where cases do proceed through the formal justice system, there are often significant delays throughout the process, laws are applied inappropriately, and in cases where decisions are eventually handed down, the accused often receive short sentences. These are disincentives for women to make the effort to navigate the challenges of the formal system (Kovar, 2012; Harris-Rimmer, 2009; O'Reilly and Jevtovic, 2008).

The traditional justice system

Although the Penal Code of 2009 made domestic violence a public crime, to be investigated and prosecuted by the state, a significant proportion of domestic violence cases are being resolved through informal justice mechanisms (the *adat* system of traditional justice). There is no unified informal legal system but rather numerous local systems. As such, the ways in which women access local justice and the various procedures, mechanisms and outcomes can vary from place to place (Kovar, 2012; O'Reilly and Jevtovic, 2008). Nonetheless, common features include the following.

- Collective rights are prioritised over individual rights. Traditional leaders often consider it more important to maintain the bonds of community than to secure justice for individuals (Kovar, 2012; O'Reilly and Jevtovic, 2008).
- Proceedings generally begin at the family level and are usually initiated by the woman's family. Members of the family are brought together to discuss the issue, often with the help of a spokesman.
- In cases where a man is blamed for violence against his wife, the most common outcome is a payment by the man to the victim's family. The father usually receives the payment; the woman does not receive any personal compensation (Kovar, 2012; Mearns, 2002, cited in O'Reilly and Jevtovic, 24).

Traditional justice systems have been critiqued for various reasons, including:

- The dominance of patriarchal beliefs and for a lack of female involvement. The process of mediation and decision-making is usually conducted by men. Women's participation and power in decision-making processes is extremely limited. Even where women are allowed to take part in the discussion of their case, they often feel that their needs and input are neglected (Kovar, 2012; Alves et al., 2009). Ferguson (2011) emphasises, however, that although the *adat* system continues to be largely male dominated, there are some positive developments whereby newly-elected village chiefs have deliberately sought paralegal training and knowledge of laws and rights. This will allow them to support women constituents who suffer from gender-based violence.
- Lack of transparency, minimal accountability and no avenues of appeal. The absence of a system of precedents and a lack of written records contributes to a lack of transparency and inconsistency within or between districts regarding punishments. Decisions are often based on patriarchal beliefs (O'Reilly and Jevtovic, 2008, 24).

- Lack of enforcement of local rulings. Even where a hearing succeeds in putting blame on the perpetrator of domestic violence and imposes a fine, there is no guarantee that the violence will stop. The imposed fines may not be a sufficient deterrent, particularly in the case of wealthier people. Further, local administrators of justice have little power to enforce their rulings. Some women believe that access to the police in such situations would be helpful in enforcing the payment of fines (Kovar, 2012; Swaine, 2003).

Despite these shortcomings, local justice systems remain the dominant mechanism for dealing with cases of domestic violence. They remain popular in large part because of their familiarity, affordability and accessibility. Local justice is available in each hamlet and village, whereas formal justice institutions as mentioned are often too distant to be accessible (Kovar, 2012; O'Reilly and Jevtovic, 2008).

Links between formal and traditional justice systems

There is no explicit law or policy establishing a legal framework for linking informal practices to the formal justice system. Article 55 of the Penal Code recognizes reconciliation between victim and perpetrator as a general mitigating circumstance, which allows for local out-of-court agreements to be considered by formal courts. For example, one case of physical assault was dismissed by a judge in October 2010 after the parties presented a peace agreement stating that the case had been resolved using informal law (Kovar, 2012). In other cases, insufficient evidence for a case to proceed through the formal system may result in the case being resolved through mediation instead (Robertson, 2005).

Trembath et al. (2010) find in their study of a JSMP project that police were increasingly being brought into community resolution systems. In almost all cases, however, they were brought in primarily to 'buy time' and to provide the victim with temporary security by holding the perpetrator and letting the situation cool down. Police usually ended up sending the case back to families and community leaders, rather than referring it through the court system.

There is thus, in practice, a close relationship between the formal and traditional justice processes (Robertson, 2005). The interface between them, however, has often resulted in much confusion for women who are caught between the two systems (Swaine, 2003).

5. Past or current initiatives and interventions

There are various past and current government, development partner and civil society initiatives aimed at addressing violence against women and girls in Timor-Leste. There is, however, very limited analysis of the success or failure of such interventions. Very few programmes have been evaluated or have used baseline data to track the impact of their programmes objectively. Much of the available information is anecdotal or involves statistics on number of workshops etc., rather than actual impact (Robertson, 2005).

As such, the sub-questions on 'past or current government, development or civil society initiatives' and 'interventions that have been tried and an analysis of their success/failure' have been combined into this one section. Where analysis of interventions is available, they are included with the outline of initiatives.

Government initiatives

The Office of the Secretary of State for the Promotion of Equality (SEPI)

The Office for the Promotion of Equality (OPE), located within the Prime Minister's Office, was established in September 2001 in response to advocacy by Timorese women and the Gender Affairs Unit of UNTAET. It is now known as the Office of the Secretary of State for the Promotion of Equality (SEPI). SEPI is the main government body working on issues of gender-based violence. One of its four core programmes is the strengthening of national capacity to address gender-based violence. Its head sits on the Council of Ministers and is thus able to influence decision-making. The inclusion of women in politics through SEPI has contributed to a growing perception by women that they will receive greater protection (Ferguson, 2011).

SEPI is strongly supported by UN missions and agencies and has benefited from substantial donor funding and advice from senior international technical advisors. Key achievements of the Office include (Ellsberg et al., 2008, 25):

- 'Legal changes to increase women's participation in decision-making bodies, including those that hear offences against women, at national and community levels, and training of female candidates in this area.
- Draft legislation on domestic violence submitted to Parliament (adopted in 2010).
- A new law giving local authorities duties to reduce domestic violence in their communities.
- Development of a network of basic services for survivors.
- Increased public awareness through extensive civic education and public awareness campaigns.
- Advocacy with the Department of Education to include in school curricula the right of women to live free from violence.
- Obtaining a grant of more than US\$5million under MDG-funding to work jointly on the economic empowerment of women, protecting them from violence. Funded activities under this grant (2008–10) include: strengthening referral systems and agencies in the districts, especially links between the police and NGOs; training and monitoring of the *suco* councils on implementing their new duties to reduce domestic violence; expanding the system of hospital-based safe spaces into the districts; and activities to prevent trafficking, protect female internally-displaced persons, and provide rehabilitation for perpetrators and increase men's activism against violence'.
- Development of a manual of procedures for the Office of the General Prosecutor, outlining best practice in responding to crimes on domestic violence and sexual violence. It includes information cards about other services in the referral pathway which provide assistance to victims of gender-based violence (Alves et al., 2009)
- Decree establishing the Ministry of Social Solidarity, which is responsible for developing policies and programmes for victims of gender-based violence under the LAVW legislation, adopted in 2010 (Alves et al., 2009).

The '*Gender Based Violence Referral Partners Network*' was established in 2001 and has been run by SEPI since 2009. The Network brings all major agencies together and coordinates partners around advocacy and service provision. The Ministry of Social Solidarity convenes the service providers group with the participation of relevant ministries and NGOs. This network is considered to be a major accomplishment and an important example of effective multisectoral coordination (Ellsberg et al., 2012)

Other departments involved in addressing violence against women and girls include the Department of Social Services, which responds to, protects and assists vulnerable populations; and the Department of Health, which has collected statistics regarding cases of gender-based violence received by emergency room staff and is involved in cross-cutting reproductive health policy (Robertson, 2005).

The Timorese government has also supported international campaigns to end violence against women. In September 2008, the President of the National Parliament officially launched UNIFEM's Say NO to Violence against Women campaign, which aims to raise public awareness, increase political will and resources and create an enabling environment for the fulfilment of existing policy commitments. The Prime Minister also joined the head of Parliament in signing on to the campaign.

Strengthening women's political participation

Timor-Leste has aimed to promote the political empowerment of women as a means of preventing violence against women. Various affirmative action measures have been adopted in order to increase women's participation in public decision-making and leadership. These measures have resulted in an increase in female representation in national Parliament, in the Independent Electoral Commission and at the grassroots level (Ellsberg et al., 2008). The belief is that a rise in women leaders would have a positive impact on efforts to reduce violence against women. Ellsberg et al. (2008) find some evidence to support this view, based on an evaluation of women's leadership programmes (see the work of UNIFEM in the next section).

National police force

The Vulnerable Persons' Unit

The police force had to be completely re-established after the crisis of 1999. The *Policia Nacional Timor Leste* (PNTL) was formally established in August 2001. A notable accomplishment of the United Nations administration in Timor-Leste was the establishment of a Vulnerable Persons' Unit (VPU) within the PNTL. The VPU functions at the national and district level to handle cases of sexual assault, domestic violence, child abuse and missing persons. There was an effort to ensure that most VPU offices had at least one female officer on staff to facilitate interviews with female victims. Female officers comprised approximately 20 per cent of the force. Officers received 17 days of additional training on gender-based violence and were further assisted by the UN Civilian Police.

The establishment of the Vulnerable Persons' Unit is considered to be an important and successful development in addressing gender-based violence. It provided an identifiable access point and designated officers within the police services for victims of gender-based violence and service providers. This, in turn, fostered positive collaboration and coordination between the police and NGOs providing various support services to victims/survivors (Alves et al., 2009; Robertson, 2005). The VPU also works with hospitals that provide medical treatment and medical reports used as evidence to support the case in court (Alves et al., 2009).

Groves et al. (2009) find that the VPU gained much respect from the Timorese population. Its ability to advance cases legally through the judicial system was initially limited, however, due to the absence of relevant legislation. O'Reilly and Jevtovic (2008) point instead to a JSMP study that found that the police themselves do not consider cases of domestic violence or sexual assault to be serious crimes and that unless the violence had caused 'serious' injury, they would refer the matter back to local

justice mechanisms for resolution. They also find that the effectiveness of the VPU is highly dependent on the attitude of senior police officers. If senior police officers do not view gender-based violence as a genuine crime, it is difficult for other officers to pursue these cases.

Another critique of the VPU relates to record-keeping. At present, VPU records are incomplete and flawed, due in large part to lack of capacity and funding to develop a comprehensive database. The VPU is unable to follow through with cases once they are sent to the Prosecutor's Office, which means that it does not have information on whether the case went forward and if so, what the outcome was. Neither does the VPU have information on whether victims sought or received appropriate support. Planned improvements to the VPU database will make it possible to follow through with cases until they are closed. They will also make it possible to record the following key information (Ferguson, 2011, 56):

- The type of abuse, involving a clear definition/report of the actual injury: verbal abuse, pushing and shoving, assault, sexual assault, and the extent of the abuse.
- Women who suffer serial attacks and who do not leave abusive relationships.
- Patterns of serial attacks on the same person, whether by the same perpetrator or different perpetrators.

The Timor-Leste Police Development Programme

The Timor-Leste Police Development Programme is considered to be a promising initiative that aims to promote behaviour change among state agents, while still respecting contextual and cultural considerations. 'The programme has successfully integrated within existing hierarchical structures of the Timor-Leste National Police to coordinate trainings on various topics related to domestic violence and other legislation. It takes a 'train the trainers' approach, expecting that the superintendents pass on the knowledge to inspectors, inspectors to sergeants, and on down the chain of command. This approach has proven more effective than training field officers themselves due to the hierarchical sensibilities of Timorese culture and the police force itself. Expert interviewees report modest successes in implementation of the new domestic violence law, including a recent increase in the number of cases being reported. The challenges of implementation remain enormous, however, especially considering the diversity of languages spoken in rural locations in Timor-Leste, as well as the poor infrastructure connecting remote villages to the nearest police outposts' (Ellsberg et al., 2012, 19)

International development organisation initiatives

Alves et al. (2009) argue that international donors should be an integral part of the process of addressing gender-based violence. They can contribute to longer-term funding and enable longer term strategic planning to improve service capacity. This would ensure better collaboration among services, avoiding overlap and gaps, and ensuring continuity.

There is very little information available about the specific roles that international development agencies and international NGOs are playing in addressing gender-based violence in Timor-Leste. Many of their activities seem to be focused on supporting and funding local NGOs operating in this area (see section on 'civil society' below) and the national government, primarily SEPI.

The following provides some brief information on the work of UNIFEM and international NGOs:

UNIFEM

UNIFEM has engaged in various prevention activities in Timor-Leste. These include:

- Development of domestic violence training modules and materials to train village and hamlet chiefs on the prevention of domestic violence in communities (Alves et al., 2009).
- Multimedia campaigns such as the International 16 Days of Activism Campaign to End Violence Against Women, to capitalise on the commitment of Timor-Leste's leaders to end violence against women. Launched in November 2007, the campaign featured male leaders encouraging the ending of violence against women through a series of printed posters, and radio and television public service announcements designed to reach all 13 districts in the country. The campaign was part of a larger, two-year programme designed to foster community-based responses to gender-based violence and to promote women's engagement in local conflict reconciliation and peacebuilding initiatives (DeVries, 2007).
- The participation and enhancement of rural women's leadership programme (working with the UNDP and the EC). This aims to increase the representation of women on *suco* councils and to equip these women with 'transformative leadership training'. Roughly half the female candidates (1265 out of 2596) received training, of whom 29 per cent were elected (Ellsberg et al., 2008, 27).

An evaluation of the longer-term impact of the successful candidates involved in the rural women's leadership programme and their family lives, as well as their participation in council decision-making, was carried out in 11 districts at the end of 2006. It found the following positive impacts (Ellsberg et al., 2008, 27):

- 'Increased confidence and ability to speak up, both in the family and in the council.
- Less conflict and violence in the family, attributed to husbands paying more respect. *'Men are happy when their wives are elected. It's a privilege for the family'*.
- Some husbands more willing to share money and domestic chores with wives, thereby reducing domestic disputes and violence.
- Some elected women able to raise the issue of domestic violence with their councils, as well as other women's issues, such as family planning, sanitation, children's vaccinations, school facilities and women's sports'.

UNIFEM also engages in support activities, working closely with SEPI and local NGOs in the referral network engaged in the provision of services to victims/survivors of gender-based violence. In addition, it supports activities related to the reporting and application of CEDAW through its CEDAW South East Asia Programme (Alves et al., 2009).

International NGOs

Educational and awareness-raising activities

International NGOs have largely been involved in prevention activities, specifically education and awareness-building. Oxfam, Caritas Australia and the International Rescue Committee (IRC) have all undertaken education on gender-based violence and gender issues at the local level (Robertson, 2005).

- Caritas Australia

Caritas Australia developed community education training on the effects of gender-based violence, the needs of victims and the process of referral and ways to access justice. It has engaged in advocacy campaigns and produced manuals and brochures on violence against women (Alves et al., 2009). It has also provided support to FOKUPERS, PRADET and ETWAVE (see section on 'civil society' below) to facilitate counselling (including training for staff) for victims of gender-based violence and the provision of safe rooms. Caritas also formed a team of Timorese trainers who were given intensive training on sexual assault and then travelled to several districts to deliver workshops on sexual assault (Robertson, 2005).

- Oxfam Australia

Oxfam Australia works in partnership with FOKUPERS, AMKV (see section on 'civil society' below), SEPI and other actors in the area of violence against women. It also works on programmes aimed at training and advocacy through radio programmes and community programmes (Alves et al., 2009).

Legal support

- The Asia Foundation

The Asia Foundation, through its 'Access to Justice' programme, has supported local NGOs, including FOKUPERS and JSMP, working on legal issues. The organisations seek to nurture lawyers to specialise in assisting women in order to improve women's access to justice. The Foundation has also developed a team of mobile clinics as a network amongst institutions dealing with justice support programmes, and has developed a pilot training programme for village leaders focusing on domestic violence. The Foundation has worked with the Ministry of Justice, supporting the integration of gender in the Ministry's programmes and policies. It has also conducted studies on dissemination and socialisation of relevant laws (Alves et al., 2009).

- Avocats sans Frontiers

Avocats sans Frontiers has provided training to private lawyers, including training in how to respond to cases of gender-based violence (Robertson, 2005). It has also, until recently, provided free legal advice to victims/survivors of gender-based violence (Ferguson, 2011).

Civil society initiatives

Civil society organisations in Timor-Leste remain the primary actors on gender-based violence issues. The referral network (discussed earlier) to essential services such as health, housing, and counselling for victims of gender-based violence is working well, at least in Dili. Many of the organisations discussed below are part of the network (Harris-Rimmer, 2010).

The following is a brief overview of some of the key civil society actors and activities taking place:

Umbrella organisation

Rede Feto Timor Lorosa'e

Established in 2000, Rede Feto Timor Lorosa'e is a national coordinating organisation that brings together various organisations working on women's issues. These organizations represent a broad cross section of society, including mass-based organisations with national membership and smaller organisations at the village level, as well as cultural and rights-based organisations and organisations affiliated with political parties. Rede Feto's facilitates information-sharing and networking among the organisations, advocates on issues relevant to women and organises gatherings of women, such as the National Women's Congresses (Robertson, 2005; see also Alves et al., 2009).

Support and service activities

Fokupers Fórum Komunikasi Perempuan Lorosa'e (East Timorese Women's Communication Forum) - FOKUPERS

Established in 1997, FOKUPERS provides the most comprehensive services to victims/survivors of gender-based violence and their families, including specialized counselling, legal advice, court accompaniment, and shelter. The shelter is one of the few crisis accommodation and support options available in Timor-Leste. The organisation also provides training on gender-based violence to officials, police officers and local chiefs. It facilitates educational activities on community organisation, through local workshops, a printed bulletin and a radio programme. It also supports small economic activities and has developed a manual of policy and procedures (Harris-Rimmer, 2009; Alves et al, 2009; Robertson, 2005).

FOKUPERS works in partnership with national and international organisations, including UN agencies such as UNIFEM and UNFPA. The organisation relies on international donations and support to operate the shelter and support women in the longer term. Areas of need identified ranged from practical items, such as clothing, through to funds to assist with producing FOKUPERS's Agenda publication, which provides information to the community on domestic and family violence (Macdonald, 2012).

Psychosocial support, counselling, medical services

Psychosocial Recovery and Development in East Timor - PRADET

PRADET is a national NGO that specialises in mental health counselling and psychosocial support. It works in partnership with the VPU at PNTL, Fokupers, JSMP, SEPI, Caritas Australia and other organisations and provides support to clients who suffer from trauma stemming from violence. The organisation works directly with the Ministry of Health in the training of nurses and obstetricians on recovery from trauma. It also provides extensive training and workshops to police and other service providers. In 2010, PRADET negotiated accreditation with the Timor-Leste Ministry of Health to conduct a training programme for health workers on medical forensic examinations of victims of domestic violence, sexual assault, and child abuse. The aim is to improve the health sector's ability to adequately document survivors' injuries and treat them appropriately (Ellsberg et al., 2012).

PRADET administers various referral and safe-house programmes and maintains statistics on women contacting their services. There are ongoing efforts to improve the medical response to victims, such as ensuring that victims receive information about testing for sexually transmitted infections, including HIV/AIDS, and providing follow-up medical care for victims (Harris-Rimmer, 2009; Alves et al., 2009; Robertson, 2005).

The Safe Room (*Fatin Hakmatek*) funded by UNFPA, Caritas Australia (and previously the IRC) provides a crisis service of counselling, medical care and forensic documentation of injuries resulting from gender-based violence. Counsellors provide support in the form of non-judgemental listening, helping victims to tell their story, indicating that they are not at fault and explaining their rights and options. There is an effort to provide for follow-up counselling after the initial contact, often at the victim's home or through follow-up support groups. PRADET has developed a comprehensive forensic protocol specifically for Timor-Leste that can be used to document injuries from sexual assault, domestic violence and child abuse. Obtaining appropriate, private, and secure areas for victims in the national hospital has been an ongoing challenge, however, because of high demands on hospital space (Harris-Rimmer, 2009; Robertson, 2005)

Fatin Hakmatek has been located since the start of the programme at Dili National Hospital. Expansion to five referral hospitals throughout Timor-Leste, supported by AusAID investments, represents a significant improvement in access to high quality support services for rural women in that country. The first such expansion centre opened and began providing services at the Oecusse Hospital in 2010. The expansion is well timed, as the number of referrals to support services across the country is increasing with the promulgation of the new domestic violence legislation in 2010 (Ellsberg et al., 2012, vii, 23).

Legal support

Judicial System Monitoring Programme (JSMP)

The JSMP, established in 2001, is a national NGO that engages in court monitoring and judicial system and legislative analysis; provides legal support and witness support during the court processes; and undertakes extensive outreach work involving human rights training, training of judicial officials and district workshops explaining judicial processes and civil and political rights (Alves et al., 2009)

JSMP began work on gender-based violence through its observation of the court system. It established a *Women's Justice Unit* in 2004 to look specifically at the needs and treatment of women within the formal justice system, especially related to sexual assault and domestic violence. Staff are both international and Timorese.

JSMP's Women's Justice Unit engages in advocacy and training to improve the understanding and treatment of cases involving gender-based violence in the justice system. It works with the police, prosecutors and local leaders. The Unit conducts practical research, based on its monitoring work and examination of women's experiences in the justice system, and provides information that can help with planning programmes to respond to gender-based violence. It also provides legal support to women and children, advising on case proceedings in court, and works on dissemination and socialisation of the domestic violence legislation (Trembath et al., 2010; Alves et al., 2009; Robertson, 2005). For example, the JSMP has, with the support of AusAID, recently conducted a one-day workshop in four districts of Timor-Leste to train lawyers, doctors, nurses and midwives about the

2010 Legislation Against Domestic Violence – key definitions and obligations. Pre-workshop surveys revealed very low levels of knowledge about the new law and the obligations; post-workshop surveys suggested the workshops were positively received and that the demand for further training to better assist victims was high (Kapur in Macdonald, 2012).

The JSMP established the *Victim Support Service (VSS)* in 2005. This is similar to a women's legal aid office, without actually representing clients in court. The VSS provides information, advice and support to victims/survivors of gender-based violence in order to empower them and improve their ability to access the formal justice sector. Ellsberg et al., (2008, 39) finds that the VSS has helped improve outcomes for women: 'It educates women and children survivors of physical and sexual violence about legal processes and provides one-on-one support throughout every case it takes on. Results are lower drop-out rates, higher sentences, and faster hearing of cases'.

The following is a brief description and evaluation of a particular project conducted by the JSMP's Women's Justice Unit: '*Training for Women about Gender-Based Violence and Formal Justice*' (2006-2008). This project was carried out in all sub-districts of six districts (Manatuto, Baucau, Liquiça, Aileu, Oecusse and Covalima) as well as in Internally Displaced Persons (IDP) camps in Dili. In each sub-district, the Unit ran two days of training with two to three female representatives from each *suco*. The overall goal of the project was to promote women's access to the formal justice sector and to encourage women to use the formal justice system in relation to violence against women. The project was designed to encourage participants in the training to become leaders or guides in their own *suco*, supporting women who experience violence to access the formal justice system (Trembath et al., 2010, 124).

Trembath et al. (2010, 134-135) find that: 'In terms of positive impacts, JSMP's training has appeared to have contributed to a two-part process of (a) the community moving toward the idea that violence against women is a legitimate problem rather than acceptable practice [attitudinal change], and (b) that the formal justice system has a role in addressing violence against women. In particular, the female participants in the JSMP program discussed that they are more likely to have the courage and consciousness to recognise that they do not have to remain quiet about violence against themselves or their peers'.

In a survey of respondents in four sub-districts (discussed earlier), respondents in the sub-district Manatuto (where JSMP had carried out its training work) were the least supportive among the four research sites (65.5 per cent of respondents) of resolving violence against women within the household or family; and the most supportive going to the police and the courts (9.5 per cent of respondents). Although 9.5 per cent is a relatively small percentage of respondents, it is higher than the other sites and is suggestive that the intervention of JSMP and other organisations that have run educational programmes in Manatuto town about domestic violence and the legal system have been effective (Trembath et al., 2010, 130).

Trembath et al., (2010, 147-149) offer some recommendations to enhance the effectiveness of the JSMP project. They include:

- Targeting more vulnerable women or implementing at a more local level
- Having a more intensive, longer-term presence in the chosen communities, particularly as attitudinal and behavioural change in regards to gender-based violence and justice requires long-term efforts
- Expanding on participatory approaches to problem-solving and learning from real life

- Involving men and other community actors, such as police, local leaders and church representatives
- Adopting more inter-organisational, multi-dimensional integrated initiatives in order to address the many aspects of gender-based violence more holistically.

Performance Indicators of Service Provision

Alves et al. (2009, 53-54) in their baseline study of gender-based violence in the districts of Covalima and Bobonaro found that programmes and services for victims/survivors of gender-based violence generally had both successes and weaknesses.

Examples of successes reported by respondents are:

- 'Victim/survivors, who have stayed in shelter houses to recover, have felt protected.
- Victim/survivors, who have participated in training and small courses about making handicrafts sewing and cooking, have gained more knowledge about these things.
- Some victim/survivors were able to report their cases to police because of support they received.
- There is good co-ordination between services that provide support to victims of [sexual and gender-based-violence (SGBV)] though some services are not continuous, but only occasional.
- Local authorities have made efforts to support programme in their communities, and have been willing to collaborate and participate in local events and activities.
- Church based, and other local organisations have expanded support and services for victims/survivors of SGBV.
- Victim/survivors have talked about and shared their experiences.

Indicators reflecting weakness in service provision are mostly related to the formal and traditional justice systems. Respondents made the following points:

- Due to the limited numbers of judges, prosecutors, and defence lawyers all cases presented to the court are pending.
- Victims are devalued and do not receive fair treatment in the traditional process of resolving cases through fines (Kasu-sala)
- Women who are recognized as community leaders and are elected as representatives in the village councils, do not have the power to make/influence decisions in cases where women are the victims, especially cases of sexual violence.
- There is limited capacity to accommodate all the victims/survivors who seek assistance in the Shelter House.
- Sister Jessy and the other nuns from the Catholic congregation of SSPS have faced significant challenges in establishing their service. Firstly the church hierarchy did not agree with the proposal to establish a Shelter House or for the congregation to provide services to victims of SGBV. Secondly, the community accused her of supporting bad women who live a bad life, and who would continue to do so in the shelter house.
- NGOs such as Pradet and Caritas Australia are not resourced to provide continuous service in Covalima and Bobonaro.
- Fokupers only has one community worker for Covalima and Bobonaro, who has to visit Dili frequently.

- The community still does not understand the purpose and functions of the Shelter House built by the SSPS Congregation.
 - There is no ongoing funding for the Shelter House or transport to facilitate access to services for victims of SGBV.
 - Not all victim/survivors accessed services. Lack of information, communication and security means some people were not convinced that services could help, and/or did not wish to access them.
 - The emphasis on evidence and witnesses in order to prosecute indicates a weakness in the legislation.
 - There are no clear policies and procedures from government services, such as health and police as to their roles and responsibilities in the protection of victim/survivors as part of the network of services.
 - Co-ordination between government services and civil society depends on the commitment of individuals and is therefore inconsistent.
 - The patriarchal system and the practices supported by these beliefs are still very pervasive.
 - Men, including members of the community and service providers have received no training on the effects and consequences of SGBV.
 - Services working in the area of SGBV do not take into account the nature and attitudes of the communities.
 - Victim/survivors and their families lack opportunities to access income generating projects'.
- Alves et al. (2009, 53-54)

Prevention activities

Education and awareness-raising

A range of prevention approaches are being used in Timor-Leste, 'including awareness-raising with the general public through campaigns (especially around the 16 Days) and distributing printed materials; targeted awareness with men, women, youth and leaders; making the prevention of domestic violence a legal duty for local authorities; and linking awareness work to other types of activities' (Ellsberg et al., 2008, 56)

Numerous public education efforts regarding gender-based violence have been conducted at all levels of society in Timor-Leste. One of the biggest challenges to public education on gender-based violence is the level of literacy. Funding for public education has not been significant, although donors have emphasised this kind of activity. Follow-up on educational efforts has also been underfunded. The media used for public education on gender-based violence have emphasised posters and pamphlets and, to a lesser extent, T-shirts and stickers. In attempting to address issues of illiteracy, organisations have used pictures in combination with the written word. Drama, music and radio programming have been used to communicate to the public. Radio is perhaps the most effective way to communicate to the most people, as many parts of the country have a limited supply of electricity, television and print media.

Many educational workshops have focused on providing introductory information regarding gender-based violence issues and domestic violence and sexual assault, in particular. Workshops are often one-off events, lasting one day or less and are conducted at the local or village level, with all members of the community invited. Although rare, some organisations have conducted more in-depth events, for several days at a time, and some have returned to the same community more than once in an effort to consolidate the learning that took place. In many educational efforts, attempts have been

made to engage with local leaders and representatives of various sectors with a role to play in addressing and preventing gender-based violence. For example, police officers, human rights officers, church representatives, health-care workers and local leaders may be invited either to attend an event or to make a presentation (Robertson, 2005).

The Catholic Church is an important institution in Timor-Leste. Many activists recognise the importance of involving the church in efforts to end gender-based violence, in the hopes that the church can provide moral persuasion against violence. PRADET, for example, has been involved in marriage-preparation classes with the Church, trying to introduce ideas about equality between women and men and dissuading people from using violence in domestic relationships (Robertson, 2005).

There are various civil society organisations involved in awareness-raising and campaigning; and in education and training on violence against women. These include: The Organizasaun Popular Mulher Timor (OPMT), Organizasaun Mulher Timor (OMT), East Timor Women Against Violence (ETWAVE), GFFTL (Grupu Feto Foinsae Timor Lorosae), JSMP (Judicial System Monitoring Program), IRI (International Republican Institute), Caritas Australia, PRADET, Alola Foundation, Men's Association Against Violence (AMKV), and Oxfam (Alves et al., 2009). In general, efforts to educate the public have not been coordinated, so some communities and individuals may have had the opportunity to participate in several events, whereas others may have had none (Robertson, 2005).

Association of Men Against Violence (AMKV)

One of the most widely-cited successful public education efforts is the Association of Men Against Violence (AMKV). It is a purely voluntary men's NGO, active in various districts throughout Timor-Leste. It promotes the idea that men should think about their actions and their responsibilities in preventing violence against women. AMKV advises other organisations and offers counselling. Their main objective is to raise awareness among young men and communities about gender inequality and ending violence against women and girls. (Alves et al., 2009; Harris-Rimmer, 2009).

AMKV's activities involve group education sessions. The organisation begins engaging the community by helping groups of men organise around their own priorities, which usually involve income generation (e.g., money earned from community gardens, doing carpentry work, or selling snacks). Discussion of violence against women and gender equality arises naturally during these activities. They have also been funded to conduct their own workshops with returned refugees, with groups of self-admitted violent men, with community groups and leaders of both sexes, and with students. AMKV runs sessions on 'internal reflection and peer mentoring' for members (Ellsberg et al., 2008). Ferguson (2011) argues that training in gender equality for boys and men at the *suco* level and in schools needs to be intensified by the organisation. More recently, AMKV has been trying to build their model into a life skills intervention, with a selection of activities appropriate to the local context (Ellsberg et al., 2012).

AMKV has succeeded to a large extent by working in harmony with the extensive work already being done to address violence against women in Timor-Leste by various government, international and civil society actors (Ellsberg et al., 2012). The organisation still faces resource challenges, however. It receives sporadic, project-specific funding from international organisations, such as Oxfam, Caritas Australia, and UNFPA. Ellsberg et al. (2008) find that additional support from donors would help strengthen AMKV and allow it to share its innovative approaches across the region (Ellsberg et al., 2008).

Women's empowerment, including economic empowerment

Alongside support for community education, policies that address women's economic and social disadvantage and promote women's participation in public decision-making and leadership are key to reducing rates of violence against women (Macdonald, 2012). (See the discussion above on 'Strengthening women's political participation' under Government Initiatives). Ellsberg et al. (2008, 201-202) state that 'Community-mobilisation activities and micro-finance programs in East Timor that involve education about rights and violence against women are likely to significantly reduce the levels of violence against women as well as improving repayment rates in micro-finance activities. There is a strong base of activities from which to take this agenda forward in [Timor-Leste]'.

Feto iha Kbiit Servisu Hamutuk (FKSH)

Established in 2002, FKSH works in the economic area, with the mission to: increase and reinforce women's economic capacity, defend women's rights, and organise women's activities, so as to encourage independence. It believes that helping women to find economic independence can contribute to reducing domestic violence. FKSH's presence has gradually grown with funding support from Canadian Catholic Organisation for Development and Peace (CCODP) and Trocaire.

FKSH's beneficiaries are women's small business groups typically comprised of women with limited economic independence, such as victims of violence, widows, female heads of households, and women who have previously had limited educational and employment experience. Rather than providing direct funding support to beneficiaries, FKSH seeks to build the skills necessary for business sustainability. This capacity-building is undertaken on a basis of strong relationships between FKSH and their target groups (Exposto in Trembath et al., 2010; Trembath et al., 2010).

The Alola Foundation

Established in 2001, the Alola Foundation's vision is for Timorese women to have 'equal status in all aspects of life (access, participation, role in decision-making, enjoyment of benefits of development) through education, community development, health and community leadership' (Trembath et al., 2010, 68). 'The organisation offers three-day village-based workshops, which begin with interactive methods for stimulating discussion of the main forms of violence and discrimination experienced by women in their daily lives. Women are then assisted in identifying small and manageable steps they can take in their own lives to reduce violence and discrimination against women and themselves. The Foundation has teamed with Oxfam to enable rural women's groups (most of whose membership is younger than 30) to set up income-generating cooperatives at the culmination of the workshops. These help reduce women's economic dependence on men. Continuing training and support to the cooperatives, including marketing opportunities, are also provided' (Ellsberg et al., 2008, 202)

The following is a brief overview and evaluation of one of its projects: '*The Community Development project*'. The project began in 2007 and aims to support women's economic independence, to develop women's capacity to respond effectively to their own needs in their local contexts, and to promote women's leadership in local community development processes. It was carried out in several districts throughout Timor-Leste and worked with 'women's economic livelihoods' or 'small enterprise groups' that produce various goods for sale and direct consumption. In the district of Dili, Alola focused specifically on the sub-district of Atauro Island, which forms the case study for the project evaluation.

The evaluation found that although it may be easy to initially understand Alola's Community Development project as predominantly focused on supporting women's income generation, the area of greatest impact in Atauro has been on improving women's access to information about sensitive health issues, which formed a part of the project. The head of the Ministry of Health's presence in Atauro found that the project reached previously unreached parts of Atauro, providing essential information given the prevalence of sexually transmitted infections in the area. Woman-to-woman communication of information, in a face-to-face, intimate manner that is sensitive to the cultural context was found to be of great benefit (Trembath et al., 2010).

In addition to distributing health information to target groups, Alola has also distributed information about gender-based violence and the trafficking of women and children. There are some indications to suggest that this information distribution has begun to influence attitudinal and behavioural changes, particularly in the area of domestic violence. Women felt more empowered to teach their children and tell their husbands that such violence was not acceptable (Trembath et al., 2010).

6. Links with HIV/AIDS

There is very limited discussion in the literature on violence against women and girls in Timor-Leste and the links with HIV/AIDS. Ellsberg et al. (2008, 20) note in their study of the Melanesia and Timor-Leste region that sexual and physical violence against women contributes to the spread of HIV: 'Fear of partners' violent reactions makes women less willing to discuss using condoms or question their partners about their other sexual activities. Women with abusive husbands are also afraid to admit they have been raped, been tested for [sexually transmitted infections] or HIV, or to disclose a positive diagnosis and access treatment'.

Ferguson (2011) discusses the links between gender-based violence, sex work and the risk of HIV infection. There has been a rise in sex working since 1999 with the arrival of large numbers of foreign men (those working in UN missions, international security forces, agencies and NGOs, and since 2007 construction workers from mainland China). Increasing incidents of gender-based violence, including domestic violence, contribute to sex working. Women sex workers cite domestic violence, trauma from rape or sexual assault, and economic insecurity stemming from abandonment or divorce among the key reasons for entering sex work. Harris-Rimmer (2009) cites an Aloha Foundation study that found that the majority of female Timorese sex workers entered prostitution after being sexually abused, raped, or abandoned by boyfriends and husbands. In turn, sex working has also contributed to the increasing cases of violence. Both male and female sex workers experience violence and intimidation, from clients, the military and the police (Ferguson, 2011; Harris-Rimmer, 2009).

Such sex work has also resulted in growing concerns over safety, health and medical issues, in particular the spread of sexually transmitted infections and HIV/AIDS. Failure to use condoms by Timorese clients was reported by both Timorese and Indonesian male and female sex workers (Ferguson, 2011).

7. Gaps in research

There was limited mention in the literature of additional research that needs to be conducted in relation to violence against women and girls in Timor-Leste. Research gaps noted include the need for:

- More accurate data on the prevalence of violence against women and girls.
- Evaluations of gender-based violence programming. Robertson (2005) finds that there are very few programmes that have been evaluated or have used baseline data to track the impact of their programmes objectively. As such, much of the available information is anecdotal or involves statistics on number of workshops etc., rather than actual impact.
- More reliable information on justice issues, such as: the role of and power relations between various local administrators of justice; the central barriers impacting on women's access to justice; local definitions and concepts of domestic violence; and the reasons motivating a victim and their family to approach either formal or informal authorities (Kovar, 2012, 208-209).
- Research on the nature and effects of social pressure: how such pressures influence the choices made by victims of domestic violence; and how they can be used to pressure men to stop abuse (Kovar, 2012).
- Evidence on whether there is a direct relationship, as many claim, between the custom of paying *barlake* and the increase in the incidence of domestic violence (Kovar, 2012).

8. References

Alves, M.D.F. et al. (2009). *Baseline study on sexual and gender-based violence in Bobonaro and Covalima*. Dili: Asia Pacific Support Collective Timor-Leste. Retrieved from http://www.unwomen-eseasia.org/docs/SGBV_Baseline_study_Report_English_version.pdf

CAVR. *Sexual violence (Chapter 7.2, Final report)*. Commission for Reception, Truth and Reconciliation (CAVR) Timor Leste. Retrieved from <http://www.cavr-timorleste.org/cheqaFiles/finalReportEng/07.7-Sexual-Violence.pdf>

DeVries, K.O. (2007). Supporting community-led initiatives to promote women's engagement in peace-building and prevention of sexual violence in Timor-Leste. Retrieved from the Communication Initiative: <http://www.comminit.com/en/node/266108>

Groves, G.E.C, Resurreccion, B. P., & Doneys, P. (2009). Keeping the peace is not enough: human security and gender-based violence during the transitional period in Timor-Leste. *Sojourn: Journal of Social Issues in Southeast Asia*, 24, 2, 186-210.
doi: 10.1353/soj.0.0022

Ellsberg, M. et al. (2012). *Violence against women in Melanesia and Timor-Leste: Progress made since the 2008 Office of Development Effectiveness report*. International Centre on Research for Women (ICRW). Retrieved from <http://www.icrw.org/publications/violence-against-women-melanesia-and-timor-leste>

Ellsberg, M. et al., (2008). *Violence against women in Melanesia and East Timor: Building ongoing global and regional promising approaches*. Office of Development Effectiveness, AusAID. Retrieved from http://www.ode.usaid.gov.au/publications/pdf/vaw_cs_full_report.pdf

Ferguson, P. (2011). Progress in legislating domestic violence and gender-based violence in Timor-Leste. *Geografia: Malaysia Journal of Society and Space*, 7, 1, 53-64. Retrieved from <http://journalarticle.ukm.my/684/>

- Harris-Rimmer, S. (2010). Sexual and gender-based violence. In R. Muggah and E. Lebrun (Eds), *Timor-Leste armed violence assessment final report* (pp. 37-52). Geneva: Small Arms Survey. Retrieved from [http://www.internal-displacement.org/8025708F004CE90B/%28httpDocuments%29/87C23BB27D31653AC12577F500556A5D/\\$file/full_report.pdf](http://www.internal-displacement.org/8025708F004CE90B/%28httpDocuments%29/87C23BB27D31653AC12577F500556A5D/$file/full_report.pdf)
- Harris-Rimmer, S. (2009). *After the guns fall silent: Sexual and gender-based violence in Timor-Leste* (Issue Brief No. 5). Timor-Leste Armed Violence Assessment. Retrieved from <http://www.timor-leste-violence.org/pdfs/Timor-Leste-Violence-IB5-ENGLISH.pdf>
- Joshi, V. & Haertsch, M. (2003). *Prevalence of gender-based violence in East Timor*. International Rescue Committee East Timor.
- JSMP. (2010). *The importance of having a domestic violence law in Timor Leste*. Judicial System Monitoring Programme (JSMP). Retrieved from http://www.jsmp.minihub.org/English/webpage/publica/juwjuimportansialvd_e.pdf
- JSMP. (2005). *Statistics on cases of violence against women in Timor Leste*. Judicial System Monitoring Programme (JSMP). Retrieved from http://www.jsmp.minihub.org/Reports/jsmpreports/Women%27s_Statistics/Statistics_Women_%28english%29.pdf
- Kovar, A. (2012). Approaches to domestic violence against women in Timor-Leste: a review and critique. *Human Rights Education in Asia-Pacific*, 3, 207-252. Retrieved from <http://www.no-trafficking.org/docs/HREAP-v3.pdf#page=207>
- Macdonald, A. (2012). Violence against women in Timor-Leste: a report from the field. In Australian Domestic and Family Violence Clearinghouse. *Health Impacts: Newsletter 47* (pp. 7-9). Retrieved from http://www.adfvc.unsw.edu.au/PDF%20files/Newsletter_47.pdf
- NSD and ICF Macro. (2010). *Timor-Leste Demographic and Health Survey 2009-10*. National Statistics Directorate and Ministry of Finance, Timor-Leste (NSD) and ICF Macro, Dili. Retrieved from <http://www.measuredhs.com/pubs/pdf/FR235/FR235.pdf>
- O'Reilly, J. & Jevtovic, P. (2008). On criminal silences: gender-based violence in Timor Leste. *The Journal for Women and Policing*, 22, 20-26. Retrieved from <http://www.acwap.com.au/journal/issue22.pdf#page=20>
- Robertson, K. (2005). *Gender-based violence in Timor-Leste: a case study*. United Nations Population Fund (UNFPA). Retrieved from http://www.unfpa.org/women/docs/gbv_timorleste.pdf
- SG's database. (2008). UNIFEM's say NO to violence against women campaign in Timor-Leste. Retrieved from UN Secretary General's database: <http://sgdatabase.unwomen.org/searchDetail.action?measureId=21163&baseHREF=country&baseHREFId=1291>
- Trembath, A., Grenfall, D. & Noronha, C. M. et al. (2010). *Impacts of national NGO gender programming in local communities in Timor-Leste (A collaborative research and evaluation project)*.

Globalism Research Centre, RMIT University. Retrieved from
<http://mams.rmit.edu.au/e4vx5w6pot70z.pdf>

UN Women. (2011). *Violence against women prevalence data: survey by countries*. Retrieved from
http://www.endvawnow.org/uploads/browser/files/vaw_prevalence_matrix_15april_2011.pdf

9. Additional Information

Experts consulted:

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