



Submission No 32

Inquiry into Australia's Relationship with Timor-Leste

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Chair
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Joint Standing Committee on Foreign Affairs, Defence and Trade
Parliament House, Canberra

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Dear Chair

Inquiry into Australia's relationship with Timor-Leste

I am pleased to provide a submission to the Foreign Affairs Sub-Committee of the Joint Standing Committee on Foreign Affairs, Defence and Trade on the subject of Australia's relationship with Timor-Leste.

I will focus on those areas of the Terms of Reference which refer to:

- bilateral relations at the parliamentary and government levels;
- aid, including support with governance issues;
- cultural, educational and scientific relations and exchanges; and
- people to people links.

I am the author of the book *Gender and Transitional Justice: The Women of East Timor* (Routledge 2010), which was based on my doctoral dissertation at the ANU College of Law. My research over the last 15 years has focused on the status of women in post-conflict Timor Leste and justice outcomes for women for gender-based violence during and after the conflict. Based on this research, I believe Australia should focus its interventions, including diplomatic and development assistance and security sector reform on the promotion of gender equality, and provide support for women who have suffered sexual and gender-based violence (SGBV). Without such focus, the future of Timor Leste will not be bright.

On every human development indicator, the women in Timor Leste are facing challenges.¹ Timorese women's groups have identified some general problems for women in the post-conflict period, which include: the failure of domestic and international law to adequately address gender-based persecution experienced during the Indonesian occupation from 1975 to the present; the impact of poor economic and social conditions, including bars to property ownership; the failure of policy or law to provide acknowledgment or compensation for survivors of gender-based persecution or the children born of rape; the failure of domestic law to protect women from the escalation of domestic violence post-independence; obstacles to participation in pre and post-independence decision-making, including representation in formal elections; and obstacles to participation in key decisions about transitional justice mechanisms, such as amnesties.

¹ Timor Leste is ranked 134 out of 186 countries, Human Development Report 2013 – Timor Leste, available at <http://hdrstats.undp.org/en/countries/profiles/TLS.html>, accessed 27 March 2013. See also the 2009-10 Timor-Leste Demographic and Health Survey (TLDHS), available at <http://sgdatabse.unwomen.org/uploads/DHS%20Report%202009-2010.pdf>, accessed 27 March 2013.

The Committee is also directed to Timor Leste's report to CEDAW,² and the Committee's Concluding Observations.³

AusAID has commissioned research in this area, as contained in the [Stop Violence](#) report in 2009 and follow-up [report](#) in 2012.

I submit for the Committee's consideration two further policy briefs, containing the evidentiary basis for the following recommendations:

—Susan Harris Rimmer. 'After the guns fall silent: sexual and gender-based violence in Timor Leste', Timor-Leste Armed Violence Assessment [Issues Brief No. 5](#), 2010.

—Edward Rees, Susan Harris Rimmer, and James Scambary, contributors, Timor-Leste Armed Violence Assessment [Final Report](#), Robert Muggah and Emile LeBrun, eds, October 2010. Special Report No. 12, pp. 37-45.

Recommendations

The Australian Government should fund the [recommendations](#) of the *Stop Violence* report and follow-up reports on violence against women in Timor Leste.

The Australian Government, through the good offices of the Ambassador for Women and Girls, AusAID and other agencies, should increase their efforts to promote and support gender equality principles and outcomes in Timor Leste. Timor Leste requires a long-term funding window and political support for gender equality goals, similar to the Pacific Women Shaping Pacific Development program.

Australia should support civil society organisations and women's groups in Timor Leste, particularly those providing services to victims of SGBV and undertaking advocacy on the rights of women and girls.

Australia should promote research and policy work on preventing SGBV in Timor Leste and support the Timor Leste Studies Association and Timorese research capacity in this area.

The Australian Government should fund the creation of an Australian Timor Leste Research Institute and an annual 'update'.

Conclusion

Jose Ramos-Horta reiterated his views before the UN Human Rights Council on 11 March 2010 that 'in the efforts to bring about peace between long-standing rival communities, often we have to compromise on justice'. There is not enough public debate over whether those who are compromising most on justice in present day Timor Leste are those non-elite men and women, boys and girls, who are still suffering from SGBV.

² CEDAW/C/TLS/1, 24 November 2008, available at <http://daccess-ods.un.org/TMP/6992929.57782745.html>, accessed 26 March 2013.

³ CEDAW/C/TLS/CO/1, 7 August 2009, available at <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N09/460/86/PDF/N0946086.pdf?OpenElement>, accessed 27 March 2013, and the Secretary-General's Database on Violence Against Women – Timor Leste, available at <http://sgdatabse.unwomen.org/countryInd.action?countryId=1291>, accessed 27 March 2013.

Women should start to play a greater role in post-conflict reconstruction and governance in Timor Leste. As one survivor told the CAVR:

I will not... hold office like these important men who once fought together with us. All I ask for is my right to a decent life as the family member of a fighter. I got this way because my husband and children disappeared. The important men are not permitted to forget us [just because they] now have a strong chair stuck on the ground. In the past, when their positions were not yet certain, we fought together.⁴

I would be happy to appear before the Committee and provide further detail.

Yours sincerely,



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⁴ BK from Fatubessi, quoted by Galuh Wandita, Karen Campbell-Nelson, and Manuela Leong Pereira. 'Learning to Engender Reparations in Timor-Leste: Reaching Out to Female Victims' Ruth Rubio-Marín (ed), *What Happened to the Women?: Gender and Reparations for Human Rights Violations* New York: Social Science Research Council, 2006, at p. 319.