

# Policy Recommendations

NGO Ba Futuru / For The Future



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## Key recommendations:

1. Enhance current protection systems, specifically the District *Rede Referál* Networks and Gender Working Groups, through increased connections to the aldeia, suco and sub-district levels.
2. Reinforce the functions and responsibility of Suco Councils to refer cases of domestic violence to the formal system, delegating a specific role to the two women representatives of each council as Protection Team Coordinators for their suco.
3. Ensure that women, children and vulnerable people receive assistance to access justice through Community Protection Teams made up of women's representatives from the aldeia level who serve as the first point of contact for victims.

This set of policy recommendations is the third produced through the Empowering Women and Establishing Grassroots Protection Networks Project (EWP). It aims to demonstrate how the Government of Timor-Leste (GoTL), in cooperation with international development partners and civil society, can further strengthen protection for women, children and vulnerable people. **This can be achieved through utilizing selected strategies already proven effective through the EWP to complement and reinforce existing protection mechanisms throughout Timor-Leste.** Should the relevant state institutions accept the recommendations enclosed herein, communities throughout the country will benefit from more effective implementation of the Law Against Domestic Violence. **With minimal investment to integrate local support into existing systems, GoTL will provide direct benefits to local communities in terms of reducing domestic and gender-based violence,** and increased efficiency in prevention, service provision, access to justice and critical monitoring and evaluation to further develop and improve district-based protection systems.



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## Glossary of Terms

<b>DV</b>	domestic violence
<b>EWP</b>	Empowering Women and Establishing Grassroots Protection Networks Project
<b>GBV</b>	gender-based violence
<b>GoTL</b>	Government of Timor-Leste
<b>LADV</b>	Law Against Domestic Violence
<b>MAE</b>	Ministry of State Administration
<b>MSS</b>	Ministry of Social Solidarity
<b>NGO</b>	Non-Governmental Organization
<b>PECT</b>	Protection, Empowerment and Conflict Transformation Training
<b>PNTL</b>	National Police of Timor-Leste
<b>PTC</b>	Protection Team Coordinator
<b>PTM</b>	Protection Team Member
<b>RDTL</b>	Democratic Republic of Timor-Leste
<b>SEPI</b>	Secretary of State for the Promotion of Equality
<b>VPU</b>	Vulnerable Persons Unit

# The Community Protection Team Model

The model utilized by the EWP contains the following elements, which could easily be integrated into existing protection systems by GoTL, development partners and civil society.

In fact, **the most commonly voiced sentiment during the EWP's external evaluation was that the project should continue and be implemented across the country at the aldeia level.**

The basic structure of the EWP Community Protection Team Model is as follows:

State & NGO Service Providers	<p>Community Protection Teams ensure that victims of DV are referred to appropriate state institutions and private service providers for support. This includes liaising with MSS Support Services Social Workers, PNTL and specifically VPU, elected and traditional leaders and NGO service providers.</p> <p>Throughout the EWP, Ba Futuru staff have played an important role in supporting the Protection Teams to fulfill their mandate. Should GoTL utilize this model, coordination among relevant line ministries will be essential to ensure future success.</p>
Protection Team Coordinator (PTC)	<p>The Protection Team Coordinator's role is to oversee the work of the Protection Team throughout the suco or the sub-district. Specific functions include responding to referrals of domestic violence cases from Protection Team Members (PTMs) and ensuring that victims are adequately supported.</p> <p>Protection Team Coordinators also encourage compliance with applicable laws through explanations to local leaders about referral pathways and available assistance. When a problem arises that threatens to prevent a victim from accessing justice, they are able to help by referring the case directly to the Public Ministry district office and raising the impediment that was encountered to higher levels.</p> <p>The PTC's role within the Protection Team is vital, due to having a higher level of authority and a larger mandate. Additionally, there is reduced risk of recidivism to the Protection Team through the PTC being slightly removed from the immediate situation of a domestic violence case.</p>
Protection Team Members (PTMs)	<p>Protection Team Members are agents of change at the local level who work together as a team to identify, refer and support victims of DV and GBV in their immediate communities.</p> <p>The EWP has empowered Protection Teams with progressive training on legal frameworks, human rights, gender, referral pathways, public speaking, debate and case documentation.</p> <p>Women leaders are ideally suited to fill this role because of their unique ability to come alongside victims in confidential settings and encourage them to come forward by explaining their options and offering hope.</p>
Community Members	<p>Key actors within communities have received training on protection issues including reflections on social and gendered norms and introduction of strategies for non-violence, in order to build the foundation for community protection.</p> <p>Following up with key actors three months post-training has been essential.</p> <p>Regular meetings are held to identify and address protection issues.</p> <p>Outreach events are powerful tools to teach young people about human rights and pathways to justice.</p>



# Background & Project Overview

## About Ba Futuru

Ba Futuru (“For the Future”) is a national non-governmental organization with 10 years of experience in working with communities across Timor-Leste in the areas of child protection, peace building, conflict transformation, early childhood education and women’s empowerment. Since its founding in 2004, Ba Futuru has provided life-enhancing programming to more than 30,000 children, women, young people, community leaders, police, teachers and other key actors across all the districts of Timor-Leste.

## About the Empowering Women and Establishing Grassroots Protection Networks Project (EWP)

Over the course of three years, from November 2011 to October 2014, Ba Futuru with the financial support of the European Union and the Australian Agency for International Development (AusAID) has implemented the Empowering Women and Establishing Grassroots Protection Networks Project (EWP) in two sucos of Dili and all five sucos of Atauro Island. The EWP’s overarching goal is reducing violence and abuse against women, children and vulnerable people through empowering women leaders as local agents of change in their communities and strengthening linkages between key actors at the local, district and national levels. A foundational aspect has been engaging communities to learn about key protection issues through trainings and outreach events, focusing on elected and traditional leaders, police, members of community-based organizations, parents and young people. Building on this foundation, community Protection Teams have been developed together with women leaders who work together as a team to identify, refer and provide support to victims of domestic and gender-based violence. Protection Team Members (PTMs) are based at the aldeia level and meet monthly under the direction of a Protection Team Coordinator (PTC) who holds responsibility over the suco and, in the case of Atauro Island, the entire sub-district. Based on this work, the project seeks to provide valuable insights about protection needs at the grassroots level to inform decision-makers at the national level in developing and strengthening district-based protection networks.



# Findings: What is Limiting and What has Worked

Based on Ba Futuru's work within communities throughout Dili and Atauro Island (particularly with women leaders serving as Protection Team Members), as well as consultations with various stakeholders working in the fields of prevention and service provision, the EWP has analyzed and drawn conclusions about systems for protection of women, children and vulnerable people as they currently exist. The EWP has found that while the majority of institutions and service providers are based at the national, regional and district levels, the factors that contribute to high levels of domestic and gender-based violence are very strong at the suco, aldeia and family levels. Moreover, women and children experience many barriers at the family and village levels that are not being addressed by national, regional and district level assistance mechanisms. This continues to keep them from being able, or willing, to seek justice or assistance under the formal system. As a result, the majority of those who fall victim to domestic and gender-based violence are currently prevented from accessing justice and support services.

These findings aim to highlight current challenges faced by government and non-state actors alike, alongside concrete ways in which the EWP Community Protection Team model has effectively addressed these areas of concern. **Meaningful results have already been achieved** - albeit on a small scale due to the nature of the project as a pilot. **Should GoTL accept the recommendations based upon these findings (p.12), these benefits will be realized on a greater scale** in line with the normative frameworks of the RDTL Constitution, the Law Against Domestic Violence (LADV), and numerous international treaties to which Timor-Leste is a party.

## A. Prevention of Domestic Violence

### 1. What is Limiting

**Current efforts focused on raising awareness about the LADV face serious challenges**

- *Uneven coverage of geographic areas targeted by prevention efforts.*
- *Inconsistency of methodologies and information shared.*
- *Lack of clarity in the role of local leadership to support prevention of domestic violence.*
- *Societal tolerance for domestic violence remains extremely high.*
- *Socialization of the LADV must include behavioral change strategies to be effective.*

"Given the reality of limited, un-integrated programs relating to domestic violence prevention, **it is unclear how the suco leadership can fulfill its mandate** under Article 11 regarding promoting the creation of mechanisms relating to **domestic violence prevention, protection and monitoring.**"

*Counterpart International (Ba Distritu Project). "Suco Council's Role in Effective Local Governance: Review, Considerations and Recommendations." 2014, p. 13.*

## 2. What Has Worked

**The EWP model has proven successful in changing behavior and reducing domestic violence through creative and sustained engagement with communities.**

- *Ba Futuru's Protection, Empowerment and Conflict Transformation (PECT) trainings have helped people to recognize the negative impacts of violence, reflect on human rights and social norms, and learn how to employ alternative, non-violent strategies to resolving problems.*

### *Evidence of Changes in Understanding, Attitudes and Behavior from PECT Trainings*

An external evaluation of the EWP showed that the PECT trainings have positively influenced the behavior of key actors, who reported they now have a preference for non-violent behavior and that they practice critical protection strategies. Of those who were interviewed:

- **93% know how to peacefully resolve conflicts in their family and community**
- **89% understand that domestic violence is a crime under the law**
- **80% know how to refer a case of domestic violence**
- **88% know about counseling services and safe houses for women/children who have experienced violence**
- **91% understand that women and men are equal and have the same rights**
- **89% know how to identify children at risk**

- *When people come to see domestic violence as a family and community issue with real and prolonged harm, they are naturally motivated to change their mindset and behavior to reduce domestic violence.*

"My behavior has truly changed. **Before the training I always hit my wife and children** when they didn't do what I wanted, but **through the training I came to understand about human rights and what constitutes domestic and gender-based violence.** I try to give freedom to my wife because she also has rights, and in my community I help to resolve people's problems. For example, some young people were fighting and I called them into the police station to process their case. However, one thing I don't agree with is that the police responded by hitting the young people who caused the problem—I **told them that something we learned from Ba Futuru's training is that we can't resolve problems with violence,** so why are you using more violence against them? [...] **I've implemented the material from the training in my household and also with my co-workers.** I also helped a father who liked to hit his son who has mental health issues. After the training, I came to him and explained about what I learned about human rights and that violence is bad, and now he doesn't hit his son anymore. **In regards to the PTMs and PTC's work, we are really happy because we've seen how they have really helped people with their problems through bringing them forward to the formal system."**

*Male community leader (Xefi do Bairro), age 47*

- *Dynamic and creative engagement of communities through a variety of media is crucial to impacting behavior change.*

- *Follow-through with communities, facilitated through local protection agents, is essential to building the impetus for protection from the ground up so that it is sustainable and well suited for local needs.*



# Feto Fantástiku ba Dame

## A Creative & Cost-Effective Example for Prevention

Ba Futuru's *Feto Fantástiku ba Dame* ("Fantastic Woman for Peace") film series depicts a female superhero with a mission to spread peace and help Timorese people, especially youth, learn strategies for resolving conflicts peacefully and abstaining from violent behavior. An innovative component of these films is using common conflict scenarios that most Timorese people can relate to, such as disputes over water or the use of a motorbike. This puts non-violent conflict resolution strategies into contexts that are highly accessible and relevant - increasing the likelihood that people will apply the strategies shown in their daily lives. Indeed, *Feto Fantástiku* has proven to be a successful advocate of non-violence, with 94% of those who watched the films recognizing the benefits of non-violence compared with only 49% before watching the films. Additionally, 85% of people who watched the films were able to list specific examples of how they could resolve conflicts without violence in the future, compared with only 25% before watching the films.

Ba Futuru utilizes the *Feto Fantástiku* films as a training tool and has made copies of the film available throughout the country. Unlike trainings, films can be made accessible through television and social media for repeat viewings; additionally, their engaging visual presentation makes abstract



concepts easier to understand, especially among people with low levels of formal education. Further support for creative and cost-effective tools like the *Feto Fantástiku* films is needed, particularly to combat domestic and gender-based violence.



The *Feto Fantástiku* film series is a proven effective tool to equip Timorese youth, caregivers and decision-makers with the practical knowledge and skills they need to solve problems non-violently by using creative and peaceful solutions.

## B. Service Provision

### 1. What is Limiting

**Service providers, which are currently highly centralized, face serious challenges in effectively reaching the local level.**

- *Level of human resources currently allocated by the state is insufficient.*
- *Plans to extend branches of key services have yet to be fully realized.*
- *Information about free services available has yet to be sufficiently communicated to the local level in both rural and urban areas.*
- *Bureaucratic procedures hinder victims who are seeking help from receiving critical assistance in a timely fashion, thereby de-incentivizing use of the formal system.*
- *Social norms continue to prevent victims from coming forward to seek help, reinforcing a dangerously high threshold of harm for victims.*
- *More information from the local level is needed to adequately inform planning and allocation of resources at the national and district levels.*

Too often, people don't know about what service providers can do to help them. For example, in Atauro a Chefe Aldeia referred a case but didn't know that ALFeLa would cover transportation costs for the victim from Atauro to Dili, and was worried about associated expenses in Dili. Service providers have funds to cover some expenses of victims traveling from the districts, but this information is not widely known.

MSS is authorized and funded to provide assistance for victims, including financial support and materials such as clothes or personal hygiene items. However, MSS explained that often they are unable to provide this assistance quickly due to current regulations set by the Ministry of Finance that require using a process of tender. Streamlining this process and improving communication between MSS and Ministry of Finance would go a long way in expediting assistance to victims, whose crisis situation could escalate during the wait.





## 2. What Has Worked

**Local links, such as those built by the EWP, are needed to ensure that services reach those who need them most.**

- *Community-based Protection Team Coordinators have proven successful in bridging the gap between service providers in the formal system and victims at the grassroots level.*

- *Monthly meetings of the community protection teams, including Protection Team Members and other advocates for protection, have ensured victims access services and highlighted local needs so that these can be addressed.*

- *Community Protection Team Members are well placed to come alongside victims to explain the available services and encourage them to seek support, which is the first step in accessing justice.*

- *Work of the community protection teams has raised awareness about the needs of victims, changing attitudes among local leaders and increasing confidence in the formal system.*

- *A team-based framework, where women and men work together, has proven to be more successful than an individual-based framework.*

One MSS Social Support Services Worker shared with the EWP team about how PTMs have proven to be a very helpful part of the referral network in their sub-district. This official noted that local authorities often fail to refer cases to MSS, but the PTMs have presented new cases so that they can receive much needed assistance and process their case through the formal system.



**“The PTMs really gave me courage. At that point in time, I was truly suffering [in the hospital]. They came to me and said, ‘You’re not alone. We’re here to support you every step of the way.’ That made me feel strong and brave. I’m not alone. There are so many other women standing behind me to help me.”**

*Victim who took her abuser to court and accessed assistance from MSS through support from her Community Protection Team*

## C. Access to Justice

During the EWP's external evaluation, 96% of PTMs reported that they are very active in reporting documented cases of domestic violence to district or national authorities, and 96% felt confident in their abilities to report cases. In stark contrast, before receiving training and EWP support they did not have the knowledge, skills or confidence to report cases—moreover, many were unsure about the definition of domestic violence and what behaviors are crimes under the Law Against Domestic Violence and the Penal Code. Progressive training and mentoring have been key elements in increasing their capacity and building their confidence to report cases to the formal system.

Additionally, partner service providers have observed that the PTMs now feel very confident in referring cases to them. Whereas immediately following their training, PTMs would reach out to Ba Futuru for help in referring a case, now they are contacting service providers directly. This demonstrates that over time, with proper mentoring and support, the women working in protection teams develop valuable skills that makes their work more sustainable and increases community ownership of protection issues.



### 1. What is Limiting

**Factors that prevent victims from accessing justice are very strong at the suco, aldeia, and family levels, while judicial institutions are based at the national, regional and district levels.**

- *Societal norms continue to discourage victims from accessing the formal justice system.*
- *Complementary protection mechanisms have yet to be developed to support victims and their human rights through traditional justice mediation.*
- *The gap between those experiencing domestic violence and the formal system is much larger than generally recognized by existing policies.*

### 2. What Has Worked

**The EWP Protection Team Model has utilized local protection agents with very promising results through encouraging victims to come forward through identifying cases, explaining options to victims that give them hope and supporting victims throughout the formal justice process.**

- *Community Protection Teams have increased reporting of domestic and gender-based violence to the formal system. Community Protection Teams have increased the likelihood that a victim will pursue her case and obtain positive results from the formal justice system.*
- *As more victims successfully utilize the formal justice system to meet their needs, there are key changes in community attitudes that support further reporting, increased confidence in the formal system, and reductions in violence due to a deterrent effect.*

One suco of Atauro, which has four aldeias, there are four PTMs who are suco council members. The Chefe Suco explained how each one is assigned to an aldeia, and this has been very effective in helping them to cover the entire suco for protection issues. In a different suco of Atauro, the two PTMs on the suco council work together with the Chefe Aldeias to respond to any protection issues in the individual areas, reporting to the suco council to ensure follow-up for the victims. These are two examples of how the Community Protection Team model is fostering partnership between women and men leaders on the suco council, with one important result being increased confidence in the formal system and decreased use of the traditional system for domestic violence cases.

## D. Monitoring and Evaluation

### 1. What is Limiting

**Current monitoring efforts are very difficult due to lack of local links and technical challenges in gathering and disseminating information.**

- *Monthly Rede Referral meetings have yet to be adequately utilized to monitor protection issues at the local level.*
- *Coordination and communication about prevention activities at the local level remains limited due to logistical issues, with repercussions for efficiency and effectiveness of planning and implementation.*
- *Monitoring of protection and prevention interventions has yet to clearly focus on results-based data, instead relying on reporting of participation-centered quantitative data.*

### 2. What Has Worked

**The EWP Protection Team Model has enabled the flow of data from the grassroots levels to decision-makers at the district and national levels, to identify grassroots protection needs and introduce strategies to address these needs.**

- *Monthly meetings of Community Protection Teams have provided a useful mechanism for Protection Team Members, local leadership and other advocates for protection within communities to review, discuss and take action on critical protection issues.*
- *Community Protection Teams can provide the means for protection agents at the local level to pass up information about grassroots protection needs to higher authorities.*
- *Information collected from Community Protection Teams provides valuable insights about protection needs at the grassroots level that can be used to further improve and develop district-based protection systems.*





# Recommendations: Integrating selected EWP strategies to enhance protection systems

As evidenced in the Findings section, the current systems for protection and prevention of domestic and gender-based violence face significant challenges in effectively reaching those they are designed to protect—women, children and vulnerable people. GoTL has made tremendous strides in the path towards a gender-fair and violence-free society, particularly through the adoption of key legislation and development of district-level protection systems. However, there remains a gap between the ideals of these laws and systems and the reality faced by women, children and vulnerable people who suffer high levels of violence and insufficient access to the systems designed to protect them. In close coordination with the project's direct beneficiaries and a number of INGO, NGO and CSO partners, Ba Futuru has analyzed the successes and challenges of the EWP to draw what are hoped to be meaningful and realistic recommendations for how the government of Timor-Leste can continue to address these gaps in order to impact greater positive change throughout Timorese society.

GoTL is committed to promoting gender equality, particularly, “to establish dynamic working partnerships and share experiences and ideas about gender equality,” “eliminate violence against women and children, and adopt the Law Against Domestic Violence and a funded implementation plan to address domestic violence issues,” and “invest in women through political decentralization and ensure that these actions contribute to the realization of CEDAW objectives.”

*Dili Declaration, signed 8 March 2008*

The key recommendations are as follows:

- 1. Enhance current protection systems, namely the District Rede Referral Networks and Gender Working Groups, through increased connections to the sub-district, suco and aldeia levels**
- 2. Formalize the roles and responsibility of Suco Councils to refer cases of domestic violence to the formal justice system and service providers through a specific mandate for the two Women's Representatives who sit on each council**
- 3. Provide additional support to women, children and vulnerable people through aldeia-level Protection Team Members who serve as first point of contact for victims of violence and abuse**

As the structure and legal basis of the suco councils are currently under debate, now is a critical time for the Government of Timor-Leste to recognize women leaders as local agents of protection in their communities so that domestic and gender-based violence can be reduced throughout the country while victims can be more fully supported to access justice and their human rights. Through these recommendations, Ba Futuru offers a model, which has been piloted successfully in urban and rural areas over a substantial period of time, three years. Selected strategies of this model, already proven effective through an independent evaluation, could be utilized by the Government of Timor-Leste to complement and reinforce existing protection mechanisms throughout the country. An overview of the EWP Community Protection Team Model is provided on page 3.

Enhance current protection systems, including the District Rede Referral Networks and Gender Working Groups, through increased connections to the sub-district, suco and aldeia levels.

**Ministry of Social Solidarity (MSS), Secretary of State for Promotion of Equality (SEPI), Ministry of Health, Vulnerable Persons Unit (VPU) of National Police of Timor-Leste (PNTL)**

As the districts are converted to municipalities, GoTL has an important window of opportunity to incorporate protection issues for women, children and vulnerable people into regulations and procedures. The protection systems that have been built, namely the District Rede Referral networks and District Gender Working Groups, should be further developed and reinforced through increased flow of information and resources through conduits at the sub-district and suco levels.

The sub-district level represents an important conduit for information between the district and suco levels, and should be more conscientiously utilized to improve protection and delivery of services. In many rural and remote areas across Timor, the distance between a person's home and the sub-district administration might mean a full day's walk; district administration centers are that much farther and inaccessible for the average person, let alone a victim in crisis. MSS Social Animators (Apoio Tekniku Sosial) at the sub-district play a vital role, yet are overwhelmed by the large geographic area they are expected to cover. As a result, only those victims who have already decided to come forward and are extremely motivated to receive assistance are being served; it follows that the majority of victims are currently not being supported to access the formal system.

However, members of suco leadership structures are much better suited to liaise with sub-district level officials, directing victims and vulnerable people to service providers as appropriate. In the future, suco-level Protection Team Coordinators can maximize delivery of services and reduce inefficiency through strengthening relationships with sub-district level officials from MSS, SEPI, and the Ministry of Health. These officials can help ensure that needs are met for victims within their sub-district, and also communicate information about needs and priorities to the district level and beyond. Additionally, SEPI has begun to establish gender focal points at the sub-district level, providing perfect opportunities for better coordination with suco level leadership, including elected and traditional leaders. The new District Women's Networks currently being piloted in five districts will provide specific opportunities to link with the women suco council members from the local levels. Much work is needed in this area, but proposed changes to the suco through MAE should facilitate greater delegation of line ministries from the sub-district to suco levels.



# Secretary of State for the Promotion of Equality

**A. Advocate for more support** and participation by line Ministries and district officials in the Gender Working Group and ensure that SEPI Focal Points are included in district level discussions on prevention, protection and issues relating to planning that may impact access to services for underserved groups.

**B. Ensure prevention messaging** is a comprehensive part of LADV training and socialization at all levels. Work more closely with Ministry of Justice and MSS to ensure that prevention messaging is well coordinated, nationwide and more regular.

**C. Integrate behavior change** strategies into socialization of the LADV and other activities under the National Action Plan for GBV, specifically illuminating the negative effects of generally accepted violent behavior, introducing strategies for non-violent conflict resolution and showing how these strategies are compatible with Timorese values.

**D. Strengthen communication** and cooperation with traditional community structures and religious stakeholders to ensure more comprehensive and coordinated early prevention care and services at the suco level.

**E. Support regular dialogue** with underserved communities seeking to have voice in national-level decision making. Increase opportunities at the district level, such as the Women's Congress, but expand this to include more regular public dialogues encouraging communication between RDTL stakeholders, civil society and community members.

**F. Non-state actors**, namely development partners and INGOs/NGOs have an important responsibility to increase coordination and sharing of information prior to and after prevention and protection-related interventions. Ideally, this should be coordinated through SEPI and utilize creative technologies and more regular public forums to overcome logistic barriers and increase coordination



Where necessary, linguistic factors should be taken into greater consideration as barriers to justice, particularly in rural and remote areas where high numbers of people at times do not speak Tetum. Information campaigns and awareness-raising activities should be produced in local languages as much as possible to serve at-risk populations.



# Ministry of Social Solidarity

## National Directorate for Social Re-insertion

### **A. Integrate women's representatives**

on the suco councils into the Rede Referral Network through linking them to the Service Support Social Worker (Apoio Tekniku Social) currently working in each sub-district, as well as the two Child Protection Officers (CPOs) and one Gender-Based Violence Focal Point (GBV-FP) assigned to each district.

### **B. Utilize monthly meetings**

within the sub-district to build good relationships. The sub-district Service Support Worker should meet with women's representatives from each suco of their sub-district monthly to review protection issues, with an eye to identifying those at risk and addressing situations where further assistance is needed.

### **C. Identify district priorities**

through stronger connections within the district. The sub-district Service Support Workers should meet regularly with district-level CPOs and GBV-FPs, to better identify priorities for service provision throughout their area and ensure that adequate resources are directed to suco and aldeia level actors. This information should be used by state and non-state actors to better inform planning and coordination among stakeholders.

### **D. Information campaigns**

should utilize suco-level women's representatives, taking into account district-specific language concerns (i.e. the level to which Tetum is understood and used throughout the district).

### **E. Continue and reinforce**

efforts to further develop the infrastructure for critical services, such as uma mahon, fatin hakmatek, medical services and legal assistance, so that people living in all districts have equal access. Throughout this process, women's representatives at the suco level can prove to be an effective medium through which to increase use of these services.

### **F. Advocate**

with the Ministry of Justice for increases in the number of prosecutors and judges, along with appropriate mentoring and professional support, to support more beneficial outcomes from and increased confidence at the local level in the formal judicial process.

Unfortunately, many local actors currently obstruct justice through threats, intimidation and subverting legal processes. The Community Protection Team Model can address this by providing a mechanism for raising these concerns with people in positions of authority at the sub-district and district levels in order to overcome these barriers. For example, if the local PNTL fail to arrest a DV suspect, the Protection Team acting on behalf of the victim can report this to the sub-district or district police station or go directly to the Public Ministry district office.

Formalize the roles and responsibility of Suco Councils to refer cases of domestic violence to the formal justice system and service providers through a specific mandate for the two Women's Representatives who sit on each council

### Ministry of State Administration

The process of revising the legal basis and structure of the sucos represents a critical opportunity to incorporate specific roles and responsibilities of the suco councils to prevent and respond to domestic and gender-based violence in their communities. Numerous studies and reports have shown that the majority of women's representatives on the suco councils feel ill equipped to fulfill their role, and in many cases do not even understand what their role entails. This is due in part to lack of clarity of current legislation, inadequate training for women's representatives, and socio-cultural norms that are especially strong in rural and remote areas. As such, the new law must include a specific mandate for women's representatives and an obligation of the state to provide them professional development opportunities, which can be accomplished in cooperation with development partners and civil society.

Unfortunately, the draft law as it currently exists does not include a specific mandate for the two women's representatives of each suco council. Additionally, the draft law does not state in clear enough terms the role of the suco council in ensuring domestic violence cases are reported to the formal system and that protection needs within the suco are addressed. Should these gaps remain unaddressed, protection at the local level will remain weak and continue to put at risk hundreds of thousands of women, children and vulnerable people—a consequence that is unacceptable given Timor-Leste's obligations under international and national law.

However, this is not the only option. Should the women's representatives on the suco council be designated as Protection Team Coordinators<sup>1</sup> current gaps can be filled. GoTL has a critical window of opportunity to strengthen protection at the local level through clearly stating the role of the suco council in referring cases of domestic violence to the formal system, in addressing local protection needs through meetings of the suco council and community assembly, and additionally in designating the two women's representatives of each suco council as coordinators of the protection team in their community.

The EWP Community Protection Team Model involves Protection Team Coordinators and Protection Team Members who work together to identify and refer cases to the formal justice system and service providers. For the purposes of these recommendations, their roles and responsibilities are much more important than their name or title. Women's representatives at the suco and aldeia levels can easily be designated to fill these roles, whatever title they are given under the law. Alternatively, MSS or another Ministry could create new positions under their purview.

The Community Protection Team model, grounded in the understanding that domestic and gender-based violence are community and family issues, utilizes engagement of all key actors in the community to change attitudes and behaviors through meaningful links between those who most need support and the organizations and institutions in place to support them. In this model, community protection teams made up of empowered women leaders and men allies work together to address cases of violence and abuse, making sure that they are referred to the appropriate channels and most importantly that victims are supported throughout this process so that their needs are met and rights respected. Local protection teams' work includes liaising with MSS Social Animators, PNTL and specifically VPU, elected and traditional leaders and NGO service providers. In the future, a closer relationship with SEPI and the District Gender Working groups is also envisioned to improve coordination of prevention and community outreach activities. Throughout the course of the EWP, Ba Futuru staff have played an important role in supporting the Protection Teams to fulfill their mandate, resulting in increased reporting and referrals to the formal system. Should the model be utilized by GoTL, coordination among relevant line ministries will be essential to ensure their success.

# Ministry of State Administration (MSA)

Women's representatives on the Suco Council are uniquely placed to bring concerns to suco council leadership and increase community buy-in on protection issues. As Protection Team Coordinators they can play a crucial role through a legal mandate and respect from the community as elected leaders. Additionally, they can allow for easier access to the suco level for already over-burdened service providers, NGOs and line ministerial placements. Finally, the PTMs under the EWP who are also elected suco council members have been more active and more successful than those who are not elected leaders. Training for women suco council leaders following their election in 2015 along with raising awareness about their role will be essential to ensure their success during their terms of office.

The Draft Suco Law should be amended to clearly define the role of women's representatives to the Suco Council to include coordination of community protection efforts, including prevention of domestic and gender-based violence and ensuring adequate assistance to victims to access justice.

**Specific recommendations for the Draft Suco Law are as follows:**

**A. Introduce a new article**, to be placed between Art. 25 (Chefe Aldeia Competencies) and Art. 26 (Lia-na'in Competencies), detailing the role of the two women's representatives to include the role of Protection Team Coordinator as detailed under the EWP Community Protection Team model, which includes responsibility to:

- 1. Coordinate protection activities within the suco together with aldeia women's representatives who serve on the Community Assembly;**
- 2. Promote prevention of domestic and gender-based violence within the suco through sharing information about human rights, gender equality, child protection and socialization of the Law Against Domestic Violence;**
- 3. Assist referrals of victims to service providers and the formal justice system, responding to aldeia-level women's representatives;**
- 4. Facilitate discussion of local protection issues through regular meetings of the Suco Council and Community Assembly;**
- 5. Liaise with relevant line ministerial placements at the sub-district level, particularly MSS Support Service Social Workers and SEPI Gender Focal Points; and**
- 6. Encourage cooperation on protection issues with other elected, traditional, and religious leaders, reporting any and all obstructions of justice to the Chefe Suco or higher levels as needed.**



**B. Amend Article 21** (Suco Council Competencies) to more clearly oblige suco council leadership to refer cases of domestic violence to the police instead of resolving the issue at the family, aldeia or suco level through traditional means:

1. Article 21 (3) c: "Promove atividade konsiliaun no rekonsiliaun tradisionál atu harii paz iha comunidade sem prejuizu ba regra Estado nian."

*"Promote traditional reconciliation activities to build peace in the community without prejudice to State regulations **including that domestic violence cases as public crimes must not be resolved through traditional means but instead referred to the formal justice system.**"*

2. Art. 21 (4) a: "Komunikasaun no kolaborasaun ho autoridade kompetente bainhira mosu krime lokál, liuliu iha kazu violénsia doméstika no krime seksual kontra ema vulnerável sira."

*"Communication and collaboration with competent authorities **of the formal justice system** when local crimes occur, especially cases of domestic violence and sexual crimes against vulnerable people."*

3. Art. 21 (8) b: "Promove nesesidade grupu vulnerável sira inklui, feto, labarik, idozu no deficiente sira."

*"Promote **adequate assistance to meet essential needs** of vulnerable groups including women, children, those with special needs and disabilities, **and victims of domestic and gender-based violence.**"*



## C. Amend Articles 25 and 26

(Chefe Aldeia Competencies and Lia-Na'in Competencies) to clarify the role of these leaders to refer cases of domestic violence and sexual crimes to the formal justice system instead of resolving at the family, aldeia or suco levels through traditional means.

1. Art. 25 (e): “Komunika no kolabora ho autoridade competente sira bainhira mosu krime lokál, liuliu iha kazu violénsia doméstika no krime seksual kontra ema vulnerável iha aldeia ne'ebé sira representa.”

*“Communicate and collaborate with competent authorities **of the formal justice system** when local crimes occur, especially cases of domestic violence and sexual crimes against vulnerable people in the aldeias they represent, **in order to guarantee that victims can receive the assistance they need to be able to access the formal justice system.**”*

2. Art. 26 (b): “Promove atividade konsiliaun no rekonsiliaun atu estabelese pas iha comunidade nia leet sem prejuizu ba regra Estadu nian.”

*“Promote reconciliation activities to establish peace within the community without prejudice to regulations of the State, **including the Law Against Domestic Violence that defines domestic violence as public crimes that must be resolved through the formal system and cannot be resolved through traditional or family means.**”*



One method of supporting integration between formal and traditional justice systems while ensuring that human rights are upheld is judicial oversight over decisions made through traditional mediation. Under the draft Suco Law, the lia-na'in (traditional leader) will be peer-selected through a customary group of lia-na'in in the suco, rather than included in the pakote of suco council members as under the 2009 law. This presents an invaluable opportunity for GoTL to introduce mechanisms for oversight of traditional justice, such as vetting dispute resolution and mediation decisions made by traditional leaders through the formal system for validity under the law. Any decisions that violate the law, such as resolution of public crimes including domestic violence, could then be fast-tracked to formal judicial processes. Expediting these cases would promote increased confidence and use of the formal system, as well as enhanced outcomes for communities.



Provide additional support to women, children and vulnerable people through aldeia-level Protection Team Members who serve as first point of contact for victims of violence and abuse

#### Ministry of State Administration

As evidenced in the Findings section, victims of domestic and gender-based violence currently face significant barriers to accessing justice and critical services due to various factors that are very strong at the local level, especially within households, extended families and uma lisan that form the make-up of aldeias as culturally-homogenous units. Throughout the EWP, women leaders at the aldeia level have been critical in giving hope to victims through explaining the law, denouncing myths about the high cost of using the formal system, and linking into the Rede Referál networks so that victims can report their case and access critical services. One lesson learned thus far is that these women have been much more effective when working as a team as opposed to working individually. Thus, it is recommended that GoTL support the expansion of the Community Protection Team model through designating women's representatives at the aldeia level throughout the country to refer and support victims to the formal system while fostering partnerships to eliminate domestic and gender-based violence.



“In cooperation with MSS, the protection network strategies [of the EWP], including training and establishment of PTMs, should be continued at the suco level and established in aldeias.”

*External Evaluation, p. 5*



# Ministry of State Administration (cont)

**D. Amend Articles 41- 43** regarding the Community Assembly to include responsibility to report on and discuss protection issues within the suco including prevention of domestic violence and assistance for victims to access services and the formal justice system.

1. Article 41 (2) d: “Assembleia Komunitária tenke konvoka ho reprezentasaun hanesan tuirmai ne’e: [...] pelumenus reprezentativu mane na’in-ida no feto na’in-ida hosi Aldeia ida-ida.”

*“The Community Assembly will be convoked with representation as follows: [...] at least one male and one female representative from each Aldeia, **with a specific role for the Aldeia Women’s Representatives to work with the Women’s Representatives of the Suco Council in the area of protection for women, children and vulnerable people within the aldeia.**”*

2. Article 42 (2): “Area estratejika ba interesse ne’ebé atu halo deliberasaun iha reuniaun Suku nian inklui [...]”

*“Strategic areas of interest for deliberation of the Suco reunion meetings include: **(g). Suco protection issues, including prevention of domestic and gender-based violence, access to justice, and provision of assistance for women, children and vulnerable people.**”*

3. Article 43 (2): “Assembleia Komunitária iha tinan hahú sei, pelumenus, diskute asuntu sira tuirmai ne’e: [...] (c.) estabebesimentu ba komisaun implementasaun no grupu comunidade ne’ebé sei halo parte iha implementasaun projetu dezentovimentu Suku nian.”

*“At the beginning of the year the Community Assembly will, at a minimum, discuss the following issues: [...] (c.) establishment of implementation commissions and community groups who will take part in the implementation of Suco development projects, **including the establishment of the Community Protection Team that will include one or two women’s representatives from each aldeia together with traditional and religious leaders interested in protection.**”*

4. Article 43 (3): “Assembleia Komunitária iha tinan klaran sei, pelumenus, diskute: [...]”

*“Throughout the year the Community Assembly will, at a minimum, discuss: [...] **(e.) issues of protection for women, children and vulnerable people in order to take action to ensure victims access to the formal justice system and support services, and also make future plans for prevention of domestic and gender-based violence within the suco.**”*

# Training Considerations for Community Protection Teams

In order to effectively serve as the first point of contact for victims, Protection Team Members need specific training in human rights, gender equality, child protection, legal frameworks and referral pathways. Additionally, confidence-building skill development is needed in public speaking, debate and political participation.

As non-formal education becomes more regulated under SEFOPE, there is an important window of opportunity for INDMO to develop accreditation standards for training programs in community services, which would help to ensure that domestic and gender-based violence programs meet basic minimum requirements. SEPI can play an important role in advocating for this accreditation and in seeking funding for a rollout of these trainings in cooperation with civil society to build the necessary capacity of women leaders serving in protection teams at the aldeia and suco levels.





## Concluding remarks: The role of communities in strengthening protection

The Community Assembly will prove to be an important mechanism to increase community ownership of protection issues with real and lasting benefits to Timor-Leste at the individual, family, community and national levels. Timor-Leste can become a model for other countries through demonstrating how linking local agents of protection into state-based systems can produce tangible results such as enhanced outcomes from judicial processes and significant reductions in domestic and gender-based violence. As these are global issues, GoTL stands to gain increased international respect and partnerships through accepting and implementing these recommendations. Additionally, the welfare of hundreds of thousands of women, children and vulnerable people depend upon it.

However, action by the state and non-governmental organizations are not enough. The impetus to strengthen protection and eliminate all forms of violence in daily life must come from within—that is, from individual commitments to behavior change and the realization of families that commonly accepted behaviors are harmful and not intrinsic to their culture. This can be encouraged through moving away from a legalistic to approach towards a family health approach that is more in-sync with the cultural framework of Timor-Leste. Protection and prevention of violence must be reframed as integral to Timorese values and societal well-being, through opening people's minds to the negative impacts or costs of violent behavior and providing alternative strategies including non-violent conflict resolution, positive discipline and reflection on gendered norms. Leaders of faith-based organizations and traditional *uma lisan* should be engaged as key allies in this work. As more and more individuals publicly denounce domestic and gender-based violence, standing up as agents of protection in their communities, societal perceptions will evolve creating meaningful change.



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