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APF Member Reports - Timor Leste

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Good morning Chair and colleagues. I am very grateful for the opportunity to provide a brief report on the activities of the Office of the Provedor for Human Rights and Justice of the Democratic Republic of Timor-Leste.

The Provedor is the region's newest national human rights institution and as such, this is the first time that the Provedor has attended this regional forum. Allow me to briefly explain the Provedor's mandate and outline our current activities.

The Provedor for Human Rights and Justice operates as an independent statutory body, established under a law passed in May 2004. The Provedor has a mandate to receive complaints and conduct investigations into allegations of human rights violations, maladministration and corruption. Anyone can complain to the Provedor and the Provedor also has the power to initiate investigations. The investigation powers of the Provedor are broad, allowing the Office access to facilities, premises, documents, equipment etc, to call and interrogate persons, and to visit places of detention. The Provedor can report on its findings and recommendations regarding particular investigations to the National Parliament and also forward the recommendations to the organ that has the power to correct or redress the irregular act or situation. The Provedor also has a role in human rights promotion and in conducting public information campaigns on good governance and anti-corruption. Every year, the Provedor is required to provide a detailed report of its activities to the National Parliament.

As most of you know by now, the Office of the Provedor is barely three months old. I was sworn in as the Provedor by the National Parliament in June of this year and two weeks later, my two Deputy Provedors were sworn in. Since our appointment, we have been busy assessing what financial, material and human resources are available to us, determining what the structure of the Office should be and beginning the process of recruiting staff. Once we have staff in place, we will begin the process of developing a training schedule and working procedures, in particular complaint-handling procedures.

Timor-Leste is a poor country with limited resources. This presents a challenge to the Office of the Provedor. It is clear to me that we need more resources than have been allocated in the state budget for this financial year in order to effectively carry out our mandated tasks. I am therefore currently assessing what other possible support is available to our office and looking at ways to increase the contribution from the state in future budgets.

There is much expectation in Timor-Leste - from the Government and the community - regarding the work of the Provedor. The establishment of a Provedor's Office was called for in the Constitution of RDTL, adopted in March 2002. The government conducted extensive community consultations regarding the draft legislation for the Provedor, and I believe that the final product reflects both the government's and the community's aspirations for such an office.

Establishing the office of the Provedor is a major challenge for myself, for the two Deputy Provedors and the staff that we are currently recruiting. I am convinced of the need to ensure that we have experienced and knowledgeable staff, proper training and effective complaint handling procedures in place before we can open our doors to the public. I have therefore recommended that the Office of the Provedor not be open to the public until at least March 2006.

In operating as an efficient and effective national human rights institution, I regard it as fundamental for the Provedor to establish links with other such institutions, in particular those from the Asia Pacific region. I hope to be able to draw on the experiences of other regional institutions as we develop our working procedures. In this regard, I would like to thank the Malaysian Human Rights Commission for agreeing to come for a visit to Timor-Leste to assist with this start-up phase of our operations.

Chair, I thank you for providing me with the opportunity to convey this brief report. I look forward to being able to report again next year on what we will have achieved in our first year of operations.