

**Universal Periodic Review  
(12<sup>th</sup> session, 3-14 October 2011)**

**Contribution of UNESCO**

**TIMOR-LESTE (EAST TIMOR)**

**I. Human rights treaties which fall within the competence of UNESCO and international instruments adopted by UNESCO**

1. Table:

<i>Title</i>	<i>Date of ratification, accession or succession</i>	<i>Declarations /reservations</i>	<i>Recognition of specific competences of treaty bodies</i>	<i>Reference to the rights within UNESCO's fields of competence</i>
Convention against Discrimination in Education 1960	-	<i>Reservations to this Convention shall not be permitted</i>		Right to education
Convention on Technical and Vocational Education. 1989	-			Right to education
Convention concerning the Protection of the World Cultural and Natural Heritage 1972	-			Right to take part in cultural life
Convention for the Safeguarding of the Intangible Cultural Heritage 2003	-			Right to take part in cultural life
Convention on the Protection and Promotion of the Diversity of Cultural Expressions 2005	-			Right to take part in cultural life

## II. Promotion and protection of human rights on the ground

### 1. Right to education<sup>1</sup>

2. Constitutional framework: The 2002 Constitution of East Timor (Timor-Leste) explicitly recognizes the right to free and compulsory education in Section 59 on Education and culture, which provides in paragraph 1 that “The State shall recognise and guarantee that every citizen has the right to education and culture, and it is incumbent upon it to promote the establishment of a public system of universal and compulsory basic education that is free of charge in accordance with its ability and in conformity with the law.” Section 59 further states that: “2. Everyone has the right to equal opportunities for education and vocational training. 3. The State shall recognise and supervise private and co-operative education. 4. The State should ensure the access of every citizen, in accordance to their abilities, to the highest levels of education, scientific research and artistic creativity.”

### 2. Right to take part in cultural life

3. Legislative framework: The Democratic Republic of Timor-Leste's Constitution states in article 59 that "all have the right to cultural fruition and creation". National Cultural Policy stipulates that “despite several aspects of traditional culture being well embedded throughout the country, the transmission of cultural knowledge is still done only essentially through the family and the community. It is necessary to disclose this as local and regional knowledge at a national level”.

4. There are only two legal instruments for safeguarding cultural resources in Timor-Leste. One is from the United Nations Transitional Administration in East Timor (UNTAET) and the other is from an Indonesian Law established in 1992.

5. In Timor-Leste, the absence of an original legal framework dealing with cultural property preservation remains to date although old Indonesian legislation on protection of cultural heritage remains applicable from prior to 2002 until today.

6. Institutional framework: The responsible government institutes for safeguarding cultural properties in Timor-Leste are the State Secretariat of Culture (SEC, *Secretaria de Estado da Cultura*) and National Directorate of Culture (DNC, *Direcção Nacional da Cultura*) within the Ministry of Education. Under the umbrella of the National Directorate of Culture and the State Secretariat of Culture, there are four departments - the Department of Museum and Heritage, Department of Arts and Culture, Department of Culture Exchange, and the Department of Libraries and Archives.

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<sup>1</sup> *Sources:*  
Official Website of the Government of Timor-Leste,  
<http://www.gov.east-timor.org/constitution/constitution-Timor-Leste.pdf> (accessed 22/02/2011).

7. Policy measures: The State Secretariat of Culture developed a strategic plan for cultural property preservation and restoration, which is part of the overall national cultural policy and was officially approved in September 2009. This plan sets goals for the following five years, and includes the creation of a series of Regional Cultural Centers to highlight arts, music and dance to the Timorese nation. Five Regional Cultural Centres are currently being planned and operated by the State Secretariat of Culture. These Centres will serve as cultural hubs within each respective region, allowing the showcasing of not only the individual regions, but of inter-regional related cultural expressions, thereby contributing to stability and social cohesion.

8. Cooperation: Having joined UNESCO in 2003, the Democratic Republic of Timor-Leste is one of UNESCO's youngest Member States. In the field of Culture, Timor-Leste has focused its cooperation with the Organization on two areas: world heritage and training of personnel for museums and cultural centres whose collections suffered in the recent conflict.

9. With the objective of creating awareness among the decision makers on the importance of protecting cultural and natural heritage, safeguarding of Intangible Cultural Heritage, and ensuring the protection and promotion of the Diversity of Cultural Expressions, the UNESCO Office in Jakarta has assisted the government of Timor Leste in accelerating the ratification of the main culture Conventions through promotion of dialogue among international and regional levels.

10. Work with civil society: In Timor Leste, there are a number of proactive NGOs, academic institutions and communities dealing with engagement of civil society in cultural life and involvement in the implementation of such Conventions and principles such as HADAHUR, the first school for music in East Timor, Archives and Museum of Resistance (AMTR), Timor Aid, Max Stahl Audiovisual Centre and so forth.

11. HADAHUR makes opportunities for music education in indigenous and international music genres available to all interested persons, and is committed to the rehabilitation of the country through its music school in Dili. The school's mission is to encourage and enable Timorese people to be proud of their traditional musical heritage, while actively enjoying and preserving it for future generations; done primarily through the learning and performing of indigenous Timorese songs, instruments and dances.

12. The Archive and Museum of the Timorese Resistance has been promoting, since 2005, the memory of the Timorese heroic struggle for Independence by archiving and exhibiting massive documents and memorabilia from the Resistance period. With an aim of serving as a reference point for information and documentation about the Timorese Resistance, the Archive and Museum of the Timorese Resistance are to maintain an updated documentary collection, available to the public through the internet, in order to support informal education and research.

13. Achievements, best practices, challenges and constraints: Based on research undertaken by UNESCO, interviews with counterparts, and NGO consultations, as well

as information available at the UNESCO Office in Timor-Leste, the following principal challenges have been identified:

- a) a lack of human resources and trained/experienced/qualified staff within the Ministry, many of whom lack academic and technical qualifications in areas related to cultural heritage management;
- b) a lack of comprehensive national legislation for safeguarding cultural heritage and undertaking such measures as registration and identification;
- c) insufficient national funds for safeguarding the cultural heritage of Timor-Leste;
- d) few cultural staff members at the district level (only one is employed per district);
- e) a lack of coordination with communities, social groups, NGOs and individuals to safeguard cultural heritage.

15. Capacity-building and technical assistance provided and/or recommended by UNESCO: One facet of UNESCO's assistance to the Timor-Leste Government in the field of culture is to help the authorities draft a legal framework for safeguarding cultural and natural heritage in Timor-Leste. In doing this, UNESCO refers to and draws upon some key legislations of the countries in both Asia and Europe, as well as in the Community of Portuguese-Speaking Countries (CPLP, *Comunidade dos Países de Língua Portuguesa*). In conclusion, besides annually planned activities by the State Secretariat of Culture and National Directorate of Culture with support from the national government budget, the proposed actions from UNESCO will focus on the following areas:

- i) Undertaking advocacy and awareness activities directed towards policy decision makers and intangible cultural heritage stakeholders, including the promotion of diversity and cultural expressions;
- ii) Supporting the State Secretariat of Culture and National Directorate of Culture in developing policies and plans related to Intangible Cultural Heritage properties;
- iii) Conducting a number of intensive internal meetings with the State Secretariat of Culture and National Directorate of Culture for strengthening institutional roles for safeguarding Intangible Cultural Heritage;
- iv) Enhancing capacities for national officials in Cultural Heritage management by providing them opportunities of participation in national or regional Cultural Heritage meeting/trainings;
- v) Supporting the State Secretariat of Culture and National Directorate of Culture in conducting pilot studies on the present state of cultural and creative industries by mapping cultural resources;
- vi) Producing educational kits for Cultural Heritage managers and the public;
- vii) Supporting organisations and women's associations which promote traditional culture and tangible/intangible forms of heritage;
- viii) Supporting local institutions which involve youth in the promotion and protection of cultural heritage.

### **III. RECOMMENDATIONS**

#### **Right to education**

16. Timor Leste should be encouraged to ratify the 1960 UNESCO's Convention against Discrimination in Education and the 1989 UNESCO's Convention on Technical and Vocational Education.