

SUPPORTING AN ENABLING ENVIRONMENT FOR CIVIL SOCIETY

Enabling Environment Snapshot Timor-Leste May 2025



Context

The Democratic Republic of Timor-Leste (RDTL) gained independence on 20 May 2002 after 24 years of Indonesian occupation from 1976 to 1999. After independence, Timor-Leste faced the 2006 Crisis arising from violence between rival political factions, which led to a nearcollapse of the state. This was followed by successive electoral violence in 2007, 2012, and 2017, mainly between the Revolutionary Front for an Independent East Timor (FRETELIN Party) and the National Congress for Timorese Reconstruction (CNRT Party) during the parliamentary elections. After 2022, electoral violence decreased due to increased awareness and the dissemination of information reaching remote areas, especially on Election Laws and Election Violence Education Response (EVER), implemented by the NGO Belun in partnership with local authorities and youth.

1. Respect and protection of fundamental freedoms

The constitution of RDTL upholds fundamental freedoms, including freedom of speech, the press, and assembly, as outlined in Articles 40 to 43. However, civic space in Timor-Leste is rated as 'narrowed'. The Decree-Law No. 1/2006 on liberties for meetings or demonstrations restricts any person from holding a peaceful protest or demonstration less than 100 meters from any government institution, airport, port, telecommunication building, electricity office, water conservation, fuel pump, or flammable materials. The government continues to 'limit civic space' by discouraging civil society actors through 'violence, harassment, arrests, and the disruption of peaceful protests'. In September 2024, the government banned all demonstrations in solidarity with West Papua before and during Pope Francis's visit to Timor-Leste. On 10 September 2024, the National Police of Timor-Leste arrested a physically disabled activist Nelson Barros Pereira Xavier for carrying "Free West Papua" and "Free Palestine" flags, and on 2 September 2024, Nelson Roldão, a Timorese rights activist was arrested at Nicolau Lobato International airport in Dili for holding the Morning Star flag of Papua. These restrictions will intimidate other activists and limit activists from expressing their opinions.

In 2020, the Government of Timor-Leste proposed a draft amendment to the Penal Code under Decree Law No. 19/2009, which criminalises defamation, offences and insults, even if the target is a company or a dead person, and if the law is breached people can be jailed for up to six months. The amendment was not approved and expired in 2024, however, a proposed new Defamation Law and Cybercrime Law has been drafted. Notably, there is still more to be done to strengthen the right to freedom of expression. Journalists have encountered threats, and some practice self-censorship to handle such intimidation from the government.

2. Supportive legal framework for the work of civil society actors



In 2005, the government of Timor-Leste created Decree Law No. 5/2005 'On Non-Profit Making Corporate Bodies' which supports civil society by establishing a legal framework for their registration and operation, recognising their role in democracy and citizenship, and ensuring accountability. Articles 1 and 15 of this law state that NGOs may be constituted as foundations or associations and must be registered with the Minister of Justice to acquire legal status, regardless of whether they are associations or foundations. NGOs only need to be registered once in a straightforward process at the Ministry of Justice, and some of the key activities to establish the organisation's legal status include submitting an application. providing documentation, and ensuring that the NGO meets the legal requirements for nonprofit status. The Law acknowledges strengthening democracy and citizenship by allowing individuals to participate in civil society and establishes an accountability regime ensuring transparency and responsible management of resources that individuals and organisations have to abide by.

3. Accessible and Sustainable Resources

Timor-Leste's civil society sector has seen capacity growth through accessible donor funds and sustainable resources. This is especially showcased under the Civil Society Grant, which has been managed by the Cabinet Support Civil Society (GASC, previously known as GASS) under the Deputy Prime Minister since 2015. In 2024, the GASC Civil Society grant provided USD 6 million to 145 civil society organisations out of more than 300 applicants, focusing on youth groups, CSOs, NGOs, religious organisations, and veteran groups. Out of the total GASC grant funding, USD 300,000 focused on good governance, USD 750,000 was given to civic education, more than one million USD was given to community empowerment, and USD 300,000 focused on institutional reinforcement. It is noted that there are no international monitors or reports published on this funding, and that the GASC website is still being developed today. The GASC Grant has not been viewed as part of a political agenda, as approximately half of the CSOs that applied received funding non-competitively.

Other accessible donor funds include USAID, DFAT, EU, UN Agencies, and other INGOs that have provided financial support to NGOs and CSOs. However, since USAID closed its aid funding to nearly 100 countries, including Timor-Leste, it has had a significant impact on civil society implementing USAID projects. Nonetheless, there are funding opportunities, such as the EU Fund for Civil Society Strengthening, open to NGOs and INGOs, and NAP 1325 from the UN Agencies. Additionally, there are opportunities for funds from the government, such as the "Small Grant" programme from the Secretariat of State for the Promotion of Equality (SSPE) under the Vice Prime Minister's office which provides financial support to women's groups in Timor-Leste, aiming to promote gender equality and women's economic independence. Challenges remain in accessing these funds, especially with reliance on donor funding to meet the high criteria and only supporting the programme activities but not the operational costs, which can prevent some local NGOs from applying.



4. State Openness and Responsiveness

The interaction between civil society and the government of Timor-Leste is relatively cooperative, but sometimes there are differences in opinion. In 2019, the Asian Development Bank wrote that 'civil society has been forthright in its criticism of the government, particularly around issues such as petroleum funds, the national budget, media regulation, and justice'. But in recent years, the government has had more collaboration with civil society, actively encouraging civil society participation in governance, development, and policy implementation. This is reflected in initiatives like the "Social Audit" mechanism that uses Memoranda of Understanding (MOUs) with civil society organisations to increase government accountability and also encourage public participation in monitoring public services. The Social Audit allows civil society to provide input to be taken on by the government, as shown in the 2024 Meeting of the Council of Ministers, where the government planned to improve internal audit regulations, and for civil society to be integrated into all areas of the intervention and budget of 75 million Euros over the next 5 years, among other cross cutting areas.

Further, civil society has invited relevant ministries to open dialogue, in addition to inviting representatives of all institutions to participate in the annual national dialogue on what progress the government has made and its challenges. The National Health Dialogue on 11 March 2024 included collaboration between CSOs and the government. The dialogue helped shape accountability recommendations to the Ministry of Health and the Forum of Non-Governmental Organizations in Timor-Leste (FONGTIL). In addition, the government's Secretary of State for Equality and Inclusion (SEI), which supports women's groups, carried out several activities in October 2024 to promote gender equality and women's empowerment in Timor-Leste. There is also collaboration between the government and People with Disability (PwD) organisations across civil society.

Timor-Leste's civil society is sometimes not consulted on Decree Laws before their implementation. Therefore, concerns exist about the process, including the short consultation periods, potential for centralisation of power, and lack of transparency highlighted by organisations like La'o Hamutuk.

5. Political Culture and Political Discourses on Civil Society

The media sector in Timor-Leste generally aims to represent the voices of the people consistently and showcase content on civil society by state actors, which ultimately influences public perceptions. State actors such as the Press Council of Timor-Leste regulate media content through the Media Law, which is Decree Law no. 25/2015, according to Lao Hamutuk.



Media coverage on social inclusion and diversity found that nine organizations volunteered that they consistently prioritised diverse and marginalised groups. For example, most Dili Media cover Dili's annual Pride March. The Dili PRIDE <u>campaign</u>, organised by the LGBTIQ+ community, receives a lot of participation and support from civil society and involves the government. In the case of the Free West Papua activists who were arrested, media coverage was not limited, and civil society could access media on the matter, as found on GMN TV, which showcased that PNTL liberated the Free West Papua activist at the airport. Despite this progress, barriers remain, and marginalised groups still struggle to be heard in policy discussions.

Additionally, some ministries have collaborations with CSOs, and referral networks are led by the Ministry of Social Solidarity and Inclusion. Also, the Secretary of State for Equality, in partnership with CSOs, has increased its focus on advocating for preventing gender-based violence (GBV) and conducting the national action plan on GBV with CSOs.

6. Access to a Secure Digital Environment

While Timor-Leste is working to improve its digital infrastructure and cybersecurity capabilities, Tatoli states that Timor-Leste still has limited infrastructure, which leaves the country vulnerable to cyber threats and online risks.

Tatoli also revealed that gaps remain that could be exploited by increasingly advanced cyber threats. Timor-Leste requires advanced security solutions, including multi-factor identification, enhanced employee training, and improved firewall management to safeguard the integrity of e-government services that affect civil society. Further, an Evaluation of E-Government System Policies in Timor-Leste from 2017 To 2023 found that TIC Timor (DDSIA) lacks 'human resources in IT or adequate technical personnel', as well as limited facilities, and has a slow and unstable internet network. Timor-Leste's e-government also has several cybersecurity issues, particularly in defending against social engineering attacks, managing passwords, and securing its infrastructure. Timor-Leste has a pressing need for advanced security solutions, including multi-factor identification, enhanced employee training, and improved fireball management to safeguard the integrity of e-government services that affect civil society. However, on 27 September 2024, TIC Timor (DDSIA) completed the development and hosting of web portals for around 25 government agencies. These digital platforms, including some in the National Archive, SAMES, and Timor Digital, have significantly improved public access to government services, improving transparency.

Timor-Leste still has a long way to go in transforming and securing its digital environment. However, there are opportunities for positive change as a secure digital environment could foster greater citizen engagement, facilitate information sharing, and promote accountability, ultimately strengthening democracy and sustainable development.



Challenges and Opportunities

The main challenge civil society in Timor-Leste will face in the next four months is limited funding opportunities, especially with the termination of USAID funding. However, there is an opportunity to support legal frameworks for the work of civil society actors in terms of the programme partnership and collaboration with the community. The 9th Constitutional Government of Timor-Leste demonstrated good policy for advocacy action on the 'Government Programme for the 2023-2028 legislation' that emphasises central public policies to be adopted, projected to optimise the sectors of governance and their resources and presents a set of publicly criticisable commitments for national development and the wellbeing of Timorese civil society. More in-depth collaboration will also provide an opportunity for CSOs to strengthen their partnership with the government, especially through the consideration of research and advocacy provided by CSOs. Further, FONGTL will organise the national dialogue between the government and civil society in Timor-Leste in December 2025, as proposed in December 2024, which will open opportunities for civil society to continue to contribute and work with the government, especially relevant ministries. The legal framework and UN conventions ratified by the Government of Timor-Leste, including the Convention on the Rights of Persons with Disabilities (CRPD), also present opportunities to strengthen and expand civic space.

