



*Timor-Leste*

PROJECT UPDATE  
3<sup>rd</sup> QUARTERLY REPORT 2013  
(July-September 2013)

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Human Rights Capacity Building of the  
Provedoria for Human Rights and Justice

## ACRONYMS AND ABBREVIATIONS

APF	Asia Pacific Forum of national human rights commission
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CPLP	Community of Portuguese Speaking Language Countries
DAP	Directorate of Public Assistance
DBG	Directorate for Good Governance
DDH	Directorate for Human Rights
DMA	Monitoring and Advocacy Department
DAP	PDHJ's Department of Public Assistance
HRC	UN's Human Rights Council
HRTJS	Human rights and Transitional Justice Section of UNMIT
HURITALK	United Nations human rights knowledge management forum
ICC	International Coordinating Committee of National Human Rights Institutions
IDLO	International Development Law Association
Irish Aid	Government of Ireland's programme of assistance to developing countries
LTC	Legal Training Centre
NGO	Non Governmental Organization
NHRIs	National Human Rights Institutions
NZAID	New Zealand's International Aid & Development Agency
OHCHR	Office of the High Commissioner for Human Rights
PDHJ	Provedoria for Human Rights and Justice
PED	Promotion and Education Department
PMIS	Personnel Management Information System
PSC	Project Steering Committee
SEANF	South East Asia NHRIs Forum
UNDP	United Nations Development Programme
UNMIT	United Nations Integrated Mission to Timor-Leste
UPR	Universal Periodic Review (of the Human Rights Council)

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## **PROJECT DATA**

Project Name	Capacity Development of the Provedoria for Human Rights and Justice
Project Number	00073841
Duration of the Project	5 years (2010-2014)
Allocated Budget in 2013	USD 681,515.00*
Sources of Funding for 2013	Sida, New Zealand, OHCHR and UNDP
Executing Agency	United Nations Development Programme
Direct Beneficiary	Provedoria for Human Rights and Justice

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\* The preliminary allocated budget is reflected in the approved annual work plan for 2013.

## Overview and achievements from the 3<sup>rd</sup> Quarter

This report provides a summary of the results and activities of the joint UNDP/OHCHR “Capacity Development of the Provedoria for Human Rights and Justice” project for the period of July to September 2013. This report is composed of a brief narrative of the main achievements obtained over the three months period outlined, using a results-based perspective. At the start of each output there is a results based-matrix which details the results of the Project in relation to identified targets from the 2013 Annual Work Plan along with a short summary of the main results obtained in relation to the output.

The Project aims to “improve the institutional capacity of the Provedoria for Human Rights and Justice (PDHJ) to serve the public and promote public institution’s actions in line with human rights principles and standards”. To achieve this objective, the project is designed to deliver three overall outputs:

- Output 1a: PDHJ staff are knowledgeable about human rights concepts and understands how these concepts are applied in their work;
- Output 1b: PDHJ has a workforce skilled enough to implement the Institutions Human Rights mandate including the ability to conduct legal analysis
- Output 2: PDHJ has effective and efficient institutional structures and management systems;
- Output 3: PDHJ has effective information and knowledge management systems.

Some specific results obtained by the PDHJ which is evidence of improved capacity to which the Project has provided support include:

- ***PDHJ 2014 Annual Action Plan was passed by Parliament with no major changes:*** The Prime-Ministers office, in their assessment of public institutions AAPs and budget gave the PDHJ a positive overall rating due to its detailed and results based activity plan
- ***PDHJ staff successfully incorporated new human rights and good governance material into their education, promotion and prevention activities:*** this year material on arbitrary detention, discrimination, torture and good governance principles was introduced to PDHJ training and outreach activities. Knowledge about these topics was acquired through Project trainings, workshops and knowledge management materials.
- ***The successful conclusion of the SEANF Annual Meeting:*** With minimum Project direct support, the PDHJ staff were fully confident in support the PDHJ leadership in chairing the Annual Meeting of SEANF in Timor-Leste. Topics to which PDHJ staff were involved in included human trafficking and business and human rights, two issues to which the Project contributed with knowledge capacity.

- ***PDHJ Regional staff have improved capacity to effectively focus socialisation activities based on the needs of the participants:*** through Project assistance and trainings, the PDHJ has improved the quality of PDHJ socialisation sessions and has strengthened its ability to identify target groups as provided in the PDHJ Strategic Plan and to monitor the implementation of the Plan.
- Since the Project support to this promotional role of the PDHJ, the PDHJ has implemented 36 sessions, reaching 11 districts and 1737 participants (66% male and 34% female)<sup>2</sup>.

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<sup>2</sup> The project cannot do a comparative analysis of the 2012 PDHJ results with the 2013 due to lack of reporting from the PDHJ on the number and outreach of their socialization sessions. It is expected that in 2014 a comparative analysis can be made since the PDHJ has, based on Project support, a method to identify the number and reach of the socialization sessions (see p. 11 of this Report).

# Output 1: Overview of Results, Achievements and Challenges

## Outputs

- **PDHJ staff are knowledgeable about Human Rights concepts and understands how these concepts are applied in their work**
- **PDHJ has a workforce skilled enough to implement the Institution's Human Rights mandate, including the ability to conduct legal analysis.**

**AWP 2013 Target: At least 70% of relevant PDHJ staff have increased knowledge and are able to use the knowledge gained through the training in their work (with special focus to PDHJ female staff)**

As a result of the holding of a number of trainings and discussions during the first and second quarters, the project aimed at focusing on the development of internal systems and strengthening of organizational structures (Output 2) during the third quarter.

Progress was reached in relation to results from Output 1 activities, notably the application of new human rights concepts by PDHJ staff in implementing their activities, which is evidence of their increased capacity in the area of human rights.

## 1.1. *Trainings*

### **Relevant Targets**

- I. At least 80% of women participants actively participate in training
- II. At least 75% of staff assess the training as good or very good
- III. At least 25% increase in knowledge on training subject
- IV. At least 3 new areas of human rights work for PDHJ based on new knowledge from training
- V. At least 3 PDHJ actions based as result of training

### **Quarterly Progress**

- I. **Three of the four women** who attended the case study training on arbitrary arrest and detention actively participated in the training.
- II. **100% of staff assessed** the case study training on arbitrary detention as good or very good
- III. **No pre or post tests** were applied for the training on arbitrary detention. Evidence of improved knowledge can be identified by analysing the Preliminary Assessment of 3 cases submitted to the PDHJ. In these three assessments the PDHJ staff independently identified arbitrary arrest or detention as potential violations.
- IV. **PDHJ submission of briefing paper on Torture and Ill-treatment and on Human Trafficking to SEANF Annual Meeting**, evidencing the use of knowledge gained in the Project Training on Torture held in 2011 and the advanced Human Trafficking training held in July 2012.
- V. **4 actions were taken as a result of previous trainings:** The Human Rights Education and Promotion Department incorporated the discrimination material presented during the human rights and HIV/AIDS training into the training for the Border Police. Material on discrimination has also been incorporated into

trainings conducted for Community Leaders (84 total, 10 women). Material concerning torture that was developed in 2012 has also been introduced into all police trainings conducted in 2013 (310 total, 11 women). The Good Governance Education Division has thus far held trainings based on the Project/PDHJ developed good governance principles and violations to Ministry of Education Investigators and Staff from all districts (331), staff from the Ministry of Social Solidarity (49), staff from the Ministry for State Administration (45), staff from the Office of the Secretary of State for Security (47) and the Secretary of State for Professional Training and Employment Policy (60) and for the Ministry of Petroleum and Natural Resources (23) (224 in total, 54 female).

The Project has contributed to improving the capacity of the PDHJ Human Rights Investigators in analysing cases based on arbitrary detention, representing a violation to the right to liberty, integrity and security. During the report period, the application of the knowledge gained on arbitrary detention was evidenced by staff ability to identify independently this violation from the case summary facts (3 preliminary assessments). Arbitrary detention represents one of the main human rights violations committed within the security sector. In 2012, arbitrary arrest and detention represented a violation found in 16% of complaints submitted to PDHJ<sup>3</sup>.

The case study training included discussions on limitation of fundamental rights and in-depth analysis of criteria needed to determine whether a violation has occurred or not. All cases studies used related to real complaints and investigations of the PDHJ.

During this reporting period, monitoring of the work of the PDHJ also revealed staff ability to apply to their work knowledge gained through Project trainings implemented earlier in the year and in 2012. Staff have incorporated knowledge gained in the human rights and HIV/AIDS training (2013) and torture and ill treatment training (2012) in their own training to police members as well as community leaders. Up to September 2013, as a result, almost 400 PDHJ beneficiaries had the opportunity to better understand the principle of non-discrimination and torture as a violation of an inalienable right. More than 70% of the participants evaluated the PDHJ training as good or very good, evidencing the ability of the PDHJ to deliver quality training.

## **1.2. Mentoring for Case Handling**

During this reporting period, the case handling mentoring was still being implemented. Reporting on the results from the 2013 mentoring activities will be included in the 2013 annual report.

## **1.3 Language Classes**

### **Annual indicators**

- I. At least 60% PDHJ staff participants are able to independently undertake oral presentations in English/ Portuguese

<sup>3</sup> See PDHJ Annual Report, 2012.



- II. At least 75% of PDHJ staff participating in a language course

**Quarterly progress**

- I. **No tests** were applied during the reporting period to assess PDHJ staff English/Portuguese language abilities.
- II. While about 80% of PDHJ National Office staff were registered in the language training (with almost 100% of female staff registered), the participation have **decreased to about 30%**

Despite the positive progress on the registration and participation in the language classes during the 2<sup>nd</sup> quarter, the 3<sup>rd</sup> quarter saw a **large decline in the number of people participating in language courses**, from about 70% in June to about 30% in September. Participation numbers for each of the classes: English intermediate – 31%, English basic 56%, Portuguese intermediate – 33%, Portuguese basic – 22%.

The Project undertook an anonymous evaluation of the language classes with participants in October to evaluate the language classes. The vast majority of PDHJ staff stated that they were very or extremely satisfied with the quality of the teaching (23 of 27 of PDHJ staff who completed evaluation form). It is understood that the reason for the decrease of participation is due to a combination of factors, including workload, travels to the district, limited motivation and limited trust in the idea that the language skills will indeed open further opportunities in staff member's careers.

As a result of the poor participation in language classes, the Project held consultations with the PDHJ's Human Resources Department and key management staff and it was agreed that the limited participation in the courses justified the suspension of the courses, from November 2013. This was, surely, a disappointment for the limited number of staff (under 20) who participated regularly in the language courses. However, it was felt that in the long term the courses would have little impact on institutional language capacity. It was discussed that once the PDHJ has a professional development strategy and has improved its performance evaluation system, including by having an internal policy on the language requirement for PDHJ staff, the criteria for participation in overseas training, amongst others, the PDHJ Human Resources Department could consider in offering to the PDHJ staff language training in the future.

It is noted that the Project has, based on regular consultations with PDHJ management and staff, taken on different strategies for the implementation of language capacity development as provided in its Project Document. These strategies included holding classes during break (lunch time and Saturdays), contracting a professional English school company, contracting Timorese teachers for the basic level, developing an internal instruction on the inclusion of language training within PDHJ Human Resources, amongst others. The fast paced work environment as well as the need for dedicated long term commitment to bring about language progress showed to be real challenges to the successful regular implementation of language classes at the PDHJ.

Language classes in the 4 Regional Offices have recently re-started after a break of about 3 months.

Despite these challenges, the Project was able to work closely with the Human Resources Department, to better understand the relationship with the Department and the PDHJ staff and management and to identify its strengths and weaknesses. The total lack of internal systems represents the main challenge to ensure the strengthening of the role of the Human Resources Department for the capacity development of the PDHJ. The Project plans to support the strengthening of the internal systems from the last quarter of 2013.

## Output 2: Overview of Results, Achievements and Challenges

- **PDHJ has effective and efficient institutional structures and management systems**

### **Relevant Targets**

- Status of PDHJ before ICC
- PDHJ actively participates in ICC, APF and SEANF forums
- % of targets and indicators into PDHJ Annual Activity Plan based on Strategic Plan
- No of reports used/disseminated based on information from Communications and Training Database
- % of targets and indicators in the PDHJ AAP based on SP (AAP);
- % of PDHJ staff for whom deliverables for their work have been identified (list of deliverables signed by Provedor);
- number of Directive Council meetings looking into the results of activities and departments (minutes of Directive Council);
- number of reports used/disseminated based on information from Communications and Training Database (Promotion and Training Database)

### **Quarterly Progress**

- PDHJ status with the ICC to be concluded late in 2013 or early 2014. The ICC's Sub-Committee for Accreditation issued its preliminary findings concerning the PDHJ's "A" Status and identified no major issues that would prevent the continuation of the "A" status.
- As Chair of SEANF, the PDHJ hosted the Annual SEANF meeting in Dili. Being the host, the PDHJ actively participated in the entire process, including chairing the meeting and presenting papers and undertaking presentations. The PDHJ also had 2 active engagements during the report period, on prevention of torture during a SEANF session in Bali in July and presented the PDHJ experience in partnering with civil society organizations during the annual ICC meeting in September.
- 100% of targets and indicators of the PDHJ Annual Activity Plan were based on the PDHJ Strategic Plan
- Communication and Training database development delayed due to unexpected departure of IT specialist. All PDHJ socialisation sessions implemented collected data on participant numbers (gender disaggregated) and material distributed

The first step into the **re-accreditation process** has been taken with the ICC Sub-Accreditation Committee preliminary analysis. No serious concerns were raised by the Committee on PDHJ compliance with the Paris Principles for NHRIs. The briefing note, which identified the main points requiring specific attention during the review process, indicated the need to strengthen PDHJ plurality,

The PDHJ began the process for reaccreditation with the ICC-NHRI in June, 4 years since the first accreditation process took place. While originally scheduled to be held in July, the PDHJ requested a postponement of the reaccreditation to give the Provedoria adequate time to organise its proposal after the intensive election period in

2012. Following requests from the Provedor and the Director-General, the Project organised a workshop on the ICC process for all management as well as human rights directorate staff. Following an explanation of the ICC's procedures an action plan based on every directorate submitting responses to ICC's questions was agreed upon.

Between July and September the PDHJ held several dialogues with the ICC in order to clarify aspects of its submission and to provide further information based on ICC requests. The final decision on the PDHJ's accreditation will be taken in the fourth quarter of 2013 or the beginning of 2014.

As chair of **SEANF**, the Provedor led the annual SEANF meeting in Dili in July. Project provided limited support in organising the conference, translating and editing PDHJ's presentations and also in the editing of the SEANF statute. PDHJ successfully presented a paper on the issue of human trafficking. Other issues discussed during the Annual Meeting were business and human rights, indigenous rights, migration and torture.

Much progress was made on the future direction of SEANF with intensive discussions on a capacity development initiative within SEANF, which is to include staff exchanges and creating a strong headquarters for SEANF also being mentioned.

The Project was requested by the PDHJ to present the capacity development strategy employed by the Project and report to SEANF members the main achievements and results obtained by the PDHJ to which the Project has contributed. The main result which caught the attention of SEANF members was the PDHJ improved capacity to deal with its cases, including the clearance rate of more than 190%. Relating the challenges which all of them face in dealing effectively with their case handling and decreasing backlog, SEANF members enquired with the Project Manager the capacity development strategy implemented to bring about these changes.

For the second year, the PDHJ **Annual Work Plan for 2014** indicators and targets reflected the PDHJ Strategic Plan, showing an increased integration between yearly and long term plans.

The PDHJ Annual Work Plan for 2014 was commended by the Office of the Prime-Minister on its detailed and results based activity plan. Special mention was made of the way in which the plan aligned with the State long term development strategy, focusing on the area of human rights. All activities for 2014 have been chosen based on reaching targets outlined in the PDHJ's strategic plan. Based on the content of the AWP, PDHJ management have a reinforced understanding of how the AWP fits with the Strategic Plan and a greater ability to plan and report on documents through the Strategic Plan framework.

In reinforcing the PDHJ management skills, the PDHJ management increased their understanding in basic monitoring and evaluation concepts through a two day training. With 19 participants, including 5 female managers, the PDHJ was able to reflect on their work and identify some initial management improvements that need to be prioritized to support the PDHJ in the near future to monitoring the implementation of its activities and identify PDHJ results reporting opportunities.

## Output 3: Overview of Results. Achievements and Challenges

### Output

- **PDHJ has effective information and management systems**

#### **Relevant Targets**

- I. Number of eCMS entry mistakes are decreased by 10% each trimester
- II. At least 70% of intake complaints at regional level are input into the eCMS in the PDHJ regional offices
- III. The PDHJ Library and Human Rights Directorate have stored at least 60% of the Project training materials

#### **Quarterly Progress**

- I. CMS conclusion delayed due to the unexpected departure of the Project's IT specialist. By the end of the quarter, almost 50 complaints were entered in the system as part of the training programme. Baseline on the use of the eCMS will be identified in early 2014
- II. Due to the delays on the conclusion of the CMS, Regional Offices do not have access to the CMS by the end of the quarter.
- III. No noticeable progress in this quarter. Change of strategy from the Project to ensure sustainability of the filling system as reported in the 2<sup>nd</sup> Quarterly<sup>4</sup>

By the end of the quarter, the DAP, the department responsible for complaints intakes, had a good grounding in the use of the eCMS and **had begun to enter complaints into the eCMS system independently**. The Project's focus is now on ensuring the effective use of the eCMS through guaranteeing that the workflow based around the eCMS between departments runs smoothly and that each phase of the complaint/case process transitions without error between the responsible departments.

PDHJ **regional staff** also had their first experience in entering data into the system for complaints intake through a hands on training session. This has created the initial basis for the delegation of this responsibility to the Regional Offices in 2014. These **Introductory trainings** were held on a department by department basis for all relevant staff during August. During these day long trainings that were held department by department, staff analysed the system section by section in order to improve capacity on using the system. The training also focused on the identification and strengthening of the main lines of coordination between the different departments who will use the eCMS and who will work on the case handling process. In order to guarantee accurate usage, regional and DAP National staff practiced entering a total of 50 ongoing complaints from 2013 into the system.

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<sup>4</sup> See Project 2<sup>nd</sup> Quarterly Report, p.28.

The eCMS is to be **officially launched** together with the other IIMS of the Justice Sector Institutions, including the police, the prisoner service, Public Prosecution and the Courts in the first week of October.

## Financial Information

### **Expenditure**

For the third quarter, the Project has spent approximately US\$149,240.83 out of the USD 755,607.00 budget allocated for 2013. The amount represents about 19.75% of the allocated budget.

### **Project Budget and Funding**

The funding gap for the present project cycle – up to the end of 2014 – is USD **4,975.43**

Project Budget Details of 2013

<b>Project Funding Source (Donor)</b>	<b>2013 Annual Work Plan Budget</b>	<b>Expenditures as of 30<sup>th</sup> September 2013</b>
NZAID	US \$ 0.00	US\$ 0.00
SIDA	US \$655,607.00	US \$128.801.03
OHCHR	US \$ 50.000.00	US \$ 0.00
UNDP TRAC	US \$ 50,000.00	US \$20,439.80
<b>TOTAL</b>	<b>US \$ 755,607.00</b>	<b>US \$149,240.83</b>

Project Expenditure Details per Project Output

<b>Project Output</b>	<b>Project Budget 2013 per Project Output</b>	<b>Expenditures per Project Output as of (July until 30<sup>th</sup> September 2013)</b>
Activity 1 Human Rights Knowledge	US \$347,655.62	US \$ 80,139.94
Activity 2 Institutional Structure and management	US \$75,000.00	US \$18,769.91
Activity 3 Information and knowledge management	US \$64,000.00	US \$ 1,571.50
Activity 4 Project Management	US \$268,951.38	US \$48,759.48
<b>TOTAL</b>	<b>US \$755,607.00</b>	<b>US \$149,240.83</b>

### Project Staffing Grid

No	NAME	TITLE	Contract Period Year 2013																				
			J	F	M	A	M	J	J	A	S	O	N	D									
A	Project Management Staff																						
1	Barbara Nazareth Andrade de Oliveira	Project Manager	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
2	Rozentina Jap Dos Santos	Project Associate	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
3	Aleixo Barros Mota Smith	Project Clerk/Driver	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
B	Individual contract(IC)																						
4	James Patrick Groarke	Human Rights Researcher	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
5	Rishi Aryal	IT consultant	x	x	x	x																	
6	Ruth Hugo	Investigation Mentor					x	x	x														
C	LOA contracts																						
7	Sara Abrantes Guerreiro	Legal Mentor	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
8	Vicente Tilman	Portuguese Teacher for PDHJ Regional office in Manufahi District	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
9	Florindo Jose Cristovao	Language Officer	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
10	Ana Rita Pascoa Dos Santos	Human Rights Material Developer (Factsheet)-Home Based					x	x	x	x													
11	Sharanya Kanikkannan	Human Rights Material Developer (Factsheet)-Home Based					x	x	x	x													
12	Rishi Aryal.	IT consultant						x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
	LOA contract with Institutional																						
13	Science of Life System (SOLS)24/7	English basic course for PDHJ National Staff in Dili, TL						x	x	x	x	x											



## Forthcoming Activities

- Development of the Human Rights Monitoring System (scheduled to be started in September and expected to be concluded by the end of 2013)
- Case Training Sessions on Human Rights Violations
- Continuation of case handling mentoring
- Start of Public Communication Mentoring to strengthen the PDHJ capacity to support the effective implementation of the Communication Strategy

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