



Justice Sector Strategic Plan for Timor-Leste 2011-2030

Approved by the *Council of Coordination for Justice* Dili, 12th February 2010

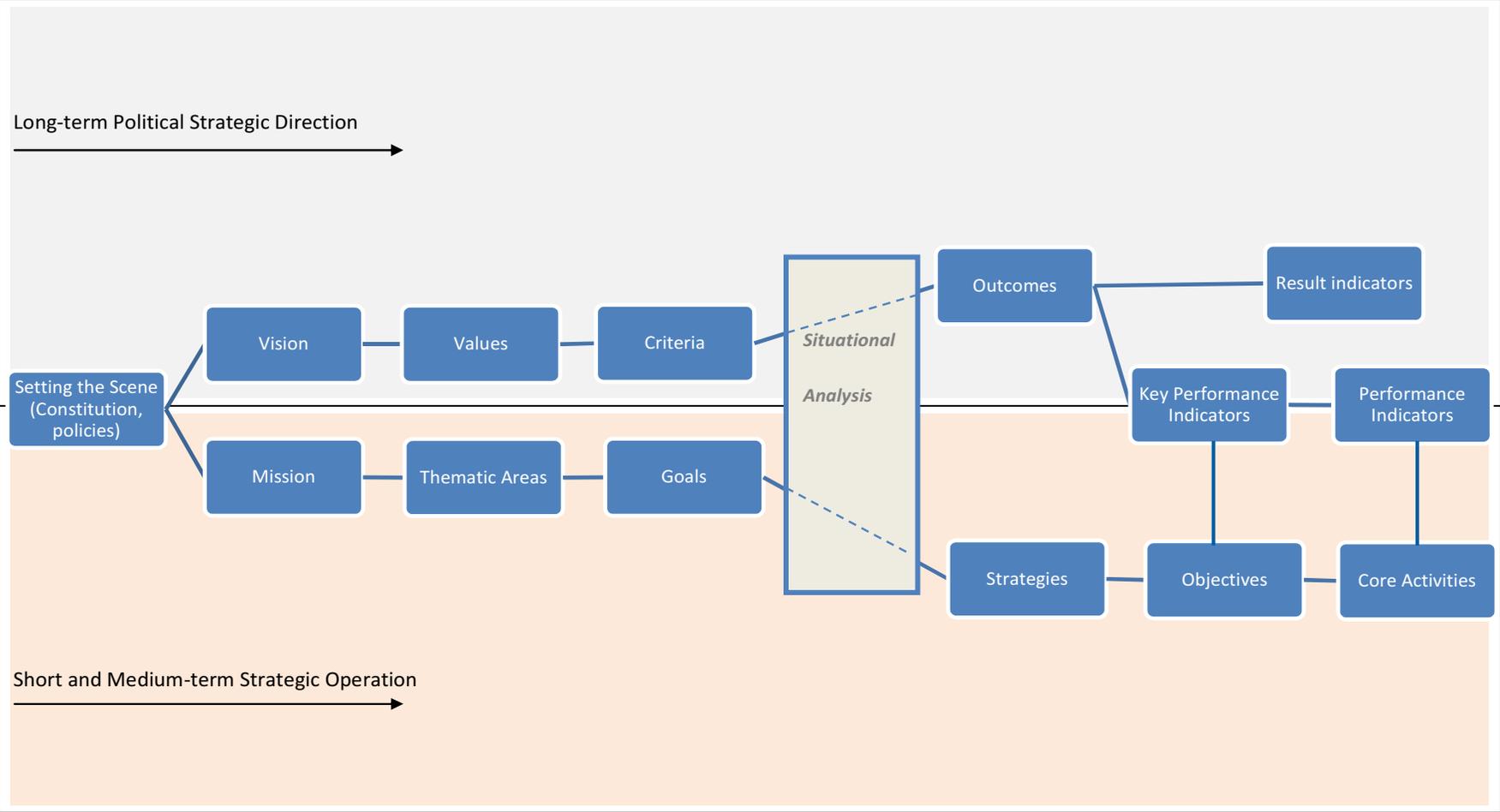


Table of contents

CHAPTER 1. INTRODUCTION	5
1.1. A Strategic Plan for the Justice Sector.....	5
1.2. Justice and Development of Timor-Leste	6
CHAPTER 2. SITUATIONAL ANALYSIS	9
2.1. General Overview of the Sector	9
2.2. Institutional Overview and Development	11
2.2.1. Justice Sector Coordination. Ministry of Justice.....	11
2.2.2. Judicial Function. The Courts.	14
2.2.3. Prosecution and Criminal Investigation.	16
2.2.3.1. Prosecution. Prosecution Service.....	16
2.2.3.2. Criminal Investigation Police.....	18
2.2.4. Legal Assistance.....	19
2.2.4.1. Office of the Public Defender	19
2.2.4.2. Private Lawyers	21
2.2.5. Prison Services and Social Reintegration.....	22
2.2.6. Registry and Notary Services	23
2.2.7. Land, Property and Cadastre.....	25
2.3. Legal Framework and Reform.....	26
2.4. Human Resources Development.....	28
2.5. Infrastructure and Information Technology.....	30
2.6. Access to Justice.....	31
CHAPTER 3. VISION AND STRATEGIC DIRECTION.....	34
3.1. A Vision for Justice. Mission and Values.	34
3.2. Goals of the Justice Sector	38
3.3. Implementation Strategy	39
3.4. Monitoring and evaluation	42
ANNEX – Strategies, Objectives and Principal Activities (strategic matrices).....	43
Abbreviations / Acronyms	94

Justice Sector Strategic Plan...

Components



CHAPTER 1. INTRODUCTION

1.1. *A Strategic Plan for the Justice Sector*



The Strategic Plan for the Justice Sector is an initiative of the Minister of Justice supported by the Council of Coordination for Justice (CoC)¹ and developed with the support of the technical secretariat specially created for that purpose. The initiative builds on the acknowledgement that there is a need to reinforce the coordination and harmonize the activities of the key justice institutions based on a common vision and strategic direction for the sector in the short, medium and long term.

The initiative was launched at a national two-day workshop in April 2009, which was attended by the Prime-Minister and other Government members, the leaders of the justice institutions and their respective staff, representatives of the civil society, of the United Nations (UN) and the wider international community present in Timor-Leste.

There were a series of workshops and other consultation mechanisms, at political and operational levels, aiming to promote participation and extend the debate to the widest possible number of entities and professionals working in the sector, in order to obtain essential contributions which would help to prepare the strategic plan.

Five working groups were formed with representatives of the national justice institutions, civil society and the international community, divided into the following thematic areas:

¹ The CoC is the advisory body of the Ministry on Justice matters; it is composed of the Minister of Justice, as chairs, the President of the Court of Appeal and the Prosecutor General - Article 18 of Decree-Law 12/2008, of 30/4, which adopted the Organic Statute of the Ministry of Justice.

- *Institutional Development*
- *Legal Framework and Reform*
- *Human Resources Development*
- *Infrastructure and Information Technology*
- *Access to Justice*

The preparation of the strategic plan was based on the analysis of the current situation in the justice sector², which is summarised in Chapter 2, identifying the progress achieved and the key challenges confronting the justice sector and its institutions.

The extensive input of the working groups offered a shared understanding of “*where we are now*” (Chapter 2), a determination of “*where we aspire to go*” (Chapter 3) and a formulation of the actions needed to address current challenges. These actions have been organized into the goals, objectives and activities that show “*how we are going to get there*” (Subchapter 3.2. and Annex).

1.2. Justice and Development of Timor-Leste

Timor-Leste became a sovereign State on 20 May 2002. This historical milestone was achieved through tremendous sacrifice and determination of the Timorese people, of which over 200,000 lost their lives during the Indonesian occupation between 1975 and 1999. The withdrawal of the Indonesian military, after the People’s Referendum in 1999, in which 78.5% of the population voted for the full independence of the country, was not a peaceful one. State infrastructure was destroyed and professionals from all sectors abandoned the country.

The political-military crisis experienced in 2006 had a severe impact on the economic growth and development of Timor-Leste. The violence and internal displacement of people that followed illustrated the vulnerability of the country and of the fledgling State institutions to conflict.

The country now enjoys greater stability. Nevertheless, the Government is being urged to resolve the ongoing tensions, offer its citizens tangible social and economic benefits, improve the quality of life of the rural population and fight high levels of unemployment. Central to the problems and challenges of the country is the issue of poverty. Timor-Leste is the poorest country in the ASEAN region³. Almost 50% of the Timor-Leste population is considered to be poor⁴ and 80% of the population lives off subsistence farming, although many depend on the money received from relatives or the Government.

² A more detailed Situational Analysis is available as a publication; the Survey of Citizen Awareness and Attitude regarding Law & Justice 2008, developed in partnership with the Asian Foundation and Justice Facility, and the ICNA Report (Independent Comprehensive Needs Assessment of the Justice Sector 2009) developed by a team led by Judge Phillip Rapoza of the Massachusetts Court of Appeal, for the UN Security Council, were also taken into consideration.

³ Association of Southeast Asian Nations.

⁴ Living with \$26 *per capita* per month

Despite these challenges this young nation has made significant progress since the restoration of independence in 2002, including the setting up of institutional infrastructure needed in a sovereign democratic State. The establishment of the Petroleum Fund has been praised internationally as a critical step towards transparency, good governance and sustainability of economic development. Timor-Leste has, therefore, a strong resource base⁵ to meet the development challenges, including bringing justice to all citizens regardless of their economic resources.

The justice sector plays a crucial role in the efforts made to consolidate peace and stability, guarantee the Rule of Law and promote accountability and transparency. Key Government initiatives towards the attainment of such aims include the establishment of the Anti-Corruption Commission, the Chamber of Auditors (to be integrated in the future High Administrative Tax and Audit Court) and the creation of a specialized criminal investigation agency.

In attempting to develop and strengthen the justice sector, it must never be forgotten that the core objective of any system of justice is to *make justice a reality*. The expectations of ordinary people are simple: conflicts must be resolved; injustices must be addressed; rights must be protected; criminals must be punished, and victims assisted to repair the damage caused to them and restore their lives. The process through which justice is administered must be trustworthy, independent, transparent, effective, efficient, swift and fair⁶.

These are expectations to keep in mind when seeking to define a coherent and common vision on how the justice system in Timor-Leste should develop and operate. Equally, however, it must be understood that the justice sector of this young nation is being built from scratch in terms of infrastructure, equipment, procedures and qualified staff.

To build a justice system that:

- a) ensures the fundamental rights, duties, freedoms and guarantees foreseen in the Constitution, particularly the access to justice for all citizens;
- b) serves the values and culture of Timor-Leste; and
- c) enjoys the confidence of the Timorese people...

...will take time, perhaps even decades to implement. It will require the collective commitment of society, ideally expressed through a shared and resolute determination of the political leaders of the country.

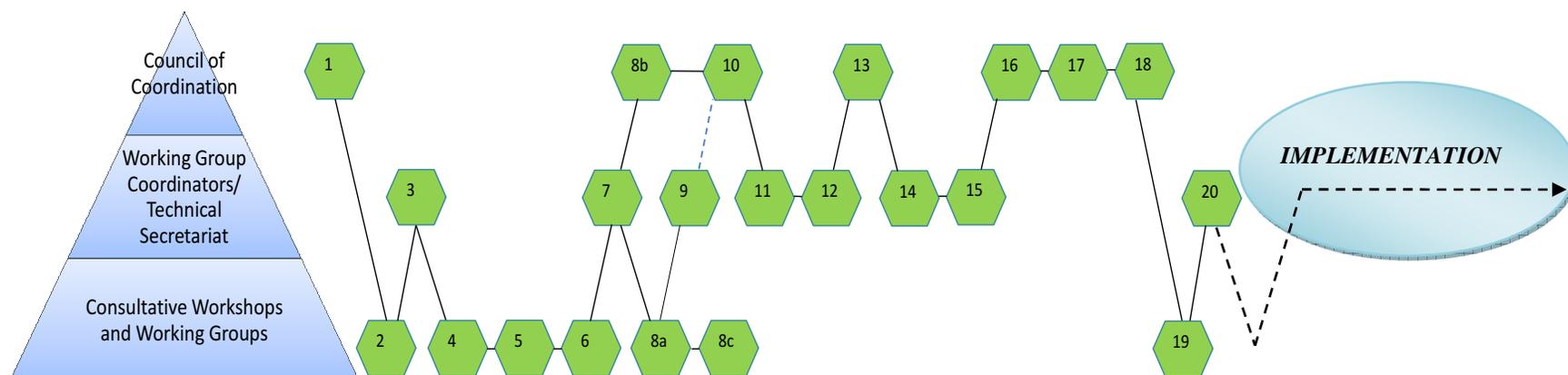
This Strategic Plan is intended to be a guide to help us create such a system.

⁵ The General State Budget for 2009 foresees that the total amount of the Petroleum Fund will, at the end of 2009, be of US\$ 4.9 billion, and in 2012, of US\$ 7.7 billion.

⁶ ICNA Report (Independent Comprehensive Needs Assessment of the Justice Sector 2009).

Strategic Plan for the Justice Sector

Participatory Process



Work Schedule

1. 16/04/09 - Workshop to launch the Strategic Plan for the Justice Sector
2. 17/04/09 - 2nd day of Workshop
3. 20/04/09 - Beginning of works on the Justice Sector Assessment 2009
4. 21/05/09 - Workshop 1 with Working Groups: Information for the Justice Sector Assessment 2009
5. 28/05/09 - Workshop 2 with Working Groups: Influencing Factors, Challenges, SWOT Analysis
6. 25/06/09 - Workshop 3 with Working Groups: Continuation of discussion on Challenges and list of initiatives
7. 06/07/09 - Preparation of the first draft
- 8a. 22/07/09 - Workshop 4 on strategic directions: objectives, core activities, performance indicators, time-frames, entities responsible and partners involved
- 8b. 23/07/09 - 1st Plan draft (with strategic matrices) and draft of the Justice Sector Assessment 2009, forwarded for CoC consideration
- 8c. 27/07/09 - 1st draft of strategic matrices and Justice Sector Assessment 2009, sent to the Working Groups and institutional Heads for guidance
9. 31/07/09 - Finalization of the 1st Plan draft and strategic matrices based on the results of Workshop dated 22/07/09
10. 03/08/09 - Meeting of the Council of Coordination and comments on the 1st draft of the Strategic Plan
11. 10/08/09 - Written comments from the justice sector institutions
12. 21/08/09 - Elaboration and completion of the 2nd Plan draft (in Portuguese and English), to be appraised by members of the Council of Coordination.
13. 17/09/09 - Council of Coordination meeting to appraise the 2nd draft of the Strategic Plan
14. 23/10/09 - Delivery of comments from CoC members for final revision of the 2nd draft
15. 04/11/09 - Delivery of the final version to the Ministry of Justice, incorporating comments from other CoC members
16. 07/12/09 - Final Revision by the Ministry of Justice, in coordination with the respective CoC members
17. 12/02/'10 - Council of Coordination meeting - Approval of the Strategic Plan for the Justice Sector
18. 31/03/'10 - Presentation and approval of the Strategic Plan at the Council of Ministers
19. /2010 - Printing, distribution and socialization of the Strategic Plan of the Justice Sector (National Workshop)
20. /2010 - Establishing the Planning Secretariat: develop budgets based on strategic matrices; monitoring system / progress indicators.

CHAPTER 2. SITUATIONAL ANALYSIS

2.1. *General Overview of the Sector*

This chapter seeks to summarise the current situation of the justice sector and to identify the key challenges in the near future, based on the five thematic areas identified above: Institutional Development, Legal Framework and Reform, Human Resource Development, Infrastructure and Information Technology, and Access to Justice.

Timor-Leste is an independent and unitary sovereign democracy based on the Rule of Law, the will of the people, and respect for human dignity⁷. The Constitution of the Democratic Republic of Timor-Leste (RDTL) recognizes fundamental human rights, in particular those foreseen in international legal documents⁸, establishes the general operating principles of the Rule of Law State and the system of justice, and defines its institutions and their respective powers. The institutional mandates which are provided for in the Constitution and the law are clear, and the political will to improve the performance of the justice sector is reflected in the inclusion by this Government of justice as a National Priority. Coordination mechanisms have been created to define the priorities of the sector, coordinate the positions of the respective institutions and align donor funding with the Government's strategic priorities.

Despite the progress achieved to date, it is nevertheless an undeniable fact that the justice system in Timor-Leste is still in the process of being built from the ground up. In 1999, there was widespread destruction of infrastructure and practically all legal expertise from the Indonesian administration left the country. Since then, the justice sector has depended heavily on the UN and its development partners. The first national institutions of the justice system were established in 2001: the Court of Appeal in Dili, four district courts covering the entire country (located in Dili, Baucau, Suai and Oecussi) and three prisons (located in Baucau, Dili and Gleno). This structure has remained unchanged until today, except for the Baucau prison which was closed down due to structural problems. In addition, the Office of the Prosecutor General (OPG) was implemented as the headquarters for the public Prosecution Service, which represents the State in court and as a prosecuting authority⁹, and the Superior Councils of the Judiciary (SCJ) and of the Prosecution Service (SCPS) were established. The Office of the Public Defender (OPD) was created as part of the Ministry of Justice, with the mandate of providing free legal, judicial and extra-judicial assistance to citizens with insufficient economic means¹⁰. The Statute of the OPD, which foresees the establishment of the Superior Council of the OPD (SCOPD), was approved in October 2008. Private practice has only very recently been regulated

⁷ Article 1 of the Constitution of the RDTL.

⁸ Article 9 of the Constitution of the RDTL.

⁹ Article 132 and subsequent articles of the Constitution of the RDTL.

¹⁰ Article 16 of Decree-Law 12/2008, of 30/4 (Organic Statute of the MoJ) and Decree-Law 38/2008, of 29/10 (Statute of the Office of the Public Defender).

by law¹¹.

Between 2001 and 2004, many of the first judicial posts were taken up by recent graduates with hardly any work experience. Since then, much effort has been put into the training of Timorese judges, prosecutors and public defenders. To allow Timorese justice actors to focus on training on a full time basis, international professionals, such as justice officials, were employed to guarantee minimum service requirements. However, until very recently, the number of international professionals depended entirely on donor funding. At present, part of the funding is already accounted for in the national budget.

Until 2007-2008, the aim was to consolidate the existing institutions and to implement district services, which were practically non-existent. Municipal registries and branch offices of the National Directorate for Land and Property were set up in the thirteen districts.

The Timorese justice system is currently too small to serve the entire population, to meet the growing demand and to fulfil its constitutional mandate of applying the law and ensuring the respect for the Rule of Law. It is the poor and underprivileged who most need the rule of law to protect them from “the rule of strength”. A very substantial proportion of conflicts are addressed through traditional justice mechanisms, often involving the violation of fundamental rights, particularly with regard to women and children.

Further, some institutions provided for in the Constitution and in the law, such as the Supreme Court of Justice and the Superior Council of the Office of the Public Defender have not yet been established. The Superior Councils of the Judiciary and of the Prosecution Service are both established and in full operation, however, there is still a need to develop their competencies as supervisory and disciplinary bodies.

At present, the Government is wholly committed to take on the following *challenges*:

- Improving the *coordination* of the sector, ensuring that its institutions are fully aware of how they interact with, and complement, each other, and extending the composition of the Council of Coordination to other relevant entities within the justice sector (Office of the Public Defender, private lawyers and criminal investigation Police);
- *Deconcentrating the justice services* and creating mechanisms that facilitate access to justice for the population;
- Establishing the *institutions foreseen in the Constitution and in the law* that have not yet been implemented, such as the Supreme Court of Justice, the High Administrative Tax and Audit Court, the Administrative and Tax Courts of First Instance and the Commission for Special Security Programmes (Witness Protection Law);

¹¹ Law 11/2008, of 30/7.

- Improving the *capacity of institutions to comply with their mandates* efficiently and effectively, and particularly of the bodies with powers for criminal investigation;
- Developing the *capacity of the supervisory and control bodies* of the justice system, ensuring their independence and the effective of their actions (Superior Councils, Audit Court);
- Guaranteeing *assistance and legal aid which is effective and of appropriate quality*, particularly to the most disadvantaged, by strengthening the technical skills of public defenders and creating an independent and effective group of private lawyers;
- Improving the *management systems and procedures* within planning, budgeting, financial management, procurement, logistics and human resources, including the setting up of coordinated case management systems;
- Improving *the capacity of prison services* to guarantee the security of prison facilities, compliance with international standards and the reintegration of offenders into society;
- Reinforcing the *capacity of registry and notary services* to guarantee the security of legal transactions and ensure that services are carried out swiftly and are accessible to citizens;
- Setting up an *autonomous body* able to manage the cadastre of lands and immovable property of the State, and implementing legislation to govern property and the use of land in Timor-Leste;
- *Disseminating* laws and fundamental rights to the population, as a way of increasing confidence in the system and delivering a general perception of “*justice for all*”.

2.2. Institutional Overview and Development

2.2.1. Justice Sector Coordination. Ministry of Justice.

One of the key issues for the proper operation of a legal system, besides the determination of adequate policies, is the strategic planning and coordination of the main institutions within the sector. This is a responsibility of the Ministry of Justice, as provided in its Organic Statute:

The Ministry of Justice is the Government body responsible for designing, implementing and coordinating the policy defined by the National Parliament and by the Council of Ministers for the areas of Justice and Law. It is responsible for ensuring relations of the Government and the Courts, the Public Prosecution and the Superior Councils of the Judiciary, Prosecution Service and Office of the Public Defender, as well as with other agents in the area of Justice and Law, namely with the entity representing the Lawyers.¹²

¹² Article 1 of Decree-Law 12/2008, of 30/4 (Organic Statute of the MoJ)

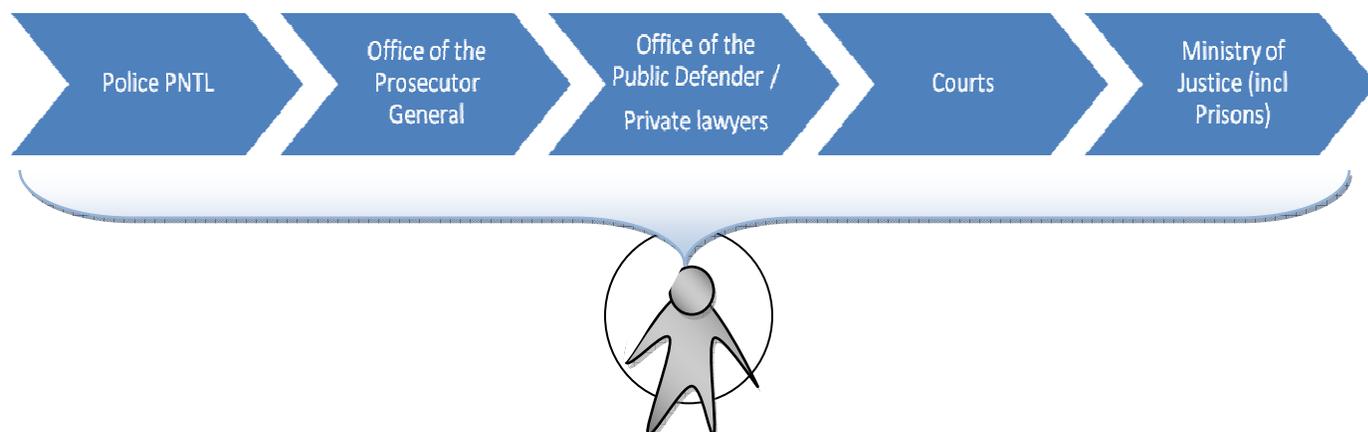
The organic structure and competencies of the Ministry and its National Directorates are defined and, in general, the management systems and procedures have been developed and implemented. There has been progress in improving the capability of civil servants to perform key functions, although some areas are still weak. Moreover, the Ministry is implementing programmes to increase technical capacity in critical areas (for example, the production of laws, registries and notary, cadastre and management of lands), and is committed to improving its services, particularly in the districts.



Coordination mechanisms have been introduced, such as the Council of Coordination for Justice and the Consultative Council of the Ministry of Justice¹³, with the aim of defining priorities for the sector and for the Ministry, coordinating the action of the different institutions, and aligning donor funding with the strategic priorities of the Government. A planning process takes place every year, to define priorities and prepare annual action plans and their respective budgets. This involves the participation of the key institutions operating in the sector and, within the framework of the Government, of all national directors. Nonetheless, the Organic Statute of the Ministry of Justice formally constrains the members of the Council of Coordination to the Minister of Justice, who presides, the President of the Court of Appeal and the Prosecutor General. It would be desirable that other institutions (for example the criminal investigation Police, the Office of the Public Defender and the private lawyers) participate in this Council, the performance of which is essential for the success of the justice system

Taking the view that the justice system operates as a flow, in which the performance of each institution impacts directly on the overall result of the system as a whole, it is easy to understand the importance of the concept of coordination, and the interaction among the institutions that operate in the sector, for a well-functioning and successful justice system. This concept is particularly clear in criminal cases (see figure below): complaint handling, investigation, prosecution and judgement can be seen as a chain in which the actions of each judicial institution influences the subsequent action. Therefore, the public sees the sector as a whole, rather than as separate institutions.

¹³ Articles 18 and 19 of the Organic Statute of the MoJ.



Although the justice sector is formed by institutions that are wholly or partially independent, and in which no single institution can direct or control the other, the reality is that the development of the sector cannot occur if each institution works in isolation and is cut off from the remaining institutions. Therefore, it is essential that the institutions understand how they interact with and complement each other in order to guarantee the defence of the rights and legitimate interests of citizens through resolution of conflicts in an effective, swift and just manner. The citizens are at the heart of the justice system; their needs must determine how the justice system and its institutions should operate and develop.

The key *challenges* in this respect are:

- Reinforcing *sector coordination*, namely by extending the Council of Coordination for Justice to representatives of other relevant institutions;
- Improving the *coordination between international donors* and aligning their programmes with the strategic priorities defined for the justice sector;
- Developing *mechanisms to obtain relevant periodical information*, to help the Council of Coordination prepare its strategic options;
- Reinforcing the *service capacity of* the sector and of the Ministry, and the cooperation between institutions particularly in the districts, for example, through recruitment and/or re-allocation of staff and additional training for the performance of key functions.

2.2.2. *Judicial Function. The Courts.*



The mandate and independence of courts are clearly defined in the Constitution and in the law. The Constitution also defines the types of courts and their respective competencies and foresees the possibility of introducing other non-judicial instruments and means for dispute resolution¹⁴.

Courts are sovereign bodies with full powers to administrate justice on behalf of the people, implement the law and its decisions; court decisions are mandatory and prevail over all decisions issued by any other authorities; courts are independent and are subject only to the Constitution and the law¹⁵

At present, there is a Court of Appeal and four district courts, which is clearly insufficient to meet the increasing demand and ensure the Constitutional provision that requires access to justice for all citizens. Timorese judges, conscious of the difficulties, have on occasion implemented mobile courts, which have helped to enable people in districts without courts nearby, to access the legal system. However, the lack of knowledge and confidence, as well as the difficulty in accessing the courts (in contrast to the easy access to informal justice) seem to be prominent factors which inhibit the population from making more use of the formal justice system.

There are also serious problems in the supply of goods, services and maintenance, including the technological infrastructure, which is still inadequate. A case management system does not exist, which makes it difficult to obtain reliable statistical data and to evaluate the professionals working in the sector. In general, no significant delays seem to exist with regard to the criminal cases in the courts; however, the same cannot be said of civil cases where the delays are frequent

¹⁴ Article 123, paragraph 5, of the Constitution of the RDTL.

¹⁵ Articles 118 and 119 of the Constitution of the RDTL, and Articles 3 and 4 of the Statute of the Judicial Judges (Law 8/2002, of 20/9).

(for example, pending land dispute cases).

Judges exercising their functions have received quality initial training and have been mentored by international judges. However, the transfer of knowledge has been slow, since the international judges have mainly performed judicial functions to the detriment of mentoring functions. The human resources assigned to courts, including national and international justice officials, have increased, and particularly in the districts outside Dili.

Despite significant advancements in the last few years, there are still many *challenges* to face:

- Completing the *legal framework of the judicial system* and revising some existing laws (for example, there is no judicial organization law; the Code of Court Fees and the Statute of Justice Officials must be revised);
- Implementing the *courts foreseen in the Constitution* that have not yet been established: Supreme Court of Justice, High Administrative Tax and Audit Court and Administrative and Tax Courts of First Instance, and military courts;
- Reviewing, when possible, the legal framework that governs the composition and appointment of the members of the *Superior Council of the Judiciary*, to strengthen its independence from the Executive;
- Strengthening the corps *of judges* in sufficient numbers to implement all the judicial bodies foreseen in the Constitution, and recruiting and training staff to perform administrative functions so that judges are relieved of such tasks;
- Training *justice officials* to perform their functions in full;
- Defining and implementing *management systems* and procedure manuals, including a system to manage procedural cases;
- Ensuring the *progressive establishment of more judicial districts*, based on an effective assessment of needs (*justice sector map*);
- Ensuring that international judges, within a reasonable time frame, no longer perform judicial functions and increasingly perform *advisory, training and mentoring functions*.

2.2.3. Prosecution and Criminal Investigation.

2.2.3.1. Prosecution. Prosecution Service



The mandate of the Prosecution Service is clearly defined in the Constitution and in the law. It is a hierarchically organized service, under the Office of the Prosecutor General (OPG), which, in turn, is overseen by the Superior Council for the Prosecution Service. The Superior Council of the Prosecution Service is an integrated part of the OPG.

The Prosecution Service represents the State, exercises penal action, ensures the defence of minors, defaulting parties and incapacitated individuals, defends democratic legality and promotes compliance with the law; it is responsible for guaranteeing the supervision of criminal investigations.¹⁶

The Statute of the Public Prosecution was adopted by law of the National Parliament, and the regulation of some remaining issues is expected to be carried out through Government diplomas or through deliberation of the Superior Council of the Prosecution Service (SCPS). After the experiences of an initial period of more than four years, the Statute has revealed some deficiencies, and it seems necessary to approve a new Statute which may more adequately address the challenges currently illustrated by the judicial practice. The amendments to the Statute have already been prepared and await approval.

To a certain extent the staff required to fulfil the functions of the OPG have already been recruited and are awaiting the appropriate training. However, the current size of the institution,

¹⁶ Article 132 of the Constitution of the RDTL and Article 1 of the Statute of the Public Prosecution (Law 14/2005, of 16/9).

when considering its mandate, is relatively small (there are only 22 prosecutors in the PP, 14 national and 8 international) and there are still unlimited challenges in terms of planning and management, development of competencies and other resources. The following are considered to be the most pressing *challenges* and aim to be attained:

- Completing and enhancing the *legal framework*, namely through the revision and approval of the current Statute so as to make it more effective and through the preparation of other necessary legal diplomas;
- *Strengthening the prosecutors* so as to enable them to correspond with developments such as the widening of the judicial map with the creation of the courts foreseen in the Constitution, and the creation of specialized services within the Prosecution Service;
- *Strengthening professionals*, including international general prosecutors, to ensure that within a set timeframe, they can devote themselves more to mentoring and advisory functions so as to ensure the transition and transfer of know-how to the national general prosecutors;
- Reinforcing the capacity in *conducting more complex criminal investigations*, particularly crimes committed during the exercise of public duties;
- Establishing mechanisms that promote the *regular communication and collaboration* between the Prosecution Service and other investigative bodies, namely PNTL, the Anti-Corruption Commission and Office of the Inspector General;
- *Providing* the first *justice officials* trained to fully accomplish their functions in the secretariats of the Prosecution Service;
- Defining and implementing a *computerized system of criminal case management* and adopting one single number across all institutions for the identification of each criminal case;
- Providing wider *dissemination* of the Prosecution Service's activity so as to reinforce the confidence of the public and eliminate the perception of impunity;
- Establishing the *Technical and Administrative Support Services* of the OPG, recruiting and training staff for the fulfilment of administrative functions;
- Establishing mechanisms to correct the *employment status of OPG staff* (the majority are temporary workers), allowing the OPG to raise staff motivation and to invest more in professional training.

2.2.3.2. Criminal Investigation Police

The Organic Statute of Timor-Leste National Police Force (known as PNTL) includes the Criminal Investigation Service which has the “specific mission of investigating and preventing crime and executing the instructions of the competent judicial authority in conformity with the law without prejudice to the hierarchical integrity of the PNTL”.¹⁷



Recently, the criminal investigation area has been the object of an analysis carried out by a technical mission¹⁸ which travelled to Timor-Leste in May 2009. The Report produced by the mission concluded that criminal investigation is practically nonexistent. While the PNTL does integrate a criminal investigation unit, the PNTL is organised primarily around its core function to maintain public order; investigators do not have adequate knowledge and skills to conduct the investigations effectively and to formalize procedures. Furthermore, the means to collect and preserve evidence are practically nonexistent. Another factor which exacerbates the problem is that police from various international forces bring in a range of entirely different procedural systems, often lack criminal investigation expertise and use several languages within one case. This confusing situation has led to illegal detentions and in-transparent processes. The report identifies a need to create, from the ground up, a criminal investigation police agency able to collect, preserve, analyse and correlate evidence to improve the administration of justice.

The criminal investigation area is, therefore, one of the areas within the justice sector that will need the most support in the coming years. The *challenges* are huge and success can only be achieved with the commitment of all; including institutions, Government and the international community to:

- Creating a *police force skilled in criminal investigation and forensic services* in Timor-Leste;
- Investing in *highly specialized training* for criminal investigation officers, to include legal training (law and penal cases), criminal investigation methodologies and professional ethics;
- Conducting a *needs assessment* on infrastructure, housing, equipment, technology and logistics required for the criminal investigation, and implementing a strategy to meet those needs;

¹⁷ Art. 35 of the Organic Law of the PNTL approved by Decree-Law no. 10/2009, of 18/2.

¹⁸ Formed by the Head of the Criminal Police and President of the Forensic Medicine Institute of Portugal.

- Developing *pocket guides in Tetum* to be handed out to police officers, with basic instructions on the Criminal Procedure Code;
- Increasing the number of *Portuguese-speaking international police officers* working in the criminal investigation area, to optimize the follow-up, monitoring and advisory services to national colleagues on legal matters;
- Ensuring that the registration of complaints, reports, information received from suspects and witnesses, and the reports from prosecutors are *delivered in Tetum and in Portuguese*, to facilitate the work and avoid using translation services, especially with respect to the police force;
- Significant reinforcement of *translation and interpreting services* and *additional training* in Portuguese.

2.2.4. Legal Assistance

According to the legal system in Timor-Leste, legal, judicial and extra-judicial support is the responsibility of public defenders and private lawyers¹⁹.

2.2.4.1. Office of the Public Defender



The function of the Office of the Public Defender is to deliver full legal, judicial and extra-judicial assistance, free of charge, to citizens most in need. It is also its responsibility to represent the absent, those whose whereabouts are unknown or who are incapacitated, substituting the Prosecution Service in the cases foreseen in the law. The Statute of the Office of the Public Defender was adopted in October 2008 and the institution operates in the four judicial districts.

*The Office of the Public Defender, under the Ministry of Justice, is the entity responsible for providing full and free of charge legal, judicial and extra-judicial assistance to citizens with insufficient economic means.*²⁰

Public Defenders, together with Judges and Prosecutors, have received initial training, and the increasing number of cases, especially civil cases, over the last two years, seems to reflect a greater degree of confidence and knowledge of the Timorese people in the justice system and in the existing legal protection and assistance mechanisms.

¹⁹ Article 135 of the Constitution of RDTL.

²⁰ Article 16 of Decree-Law 12/2008, of 30/4 (Organic Statute of the MoJ) and Decree-Law 38/2008, of 29/10 (Statute of Office of the Public Defender).

However, the effectiveness of the Office of the Public Defender is still reduced due to several factors including: the lack of specialised and continued training to deal with some cases that require specific skills (for example, civil cases, namely cases concerning family and property laws and complex criminal cases); the lack of proper infrastructure; the ongoing work to advance district services; the lack of a case management system and adequate procedures; the failure to implement the Superior Council of the Office of the Public Defender; and the failure to contract the Public Defenders' Inspector. Reference is also made to the fact that the Office of the Public Defender is not yet constitutionally and legally recognised in the same way as the other justice institutions, and that its degree of autonomy is inadequate. Finally, it is worth mentioning that many citizens are still not aware of the role and services provided by the Public Defenders.

The *challenges* faced in this area are as follows:

- Designing and implementing, in collaboration with the LTC, a *continuing training programme* for the public defenders, structured into mandatory training modules;
- *Disseminating information on* the Public Defenders' services and their role to the population²¹;
- Ensuring that public defenders provide *services exclusively* to citizens with insufficient economic means;
- Implementing the *Superior Council of the Office of the Public Defender*;
- Ensuring that the Office of the Public Defender follows the gradual establishment of more judicial districts, creating a *District Public Defender's Office* in each of the new judicial districts;
- Creating *mobile Offices of Public Defenders* so as to allow the population residing in districts which do not have a district public defender's office to have access to justice;
- Developing a *training programme for the Public Defenders' Assistants* so as to allow them to extend their functions and have greater participation within the Defenders' activities;
- Ensuring that international public defenders, within a reasonable timeframe, perform less judicial functions and more *advisory, training and mentoring functions*;
- Developing an *integrated legal assistance approach*, involving public defenders, private lawyers, paralegals and other judicial support and witness protection mechanisms (for example, exemption of judicial costs, shelters, etc.);

²¹ A survey for the community reports that 54.9% of interviewees had never heard of a lawyer (*Survey of Citizen Awareness and Attitude regarding Law & Justice 2008*).

- Revising, when appropriate, the legal and constitutional status of the Office of the Public Defender with a view to reinforce its independence and autonomy.

2.2.4.2. *Private Lawyers*

Within private law practice, the Lawyers Association of Timor-Leste (AATL) has been created but the exercise of the profession has only recently been regulated²² by law. The current legal framework is, nevertheless, transitional and still does not grant lawyers the right to be self-regulated by a Bar Association or similar body.

The selection process for the first group of private lawyers to attend a training course, formally granting them access to exercise their profession, is in progress. Most private lawyers providing legal assistance in Timor-Leste have not received proper training, namely on the Penal Code, Code of Criminal Procedure and Code of Civil Procedure, and have insufficient knowledge of Portuguese.

The *challenges* faced in this area are as follows:

- Implementing the *Management and Disciplinary Council* provided for in the law in force;
- Developing and implementing a *continuing training programme* for private lawyers, structured into mandatory training modules and including a minimum number of practical lessons;
- Supporting the implementation of a strategy that will create a *Bar Association*, recognized and independent, with self-regulating responsibilities in the practice;
- *Disseminating* the role of private lawyers to the population²³.

²² Law 11/2008, of 30/7.

²³ A survey for the community reports that 54.9% of interviewees had never heard of a lawyer (*Survey of Citizen Awareness and Attitude regarding Law & Justice 2008*).

2.2.5. Prison Services and Social Reintegration



Prison services have improved significantly over the past years in terms of infrastructure, security conditions and the rights of detainees. The legal framework of services is defined but the Statute of Prison Officers is yet to be adopted. Training programmes have been designed and carried out to improve staff competencies, and literacy programmes and vocational training activities for detainees have taken place on a regular basis.

The National Directorate for Prison Services and Social Reintegration (DNPSRS) is responsible for defining, managing and securing the prison system and the social reintegration service; it has the competency to manage the enforcement of sentences, guide educational and vocational training of detainees, promote social reintegration of young people and detainees, ensure the link with the respective social, family and professional environment, guarantee the security of prisons and coordinate training for prison officers²⁴.

At present, there are only two prisons (Bécora and Gleno), and in the short to medium term their capacity is expected to be insufficient. There are no specific facilities for women and juvenile detainees, and there are discipline and professionalism issues among the prison managers and staff.

The main *challenges* in this area are:

- Creating *specific facilities for women and detention centres for young people*;
- Building *new prison facilities* to ease the transport of detainees to courts and the access of their families;
- Improving *medical care* and psychological assistance to detainees and in particular a national plan to cater for the mental disabled;
- Improving *competencies, discipline and professionalism* among prison managers and staff;

²⁴ Article 12 of the Organic Statute of the MoJ.

- Creating proper *operational capacity*, in particular in terms of management structures and administrative and financial autonomy;
- Adopting the *statute of prison officers* and a relevant code of conduct;
- Reinforcing and monitoring *prison officers training*, especially in legal procedures and human rights;
- Reinforcing *non-formal education, literacy and vocational training for detainees*, by promoting certification or accreditation of courses to ensure a successful reintegration;
- Setting up a system to register, evaluate and monitor the training activities concluded;
- Creating an efficient and effective system of *sentence management* and secure detention measures;
- Developing a *national policy to promote the use of alternative sentences* to imprisonment;
- Developing and implementing an *integrated programme for social reintegration services*, to prepare and support released individuals to become reintegrated in the community and at the same time to assess the risk for society after the sentences have been served.

2.2.6. Registry and Notary Services

Within the framework of Registry and Notary Services, services have been established and are operational: the civil registry services (birth, marriage, divorce, adoption and death), public registry (which includes the commercial registry and the registration of non-profit organizations), public notary, civil and criminal identification services, and passports. The land and property registers will also have to be created (including vehicle registration). Civil registry offices were implemented in the 13 districts and there are Notary's Offices in Dili, Baucau and Oecusse.

*The National Directorate for Registries and Public Notaries (DNRN) is responsible for analysing and implementing policies regarding registration and notary services, for example, to analyse and prepare legislative projects, promote and guarantee services regarding civil, commercial, criminal registry, the registration of non-profit organizations, land and assets that have to be registered, to implement the procedures needed for civil identification purposes, recognition and award of nationality, issuing of passports and inspection and control notary and registry activities.*²⁵

²⁵ Article 11 of the Organic Statute of the MoJ.

The current major challenge is staff recruitment and training, namely of registrars and notaries and registration and notary clerks, in order to guarantee the provision of an efficient and effective service that will help ensure secure commercial transactions. This is a mechanism of preventive justice that aims to avoid conflicts between citizens and, consequently, to reduce civil litigation in courts, to increase trust in the State and justice, to reduce corruption and fraudulent and illegal acts, and to guarantee the basic rights of citizens (for example, the right to citizenship). At the same time, it is necessary to ensure that the registration and notary services are inspected systematically and effectively by an independent entity, in order to ensure the quality of service and compliance with applicable rules and procedures.

The main *challenges* in this area are:

- Completing the *legal framework* for registry and notary services (Codes of Civil Registry, Land Registry and Assets subject to registration, etc.);
- Developing the relevant *support materials* for the implementation of the law (operational procedures manual);
- Implementing *Civil and Land Registries* and ensure their decentralization in the districts;
- Ensuring the *recruitment and training* of the necessary staff;
- *Modernizing and simplifying the services*, e.g. implementing the concept of a ‘one stop shop’;
- Providing the DNRN with a proper *management structure* and establishing a *Supervisory Service* for Registrars and Notaries, independent of the DNRN.



2.2.7. Land, Property and Cadastre

One of the most sensitive areas of responsibility of the Ministry of Justice is the issue of regulating land ownership in Timor-Leste. After a long process of public consultation, the so-called Land Law is ready to be submitted for analysis and adoption by the competent bodies. As provided in Article 1 of the preliminary draft, this law aims to define the special scheme that will recognize and confer the first real estate rights in Timor-Leste. The aim is also to clarify the legal status of assets and to promote the distribution of property among citizens, guaranteeing access to land for all. The recognition and conferral of property is based on the principles of respect of previous basic rights, recognizing the current possession of property as the basis for conferring title to property, and compensation in the event that concurrent rights exist.

A series of additional laws are also being prepared to govern related matters. Among others, these include laws on: a compensation scheme; the establishment of the real estate financial fund; the State public and private domain; and the expropriation of land for public utility purposes.

As soon as the legislative phase is completed the greatest challenge will be the capacity of the MoJ to prepare a plan for the effective implementation of the laws. Further, the MoJ will have to establish the necessary conditions to create an autonomous body, which will supercede the current National Directorate for Land, Property and Cadastral Services (DNTPSC), with adequate powers to manage the Registry, State Property and the regulation of land ownership.

*The DNTPSC is the service responsible for the establishment and administration of an information system on the use and ownership of real estate, and the implementation of an efficient management system for the patrimony of the State; it is also responsible for conferring the first ownership titles/certificates.*²⁶

At the same time, progress is being made with the pilot project *Ita Nia Rai* which aims to collect data for the identification of plots of land, solve disputes and subsequently register ownership titles/certificates. This project is fully underway in 6 districts (Liquiçá, Manatuto, Aileu, Baucau, Bobonaro and Oecusse), 7 sub-districts and 16 *sucos*. The process is, however, slow with about 4,500 claims (corresponding to about 4,200 plots of land) being collected up to October 2009, of which more than 1,400 have already been published. Disputes total about 8%, and about 92% of plots have one single claimant. These numbers seem to contradict the general perception that there will be a very large number of disputes.

The main *challenges* facing the management of the cadastre and property in Timor-Leste are:

- Completing and approving the *legal framework* on the regulation of land ownership in Timor-Leste;
- Speeding up the *systematic cadastral survey*, within the scope of the *Ita Nia Rai* project;

²⁶ Article 13 of the Organic Statute of the Ministry of Justice.

- Creating an *autonomous body* with enough resources and administrative and financial autonomy to guarantee an effective cadastral and State property management, as well as the process of land regulation and disputes;
- Creating a *single database* to include the necessary information for the registry, regulation of property, and applicable taxation.

2.3. Legal Framework and Reform



Timor-Leste is a democracy working under the Rule of Law, respect for the Constitution and the law, and the recognition of international law. Timor-Leste has, since 2002, ratified a significant number of international treaties and conventions. Further, the production of laws has grown considerably; basic laws, essential to the operation of the justice system have been adopted. However, it is widely acknowledged that the legal framework in Timor-Leste is far from being complete and needs further development, as well as mechanisms to monitor the implementation of new laws.

It is worth noting that the Timorese legislation process has been strengthened through the use of public consultation mechanisms. These mechanisms have helped law-makers align their proposals to the Timorese context and have promoted the participation of the population and representative groups of people in a legislative process from which they would otherwise have been excluded.



At present, an important set of laws are being prepared and/or adopted, for example, the Civil Code, the law on judicial organization, and the law on the regulation and registration of property in Timor-Leste. Many other laws will have to be produced, for instance the special law that will govern the implementation and recognition of the customary [commonly practiced] law in Timor-Leste²⁷ and the laws on children's rights, among many others. The main laws to be produced and/or

adopted until 2012 are identified in the Annex (see Goal 5).

The main *challenges* in this area are:

- *Completing the legal framework for the justice sector*, ensuring that the models adopted are adequate to the Timorese context and that the gender issues are taken into account;
- Ensuring that as far as possible, *simple and readily understandable language* is used in the formulation of legislation;
- Ensuring that all laws are translated and published in Portuguese and **Tetum**;
- Developing the *legal Tetum terminology*;
- Training a *body of national legal advisors*, capable of performing legal drafting functions, and able to gradually replace their international colleagues;
- Ensuring *legal harmonization* and revise laws as appropriate.

²⁷ Article 2, paragraph 4, of the Constitution of the RDTL

2.4. Human Resources Development



Although the professional capacity of people working in the justice sector has improved significantly, the sector still depends heavily on international staff to perform many of the key functions. While the support of international colleagues has been important for the proper operation and development of the justice system, the transfer of skills to Timorese has been slower than desirable. Two factors may explain this: firstly, international staff have had to substitute national staff to maintain the performance of judicial functions while national staff undertake technical training, and secondly, the mechanisms for recruitment and evaluation of international staff²⁸ have not always produced effective candidates.

Portuguese has played a dominant role in the legal system, even though the Constitution defines Tetum *and* Portuguese as the official languages²⁹ in Timor-Leste. In society in general, only a minority of the population speaks Portuguese and over 80% speaks Tetum. The predominance of the Portuguese language in the justice sector reflects not only the recognition of the national institutions in terms of having adopted the language as the official communication medium, but also the assistance received from Portuguese-speaking countries, namely in the field of legal drafting, the Legal Training Centre and judicial institutions³⁰.

Although skills in Portuguese have increased substantially in the recent past, the fact is that not all staff in the justice sector master the language well enough, and the opportunities for those who speak only Tetum are, not surprisingly, fewer given that the majority of laws, training materials and instructors use Portuguese. The language problem remains a challenge which can be addressed by way of a two-pronged approach: on the one hand, developing legal Tetum terminology so that it may be used in the legal system as the Portuguese language is; while on the other hand, also developing an educational Portuguese campaign for children and adults in order to transform Timor-Leste into a genuine bilingual society³¹.

There is also the need to create a culture of civil service, based on ethical values, and on professionalism and the responsibility of all actors operating within the legal system. A certain stability and continuity of staff, both national and international, needs to be guaranteed so that institutional memory is not lost. Moreover, human resource policies must be developed to attract and retain competent professionals, particularly in the districts. Such policies must be based on principles such as fair salaries (the new remuneration statute for judges, prosecutors

²⁸ ICNA Report, 2009.

²⁹ Article 13 of the Constitution of the RDTL.

³⁰ ICNA Report, 2009.

³¹ ICNA Report, 2009.

and defenders was adopted recently), opportunities for development, career progression and recruitment based on qualification and merit.

The Legal Training Centre (LTC) has played a crucial role in the preparation of an initial minimum number of judicial staff which are required for the operation of the institutions in the sector: So far, the LTC has produced certified training for 11 public defenders, 13 prosecutors and 13 judges; a further 12 trainees are currently undergoing training. The LTC has also provided training to justice officials (clerks), translators and interpreters, and to those involved in legislative drafting. Training for notaries, registrars and private lawyers will commence soon. However, it is necessary to increase the number of judicial actors to take up the positions in the judicial institutions which have yet to be implemented and to address the issue of extending services more widely to the districts. At the same time, there is the need to continue the investment in structured training programmes, in continuing specialized training of the various professionals in the justice sector, and ensuring quality in the teaching of law in Universities.

In terms of human resource development, the main *challenges* are:

- Defining a *Human Resource Development Plan for the sector*, based on the training provided by the LTC and the need for a qualified workforce with skills defined by the institutions of the sector;
- Improving the effectiveness of *capacity building strategies*, including ways of ensuring that skills of international staff are transferred to their national counterparts, and to encourage international actors to learn Tetum;
- Establishing a *legal education and legal training system* able to produce the human resources needed for the sector, of high quality, namely through the accreditation of other universities besides the UNTL, based on national legal education standards;
- Strengthening the *teaching of Portuguese* for primary, secondary and university levels;
- Strengthening the capacity and autonomy of the *Legal Training Centre* as a superior body in the initial and continuous training of professionals in the justice sector;
- Improving the *course curricula*, for example, including training on ethical-professional matters;
- Complementing the training received in the LTC with *training programmes and traineeships* in other countries, to experience the operation of consolidated legal systems, exchange experiences and good practices;
- Developing, within the scope of the LTC, and in addition to a Legal Library, a *Study and Research Centre*, that aims to collect and analyse judicial decisions, the development of legal doctrines, treaties, annotated laws and legal publications;

- *Developing human resource policies*, with particular consideration to women, in order to attract and retain more qualified professionals and to minimize the impact of early drop-outs from training courses;
- Developing a *Civil Service Culture, of professional ethics and accountability*, and an attitude of zero-tolerance towards corruption, by implementing and improving the bodies with supervisory and disciplinary powers.;
- *Increasing the number of judicial actors* (judges, prosecutors, defenders, lawyers, justice officials), to guarantee the expansion of the judicial system;
- Recruiting and training *administrative support staff* to relieve judicial actors of such duties.

2.5. Infrastructure and Information Technology



The effort to increase empowerment and functionality of justice institutions, and the expansion of the justice system to the districts clearly implies, an investment in adequate infrastructure, equipment and information technology. The remoteness of rural communities, difficulties with communication and transport, as well as lack of financial means limit citizens' access to the justice services and highlights the need for the development of infrastructure in the districts.

In the last few years, the investment made in the justice sector has grown considerably. The prisons in Becora and Gleno were rehabilitated, new housing was built for the prison officers, court buildings and houses for judges were also rehabilitated, and the district facilities for Public Defenders and for the OPG in Baucau, Suai and Oecusse were built; several houses for defenders and prosecutors are also under construction in these three districts. In addition, the internet/intranet project for the justice sector was implemented and the computerization of identification cards and registration certificates is now in its completion phase.

It should be noted that there may be some budget constraints to this area in 2010. This illustrates the need to improve planning and the use of available resources, promote the sharing of facilities and multi-purpose resources, and to create alternative solutions for service provision.

The main *challenges* in terms of infrastructure and information and communication technology (ICT) are:

- Improving the *coordination* between the institutions in the sector so that they can share infrastructure and multi-purpose resources;
- Developing *infrastructure, communication and logistic support* needed by the institutions to perform the functions assigned to them, particularly in the districts, securing proper work spaces and housing for judges, prosecutors, defenders and justice officials/clerks, rooms to store evidence, and separate rooms for witnesses, victims and suspects;
- Providing answers related to the problem of *transport and long distances* between the institutions and the public;
- *Deconcentrating the ICT services*, by establishing ICT units in each justice institution and/or in each district, to guarantee more effective support;
- Setting up *efficient case management systems* based on the needs of Courts, OPD, OPG, and Police with the necessary connections;
- Increase availability of *statistical information* on the justice sector.

2.6. Access to Justice



Public awareness of the justice institutions remains low³². The educational level of the population and conservative attitudes of communities limit the access to justice of vulnerable groups. Women and young girls often find it difficult to report a crime. An integrated approach to crime prevention and investigation, which brings together all justice institutions (including the police), civil society and community groups, is currently in progress in some places (e.g. Suai). This approach takes into account the attitudes of the community and the disparities within communities (especially those based on gender).

³² Survey of Citizen Awareness and Attitude regarding Law & Justice 2008.



The customary justice mechanisms are, for many people, often the only way of accessing justice, however, the lack of regulation presents a great risk because these practices can clash with the law and human rights³³, especially women's and children's rights. There are several consultation processes underway, at national level, to help towards the preparation of the customary law/community justice and the mediation law.

A justice system cannot be considered successful if it does not provide justice to all citizens who need it, using reliable, transparent, effective and sustainable mechanisms for dispute resolution and to protect rights, including the punishment of crimes and compensation to victims.

It is therefore essential to continue to implement more effectively awareness and information campaigns on laws and rights of citizens so that the population understands and demands the protection of its rights.

The main *challenges* in accessing justice are:

- Creating *more judicial districts*³⁴ and other justice services at district level, with effective connections with the police and hospitals to facilitate crime reporting and prosecution;
- Establishing *mobile justice systems* in the districts and in smaller communities where there are no such services, and in which the development of specific legal and permanent infrastructure is not economically feasible;
- Ensuring that the awareness of *gender* and sensitivity to *children's rights* are *incorporated* in the programmes and activities of the justice sector;
- Increasing the level of *public awareness* of laws, rights and the mechanisms available to enforce rights, particularly among women and young girls;
- *Increasing the capacity of the institutions in the sector* to provide the services and handle legal cases quickly and effectively in order to increase the public's confidence in the justice system and reduce the perception of impunity;
- Creating mechanisms to help overcome the *linguistic barrier* in order to improve access to justice by the citizens and facilitate the work of the staff of the respective jurisdiction, namely in conducting investigations and criminal cases;

³³ For example, forced marriage, marriage with minors, marriage of victims and rapists, discrimination of women in with regard to property rights, etc.

³⁴ According to the ICNA report, Timor-Leste must have at least eight judicial districts: Dili, Baucau, Maliana, Manatuto, Oecussi, Same, Suai and Viqueque.

- Ensuring the *recognition of the local customs and norms/traditional justice systems*, through proper legislation, in order to increase their conformity with the Constitution, human rights and laws;
- Creating other *alternative non-jurisdictional dispute solving mechanisms*, for example, mediation and arbitration;
- Establishing an *integrated and effective system of legal aid and judicial support*, especially for the disadvantaged and vulnerable population, mainly through the reinforcement of the role of the Public Defenders and the implementation of protection systems for witnesses and vulnerable persons (for e.g., hidden identity, shelters), but also through exemption of fees and charges, payment of travel expenses, etc.

CHAPTER 3. VISION AND STRATEGIC DIRECTION

3.1. *A Vision for Justice. Mission and Values.*

The development of the justice system in Timor-Leste must reflect the expectations of the Timorese people. It requires the coordination of the bodies within the justice sector, based on a common vision of what justice should be and how it should operate, as described above; a shared view of ‘*where we aspire to go*’ and ‘*how we are going to get there*’.

The strategic logic adopted for the development of the sector is that:

- a) it is formed by independent institutions with a common vision;
- b) these institutions aim to cooperate and coordinate among themselves to improve their performance;
- c) thereby guaranteeing the constitutional right of access to justice for all citizens.

A vision of justice, just like the mission of the justice sector and its respective values, must be extracted from the principles contained in the Constitution and from other values in the policy defined by the Government, for instance from documents such as “Timor-Leste em 2020 – A nossa Nação, o nosso Futuro” [Timor-Leste in 2020 - Our Nation, our Future] (or Vision 2020). This document, prepared just before Independence, by His Excellency Ray Kala Xanana Gusmão, was the result of extensive national public consultation and defined a vision for “*uma nação que aplica com justiça o primado da lei e gere a economia e as finanças de forma eficiente e transparente*” [a nation that administers justice within the supremacy of the law and manages economy and finances in an efficient and transparent manner].

The Constitution is the most important source of inspiration as it embodies the fundamental principles of human rights and the justice system. Principles such as the *separation of powers*³⁵ - legislative, executive and judicial powers - the *subordination of the State to the Constitution* and the law³⁶ and the *independence of courts*³⁷- guide the operation of the Rule of Law and the justice system of the democratic State of Timor-Leste (see table Values and Principles of Justice).

Access to justice is another key value in the justice system of Timor-Leste. The principle, as defined in the Constitution³⁸, is that all citizens are guaranteed access to justice to defend their rights, and it cannot be denied to anyone on grounds of insufficient economic means. This principle can be supported through a two-pronged approach: on the one hand, the availability of legal services to ensure the defence of citizens’ rights in a quick, effective and fair manner, and on the other hand, the knowledge and confidence of the population in the system. From this standpoint, the justice system is wider than its own institutions; it also covers civil society and the community leaders.

³⁵ Article 69 of the Constitution of the RDTL.

³⁶ Article 2, paragraph 2, of the Constitution of the RDTL.

³⁷ Article 119 of the Constitution of the RDTL.

³⁸ Article 26 of the Constitution of the RDTL.

Access to justice can be defined as the right of individuals and groups to obtain a quick, effective and fair response to protect their rights, prevent or solve disputes and control the abuse of power, through a transparent and efficient process, in which mechanisms are available, affordable and accountable.

These mechanisms can be found in the formal justice system, in customary processes or in alternative extra-judicial processes established to solve disputes. In Timor-Leste, for a number of reasons, many Timorese seek justice within the confines of their communities. Each citizen has the right to access justice and the State, in turn, has the obligation to ensure the exercise of such right by ensuring the balance between respect for local customs and norms and the protection of fundamental rights of citizens. Access to information is a pre-requisite for people to gain awareness of their rights and obligations under the law, and to make informed choices as to the type of mechanism which they believe would best suit their needs. However, whenever a person chooses the formal system of justice, or, if the matter falls in the category of a public crime, which must by law be referred to the State, then the State is obliged to provide adequate legal support and assistance.

Although the priorities of the Government change over time and with the succession of Governments, the coordination and development of the sector need to be conducted along a clear mission, vision and a platform of common values. The *vision* defined and shared by the main institutions of the justice sector flows from the Constitution and the principal values reflect the type of society to which the sector aspires:

Access to Justice for All People, based on the respect for Human Rights and the Rule of Law.

It has been mentioned that the justice sector is formed by independent institutions, whose mission is defined in their respective mandates, in the Constitution and in the laws. However, as this Strategic Plan addresses the justice sector, as a whole, it is useful to define a common *mission* of the justice sector:

Administer Justice in an effective, efficient and accessible manner, deserving of the confidence of citizens.

The vision and mission are informed by values and principles that can be identified in the Constitution of the RDTL and the Universal Declaration on Human Rights, recognized by the Constitution³⁹. The following table shows the primary values and principles of justice.

³⁹ Constitution of the RDTL, Article 23

Values and Principles of Justice

1. Sovereignty, Constitutionality and Democratic Rule of Law

1.1. Hierarchy of laws

The Constitution is the fundamental law in the legal system; all other laws, decree-laws and regulations stem from the Constitution. In the event of conflict between laws, the higher law prevails.

1.2. Supremacy of the law and subordination of the State to the Constitution and the Law⁴⁰

The law is the highest authority in society and the State and citizens are subject to the Constitution and the Law; State acts are valid only if compliant with the Constitution and the Law.

1.3. Adoption of International Law Principles⁴¹

Includes principles of the dignity of the human being and safeguards of Human Rights and Children's Rights.

1.4. Separation of Powers ⁴² (legislative, executive and judicial)

The sovereign bodies foreseen in the Constitution exercise their functions independently and no single body may influence the exercise of functions of another.

1.5. Civic Will and Participation of the People in the Government of the Country⁴³

The right of citizens to elect their representatives by direct and universal ballot, thus guaranteeing their participation in the political and public life of the country.

2. Justice System

2.1. Independence of the Courts and Judges⁴⁴

Courts and judges are independent and subject only to the Constitution and the Law.

2.2. Recognition and valuation of customary rules and norms in Timor-Leste⁴⁵

Timorese customs and norms are recognized, provided that they do not conflict with the Constitution and human rights, and their scope is governed by legislation.

2.3. Due Process

The principles of presumption of innocence in a penal case⁴⁶, the independence of courts and the right of appeal are legal guarantees ensuring that the judicial process is handled fairly, effectively and within a reasonable period of time.

⁴⁰ Constitution of the RDTL – Article 2

⁴¹ Constitution of the RDTL – Article 9

⁴² Constitution of the RDTL – Article 69

⁴³ Constitution of the RDTL – Articles 1 and 65

⁴⁴ Constitution of the RDTL – Article 119

⁴⁵ Constitution of the RDTL – Article 2, paragraph 4.

⁴⁶ Constitution of the RDTL – Article 34

Values and Principles of Justice (cont.)

2.4. Accountability

Justice institutions and its individual members are responsible for their acts and for the use of State public resources; the transparency of administrative acts and the access to information are pre-requisites for the effective accountability of public powers. The fight against illegal practices and corruption is guaranteed by law and is exercised by the specific bodies referred to in the Constitution and in the law.

2.5. Principles of decentralization and bringing services closer to the citizens⁴⁷

The State must, within its organization, promote the decentralization of services and bring services closer to the citizens in order to facilitate access to such services.

3. Rights, Freedoms and Individual Guarantees

3.1. Equality of citizens before the Law and the Principle of Non-discrimination⁴⁸

All citizens are equal before the law and enjoy the same rights and obligations, and no-one can be discriminated against based on race, gender, civil status, ethnic origin, language, social status or economic situation, political and religious convictions, education or physical and mental condition.

3.2. Access to Justice⁴⁹

All citizens are entitled to access to justice and justice cannot be denied to anyone on the grounds of insufficient economic means.

3.3. Right to Legal Assistance⁵⁰

All citizens have the right to receive legal aid and assistance, provided by private lawyers and public defenders, to solve disputes and to defend their legitimate rights and interests.

3.4. Access to Information and the participation of interested parties⁵¹

The publication of laws and legal decisions is mandatory, so that everyone can be aware of the law and their rights. Interested parties are entitled to intervene in the State administration, namely against acts that offend their legitimate rights and interests.

3.5. Right to private property⁵²

The right to private property is guaranteed to national citizens and can only be limited through the payment of a fair compensation.

⁴⁷ Articles 5 and 137 of the Constitution of the RDTL.

⁴⁸ Article 16 of the Constitution of the RDTL.

⁴⁹ Article 26 of the Constitution of the RDTL.

⁵⁰ Article 135 of the Constitution of the RDTL.

⁵¹ Article 137 of the Constitution of the RDTL.

⁵² Article 54 of the Constitution of the RDTL.

3.2. Goals of the Justice Sector

Flowing from the vision, mission and values that define *'where we aspire to go'*, the key goals have been identified. These are to be met in the short, medium and long term, and provide the direction of *'how we are going to get there'*. The goals are grouped according to the five thematic areas previously defined.

Thematic Area 1 – Institutional Development

Strengthening the administration of justice, improving the capacity of the institutions and the coordination between them

1. Within 3 years (2012), there will be systematic and effective **coordination** of the justice sector and its institutions;
2. In the next 10 to 20 years (2020/2030), the **services** of the justice sector will gradually be **deconcentrated** so that people in all districts can access justice;
3. Within 10 to 15 years (2020/2025), the **institutional framework** of the justice sector will be completed, as provided in the Constitution and laws of Timor-Leste;
4. Within 5 to 10 years (2015/2020), the justice system will be able to **open, conduct and complete**, in an effective manner and within a reasonable period of time, **all types of court cases**, especially criminal cases.

Thematic Area 2 – Legal Reform and Framework

Strengthening and harmonizing the legal framework of the justice system and of the law

5. Within the next 5-7 years (2015/2017), the Ministry of Justice will be able to maintain and update a **harmonized legal framework**, of high quality, in the areas of Justice and Law.

Thematic Area 3 – Human Resource Development

Building the capacities and skills of the justice sector professionals, including providing institutions with the necessary and sufficient human resources to carry out their mandates, meeting training needs and ensuring performance evaluation

6. Within 5 years (2015), the justice sector is capable of identifying and filling all positions with motivated and qualified **national staff**;
7. By 2030, all justice sector personnel are provided with the necessary **competencies, skills and knowledge**, including on applicable ethical standards to adequately perform their functions;
8. Within 5-7 years (2015/2017), the Legal Training Centre, in partnership with the Law Faculties of Universities and other Legal Study Centres, will become a legal centre of excellence, **able to supply all professionals in the legal area** who are needed by the justice system.

Thematic Area 4 – Infrastructure and Information Technology

Establishing the necessary infrastructure for the justice institutions throughout the country, in respect to buildings, housing, transportation, communication and ICT.

9. In the next 10 to 20 years (2020/2030), the institutions of the justice sector will be gradually equipped with the adequate *physical infrastructure, equipment and logistical and technological resources*, at central and district levels;
10. Within 5 years (2015), the institutions of the justice sector will have acquired the basic *information and communication technology systems* (ICT) needed for their operation; by 2020, all information systems will be *entirely computerized*.

Thematic Area 5 – Access to Justice

Bringing Justice closer to the people, offering them access to justice, particularly in the districts, including raising the awareness of the population regarding laws, rights and available justice services, and guaranteeing the interaction between the formal and informal justice systems

11. Every 5 years (2015,2020,2025,2030), there will be a significant improvement in the current situation of the justice sector, in terms of *availability* of justice services and the awareness of and the *public confidence* in the justice system;
12. Within 5 years (2015), *crime prevention* policies and actions will be implemented in the justice sector;
13. Within 5 years (2015), the principle of *non-discrimination*, the sensitivity to issues of *gender* and the *protection of vulnerable groups and human rights* will be guaranteed in the justice sector;
14. Within 3 to 5 years (2012/2015), the customary law and *community justice mechanisms* will be regulated, and the systematic monitoring of their conformity to human rights will be implemented.

The strategies to implement each of the 14 goals defined are shown in the table in the **Annex**. The table presents the link between **goals, strategies, objectives** and **indicative time-frames** for their completion, as well as the **core activities** to be carried out by the responsible institutions with the collaboration of the main partners. It also shows the **key performance indicators** for each activity.

3.3. Implementation Strategy

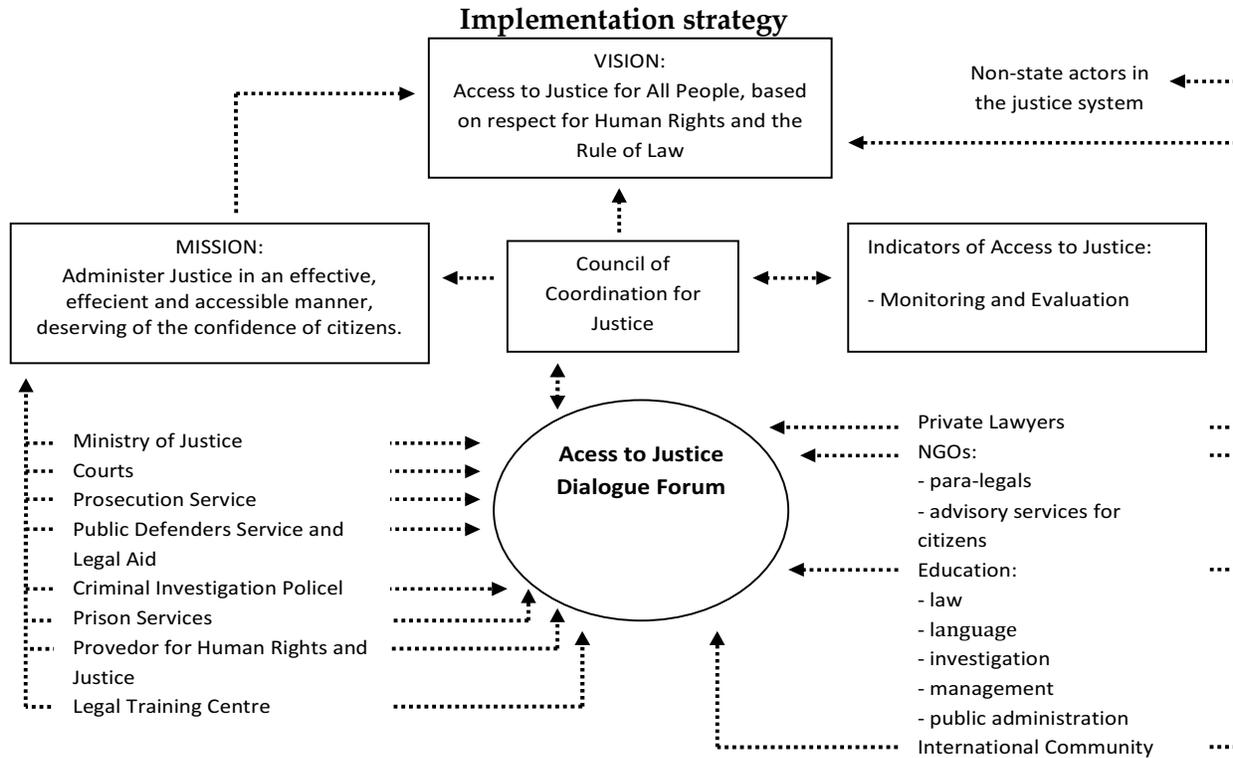
The implementation strategy for the justice sector – *formed by independent institutions, with a common vision of the sector, that cooperate and coordinate between themselves to improve their performance* – requires the involvement of all justice sector institutions and other non-state actors in the justice system, including the citizens.

It is important to bear in mind that the justice institutions are wholly or partially autonomous bodies, with their own planning and budgeting procedures that support the overall planning and preparation process of the State Budget. The Ministry of Justice, as the Government body with responsibilities for defining and executing sector policies, is responsible for guaranteeing the necessary coordination between sector institutions. As such, the coordination mechanisms

and activities must be planned and budgeted within the scope of the Ministry. However, taking into account the autonomy of justice institutions, a rigid top-down implementation approach is not workable, and therefore there is a need to create mechanisms to ensure cross-sectoral connections between all institutions and stakeholders involved in the justice system.

In order to strengthen the planning and implementation process of the Strategic Plan for the Justice sector, and meet the defined vision, two other planning and dialogue structures are envisaged in addition to the existing Council of Coordination. The implementation strategy is based on the following structures:

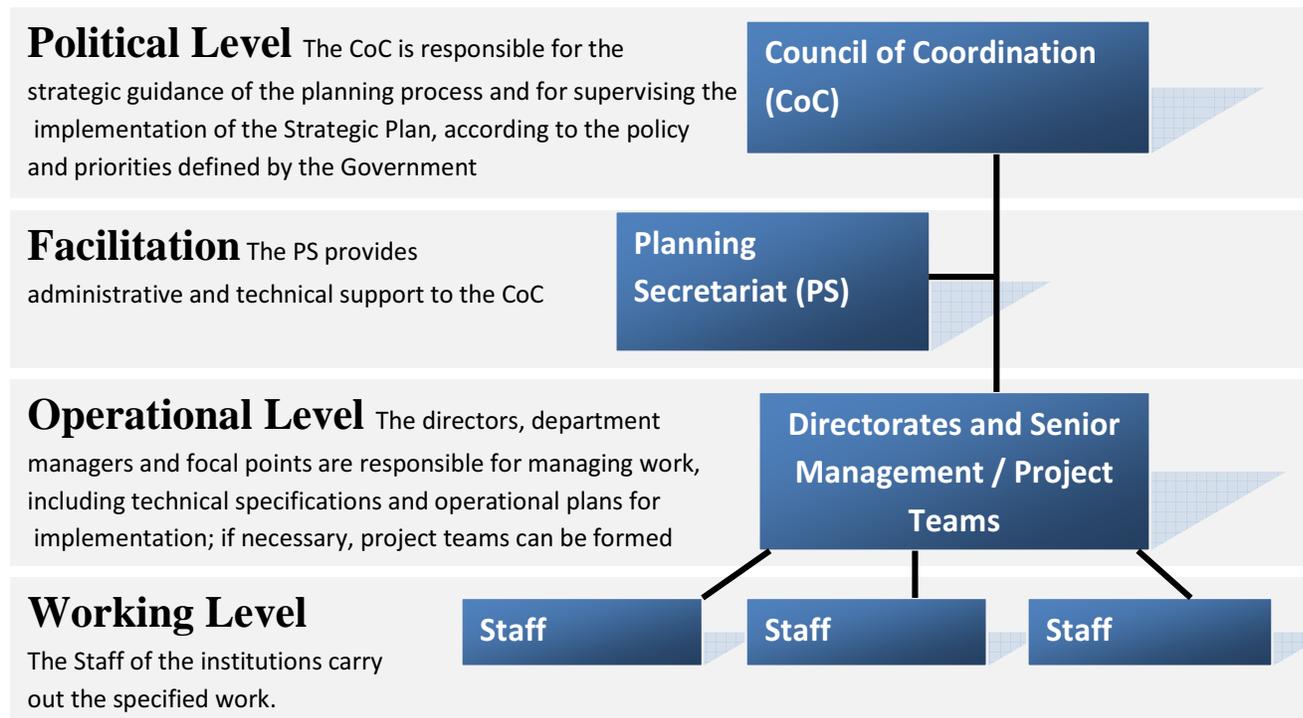
- a) **Council of Coordination (CoC)**, the advisory body of the Ministry of Justice, comprised of the Minister of Justice, who chairs it, the President of the Court of Appeal and the Prosecutor General. The CoC will provide strategic guidance to the planning process and supervise the implementation of the Strategic Plan for the justice sector; the CoC will decide on the key goals to be attained based on the policies and priorities defined by the Government, and will define the indicators of access to justice. The formal expansion of the Council of Coordination to other relevant institutions of justice (Public Defenders, who already participate informally, Private Lawyers and the Police) is expected become a reality;
- b) **Planning Secretariat (PS)**, which will gather the representatives of the various justice institutions, and will work as the support structure to the Council of Coordination to facilitate the development of planning work necessary for the implementation and monitoring of the Strategic Plan;
- c) **Justice Dialogue Forum**, works as the CoC's consultative group; the CoC may enter into dialogue through the forum on issues related with access to justice, and the realisation of the vision for justice. The Forum will meet every six months, convened by the Ministry of Justice, and at other times, as determined by the MoJ, for example, to participate in the planning process. The Forum will gather representatives of all interested parties in the justice system, namely civil society and international community. The forum may submit recommendations to the Council of Coordination and will be responsible for monitoring access to justice based on periodical reports and on the key indicators defined in this document.



To support the planning process of the justice sector and the implementation of the Strategic Plan, a *Justice Sector Map* will be developed to provide a geographical overview of the distribution of the sector’s institutions throughout Timor-Leste and the proposed expansion over time. The geographical expansion of the justice sector should be done in a balanced manner, bearing in mind the needs of citizen access and affordability.

This map will underpin the design, development, implementation and management of all geographical-based projects. Therefore, in addition to the (permanent) structures mentioned above, and the *management and leadership structures*, which at the operational level and in each institution are responsible for work management and for the implementation of operational plans, other (temporary) *project management structures* may be created, whenever necessary through the approval of the CoC. These structures or *project teams* aim to facilitate the management and accomplishment of cross-sectoral projects involving several institutions of the sector (e.g., a project for the “Justice Palace” in a specific district); they will be responsible for preparing project plans and budgets and will be comprised of representatives from the relevant institutions.

The implementation structure of the Strategic Plan can be shown as follows:



3.4. Monitoring and evaluation

Monitoring and evaluation are fundamental components in the implementation of a strategy or plan, and aim to measure progress achieved. For that purpose, **key performance indicators** have already been defined for the core activities contained in this Strategic Plan (see Annex). These indicators will allow leaders to monitor the outlined goals, objectives and activities.

It is worth noting, however, that the execution of some of the core activities will produce different types of information and management systems, to monitor the different processes taking place within the sector's institutions (case management, human resources management, financial management, etc.). Using the information generated by these systems, it is possible to develop or revise performance indicators, as well as possibly **result indicators**. Periodical surveys to measure perceptions of access to justice may also become the basis for the development of new result indicators.

Consistent monitoring and evaluation of the Strategic Plan will give life to the Plan, and provide leaders of the justice sector with the overview that will enable them to respond in an appropriate and timely manner to the demands and challenges faced by the justice sector now and in the future.

***ANNEX* – Strategies, Objectives and Core Activities**

(Strategic matrices)

This annex contains the strategies, objectives, indicative timelines, and core activities for each thematic area, as well as the national entities and key partners involved, and the key performance indicators.

THEMATIC AREA 1 - INSTITUTIONAL DEVELOPMENT

Goals:

1. Within 3 years (2012), there will be systematic and effective coordination of the justice sector and its institutions.
2. Within the next 10 to 20 years (2020/2030), the services of the justice sector will gradually be deconcentrated so that people in all districts can access justice.
3. Within 10 to 25 years (2020/2025), the institutional framework of the justice sector will be completed, as provided in the Constitution and laws of Timor-Leste.
4. Within 5 to 10 years (2015/2020), the justice system will be able to open, conduct and complete, in an effective manner and within a reasonable period of time, all types of court cases, especially criminal cases.



Goal 1: Within 3 years (2012), there will be systematic and effective coordination of the justice sector and its institutions.

Strategies	Objectives	Core Activities	Entities / Partners	Performance Indicators																					
1.1. Strengthening the Council of Coordination (CoC) as the body providing strategic guidance of the sector and oversight of the implementation of the Strategic Plan	1.1.1. CoC expanded, and Planning Secretariat (PS) established as support structure for the CoC. <table border="1" data-bbox="394 667 730 802"> <thead> <tr> <th colspan="7">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> </tr> </thead> <tbody> <tr> <td style="background-color: #00FF00;"></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Indicative timeframe							11	12	13	14	15	M	L								1.1.1.1 Expanding the composition of the CoC to new members (Public Defenders, lawyers, police). 1.1.1.2. Approving the creation of the PS, with justice institution representatives, and the necessary resources. 1.1.1.3. Developing and coordinating a work calendar for the sector, showing the following steps: - Systematic planning of the sector; - Supporting the preparation of institutional plans to ensure conformity with the Strategic Plan for the Sector; - Supporting the development of budgets to ensure its correspondence with the plans.	MoJ, CoC / Australia	- PS established - Work calendar established - Regular meetings: conducted - Processes scheduled and conducted
	Indicative timeframe																								
11	12	13	14	15	M	L																			
1.1.2. Access to Justice Dialogue Forum created.	<table border="1" data-bbox="394 1073 730 1208"> <thead> <tr> <th colspan="7">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> </tr> </thead> <tbody> <tr> <td style="background-color: #00FF00;"></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Indicative timeframe							11	12	13	14	15	M	L								1.1.2.1. Approving the establishment of the Access to Justice Dialogue Forum, as a consultative group to the CoC, and promoting two regular meetings per year.	MoJ, CoC, PS / Australia UNDP	- Forum established - Regular meetings conducted
Indicative timeframe																									
11	12	13	14	15	M	L																			

Strategies	Objectives	Core Activities	Entities / Partners	Performance Indicators																					
1.1. (Cont.)	<p>1.1.3. Harmonisation and coordination mechanism created for international support to the justice sector.</p> <table border="1"> <thead> <tr> <th colspan="7">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> </tr> </thead> <tbody> <tr> <td style="background-color: #00FF00;"></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Indicative timeframe							11	12	13	14	15	M	L								<p>1.1.3.1. Establishing, through the CoC, protocols for the coordination of international support.</p> <p>1.1.3.2. Identifying focal points in all relevant institutions and Ministries, and documenting the responsibilities in terms of coordination of international support (function descriptions).</p>	<p>CoC, MoJ, MoF / UNDP/ UNMIT</p>	<ul style="list-style-type: none"> - Protocols: established - Focal points identified - Function descriptions completed
Indicative timeframe																									
11	12	13	14	15	M	L																			
1.2. Improving the coordination and monitoring of the justice sector, ensuring that the sector's institutions have a clear view of how they interact and complement each other	<p>1.2.1. Quality in the supply of services at national and district levels, ensured through systematic monitoring and evaluation.</p> <table border="1"> <thead> <tr> <th colspan="7">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> </tr> </thead> <tbody> <tr> <td style="background-color: #00FF00;"></td> <td style="background-color: #00FF00;"></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Indicative timeframe							11	12	13	14	15	M	L								<p>1.2.1.1. Facilitating a participatory process to discuss the values of the justice system, defining the criteria that must be met to secure these values, and identifying result indicators to evaluate access to justice.</p> <p>1.2.1.2. Integrating Performance Indicators in the information management system of each institution, and developing models that can show sector performance.</p> <p>1.2.1.3. Developing a statistical information system, based on a systematic survey, in cooperation with independent oversight bodies (e.g. PDHJ, IGE).</p> <p>1.2.1.4. Preparing monitoring reports and delivering them to the CoC and the Access to Justice Dialogue Forum.</p>	<p>CoC, MoJ, OPD, Courts, OPG, Forum / UNDP, Australia Civil society</p>	<ul style="list-style-type: none"> - Values and criteria basis defined - Report and statistical info. models prepared. - Survey to evaluate degree of compliance of criteria conducted
Indicative timeframe																									
11	12	13	14	15	M	L																			

Strategies	Objectives	Core Activities	Entities / Partners	Performance Indicators																					
	<p>1.2.2. Systematized and improved communication, and information sharing within the justice system</p> <table border="1" data-bbox="394 516 730 651"> <thead> <tr> <th colspan="7">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> </tr> </thead> <tbody> <tr> <td style="background-color: #00FF00;"></td> <td style="background-color: #00FF00;"></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Indicative timeframe							11	12	13	14	15	M	L								<p>1.2.2.1 Developing a communication strategy for the sector to facilitate communication between the sector’s institutions and the Government, and between the sector’s institutions and the public.</p> <p>1.2.2.2. Developing communication products, such as institutional websites, periodical reports, newsletters, flyers, community campaigns, etc.</p> <p>1.2.2.3. Reviewing the organic structure(s) to identify the units responsible for the implementation of the communication strategy.</p>	<p>CoC, MoJ, OPD, Courts / UNDP</p>	<ul style="list-style-type: none"> - Communication strategy and implementation plan approved in the CoC. - Communication products developed. - Units responsible identified.
Indicative timeframe																									
11	12	13	14	15	M	L																			

GOAL 2: Within 10 to 20 years (2020/2030), services of the justice sector will gradually be deconcentrated so people in all districts can access justice.

Strategies	Objectives	Core Activities	Entities / Partners	Performance Indicators																								
2.1. Defining and mapping the geographical distribution of institutions and functions of the sector, so that people in all districts can access justice (<i>Justice Sector Map</i>).	<p>2.1.1. Balanced institutional geographical distribution defined and mapped (showing building locations, territorial jurisdiction and alternative resources, such as mobile courts).</p> <table border="1"> <thead> <tr> <th colspan="8">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> <th></th> </tr> </thead> <tbody> <tr> <td style="background-color: #00FF00;"></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Indicative timeframe								11	12	13	14	15	M	L										<p>2.1.1.1. Including mapping as a PS responsibility, including the following processes:</p> <ul style="list-style-type: none"> - a process in which each institution defines the location and scope of services rendered in the country, to be consolidated in the sector, to ensure the integration between institutions (e.g., the concept of a <i>Justice Palace</i>); - a process in which each institution develops a plan to define categories and the number of staff required, and their training; - a process in which each institution determines the type and size of infrastructure and equipment required. 	CoC, PS, MoJ (DNTPSC, DNRN, DNDHC) MSATM / UNDP, Australia, US	- Justice Sector Map defined and approved by the CoC
Indicative timeframe																												
11	12	13	14	15	M	L																						
2.2. Defining the priorities in terms of geographical deconcentration of justice services.	<p>2.2.1. Gradual Plan of Implementation for deconcentrated services prepared.</p> <table border="1"> <thead> <tr> <th colspan="8">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> <th></th> </tr> </thead> <tbody> <tr> <td style="background-color: #00FF00;"></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Indicative timeframe								11	12	13	14	15	M	L										<p>2.2.1.1. Preparing an implementation plan for the gradual deconcentration of justice services, aligned with a multi-annual budget and with Government policies on civil service (staff, salaries and other benefits).</p> <p>2.2.1.2. Defining standards for the construction of infrastructure and quality criteria for the services.</p>	CoC, PS / UNDP, Australia, US, AF	<p>- Gradual plan of implementation approved by CoC and presented to CoM.</p> <p>- Standards: defined (See 9.1.1.2)</p>
Indicative timeframe																												
11	12	13	14	15	M	L																						

Strategies	Objectives	Core Activities	Entities / Partners	Performance Indicators																								
2.3. Implementing and deconcentrating registry and notary services, guaranteeing quality and security of extra-judicial legal transactions.	<p>2.3.1. Quick, effective, efficient and accessible Registry and Notary services provided throughout the country.</p> <table border="1"> <thead> <tr> <th colspan="8">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> <th></th> </tr> </thead> <tbody> <tr> <td style="background-color: #00FF00;"></td> <td style="background-color: #00FF00;"></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Indicative timeframe								11	12	13	14	15	M	L										<p>2.3.1.1. Consolidating and/or establishing the different registry processes (civil, business, land, civil and criminal identification, passports) and notary processes, gradually and consistently improving their quality.</p> <p>2.3.1.2. Launching the project for the issuance of the Timorese identity card in all districts.</p> <p>2.3.1.3. Implementing Civil and Land Registry Offices in all districts.</p> <p>2.3.1.4. Preparing a plan to implement the concepts of 'one stop shop', with well-defined service and quality standards.</p>	MoJ, DNRN / Macau, Unicef, IFC	<ul style="list-style-type: none"> - National distribution of registry offices and notaries. - Service standards defined - ID cards issued (% total population).
Indicative timeframe																												
11	12	13	14	15	M	L																						
2.4. Defining the legal status of all plots of land in Timor-Leste and guaranteeing the availability of services throughout the country.	<p>2.4.1. All plots of land in the country registered, land and property services deconcentrated in the 13 districts, and effective management of the State's property ensured.</p> <table border="1"> <thead> <tr> <th colspan="8">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> <th></th> </tr> </thead> <tbody> <tr> <td style="background-color: #00FF00;"></td> </tr> </tbody> </table>	Indicative timeframe								11	12	13	14	15	M	L										<p>2.4.1.1. Expediting the systematic cadastral survey (<i>Ita Nia Rai</i>) by providing additional resources.</p> <p>2.4.1.2. Completing and approving the land laws and complementary legislation.</p> <p>2.4.1.3. Creating and approving the Real Estate Financial Fund (FFI) to ensure implementation of the Land Law.</p> <p>2.4.1.4. Promoting the regulation and assignment of the first property titles.</p> <p>2.4.1.5. Reviewing all leasing contracts of State-owned property.</p> <p>2.4.1.6. Ensuring the renovation and reinforcement of district services for Land and Property in the 13 districts.</p>	MoJ, DNTPSC / US	<ul style="list-style-type: none"> - All plots of land registered - Land Law approved - FFI approved - Titles issued - Geographical distribution of DNTPSC.
Indicative timeframe																												
11	12	13	14	15	M	L																						

GOAL 3: Within 10 to 15 years (2020/2025), the institutional framework of the justice sector will be completed, as provided in the Constitution and laws of Timor-Leste.

Strategies	Objectives	Core Activities	Entities / Partners	Performance Indicators																					
3.1. Establishing the institutions foreseen in the Constitution and the law that have not yet been implemented	3.1.1. Supreme Court of Justice (STJ) established <table border="1"> <thead> <tr> <th colspan="7">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td style="background-color: #00FF00;"></td> <td></td> </tr> </tbody> </table>	Indicative timeframe							11	12	13	14	15	M	L								3.1.1.1. Preparing a plan to implement the STJ, with the number of judges, prosecutors and other staff needed for its operation, appropriate training plan, infrastructure and equipment.	MoJ, Courts Portugal, UNDP	- Implementation plan approved
	Indicative timeframe																								
	11	12	13	14	15	M	L																		
3.1.2. High Administrative Tax and Audit Court (TSAFC) established. <table border="1"> <thead> <tr> <th colspan="7">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> </tr> </thead> <tbody> <tr> <td style="background-color: #00FF00;"></td> </tr> </tbody> </table>	Indicative timeframe							11	12	13	14	15	M	L								3.1.2.1. Preparing the implementation plan for the Chamber of Auditors, to be set up temporarily in the Court of Appeal (Audits section). 3.1.2.2. Defending the need to establish a TSAFC in CoM and Parliament and preparing the respective implementation plan, with the human resources, infrastructure and equipment required. 3.1.2.3. Providing training to judges, prosecutors and other staff working in the Chamber of Auditors and in the future TSAFC.	MoJ, Courts Portugal, UNDP	- Implementation plans approved - Training plan prepared	
Indicative timeframe																									
11	12	13	14	15	M	L																			
3.1.3. Administrative and Tax Courts of First Instance established.	3.1.3.1. Defining an implementation plan that includes training for judges, prosecutors of the OPG, public defenders and other staff working in the...	MoJ, Courts /	- Implementation plan approved																						

Strategies	Objectives	Core Activities	Entities / Partners	Performance Indicators																					
3.1. (Cont.)	3.1.3 (Cont.) <table border="1"> <thead> <tr> <th colspan="7">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Indicative timeframe							11	12	13	14	15	M	L								...Administrative and Tax Courts of First Instance, as well as the infrastructure and equipment required.	Portugal, UNDP	- Training plan prepared.
	Indicative timeframe																								
	11	12	13	14	15	M	L																		
3.1.4. National Commission for Children's Rights (NCCR) implemented and functioning. <table border="1"> <thead> <tr> <th colspan="7">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Indicative timeframe							11	12	13	14	15	M	L								3.1.4.1. Completing the implementation of the NCCR and its secretariat. 3.1.4.2. Reviewing the structure and functions of the NCCR Advisory Board and implementing it. 3.1.4.3. Review the organic structure and the dependency status of the NCCR.	MoJ, DNDHC / UNICEF	- Periodic reports - Advisory Board Meetings - Organic Law of the MoJ amended	
Indicative timeframe																									
11	12	13	14	15	M	L																			
3.1.5. Commission for Special Security Programmes (Witness protection Law) implemented.	3.1.5.1. Implementing the Commission for Special Security Programmes (Article 22 of Law 2/2009, of 6/5) 3.1.5.2. Preparing an implementation plan for the Programmes and Special Security Measures, with required infrastructure and technological resources (e.g. teleconference) as provided in the Witness Protection Law	MoJ, Courts, OPG, SES, PDHJ / UNDP Australia	- Commission implemented - Implementation plan approved.																						

Strategies	Objectives	Core Activities	Entities / Partners	Performance Indicators																					
3.1. (Cont.)	3.1.5. (Cont.) <table border="1"> <thead> <tr> <th colspan="7">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> </tr> </thead> <tbody> <tr> <td style="background-color: #00FF00;"></td> <td style="background-color: #00FF00;"></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Indicative timeframe							11	12	13	14	15	M	L										
Indicative timeframe																									
11	12	13	14	15	M	L																			
3.2. Improving the independence and effectiveness of oversight and disciplinary bodies of the sector's institutions.	3.2.1. Superior Councils of the Judiciary (SCJ), of the Prosecution Service (SCPS) and of the Office of the Public Defender (SCOPD) strengthened and operating effectively. <table border="1"> <thead> <tr> <th colspan="7">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> </tr> </thead> <tbody> <tr> <td style="background-color: #00FF00;"></td> <td style="background-color: #00FF00;"></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Indicative timeframe							11	12	13	14	15	M	L								3.2.1.1. Implementing the SCOPD; appointing its members and establishing the Council. 3.2.1.2. Preparing Procedures, ToRs and calendars for regular meetings, to systematize and facilitate the work of the Superior Councils. 3.2.1.3. Preparing two judges and two prosecutors of the OPG to act as judge-secretary and judge-inspector in the SCJ, PP Inspector and Secretary of the SCPS. 3.2.1.4. Preparing the ToR and filling the vacancies of supporting staff to the Superior Councils. 3.2.1.5. Reinforcing the independence of Superior Councils to execute their mandates, through the revision of their statutes and appointment procedures foreseen in the Constitution of RDTL (<i>as appropriate</i>).	MoJ, OPD, Courts, OPG / UNDP, Australia	<ul style="list-style-type: none"> - Members of the SCOPD appointed - Operational procedures prepared. - Training conducted - <u>ToR</u> of support staff prepared. - Statutes of Superior Councils reviewed.
Indicative timeframe																									
11	12	13	14	15	M	L																			

Strategies	Objectives	Core Activities	Entities / Partners	Performance Indicators																					
3.2. (Cont.)	<p>3.2.2. Audit and Inspection Unit (GIA) of the MoJ implemented.</p> <table border="1"> <thead> <tr> <th colspan="7">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> </tr> </thead> <tbody> <tr> <td style="background-color: #00FF00;"></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Indicative timeframe							11	12	13	14	15	M	L								<p>3.2.2.1. Appointing the Inspector-General, defining the terms of reference and recruiting staff for the GIA.</p> <p>3.2.2.2. Preparing a training plan that takes into account audit techniques, Statute of the Civil Service, Government Financial Management Scheme, Procurement, etc.</p> <p>3.2.2.3. Preparing the Code of Conduct and Standard Operational Procedures (SOP) to facilitate the work of auditors/inspectors.</p>	MoJ / Australia	<ul style="list-style-type: none"> - Inspector-General appointed - Staff recruited - Training plan implemented - Procedures prepared
Indicative timeframe																									
11	12	13	14	15	M	L																			
3.3. Promoting the creation of a recognized and independent entity to represent private lawyers.	<p>3.3.1. Bar Association established, as an independent and self-regulating entity of the practice.</p> <table border="1"> <thead> <tr> <th colspan="7">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> </tr> </thead> <tbody> <tr> <td style="background-color: #00FF00;"></td> <td style="background-color: #00FF00;"></td> <td style="background-color: #00FF00;"></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Indicative timeframe							11	12	13	14	15	M	L								<p>3.3.1.1. Implementing the Management and Disciplinary Council of Lawyers (transition scheme foreseen in the law).</p> <p>3.3.1.2. Supporting the AATL in the implementation of a strategy to enable it to become a Bar Association or similar entity, with self-regulating powers in the practice, namely through the preparation of legislation and regulations required.</p> <p>3.3.1.3. Ensuring that the competent authorities recognize the right to the effective access of private lawyers to information on cases, and that the public is informed of their role.</p>	MoJ / AATL, UNDP, Australia, Portugal, AF, TimorAID	<ul style="list-style-type: none"> - MDCoL operational - Legislation and regulations on the establishment of a Bar Association approved
Indicative timeframe																									
11	12	13	14	15	M	L																			

Strategies	Objectives	Core Activities	Entities / Partners	Performance Indicators																					
3.4. Reviewing the institutional nature and degree of autonomy of the DNTPSC, the DNRN and LTC, to improve institutional capacity and quality of services.	3.4.1. Autonomous body for managing land and State-owned property created. <table border="1" data-bbox="394 464 741 599"> <thead> <tr> <th colspan="7">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> </tr> </thead> <tbody> <tr> <td style="background-color: #00FF00;"></td> <td style="background-color: #00FF00;"></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Indicative timeframe							11	12	13	14	15	M	L								3.4.1.1. Creating an autonomous body with appropriate resources and autonomy to manage effectively the national register, the process of regulating land ownership and the State's real estate.	MoJ, DNTPSC / US	- Autonomous body of TP approved
	Indicative timeframe																								
	11	12	13	14	15	M	L																		
3.4.2. Strengthened management and inspection structures of RN Services. <table border="1" data-bbox="394 829 741 964"> <thead> <tr> <th colspan="7">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> </tr> </thead> <tbody> <tr> <td style="background-color: #00FF00;"></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Indicative timeframe							11	12	13	14	15	M	L								3.4.2.1. Transforming the current National Directorate for Registry and Notary Services (DNRN) into a Directorate-General with strengthened management structures, to further the deconcentration of services. 3.4.2.2. Establishing the Inspection of Registry and Notary Services as a separate and independent entity from the DNRN.	MoJ, DNRN, / Macau, Unicef, IFC	- Directorate-General RN approved - Inspection of the RN established	
Indicative timeframe																									
11	12	13	14	15	M	L																			
3.4.3. LTC established as a body focused on legal training in Timor-Leste. <table border="1" data-bbox="394 1154 741 1289"> <thead> <tr> <th colspan="7">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> </tr> </thead> <tbody> <tr> <td style="background-color: #00FF00;"></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Indicative timeframe							11	12	13	14	15	M	L								3.4.3.1. Drafting a Strategic Plan to consolidate the LTC as the entity responsible for training judicial actors and legal training in T-L, with administrative and financial autonomy. 3.4.3.2. Increasing the national budget and the support from the donors to the LTC, in order to implement the Qualification Programme of the Justice Sector.	MoJ, LTC / UNDP, Macau	- Strategic Plan for the LTC drafted - See Goals 7 and 8, Objectives 7.1.1. and subs. , and 8.1.1. and subs.items.	
Indicative timeframe																									
11	12	13	14	15	M	L																			

GOAL 4: Within 5 to 10 years (2015/2020), the justice system will be able to open, conduct and complete, in an effective manner and within a reasonable period of time, all types of court cases, especially criminal cases.

Strategies	Objectives	Core Activities	Entities / Partners	Performance Indicators																								
4.1. Improving the capacity of the judicial institutions, particularly of the PP and the criminal investigation police, to open and conduct investigations, prosecute and conduct criminal case trials, in an effective, fair and timely manner.	4.1.1. Specialized Police in Criminal Investigation and Forensic Capacity established. <table border="1" data-bbox="394 641 741 776"> <thead> <tr> <th colspan="8">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> <th></th> </tr> </thead> <tbody> <tr> <td style="background-color: #00FF00;"></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Indicative timeframe								11	12	13	14	15	M	L										4.1.1.1. Creating a specialized Criminal Investigation Police unit, based on a model for CoM discussion and approval, and drafting the respective implementation plans to cater for: the preparation of laws needed; increasing the number and competencies of police; and meeting infrastructure and operational resource needs. 4.1.1.2. Creating the Forensic Services of T-L: Forensic Laboratories (incl. toxicology, genetics, ballistics, document examination and mobile laboratories). 4.1.1.3. Organizing continuing training of appropriate quality for judges, prosecutors, criminal investigation police and forensic experts in judicial, forensic medicine and sciences and criminal investigation areas.	MoJ, OPG, SES, MoH / EU, Portugal, UNDP, Australia/T LPDP	<ul style="list-style-type: none"> - Implementation plan prepared - Forensic Services established. - Mobile Laboratories operational. - Training plan implemented.
	Indicative timeframe																											
11	12	13	14	15	M	L																						
4.1.2 Strengthened capacity of the PP to prepare and handle cases.	<table border="1" data-bbox="394 1144 741 1279"> <thead> <tr> <th colspan="8">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> <th></th> </tr> </thead> <tbody> <tr> <td style="background-color: #00FF00;"></td> <td style="background-color: #00FF00;"></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Indicative timeframe								11	12	13	14	15	M	L										4.1.2.1 Designing and implementing a strategy of prosecution for the PP. 4.1.2.2. Supporting the development of a criminal investigation case management system for the OPG that links it to the police. 4.1.2.3. Providing specialized training and investigation tools, especially regarding crimes committed in the exercise of public functions.	OPG, PNTL / UNDP, Australia	<ul style="list-style-type: none"> - Prosecution Strategy for the PP designed and implemented. - Case management system implemented
Indicative timeframe																												
11	12	13	14	15	M	L																						

Strategies	Objectives	Core Activities	Entities / Partners	Performance Indicators																					
4.1. (Cont.)	4.1.2. (Cont.)	<p>4.1.2.4. Developing and implementing measures to reduce prosecution backlog, such as:</p> <ul style="list-style-type: none"> - finalizing pending investigations following the report of the UN Special Inquiry Committee (serious crimes); - establishing an inter-institutional team to develop a plan for expediting pending criminal cases. <p>4.1.2.5. Ensuring the quality of PP services by systematic monitoring and evaluation and strengthening supervision of other criminal investigation bodies.</p>		<ul style="list-style-type: none"> - Specialized training conducted. - Measures to reduce pending cases implemented and monitored. 																					
4.2. Developing clear procedures and defining responsibilities among institutions involved in handling criminal cases at all stages.	<p>4.2.1. Strengthened working relation between the PP and the police, especially at district level.</p> <table border="1"> <thead> <tr> <th colspan="7">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> </tr> </thead> <tbody> <tr> <td style="background-color: #00FF00;"></td> <td style="background-color: #00FF00;"></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Indicative timeframe							11	12	13	14	15	M	L								<p>4.2.1.1. Supplying technical support and collaborating with the PNTL Criminal Investigation Unit, to develop tools (procedures, models for performing tasks, manuals using simple language, etc.) to help the police perform its duties more effectively.</p> <p>4.2.1.2. Involving the Police force Commands in the debates on policies and strategies for the justice sector.</p>	OPG, PNTL / UNDP, Portugal, Australia / TLPDP	<ul style="list-style-type: none"> - Manual procedures implemented - Police Force Command involved.
Indicative timeframe																									
11	12	13	14	15	M	L																			
4.3. Improving effectiveness of management systems and procedures esp. in Courts, OPG and OPD.	4.3.1. Standard Operational Procedures (SOPs) for routine tasks of administration and management, developed, documented and implemented	<p>4.3.1.1. Reviewing and documenting the management systems and procedures, including planning and budgeting, procurement and financial management, and human resources management and development.</p> <p>4.3.1.2. Developing and conducting a training programme on the implementation of SOPs.</p>	MoJ, OPD, OPG, Courts / Australia	<ul style="list-style-type: none"> - Management routines reviewed and documented (SOP). 																					

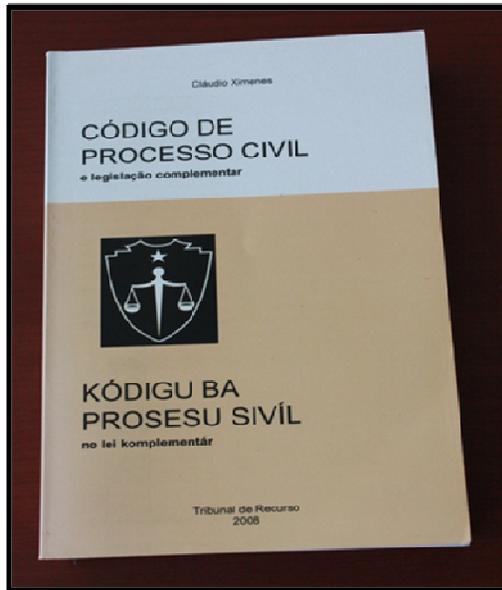
Strategies	Objectives	Core Activities	Entities / Partners	Performance Indicators																					
4.3. (Cont.)	4.3.1. (Cont) <table border="1" style="margin-top: 10px;"> <thead> <tr> <th colspan="7">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> </tr> </thead> <tbody> <tr> <td style="background-color: #00FF00;"></td> <td style="background-color: #00FF00;"></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Indicative timeframe							11	12	13	14	15	M	L								4.3.1.3. Publishing procedures and policies in Tetum and Portuguese.		- Administrative procedures manual for each institution approved.
Indicative timeframe																									
11	12	13	14	15	M	L																			
4.4. Enhancing capacity of the prison service to ensure security of prison facilities, compliance with standards of detention, and reintegration of offenders into society.	4.4.1. Prison Service improved. <table border="1" style="margin-top: 10px;"> <thead> <tr> <th colspan="7">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> </tr> </thead> <tbody> <tr> <td style="background-color: #00FF00;"></td> <td style="background-color: #00FF00;"></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Indicative timeframe							11	12	13	14	15	M	L								4.4.1.1. Developing and implementing an institutional plan to improve Prison Service. 4.4.1.2. Empowering and equipping prison officers to perform their duties (including manual on Standard Operational Procedures). 4.4.1.3. Guarantee the continuous improvement of security infrastructure and equipment in all prisons. 4.4.1.4. Guarantee that inmates have access to health services, hygienic conditions, recreation and legal support.	MoJ, DNSPRS / UNDP, Portugal	- Institutional plan prepared and implemented. - Manual on standards for the treatment of prisoners prepared
	Indicative timeframe																								
11	12	13	14	15	M	L																			
4.4.2. Execution of Sentences System established <table border="1" style="margin-top: 10px;"> <thead> <tr> <th colspan="7">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> </tr> </thead> <tbody> <tr> <td style="background-color: #00FF00;"></td> <td style="background-color: #00FF00;"></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Indicative timeframe							11	12	13	14	15	M	L								4.4.2.1. Researching execution of judgement systems in force in other countries and making recommendations to implement a system which is workable in Timor-Leste. 4.4.2.2. Ensuring the effective management of sentences and a proper coordination with the relevant entities (Courts and Office of the President of the Republic in the case of pardons).	MoJ, DNSPRS / UNDP	- Proposal for the Execution Judgement System approved by the CoC and being implemented.	
Indicative timeframe																									
11	12	13	14	15	M	L																			

Strategies	Objectives	Core Activities	Entities / Partners	Performance Indicators																					
4.4. (Cont.)	<p>4.4.3. Social Reintegration Services improved.</p> <table border="1" data-bbox="394 431 739 568"> <thead> <tr> <th colspan="7">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> </tr> </thead> <tbody> <tr> <td style="background-color: #00FF00;"></td> </tr> </tbody> </table>	Indicative timeframe							11	12	13	14	15	M	L								<p>4.4.3.1. Developing, approving, funding and implementing a strategic plan for social reintegration services.</p> <p>4.4.3.2. Ensuring education and training opportunities for all inmates.</p> <p>4.4.3.3. Implementing social reintegration initiatives/measures for inmates in all prisons.</p> <p>4.4.3.4. Ensuring quality of Social Reintegration Services, by using internal control mechanisms and independent external monitoring and evaluation.</p>	<p>MoJ, DNSPRS / UNDP, civil society.</p>	<ul style="list-style-type: none"> - Strategic plan prepared and approved. - Standard measures defined and documented - Monitoring mechanism implemented
Indicative timeframe																									
11	12	13	14	15	M	L																			

THEMATIC AREA 2 – LEGAL REFORM AND FRAMEWORK

Goals:

5. Within the next 5-7 years (2015/2017), the Ministry of Justice will be able to maintain and update a harmonized legal framework, of high quality, in the areas of justice and law.



GOAL 5: Within the next 5-7 years (2015/2017), the Ministry of Justice will be able to maintain and update a harmonized legal framework, of high quality, in the areas of justice and law.

Strategies	Objectives	Core Activities	Entities / Partners	Performance Indicators																					
<p>5.1. Completing the legal framework of the justice sector.</p>	<p>5.1.1. Drafting and revision of laws completed, to enable the implementation of the justice system so that it adequately reflects the Timorese context and enables the effective exercise of rights.</p> <table border="1" data-bbox="394 846 739 979"> <thead> <tr> <th colspan="7">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> </tr> </thead> <tbody> <tr> <td style="background-color: #00FF00;"></td> </tr> </tbody> </table>	Indicative timeframe							11	12	13	14	15	M	L								<p>5.1.1.1. Reviewing, drafting, amending and approving the following laws and statutes (indicative list):</p> <ul style="list-style-type: none"> Civil Code; Law on Judicial Organization/Organic Statute of Judicial Courts; Law on Legal Aid; Organic Statute of the PP (amendment); Diploma establishing the Technical and Administrative Services of the OPG; Statute of Clerks for the OPG Organic Statute of the Secretariats of the PP Organic Statute of the OPD (amendment); Statute of Clerks for the OPD Organic Statute of the Secretariats of the OPD Organic Statute of the MoJ (amendment); Statute of Prison Guards; Law on the execution of sentences and on freedom-depriving measures; Legal Regime of Misdemeanors; Amendment to the Code on Judicial Costs; 	<p>MoJ, DNAJL / Portugal, UNDP, UNICEF, US, GTZ</p>	<p>- Legislative programme of the MoJ conducted in collaboration with stakeholders</p>
Indicative timeframe																									
11	12	13	14	15	M	L																			

Strategies	Objectives	Core Activities	Entities / Partners	Performance Indicators
5.1. (Cont.)	5.1.1. (Cont.)	<p>Law on Domestic Violence; Amendments to the Civil and Criminal Procedural Codes (adapting the competencies of single and collective courts on serious crimes and civil and criminal cases of greater complexity); Law on Juvenile Justice; Code of Children’s Rights; Land Law (special regime recognizing titles) and complementary legislation; Law on Expropriation; Law creating the Real Estate Financial Fund; Government Public and Private Domain Regime; Law on the Use of the Land; Diploma creating the Public Institute of State Real Estate Management; Civil Registration Code; Land and Property Registration Code; Vehicle Registration Code; Table of Fees for Registry and Notary Services; Statute of Notaries and Registrars; Amendment to the Organic Statute of the DNRN; Law on Mediation and Arbitration; Law on Traditional / Customary Justice; Extradition Law;</p>		

Strategies	Objectives	Core Activities	Entities / Partners	Performance Indicators
5.1. (Cont.)	5.1.1. (Cont.)	<p>Code of Administrative Procedure;</p> <p>Laws on prevention and combating money laundering and illegal transactions;</p> <p>Laws on the fight against terrorism;</p> <p>Law on Human trafficking and other transnational crimes;</p> <p>Amnesty Law and law on pardons (under the scope of Constitutional standards 85, i, 95, 3, g and 160);</p> <p>Law on Personal Data Protection</p> <p>Law creating a Judicial Police Unit;</p> <p>Law creating the Forensics Institute of Timor-Leste</p> <p>Revision of the Constitution of RDTL in respect to the composition and nominations for Superior Councils and to the detachment of the OPD from the private lawyers</p>		
5.2. Developing a national methodology to review and draft laws	5.2.1. DNAJL operating as a privileged authority to advise and reform legislation in the scope of Justice and the Law, according to a national methodology.	5.2.1.1. Developing a proposal for a national methodology for the revision and reform of legislation, including comparative legal analysis, to ensure the following: harmonization of the legal system; constitutionality and conformity of laws with human rights standards; stakeholders consultation and hearing.	MoJ, DNAJL / Portugal, UNDP	<ul style="list-style-type: none"> - National methodologies for the revision and drafting of laws prepared. - Check lists on implementation of laws created

Strategies	Objectives	Core Activities	Entities / Partners	Performance Indicators																					
5.2. (Cont.)	5.2.1. (Cont.) <table border="1" data-bbox="394 337 739 474"> <thead> <tr> <th colspan="7">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> </tr> </thead> <tbody> <tr> <td style="background-color: #00FF00;"></td> <td style="background-color: #00FF00;"></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Indicative timeframe							11	12	13	14	15	M	L								5.2.1.2. Designing a proposal for a methodology for law drafting, following criteria such as clarity and readily understandable (plain) language. 5.2.1.3. Developing plans to implement new laws. 5.2.1.4. Implementing MoJ Translation and Interpreting Unit. 5.2.1.5. Designing and implementing a method for systematic translation of laws from Portuguese to Tetum. 5.2.1.6. Creating and training a body of Timorese jurists skilled in Law Drafting. 5.2.1.7. Developing legal Tetum and ensuring training for all relevant staff in the justice sector.		<ul style="list-style-type: none"> - Translation unit implemented - Translation of laws ensured - Training programme conducted
Indicative timeframe																									
11	12	13	14	15	M	L																			

THEMATIC AREA 3 – HUMAN RESOURCE DEVELOPMENT

Goals:

6. Within 5 years (2015), the justice sector is capable of identifying and filling all positions with motivated and qualified national staff.
7. By 2030, all justice sector personnel are provided with the necessary competencies, skills and knowledge, including on applicable ethical standards to adequately perform their functions.
8. Within 5-7 years (2015/2017), the LTC, in partnership with the Law Faculties of Universities and other Legal Study Centres, will become a legal centre of excellence, able to supply all professionals in the legal area who are needed by the justice system.



GOAL 6: Within 5 years (2015), the justice sector is capable of identifying and filling all positions with motivated and qualified national staff.

Strategies	Objectives	Core Activities	Entities / Partners	Performance Indicators																					
6.1. Developing the policies needed to attract more qualified and motivated professionals, and to improve the performance of functions.	<p>6.1.1. Human resource policies for the justice sector developed and implemented, based on equal opportunities and merit.</p> <table border="1"> <thead> <tr> <th colspan="7">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> </tr> </thead> <tbody> <tr> <td style="background-color: #00FF00;"></td> </tr> </tbody> </table>	Indicative timeframe							11	12	13	14	15	M	L								<p>6.1.1.1. Establishing human resource (HR) units in each justice sector institution;</p> <p>6.1.1.2. Gathering all HR* policies in force and developing HR manuals to complement key policies, including performance standards.</p> <p>6.1.1.3. Establishing the Personnel Information and Management System (PIMS) in all institutions of the justice sector, gradually increasing their use and providing staff training.</p> <p><i>* recruitment, career, salaries and incentives, gender equity, dismissals, retirement, general staff management, HR development and training, performance evaluation, disciplinary measures.</i></p>	CoC, MoJ (DG, DNAF and other National Directorates, Courts, OPD, OPG/CSC, MSATM, MoF, Australia	<ul style="list-style-type: none"> - HR policy developed for the justice sector and approved by the CoC - HR policy developed for each institution - HR units established. - PMIS operational
Indicative timeframe																									
11	12	13	14	15	M	L																			
6.2. Designing a career, remuneration and incentive system covering all categories of justice personnel to attract and retain qualified staff.	6.2.1. A career, remuneration and incentive system developed for the justice sector in collaboration with the CSC and the MoF.	<p>6.2.1.1. Establishing a working group to analyse and present proposals for career schemes, remunerations and incentives for the justice sector, to facilitate the retention of qualified staff, especially women, and promote mobility between central and district services.</p> <p>6.2.1.2. Engaging in a process of consultation with all stakeholders and the relevant Ministries, and presenting conclusions.</p>	Idem	<ul style="list-style-type: none"> - Justice sector career and remuneration system covering all categories of personnel developed and implemented 																					

Strategies	Objectives	Core Activities	Entities / Partners	Performance Indicators																								
6.2. (Cont.)	6.2.1. (Cont.) <table border="1"> <thead> <tr> <th colspan="8">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> <th></th> </tr> </thead> <tbody> <tr> <td style="background-color: #00FF00;"></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Indicative timeframe								11	12	13	14	15	M	L										6.2.1.3. Amending the Statute of Clerks and administrative support staff to clarify the respective functions.		
Indicative timeframe																												
11	12	13	14	15	M	L																						
6.3. Increasing the number of judicial professionals and identifying the right people for the right positions.	6.3.1. Current and future staff lists reviewed and filled. <table border="1"> <thead> <tr> <th colspan="8">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> <th></th> </tr> </thead> <tbody> <tr> <td style="background-color: #00FF00;"></td> <td style="background-color: #00FF00;"></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Indicative timeframe								11	12	13	14	15	M	L										6.3.1.1. Based on the justice sector mapping, defining the number of judges, prosecutors of the OPG, public defenders, justice officials and other staff needed in each institution/department/district. 6.3.1.2. Identifying each position needed and preparing the respective job description, including skills, competencies and qualifications needed for the position. 6.3.1.3. Reviewing/approving the respective staff lists.	Idem	- Staff lists approved
	Indicative timeframe																											
11	12	13	14	15	M	L																						
6.3.2. Multi-annual rolling recruitment and staff allocation plan developed. <table border="1"> <thead> <tr> <th colspan="8">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> <th></th> </tr> </thead> <tbody> <tr> <td style="background-color: #00FF00;"></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Indicative timeframe								11	12	13	14	15	M	L										6.3.2.1. Developing organizational charts and job descriptions, and establishing connections between them and all categories of personnel. 6.3.2.2. Mapping current personnel and identifying gaps (vacancies). 6.3.2.3. Developing a multi-annual rolling recruitment and staff allocation plan.	Idem	- Multi-annual rolling recruitment and staff allocation plan developed and being implemented.	
Indicative timeframe																												
11	12	13	14	15	M	L																						

Strategies	Objectives	Core Activities	Entities / Partners	Performance Indicators																					
6.3. (Cont.)	<p>6.3.3. HR development and training plan for justice sector institutions prepared.</p> <table border="1" data-bbox="394 464 741 599"> <thead> <tr> <th colspan="7">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Indicative timeframe							11	12	13	14	15	M	L								<p>6.3.3.1. Identifying vacant positions in the staff lists, analysing the history of each individual in terms of training and skills, and identifying the number of people who should receive training.</p> <p>6.3.3.2. Developing training programmes that fit the competencies requirements needed for the job positions and also for career pathing, particularly training modules on management and leadership skills.</p> <p>6.3.3.3. Preparing a rolling, annual human resources development and training plan that includes on the job training, and monitoring and evaluation linked to performance evaluation.</p>	Idem	<ul style="list-style-type: none"> - HR development and training plan developed. - HR performance evaluation system implemented.
Indicative timeframe																									
11	12	13	14	15	M	L																			

GOAL 7: By 2030, all justice sector personnel are provided with the necessary competencies, skills and knowledge, including on applicable ethical standards to adequately perform their functions.

Strategies	Objectives	Core Activities	Entities / Partners	Performance Indicators																					
7.1. Developing a Qualification Programme to empower justice sector staff through the acquisition of knowledge and development of skills required by the institutions to perform their mandates.	<p>7.1.1. Qualification Programme for the justice sector prepared, supported by the consolidation of the LTC and strategic partnerships.</p> <table border="1"> <thead> <tr> <th colspan="7">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> </tr> </thead> <tbody> <tr> <td style="background-color: #00FF00;"></td> </tr> </tbody> </table>	Indicative timeframe							11	12	13	14	15	M	L								<p>7.1.1.1. Preparing a Qualification Programme for the justice sector to enable the development of strategic partnerships between the LTC and the UNTL and other Study Centres (e.g. INAP, centres abroad), able to respond to qualification needs of the sector staff.</p> <p>7.1.1.2. Organizing training of trainers and increasing the number of trainers in the LTC, according to needs.</p> <p>7.1.1.3. Increasing financial support to LTC students and developing solutions to avoid students withdrawing during the courses, particularly women.</p> <p>7.1.1.4. Offering LTC students the personal choice of the career direction that they wish to follow in the justice sector (Statute of the LTC to be reviewed).</p>	MoJ, LTC / UNDP, Portugal	<ul style="list-style-type: none"> - Qualification Plan prepared - (See GOAL 3, objective 3.4.3.)
	Indicative timeframe																								
11	12	13	14	15	M	L																			
7.1.2. LTC training programme and work plan prepared.	<p>7.1.2.1. Designing a Training Programme that offers training modules and curricula for all the staff in the justice sector, adapted to their respective functions and based on the needs of the institutions.</p> <p>7.1.2.2. Continuing the training programme for the access to careers as judges, prosecutors, public defenders, lawyers and justice officials/clerks, in conformity with the legislation in force and the needs of new professionals for the sector.</p>	MoJ, LTC, DNRN, Courts, OPG, OPD /	<ul style="list-style-type: none"> - Training and working programme for the LTC developed and implemented (progress indicators) 																						

Strategies	Objectives	Core Activities	Entities / Partners	Performance Indicators																					
7.1. (Cont.)	7.1.2. (Cont.) <table border="1" data-bbox="394 386 739 522"> <thead> <tr> <th colspan="7">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> </tr> </thead> <tbody> <tr> <td style="background-color: #00FF00;"></td> </tr> </tbody> </table>	Indicative timeframe							11	12	13	14	15	M	L								7.1.2.3. Including training on planning, management and leadership, and ethical issues in the judicial training curriculum for judicial professionals. 7.1.2.4. Promoting adequate training for the clerks (<i>first integrated training course</i>). 7.1.2.5. Proceeding with the development of ongoing training sessions for currently serving judges, prosecutors, defenders, lawyers and clerks, according to needs (e.g. civil lit., administrative procedure, etc.). 7.1.2.6. Starting the first training course for Private Lawyers. 7.1.2.7. Developing the Training Course for Notaries and Registrars 7.1.2.8. Developing training courses for prison officers on the Penal Code, the Criminal Procedural Code, Case Management and Enforcement of Sentences. 7.1.2.9. Training national legal advisors on legal drafting, Portuguese, legal Tetum and administrative law. 7.1.2.10. Development of other training courses according to needs (e.g. translators and interpreters).	UNDP, Portugal, Australia, AATL.	
Indicative timeframe																									
11	12	13	14	15	M	L																			

Strategies	Objectives	Core Activities	Entities / Partners	Performance Indicators																					
7.1. (Cont.)	<p>7.1.3. Plan for “Timorization” of the justice system developed</p> <table border="1"> <thead> <tr> <th colspan="7">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Indicative timeframe							11	12	13	14	15	M	L								<p>7.1.3.1. Developing a strategy to ensure effective skills transfer from international advisors to Timorese professionals, through an ‘on the job guidance/monitoring programme’ in all institutions.</p> <p>7.1.3.2. Incorporating functions of guidance /monitoring in the job descriptions of international advisors and ensuring their monitoring.</p> <p>7.1.3.3. Defining indicative timelines so that international advisors can gradually be replaced in their functions by their Timorese counterparts.</p>	<p>MoJ, LTC, OPD, OPG, Courts / All donors</p>	<p>- Plan of “Timorization” aligned with donors, developed, monitored and implemented</p>
Indicative timeframe																									
11	12	13	14	15	M	L																			
7.2. Ensuring the quality of training for justice sector staff through systematic evaluation and monitoring of the courses and performance of trainees, and the continuous development of curricula to meet the demands of LTC users	<p>7.2.1. Ensure quality training for Timorese professionals.</p> <table border="1"> <thead> <tr> <th colspan="7">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Indicative timeframe							11	12	13	14	15	M	L								<p>7.2.1.1. Ensuring quality of training through M&E, incl. of performance upon return to the workplace</p> <p>7.2.1.2. Developing and maintaining updated standard levels of skills.</p> <p>7.2.1.3. Incorporating the skills evaluation in the performance evaluations (PMIS).</p>	<p>MoJ, DG, LTC, OPD, OPG, Courts / UNDP</p>	<p>Standards for the evaluation of courses/skills prepared and implemented</p>
	Indicative timeframe																								
11	12	13	14	15	M	L																			
	<p>7.2.2. Training needs evaluated annually and curricula developed</p> <table border="1"> <thead> <tr> <th colspan="7">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Indicative timeframe							11	12	13	14	15	M	L								<p>7.2.2.1. Systematically developing and improving the course curricula based on feedback of trainees and the institutions in which they work.</p> <p>7.2.2.2. Annually evaluating training needs as an integrated part of performance evaluation processes, and according to the skills required for the positions, as a contribution to the LTC training programme.</p>	<p>Idem</p>	<p>- Annual evaluation report on the training needs prepared.</p>
Indicative timeframe																									
11	12	13	14	15	M	L																			

Strategies	Objectives	Core Activities	Entities / Partners	Performance Indicators																					
<p>7.3. Promoting a culture of civil service, through the implementation of principles of good governance, transparency, ethical conduct and the fight against illegal practices and corruption.</p>	<p>7.3.1. Procedures and Codes of Ethics/Conduct developed, implemented and monitored in all sector institutions.</p> <table border="1" data-bbox="396 583 741 717"> <thead> <tr> <th colspan="7">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> </tr> </thead> <tbody> <tr> <td style="background-color: #00FF00;"></td> </tr> </tbody> </table>	Indicative timeframe							11	12	13	14	15	M	L								<p>7.3.1.1. Developing and implementing Standard Operational Procedures (SOP) for all functions within each institution, to ensure transparent management and the predictability of processes.</p> <p>7.3.1.2. Reviewing Codes of Ethics/Conduct applicable to all categories of staff within each institution, providing training and implementing the codes.</p> <p>7.3.1.3. Implementing monitoring mechanisms, namely periodic reports based on regular internal and external audits.</p> <p>7.3.1.4. Ensuring the establishment of investigation and/or disciplinary procedures, through the respective supervisory, inspection and control bodies, whenever illegal practices or corruption practices are found to exist.</p>	<p>MoJ, OPD, OPG, Courts, Superior Councils, GIA. / CSC, IGE, PDHJ, ACC, UNDP, Australia, Civil Society.</p>	<p>- Standard Operational Procedures and Codes of Conduct established for all categories of staff in each institution.</p> <p>- See Objectives 3.1.2. 3.2.1. and 3.2.2.</p>
	Indicative timeframe																								
11	12	13	14	15	M	L																			
<p>7.3.2. Public accountability of institutions reinforced.</p> <table border="1" data-bbox="396 1052 741 1187"> <thead> <tr> <th colspan="7">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> </tr> </thead> <tbody> <tr> <td style="background-color: #00FF00;"></td> <td></td> <td></td> </tr> </tbody> </table>	Indicative timeframe							11	12	13	14	15	M	L								<p>7.3.2.1. Ensuring the delivery of information to the public, in an accessible language, on the proper conduct, duties and functions of the staff working in the sector.</p>	<p>Idem.</p>	<p>- Public information available.</p>	
Indicative timeframe																									
11	12	13	14	15	M	L																			

GOAL 8. Within 5-7 years (2015/2017), the LTC, in partnership with the Law Faculties of Universities and other Legal Study Centres, will become a legal centre of excellence, able to supply all professionals in the legal area who are needed by the justice system.

Strategies	Objectives	Core Activities	Entities / Partners	Performance Indicators																					
8.1. Establishing a legal education and training system able to effectively produce the current and future HR needed for the sector, in a sustainable and gender-balanced manner.	<p>8.1.1. Have skilled Timorese in the legal area that are able to develop legal doctrine and thought.</p> <table border="1"> <thead> <tr> <th colspan="7">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> </tr> </thead> <tbody> <tr> <td style="background-color: #00FF00;"></td> <td></td> <td></td> </tr> </tbody> </table>	Indicative timeframe							11	12	13	14	15	M	L								<p>8.1.1.1 Complementing the Qualification Programme for the justice sector with the development of an annual Programme of short Professional Seminars and Workshops, on specific legal issues, and publicizing the respective calendar of such events.</p> <p>8.1.1.2. Including in the job descriptions of senior professionals participation in seminars (as speakers or observers), and monitoring and evaluating the participation.</p> <p>8.1.1.3. Promoting traineeships and further training abroad for judges, prosecutors, defenders and other judicial staff, esp. in Portuguese-speaking countries.</p> <p>8.1.1.4. Developing training programmes and other initiatives to enable the representation of women in the legal community.</p>	MoJ (LTC) / Universities, INL, UNDP, Australia, AATL	<ul style="list-style-type: none"> - Ref. Objectives 7.1.1. and 7.1.2. - Calendar of professional seminars prepared - Additional training abroad ensured.
Indicative timeframe																									
11	12	13	14	15	M	L																			
8.2. Better use of Law graduates trained abroad who find it difficult to work in the Timorese legal system.	8.2.1. Transition training for graduates from foreign law schools ensured.	<p>8.2.1.1. Confirming the skills needed for the legal practice in T-L, identifying the weaknesses between training received in other countries and the formal qualifications required in Timor-Leste (accreditation).</p> <p>8.2.1.2. Developing training packages to address weaknesses (namely Portuguese language and legal concepts of the civil system).</p>	MoJ (LTC) / MoE, Universities, AATL, UNDP	<ul style="list-style-type: none"> - Skill requirements defined - Training required to access legal professions defined. 																					

Strategies	Objectives	Core Activities	Entities / Partners	Performance Indicators																					
8.2. (Cont.)	8.2.1. (Cont.) <table border="1"> <thead> <tr> <th colspan="7">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Indicative timeframe							11	12	13	14	15	M	L								8.2.1.3. Developing educational schemes between the Universities of Law and the formal justice sector, including scholarships for university students to join the justice sector upon graduation.		
Indicative timeframe																									
11	12	13	14	15	M	L																			
8.3. Fixing the criteria for the accreditation of institutions that offer Law courses in Timor-Leste	8.3.1. Criteria for the accreditation of Faculties of Law in Timor-Leste defined. <table border="1"> <thead> <tr> <th colspan="7">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Indicative timeframe							11	12	13	14	15	M	L								8.3.1.1. Promoting, in collaboration with the Ministry of Education, the universities and other key partners, a process for the definition of standards of accreditation of courses/Law Universities in Timor-Leste.	MoJ, LTC / MoE, Universities, INAP	- Accreditation criteria defined.
Indicative timeframe																									
11	12	13	14	15	M	L																			
8.4. Supporting the development of legal professions, through the promotion of research and teaching of Law, the publication of doctrines, legal opinions and ...	8.4.1. Promotion of Legal Studies and Research activities in Timor-Leste. <table border="1"> <thead> <tr> <th colspan="7">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Indicative timeframe							11	12	13	14	15	M	L								8.4.1.1. Developing the Library and a Centre for Legal Studies and Research, at the LTC, with an adequate budget. 8.4.1.2. Developing a programme for research activities and student exchange with Universities and other Research and Education (R&E) institutions, both national and international. 8.4.1.3. Promoting the publication of journals and legal documents, doctrine and jurisprudence produced in TL abroad	MoJ, LTC, OPD, OPG, Courts, / Universities, AATL, civil society, Portugal UNDP, JF	- Re: MoJ reviews the Law education system and existing legal training;
Indicative timeframe																									
11	12	13	14	15	M	L																			

Strategies	Objectives	Core Activities	Entities / Partners	Performance Indicators
8.4. (Cont.) ...programmes for the exchange of graduate students.	8.4.1. (Cont.)	<p>8.4.1.4. Sensitizing the MoE to the need of including research and publication requirements in the job descriptions of researchers and faculty members.</p> <p>8.4.1.5. Including in the HR institutional policies the possibility for legal professionals to participate in post-graduate courses and research programmes.</p> <p>8.4.1.6. Organizing the post-graduate course in Forensic Medicine and Forensic Sciences in collaboration with the UNTL.</p>		

THEMATIC AREA 4 - INFRASTRUCTURE AND INFORMATION TECHNOLOGY

Goals:

9. In the next 10 to 20 years (2020/2030), the institutions of the justice sector will be gradually equipped with the adequate physical infrastructure, equipment and logistical and technological resources, at central and district levels.
10. Within 5 years (2015), the institutions of the justice sector will have acquired the basic information and communication technology systems (ICT) needed for their operation; by 2020, all information systems will be entirely computerized.



GOAL 9: Within the next 10 to 20 years (2020/2030), the institutions of the justice sector will be gradually equipped with the adequate physical infrastructure, equipment and logistical and technological resources, at central and district levels.

Strategies	Objectives	Core Activities	Entities / Partners	Performance Indicators																								
<p>9.1. Ensuring that the services and institutions of the justice sector have the infrastructure, equipment and logistic and technological resources to provide their services at central and district levels.</p>	<p>9.1.1. Infrastructure and equipment planning coordinated and implemented for the Justice sector, according to the new judicial districts and services to be defined.</p> <table border="1" data-bbox="394 776 739 911"> <thead> <tr> <th colspan="8">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> <th></th> </tr> </thead> <tbody> <tr> <td style="background-color: #00FF00;"></td> </tr> </tbody> </table>	Indicative timeframe								11	12	13	14	15	M	L										<p>9.1.1.1. Defining the multi-annual investment plan for infrastructure, equipment, logistical, transport and technological resources, based on Justice Sector Map.</p> <p>9.1.1.2. Defining infrastructure construction standards (security, clean water, electricity, communications, etc.), for e.g. <i>Justice Palaces</i>, which shall include: meeting rooms, offices for judges and officials, rooms for witnesses, victims, lawyers and defenders, prosecutors, evidence archives, cells for detainees, etc.</p> <p>9.1.1.3. Developing operation and maintenance plans for equipment and vehicles, and ensuring a better coordination and use of transport means.</p> <p>9.1.1.4. Annual execution of the investment, operation and maintenance plans.</p>	<p>MoJ, DNAF/IT, OPD, OPG, Courts / MoI/SEOP, UNDP, Australia</p>	<p>- Investment plan: approved by the CoC and implemented</p> <p>- Annual investment plans of institutions approved and in compliance with the investment plan for the sector.</p>
Indicative timeframe																												
11	12	13	14	15	M	L																						

Strategies	Objectives	Core Activities	Entities / Partners	Performance Indicators																					
9.1. (Cont.)	<p>9.1.2. Completed infrastructure of the current four judicial Districts (Dili, Baucau, Suai and Oecusse)</p> <table border="1" data-bbox="394 500 741 634"> <thead> <tr> <th colspan="7">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> </tr> </thead> <tbody> <tr> <td style="background-color: #00FF00;"></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Indicative timeframe							11	12	13	14	15	M	L								<p>9.1.2.1. Completing the construction and/or rehabilitation of Houses for the Public Defenders, Prosecutors of the OPG and officials in the four judicial districts, and equipping them with the necessary furniture and equipment.</p> <p>9.1.2.2. Rehabilitating the house of the President of the Court of Appeal.</p> <p>9.1.2.3. Equipping district courts with adequate equipment following completion of their rehabilitation.</p> <p>9.1.2.4. Constructing and equipping the building of the District Prosecutor's Office in Dili.</p> <p>9.1.2.5. Completing the technological infrastructure in the four judicial districts.</p>	Idem.	- Houses and buildings completed and operational
Indicative timeframe																									
11	12	13	14	15	M	L																			
	<p>9.1.3. LTC facilities expanded and equipped.</p> <table border="1" data-bbox="394 1062 741 1196"> <thead> <tr> <th colspan="7">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> </tr> </thead> <tbody> <tr> <td style="background-color: #00FF00;"></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Indicative timeframe							11	12	13	14	15	M	L								<p>9.1.3.1 Completing the expansion works of the LTC building</p> <p>9.1.3.2. Equipping the LTC with adequate equipment: equipping training rooms, library, language centre, working rooms and auditorium.</p>	MoJ, LTC / UNDP	- New LTC operational
Indicative timeframe																									
11	12	13	14	15	M	L																			

Strategies	Objectives	Core Activities	Entities / Partners	Performance Indicators																					
9.1. (Cont.)	9.1.4. Completed district buildings of the Registry and Notary Services and the DNTPSC <table border="1"> <thead> <tr> <th colspan="7">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> </tr> </thead> <tbody> <tr> <td style="background-color: #00FF00;"></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Indicative timeframe							11	12	13	14	15	M	L								9.1.4.1. Completing the construction of the DNRN buildings in the districts and equipping them with the adequate equipment. 9.1.4.2. Beginning the construction of the district buildings that will house the Land and Property Services and the Cadastral Services.	MoJ, DNRN, DNTPSC	- District buildings completed
	Indicative timeframe																								
	11	12	13	14	15	M	L																		
9.1.5. Pilot project based on the concept 'One Stop Shop' initiated. <table border="1"> <thead> <tr> <th colspan="7">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> </tr> </thead> <tbody> <tr> <td style="background-color: #00FF00;"></td> </tr> </tbody> </table>	Indicative timeframe							11	12	13	14	15	M	L								9.1.5.1. Analysing solutions for the implementation of 'Citizen's Shop' or 'One Stop Shop' in the districts where these services are most sought; the concept is to provide different legal services within the same civil service space so as to enable citizen access and guarantee speedy and effective services. 9.1.5.2. Preparing the plan and implementing the pilot project in a district to be defined in due time.	MoJ, DNRN, DNTPSC / EU	- Implementation plan prepared - Pilot project initiated	
Indicative timeframe																									
11	12	13	14	15	M	L																			
9.1.6. Multi-purpose resources established in the districts. <table border="1"> <thead> <tr> <th colspan="7">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> </tr> </thead> <tbody> <tr> <td style="background-color: #00FF00;"></td> </tr> </tbody> </table>	Indicative timeframe							11	12	13	14	15	M	L								9.1.6.1. Analysing the need for multi-purpose resources in the districts, which: (a) can be shared by all judicial actors (e.g. legal library); (b) can be used, in an alternate manner, for different purposes (e.g. a multi-purpose room can be used by a mobile court or the police to hear a witness). 9.1.6.2. Identifying the geographical location of multi-purpose resources, based on the Justice Sector Map. 9.1.6.3. Developing and executing a project plan.	MoJ, OPG, Courts, OPD, MoI/SEOP, UNDP	- Multi-purpose resources operational.	
Indicative timeframe																									
11	12	13	14	15	M	L																			

Strategies	Objectives	Core Activities	Entities / Partners	Performance Indicators																					
9.1. (Cont.)	<p>9.1.7. Established specialized Prisons, Youth Detention Centres and special facilities for women and their children.</p> <table border="1" data-bbox="394 542 741 678"> <thead> <tr> <th colspan="7">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> </tr> </thead> <tbody> <tr> <td style="background-color: #00FF00;"></td> <td></td> <td></td> </tr> </tbody> </table>	Indicative timeframe							11	12	13	14	15	M	L								<p>9.1.7.1. Establishing a High Security Prison and a low/medium security prison.</p> <p>9.1.7.2. Rehabilitating the former Manatuto Prison.</p> <p>9.1.7.3. Conducting a survey on the need for new prisons, to meet the requirements of the district judicial services (for e.g., Suai).</p> <p>9.1.7.4. Creating Youth Detention Centre and special facilities for women and their children; identifying their geographical location.</p> <p>9.1.7.5. Defining the construction standards for these new prisons and detention centres; developing and implementing project plans.</p>	MoJ, DNSPRS, MoI/SEOP, UNDP, Australia.	<ul style="list-style-type: none"> - Prisons operational - Detention Centres created - Facilities for women established
Indicative timeframe																									
11	12	13	14	15	M	L																			

GOAL 10: Within 5 years (2015), the institutions of the justice sector will have acquired the basic information and communication technology systems (ICT) needed for their operation; by 2020, all information systems will be entirely computerized.

Strategies	Objectives	Core Activities	Entities / Partners	Performance Indicators																					
<p>10.1. Improving coordination between relevant institutions in the ICT service area and defining a policy for the sector.</p>	<p>10.1.1. ICT policy defined for the justice sector.</p> <table border="1" data-bbox="394 605 741 740"> <thead> <tr> <th colspan="7">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> </tr> </thead> <tbody> <tr> <td style="background-color: #00FF00;"></td> </tr> </tbody> </table>	Indicative timeframe							11	12	13	14	15	M	L								<p>10.1.1.1. Organizing a sector planning and technical coordination structure, formed by justice institution representatives, with the following mission:</p> <p>(a) to help to define a ICT policy for the sector re. systems and networks, including telecommunications, hardware and software, working platforms, training and user-support; (b) to identify the needs and (c) to design and implement ICT technologies and systems. This informal structure shall work together with the logistic and administrative informal support of the MoJ IT Department, and shall report to the CoC.</p> <p>10.1.1.2. Creating ICT Units in each institution of the sector to provide IT services more effectively.</p> <p>10.1.1.3. Organizing a sector user group to monitor the functionality and operationality of the systems.</p> <p>10.1.1.4. Mapping out the needs and developing a multi-annual ICT investment plan, including the operation and maintenance of equipment and systems.</p>	<p>MoJ, OPD, OPG, Courts, Prisons / UNDP</p>	<p>- ICT policy approved by the CoC. - ICT Units established in each institution</p>
Indicative timeframe																									
11	12	13	14	15	M	L																			

Strategies	Objectives	Core Activities	Entities / Partners	Performance Indicators																					
10.1. (Cont.)	<p>10.1.2. ICT services strengthened for the justice sector institutions.</p> <table border="1"> <thead> <tr> <th colspan="7">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Indicative timeframe							11	12	13	14	15	M	L								<p>10.1.2.1. Gradually implementing the investment plan, based on the annual plans and budgets of the institutions.</p> <p>10.1.2.2. Completing the project to link up to the connectivity network of the Government (Ministry of Infrastructure).</p> <p>10.1.2.3. Establishing IT and telephone connections in all buildings of the justice sector institutions in the districts, to enable the comprehensive implementation of the automated management system.</p>	<p>MoJ, OPD, OPG, Courts, Prisons / UNDP, Australia</p>	<p>- IT annual plans and budgets approved and being implemented (progress indicators)</p>
Indicative timeframe																									
11	12	13	14	15	M	L																			
10.2. Developing and maintaining management and information systems to allow service provision to be swifter, more secure, effective and accessible to all citizens.	<p>10.2.1. Land and State Property Management Systems improved.</p> <table border="1"> <thead> <tr> <th colspan="7">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Indicative timeframe							11	12	13	14	15	M	L								<p>10.2.1.1. Creating, from the existing database, a single information system that incorporates data and information required for cadastral, regulation and registration of property and taxation purposes.</p> <p>10.2.1.2. Creating a management and information system of the State real estate (leasing contracts and other information).</p>	<p>MoJ / US, Portugal</p>	<p>- Single database created</p>
	Indicative timeframe																								
11	12	13	14	15	M	L																			
	<p>10.2.2. Registry and Notary Services improved.</p>	<p>10.2.2.1. Continuing to implement the Demographic Management and Information System (DMIS), at national and district level, and its expansion to other ministries working closely and directly with the community (health, education, social services).</p>	<p>MoJ / Private partner</p>	<p>- Degree of implementation of the DMIS at district level and connection to other institutions</p>																					

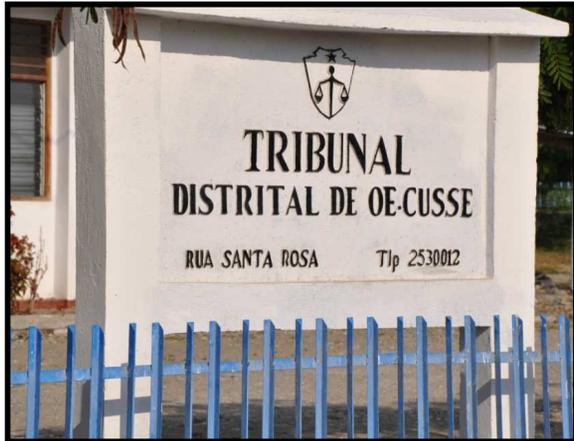
Strategies	Objectives	Core Activities	Entities / Partners	Performance Indicators																					
10.2. (Cont.)	10.2.2. (Cont.) <table border="1"> <thead> <tr> <th colspan="7">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> </tr> </thead> <tbody> <tr> <td style="background-color: #00FF00;"></td> <td style="background-color: #00FF00;"></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Indicative timeframe							11	12	13	14	15	M	L								10.2.2.2. Providing support and training to the staff of the RN Services and other entities, who will operate the system, on the execution of functions and the legal requirements for the authentication and preparation of documents.		- Training plan implemented.
	Indicative timeframe																								
	11	12	13	14	15	M	L																		
10.2.3. Management and Information Systems (MIS) established, including the PIMS. <table border="1"> <thead> <tr> <th colspan="7">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> </tr> </thead> <tbody> <tr> <td style="background-color: #00FF00;"></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Indicative timeframe							11	12	13	14	15	M	L								10.2.3. 1. Mapping out the functions for planning, budgeting, financial management, procurement and HR management and development areas, and define harmonized standards and templates for the execution of functions at various levels. 10.2.3.2. Developing or facilitating access to Government management information systems (e.g., PIMS, Freebalance) 10.2.3.3. Defining a training plan for the staff in Courts, OPG and OPD, in the above areas.	Courts, OPG, MoJ, OPD / UNDP, Portugal, JF/Australia	- See indicator for 6.1.1.5	
Indicative timeframe																									
11	12	13	14	15	M	L																			
10.2.4. Coordinated Case Management System (CMS) and respective procedures established in the OPG, Courts and OPD.	10.2.4.1. Mapping out functions regarding the handling of legal cases, including the Police functions and execution of sentences, and defining standards, procedures and templates for the respective functions.	MoJ, OPD, Courts, OPG / UNDP, Portugal, Australia	- Electronic case management system developed and implemented in each institution																						

Strategies	Objectives	Core Activities	Entities / Partners	Performance Indicators																					
10.2. (Cont.)	10.2.4. (Cont.) <table border="1"> <thead> <tr> <th colspan="7">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Indicative timeframe							11	12	13	14	15	M	L								10.2.4 .2. Developing an implementation plan for the CMS in each institution (software development/acquisition, testing by users, installation and system certification). 10.2.4.3. Producing a Consolidated Sector Legal Cases status report.		- Consolidated Report implemented
Indicative timeframe																									
11	12	13	14	15	M	L																			
10.3. Providing statistical information on the justice sector	10.3.1 Adequate, reliable and timely statistical information provided to the sector's institutions, to the public and to the supervisory bodies. <table border="1"> <thead> <tr> <th colspan="7">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Indicative timeframe							11	12	13	14	15	M	L								10.3.1.1. Developing an implementation plan of the Statistical function in the MoJ. 10.3.1.2. Establishing a project group to: (a) redefine/adjust the existing systems for the production of statistical information; (b) identify the type of data and define collection procedures; (c) prepare report templates with statistical information relevant to the sector. 10.3.1.3. Supporting the periodic publication of relevant statistical data of the justice sector, for internal and external use (public access to information).	MoJ / UNDP, DNE/MoF	- Implementation plan and Project Group established. - Matrix of data and results indicators: defined - Data collection procedures defined - Regular publications implemented.
Indicative timeframe																									
11	12	13	14	15	M	L																			

THEMATIC AREA 5: ACCESS TO JUSTICE

Goals:

11. Every 5 years (2015, 2020, 2025, 2030), there will be a significant improvement in the current situation of the justice sector, in terms of availability of justice services and the awareness of and the public confidence in the justice system.
12. Within 5 years (2015), crime prevention policies and actions will be implemented in the justice sector.
13. Within 5 years (2015), the principle of non-discrimination, sensitivity to gender issues and the protection of vulnerable groups and human rights will be guaranteed in the justice sector.
14. Within 3 to 5 years (2012/2015), customary law and community justice mechanisms will be regulated, and the systematic monitoring of their conformity to human rights will be implemented.



GOAL 11: Every 5 years (2015, 2020, 2025, 2030), there will be a significant improvement in the current situation of the justice sector, in terms of availability of justice services and the awareness of and the public confidence in the justice system.

Strategies	Objectives	Core Activities	Entities / Partners	Performance Indicators																					
<p>11.1. Bringing justice closer to all citizens, promoting access through gradual deconcentration of legal services throughout the country.</p>	<p>11.1.1. Greater number of legal actors permanently present in the judicial districts and with improved capacity.</p> <table border="1" data-bbox="394 737 739 873"> <thead> <tr> <th colspan="7">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> </tr> </thead> <tbody> <tr> <td style="background-color: #00FF00;"></td> </tr> </tbody> </table>	Indicative timeframe							11	12	13	14	15	M	L								<p>11.1.1.1. Establishing new judicial districts taking into account the needs of the public to access justice, the availability of legal professionals in the judicial district and the financial resources of the State.</p> <p>11.1.1.2. Creating mobile courts formed by judges, prosecutors and defenders that travel to the location in which judicial institutions are not available, so as to ensure the access to justice by all those living in remote and inaccessible areas.</p> <p>11.1.1.3. Assigning national and international judicial actors to all judicial districts, on a full time basis, and ensuring adequate administrative and logistic support.</p>	<p>MoJ, OPD, OPG, Courts, / UNDP Australia AATL, Civil society</p>	<p>- Ref. 2.1.1., 2.2.1. - Mobile courts operational</p>
Indicative timeframe																									
11	12	13	14	15	M	L																			

Strategies	Objectives	Core Activities	Entities / Partners	Performance Indicators																								
11.2. Ensuring the provision of adequate, timely and effective legal assistance to all citizens, especially the most disadvantaged and vulnerable.	<p>11.2.1. Legal aid and judicial support services available in all districts.</p> <table border="1"> <thead> <tr> <th colspan="8">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> <th></th> </tr> </thead> <tbody> <tr> <td style="background-color: #00FF00;"></td> </tr> </tbody> </table>	Indicative timeframe								11	12	13	14	15	M	L										<p>11.2.1.1. Designing an integrated system of legal aid and judicial support available throughout the country, covering the following areas: defenders, lawyers and paralegals, notaries and registrars, exemption of judicial charges and fees, facilitation of means of transport, victim protection resources (e.g. shelters, protection resources for witnesses at risk, etc.).</p> <p>11.2.1.2. Reviewing the existing laws on legal aid / Preparing and approving the law on legal aid.</p> <p>11.2.1.3. Improving provision of OPD services and creating a professional body of private lawyers.</p>	MoJ, OPD, / AATL, TimorAID , UNDP Australia, AF., Civil society	<ul style="list-style-type: none"> - Law on judicial support approved - Legal assistance mechanisms implemented - Lawyers and defenders present in the districts
Indicative timeframe																												
11	12	13	14	15	M	L																						
11.3. Establishing extrajudicial mechanisms for dispute resolution, the recognition of customary justice mechanisms.	<p>11.3.1. Extrajudicial mechanisms for dispute resolution regulated and implemented</p> <table border="1"> <thead> <tr> <th colspan="8">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> <th></th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td style="background-color: #00FF00;"></td> <td style="background-color: #00FF00;"></td> <td></td> </tr> </tbody> </table>	Indicative timeframe								11	12	13	14	15	M	L										<p>11.3.1.1 Supporting studies and analysis to implement alternative mechanisms for dispute resolution in Timor-Leste: mediation, traditional justice and arbitration.</p> <p>11.3.1.2. Promoting public debate, and drafting and revision of laws on alternative mechanisms.</p> <p>11.3.1.3. Providing training to those involved in the implementation of such mechanisms.</p>	MoJ (DNAJL) / UNDP/U NMIT, GTZ, IFC, AATL	<ul style="list-style-type: none"> - Law Reform Report prepared by the MoJ, including a preliminary version of the Law on ADR in Timor-Leste
Indicative timeframe																												
11	12	13	14	15	M	L																						

Strategies	Objectives	Core Activities	Entities / Partners	Performance Indicators																					
11.4. Increasing the level of legal awareness of citizens through dissemination campaigns and public education, focusing on the rights of the most vulnerable groups (women and children).	<p>11.4.1. Legal awareness of citizens increased, including the notion of <i>fair trial</i>.</p> <table border="1"> <thead> <tr> <th colspan="7">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> </tr> </thead> <tbody> <tr> <td style="background-color: #00FF00;"></td> </tr> </tbody> </table>	Indicative timeframe							11	12	13	14	15	M	L								<p>11.4.1.1. Establishing a Policy on Dissemination, Education and Information for the basic knowledge of the fundamental laws, human rights standards, the justice system, legal practice and conflict resolution.</p> <p>11.4.1.2. Using mass media communications (TV, Radio, newspapers) and other means such as community meetings, seminars, cultural activities, etc. to enhance awareness.</p> <p>11.4.1.3. Producing education and information materials on basic rights of citizens and the duties and conduct standards of judicial actors, in accessible and plain language and by using images, to be distributed to the justice institutions, in schools and communities.</p>	<p>MoJ (DNDHC), OPD, OPG, Courts, OPG / UNDP, Asia F., AATL, Australia, civil society</p>	<p>- Legal awareness programme developed, supported by the partners and being implemented.</p> <p>- Dissemination materials produced.</p>
Indicative timeframe																									
11	12	13	14	15	M	L																			
11.5. Ensuring that the justice system is monitored by its users	<p>11.5.1. Systematic and periodic evaluation mechanisms regarding performance and achieved results.</p> <table border="1"> <thead> <tr> <th colspan="7">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> </tr> </thead> <tbody> <tr> <td style="background-color: #00FF00;"></td> </tr> </tbody> </table>	Indicative timeframe							11	12	13	14	15	M	L								<p>11.5.1.1 Monitoring services provided by courts, and particularly by the Public Defenders, through the use of a (simple) questionnaire to be administered to all users.</p> <p>11.5.1.2. Conducting periodic surveys on the public perception regarding access to justice, including issues on the legal awareness level of citizens.</p> <p>11.5.1.3. Publishing and disseminating Survey results.</p>	<p>Idem</p>	<p>- Survey to court users conducted biannually by NGO</p> <p>- Periodic public surveys conducted by the civil society. Results published</p>
Indicative timeframe																									
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Strategies	Objectives	Core Activities	Entities / Partners	Performance Indicators																					
11.5. (Cont.)	11.5.2. Access to Justice Dialogue Forum held at district level <table border="1" data-bbox="394 423 741 561"> <thead> <tr> <th colspan="7">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> </tr> </thead> <tbody> <tr> <td style="background-color: #00FF00;"></td> </tr> </tbody> </table>	Indicative timeframe							11	12	13	14	15	M	L								11.5.2.1. Establishing regular Access to Justice Dialogue Forum at district level, supported by the justice sector institutions and by the NGOs involved in the defence and support of victims of crime, the church and other stakeholders.	Idem	- Access To Justice Dialogue Forums implemented.
Indicative timeframe																									
11	12	13	14	15	M	L																			
11.6. Implementing Government's policy on languages within the justice sector, to facilitate the availability and access to legal services.	11.6.1. Government Policy on languages implemented within the justice sector <table border="1" data-bbox="394 837 741 976"> <thead> <tr> <th colspan="7">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> </tr> </thead> <tbody> <tr> <td style="background-color: #00FF00;"></td> </tr> </tbody> </table>	Indicative timeframe							11	12	13	14	15	M	L								11.6.1.1. Providing continuous and extensive training in Portuguese Language to all judicial actors and staff of the justice system (LTC). 11.6.1.2. Continuing to invest in the development of legal Tetum; developing a Legal Dictionary in Tetum/Portuguese (National Institute of Linguistics in cooperation with international partners) 11.6.1.3. Ensuring translation of laws into Tetum through the implementation of a Translation and Interpreting Department of the MoJ. 11.6.1.4. Providing adequate translation and interpreting services in the judicial districts to facilitate communication with the public, investigations and trials. 11.6.1.5. Ensuring that notifications, judicial decisions and all other documents issued by the judicial bodies are produced in both official languages.	MoJ, LTC, DNAJL, Courts, OPG / INL, AF, UNDP, Australia, US	- Action plan for the implementation of a Policy on languages within the justice sector prepared and approved by the CoC.
Indicative timeframe																									
11	12	13	14	15	M	L																			

Strategies	Objectives	Core Activities	Entities / Partners	Performance Indicators																					
11.6. (Cont.)	11.6.1. (Cont.)	11.6.1.6. Producing the working forms, procedures, manuals and templates in both official languages. 11.6.1.7. Ensuring that staff access to training is based on the two official languages (non-discrimination in terms of language).																							
11.7. Reducing public perception of impunity which hinders confidence in the justice system.	11.7.1. National and institutional consultations conducted to promote public awareness regarding against crimes against humanity committed in Timor-Leste. <table border="1" data-bbox="394 841 741 976"> <thead> <tr> <th colspan="7">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> </tr> </thead> <tbody> <tr> <td style="background-color: #00FF00;"></td> <td style="background-color: #00FF00;"></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Indicative timeframe							11	12	13	14	15	M	L								11.7.1.1. Conducting public consultations and promoting the participation in the follow-up of reports of the Commission for Truth, Reception and Reconciliation (CAVR). 11.7.1.2. Promoting public debate on the report issued by the UN Investigation Commission and the issue of pardons regarding serious crimes committed against human rights. 11.7.1.3. Conducting public consultations within the Government, between the Government and the institutions of the justice sector, and through the involvement of the civil society, to prepare subordinate regulations to the constitutional provisions on pardons, commutation of sentences and amnesties.	MoJ, OPD, OPG, Courts / UNMIT/ UNDP, Post-CAVR institutions, civil society	<ul style="list-style-type: none"> - Public consultation on the CAVR report conducted - Public consultation on the CI/UN report conducted - Regulations on the granting of pardons and amnesties prepared.
Indicative timeframe																									
11	12	13	14	15	M	L																			

GOAL 12: Within 5 years (2015), crime prevention policies and actions will be implemented in the justice sector.																									
Strategies	Objectives	Core Activities	Entities / Partners	Performance Indicators																					
12.1. Developing alternative schemes to prison sentences, especially for juveniles, vulnerable and non-violent offenders, when dealing with less serious crimes.	12.1.1. Alternative schemes to prison sentences established. <table border="1" data-bbox="394 516 741 651"> <thead> <tr> <th colspan="7">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> </tr> </thead> <tbody> <tr> <td style="background-color: #00FF00;"></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Indicative timeframe							11	12	13	14	15	M	L								12.1.1.1. Establishing a inter-agency Working Group (with Justice institutions, social reintegration services, Ministry of Social Solidarity, civil society and criminal law experts) to develop a programme for alternative measures to prison sentences. 12.1.1.2. Promoting the public consultation, consolidating the WG proposal and submitting it to the MoJ to be approved and possibly to revise the legal framework if necessary.	MoJ (OPD, DNPRS), OPG, Courts, PNTL, MSS / UNDP, Australia, AF., civil society	- Programme for alternative measures formalized.
Indicative timeframe																									
11	12	13	14	15	M	L																			
12.2. Developing an educational programme for crime prevention, at national level, with awareness campaigns within the communities, schools and other target-groups.	12.2.1. Programme for crime prevention completed. <table border="1" data-bbox="394 997 741 1131"> <thead> <tr> <th colspan="7">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> </tr> </thead> <tbody> <tr> <td></td> <td style="background-color: #00FF00;"></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Indicative timeframe							11	12	13	14	15	M	L								12.2.1.1. Developing and funding a programme for crime prevention, based on the cooperation with the relevant justice institutions, police authorities and civil society.	Idem	- Programme for crime prevention established, supported by partners and implemented.
Indicative timeframe																									
11	12	13	14	15	M	L																			

GOAL 13: Within 5 years (2015), the principle of non-discrimination, the awareness regarding issues of gender and the protection of vulnerable groups and human rights will be guaranteed in the justice sector.

Strategies	Objectives	Core Activities	Entities / Partners	Performance Indicators																					
13.1. Ensuring the protection of children and the safeguard of their fundamental rights.	<p>13.1.1. Implementation of children’s rights based on the UN Convention for Children’s Rights and on the Constitution of the RDTL.</p> <table border="1"> <thead> <tr> <th colspan="7">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> </tr> </thead> <tbody> <tr> <td style="background-color: #00FF00;"></td> </tr> </tbody> </table>	Indicative timeframe							11	12	13	14	15	M	L								<p>13.1.1.1. Conducting public consultations, simplifying and completing non-government bills on Juvenile Justice and the Children’s Code</p> <p>13.1.1.2. Preparing and implementation plan for laws, including possible institutional adaptations as needed and availability of the relevant information.</p> <p>13.1.1.3. Ensuring the monitoring of the rights of children and juveniles who come into contact with the justice sector through the NCCR.</p> <p>13.1.1.4. Establishing special centres for children and young people in conflict with the law.</p> <p>13.1.1.5. Implementing alternatives to the imprisonment of young people in the country.</p> <p>13.1.1.6. Ensuring the participation of young people in the crime prevention programme(s).</p>	MoJ (DNAJL, DNDHC, DNSPRS) / MSS, UNICEF, UNDP	<ul style="list-style-type: none"> - Public consultations conducted - Non-government bills completed - Implementation ensured - Monitoring ensured - Centres for young people established (ref. 9.1.7.4.) - Ref. 12.1.1. - Ref. 12.2.1.
Indicative timeframe																									
11	12	13	14	15	M	L																			
13.2. Ensuring that gender issues and the principle of non-discrimination...	13.2.1. Non-discrimination policies and protection and support mechanisms...	<p>13.2.1.1. Developing a Policy on Justice based on gender and non-discrimination.</p> <p>13.2.1.2. Establishing focal points for gender in justice sector institutions.</p>	MoJ (OPD, DNDHC), OPD, OPG, Courts SEPI, MSS,	<ul style="list-style-type: none"> - Working Group to analyse Codes of Conduct and SOP established 																					

Strategies	Objectives	Core Activities	Entities / Partners	Performance Indicators																					
13.2 (Cont.) ...are included in programmes and in justice sector activities.	13.2.1 (Cont.) ...to all victims of gender-based violence established in all institutions <table border="1"> <thead> <tr> <th colspan="7">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> </tr> </thead> <tbody> <tr> <td style="background-color: #00FF00;"></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Indicative timeframe							11	12	13	14	15	M	L								13.2.1.3. Analysing all Codes of Conduct and SOPs from the standpoint of non-discrimination and awareness regarding gender issues, introducing the amendments needed and implementing in all institutions. 13.2.1.4. Working with groups of women and men to promote women's rights and their access to justice. 13.2.1.5. Providing training to judicial actors on children's and women's rights and gender equality. 13.2.1.6. Supporting the establishment of shelters for women and children at risk.	INAP, MSATM, / UNDP, UNICEF, UNIFEM, Australia/J F, civil society.	- Non-discrimination Policy implemented in all institutions. - Protection and support programme for GBV victims approved, supported by partners and being implemented.
Indicative timeframe																									
11	12	13	14	15	M	L																			
13.3. Promoting respect and protection of human rights in Timor-Leste.	13.3.1. National human rights plan developed and implemented. <table border="1"> <thead> <tr> <th colspan="7">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> </tr> </thead> <tbody> <tr> <td style="background-color: #00FF00;"></td> <td style="background-color: #00FF00;"></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Indicative timeframe							11	12	13	14	15	M	L								13.3.1.1. Coordinating and facilitating, through the PS, the initiatives of the justice sector institutions to incorporate the National Action Plan for HR. 13.3.1.2. Preparing and disseminating the National Action Plan for Human Rights. 13.3.1.3. Monitoring and producing periodic reports.	MoJ, DNDHC, OPD, OPG, Courts / UNMIT/U NDP	- National Action prepared - Reports produced
Indicative timeframe																									
11	12	13	14	15	M	L																			

GOAL 14: Within 3 to 5 years (2012/2015), the customary law and community justice mechanisms will be regulated, and the systematic monitoring of their conformity to human rights will be implemented.

Strategies	Objectives	Core Activities	Entities / Partners	Performance Indicators																					
<p>14.1. Clarifying the role of customary rules and norms and of community justice, and regulating the interaction between the formal and informal justice systems, guaranteeing that serious public crimes, such as sexual assault and domestic violence, are referred to the formal justice system.</p>	<p>14.1.1. Community Justice mechanisms regulated and implemented.</p> <table border="1" data-bbox="394 613 739 750"> <thead> <tr> <th colspan="7">Indicative timeframe</th> </tr> <tr> <th>11</th> <th>12</th> <th>13</th> <th>14</th> <th>15</th> <th>M</th> <th>L</th> </tr> </thead> <tbody> <tr> <td style="background-color: #00FF00;"></td> <td></td> <td></td> </tr> </tbody> </table>	Indicative timeframe							11	12	13	14	15	M	L								<p>14.1.1.1. Developing studies on the interaction between the formal and traditional justice systems and the alternative solutions for dispute resolution in other countries, so as to support the legislative initiative in progress.</p> <p>14.1.1.2. Analysing the possibility of appeal for those who, having addressed the traditional justice system, are not satisfied with the decision obtained.</p> <p>14.1.1.3. Finishing the bill on customary justice and submitting it to public debate and for approval.</p> <p>14.1.1.4. Providing training to community leaders on human rights, customary law, and fundamental legal principles, such as the concept of <i>due process</i>.</p> <p>14.1.1.5. Providing training to judicial actors on customary law.</p>	<p>MoJ, LTC, OPD, OPG, Courts / UNDP, GTZ, Australia, AATL, NGO</p>	<ul style="list-style-type: none"> - Customary justice bill prepared - Public debate completed - Training programme for local authorities conducted with the support of NGOs, LTC and other partners - Seminar for judicial actors conducted by the LTC, in collaboration with the civil society and partners
Indicative timeframe																									
11	12	13	14	15	M	L																			

**community, customary, traditional or informal justice are terms normally used to designate the same concept: justice administered at community level, by community leaders, based on local customs and norms.*

Acronyms

- **AATL** Timor-Leste Lawyers Association
- **ACC** Anti-Corruption Commission
- **ADR** Alternative Dispute Resolution
- **ASEAN** Association of Southeast Asian Nations
- **CAVR** Commission for Truth, Reception and Reconciliation
- **CMS** Case Management System
- **CoC** Council of Coordination for Justice
- **CoM** Council of Ministers
- **CSC** Civil Service Commission
- **DG** Director General
- **DMIS** Demographic Management and Information System
- **DNAF** National Directorate for Administration and Finance
- **DNAF/IT** National Directorate for Adm. Finance/Computing Department
- **DNAJL** National Directorate for Legal Assistance and Legislation
- **DNDHC** National Directorate for Human Rights and Citizenship
- **DNE/MoF** National Directorate for Statistics/Ministry of Finance
- **DNRN** National Directorate for Registry and Notary Services
- **DNSPRS** National Directorate for Prison Services and Social Reintegration
- **DNTPSC** National Directorate for Land and Property and Cadastral Services
- **EU** EU - European Union
- **GBV** Gender Based Violence
- **GIA** Audit and Inspection Unit of the Ministry of Justice
- **GPM** Prime-Minister's Cabinet
- **GTZ** Deutsche Gesellschaft für Technische Zusammenarbeit/German Cooperation
- **HR** Human Resources
- **HRi** Human Rights
- **ICNA** Independent Comprehensive Needs Assessment of the Justice Sector 2009
- **ICT** Information and Communication Technology
- **IFC** International Finance Cooperation
- **IGE** State General Inspection
- **INAP** National Public Administration Institute
- **INL** National Institute for Linguistics

- **IT** IT - Information Technologies
- **JF** Justice Facility
- **JSMP** Justice System Monitoring Program
- **LTC** Legal Training Centre
- **MDCoL** Management and Disciplinary Council of Lawyers
- **MIS** Management and Information System
- **MSATM** Ministry of State Administration and Territorial Management
- **MoE** Ministry of Education
- **MoF** Ministry of Finance
- **MoH** Ministry of Health
- **MoI** Ministry of Infrastructure
- **MoJ** Ministry of Justice
- **MSS** Ministry of Social Solidarity
- **NCCR** National Commission for Children's Rights
- **NGO** Non-Governmental Organization
- **OPD** Office of the Public Defender
- **OPG** Office of the Prosecutor General
- **PIMS** Personnel Information and Management System
- **PP** Public Prosecution
- **PDHJ** Ombudsman for Human Rights and Justice
- **PG** Prosecutor General
- **PNTL** National Police of Timor Leste
- **RDTL** Democratic Republic of Timor-Leste
- **SC** Superior Councils
- **SCOPD** Superior Council of the Office of the Public Defender
- **SCJ** Superior Council of the Judiciary
- **SCPS** Superior Council of the Prosecution Service
- **SOP** Standard Operational Procedures
- **SEPI** Secretariat of State for the Promotion of Equality
- **SEOP** Secretariat of State for Public Works
- **SES** Secretariat of State for Security
- **PS** Planning Secretariat (to support the CoC)
- **STJ** Supreme Court of Justice
- **TAF** The Asia Foundation

- **TL** Timor-Leste
- **TLPDP** Timor-Leste Police Development Programme
- **ToR** Terms of Reference
- **TSAFC** High Administrative Tax and Audit Court
- **UN** United Nations
- **UNDP** UNDP – United Nations Development Programme
- **UNICEF** United Nations Children’s Fund
- **UNIFEM** United Nations Fund’s for Women
- **UNMIT** United Nations Mission’s in Timor Leste
- **UNTL** National University of Timor-Leste
- **US** United States
- **WG** Working Group

