

Pride Guide | Timor-Leste



Introduction

The Australian Volunteers Program strives to provide a safe, supportive and equitable environment for LGBTIQ+ volunteers, approved accompanying dependents, partner organisations and all program staff. The Australian Volunteers Program has supported volunteers with diverse sexual orientation, gender identity, gender expression and sex characteristics (SOGIESC) in all program countries and has ongoing connections with community organisations in almost every country we work in.

Diverse SOGIESC program participants must be aware of the country context before undertaking an assignment. This guide is designed to introduce some key issues related to people with diverse SOGIESC and their participation in the program.

If you are a volunteer with diverse SOGIESC, you will need to:

- Do your own research. You will be required to follow the local laws, even if you disagree with them.
- Understand what the local law says you can and can't do when in-country;
- Be aware of what the legal protections are for LGBTIQ+ people in your destinations;
- Consider whether or not you are comfortable living and working in a place where you may be discriminated against and unable to live as openly as you can in some parts of Australia.

Language

Terminology may differ across urban and rural contexts, and across provinces or ethnic and cultural groups. Information sourced online can be outdated or inaccurate. For current and accurate information, please confirm with an appropriate diverse SOGIESC Civil Society Organisation (CSO) or ask your in-country team.

People who are outside of the LGBTIQ+ community should use English terms to describe the diverse SOGIESC community.

Legal and policy context

Same-sex sexual acts were decriminalised in Timor-Leste in 1975 and the UN Human Rights Council joint statement on 'Ending Acts of Violence and Related Human Rights Violations Based on Sexual Orientation and Gender Identity' was adopted in 2011. In 2013, Timor-Leste voted in favour of reducing vulnerability and eliminating discrimination based on characteristics including HIV status, sexual orientation and gender identity at the United Nations Economic and Social Commission for Asia.

Transgender individuals are not able to have their gender legally recognised in identity documents. In policy guidance notes, diverse SOGIESC couples living separately as families have not been included in the definition of Uma Kain, or households.

Discrimination

No legal protections exist for people with diverse SOGIESC in Timor-Leste. This includes a lack of constitutional protections and national laws that protect against SOGIESC discrimination, laws that protect against SOGIESC discrimination in employment, and laws that protect against incitement to hatred, violence or discrimination based on one's SOGIESC. The regulation which prohibited discrimination in employment on the basis of sexual orientation was repealed in 2012, leaving the current Labour Code without this prohibition. Timor-Leste's Constitution details that discrimination must not occur on the basis of "gender" but no other details are specified.¹



Cultural and societal attitudes

In Timor-Leste, Catholicism coupled with a patriarchal societal structure means people with diverse SOGIESC can be hesitant to express their identities. The trans community are particularly discriminated against for their gender presentation and perceived inability to conform to gender stereotypes. Family violence is a prevalent issue in Timor-Leste for people with diverse SOGIESC and the COVID-19 pandemic has increased the levels of violence. A small study revealed that 87% of trans men, lesbians and bisexual women faced violence (including sexual assault) in the home or in community spaces.² Lesbian, bisexual and trans women report needing safe spaces, with some experiencing corrective rape by family and community members. Factors that determine whether a person with diverse SOGIESC is accepted include social status, education levels, exposure, financial independence and gender-based dowry customs.

Health and wellbeing

There are no national health services that cater toward the specific needs of the diverse SOGIESC community in Timor-Leste. Gay men and transgender women report poor interactions with healthcare providers, where doctors repeatedly questioned them and were not able to cater to their specific needs. Lesbian and bisexual women and transgender men require better resources on sexual and reproductive health rights.

Some clinics in Dili have become accessible to people with diverse SOGIESC, because CSOs such as CODIVA have advocated for the community and trained the health staff at those locations. Arcoiris has run a series of mental wellbeing sessions, but without adequate funding or centralised authority, CSOs cannot reach all diverse SOGIESC people in need of healthcare.

Officially, the school curriculum in Timor-Leste contains lessons on LGBTIQ+ rights, but many teachers are unaccepting of homosexuality and do not teach this content. Bullying and lack of recognition of diverse SOGIESC students leads to further problems.

Media

In general, Timor-Leste's national media portrays diverse SOGIESC populations negatively. Independent online news and blogging platforms are utilised by activists and allies in their advocacy work. The diverse SOGIESC community connect and share resources via Facebook and WhatsApp. Facebook is also used as an advocacy tool to raise awareness amongst people outside of the community.

¹ Translated by Gisbert H Flanz, *Timor-Leste's Constitution of 2002* (Oxford: Oxford University Press, 2021), 13.

² Iram Saeed and Bella Galhos, *A Research Report on the Lives of Lesbian and Bisexual Women and Transgender Men in Timor-Leste* (Dili: Rede Feto, 2017), 17.