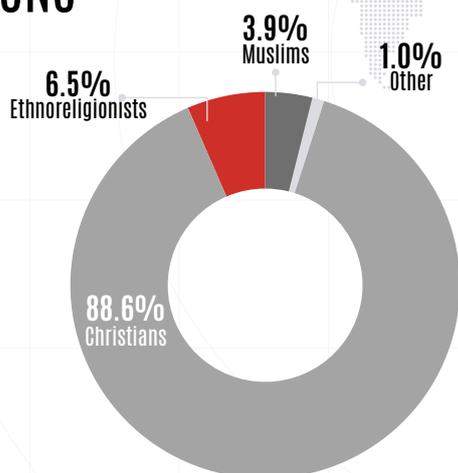




EAST TIMOR (TIMOR-LESTE) RELIGIONS



LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Constitution of the Democratic Republic of Timor-Leste is modelled on that of Portugal. It guarantees freedom of conscience, religion and worship, and the separation of Church and state. The Preamble to the Constitution asserts the state's determination "to fight all forms of tyranny, oppression, social, cultural or religious domination and segregation, to defend national independence, to respect and guarantee human rights and the fundamental rights of the citizen".¹

Article 12 (1) stipulates: "The state recognizes and respect the different religious denominations, which are free in their organization and in the exercise of their own activities, with due observance of the Constitution and the law." Article 12 (2) adds: "The state promotes the cooperation with the different religious denominations that contribute to the well-being of the people of East Timor." Article 16 (2) prohibits discrimination on the basis of religion.

The country's penal code reflects the above constitutional principles. Article 124, for example, describes as crimes against humanity actions such as "persecution, construed

as deprivation of the exercise of fundamental rights contrary to international law against a group or a collective entity due to politics, race, nationality, ethnicity, culture, religion, gender or for any other reason universally recognized as unacceptable under international law."²

Despite the separation of state and religion, the Preamble to the Constitution states: "In its cultural and humane perspective, the Catholic Church in East Timor has always been able to take on the suffering of all the people with dignity, placing itself on their side in the defense of their most elementary rights." According to Article 11 (2), "The state acknowledges and values the participation of the Catholic Church in the process of national liberation of East Timor."

The country's Catholic, Protestant and Muslim religious leaders are known to cooperate and promote peaceful and constructive relations between its religious communities.³

The small Muslim community remaining in Timor-Leste after Indonesia's withdrawal has steadily declined in recent years. As most Muslims were Indonesian migrants resettled in Timor-Leste by the Indonesian government during its occupation of the country, they left when the country gained independence.⁴

The accord signed on 14th August 2015 between East Timor and the Holy See⁵ is gradually being implemented. In that occasion, Cardinal Pietro Parolin, the Holy See's Secretary of State, travelled to East Timor to mark the 500th anniversary of the Catholic Church's presence in the country. He said the agreement seeks to strengthen "mutual collaboration for the integral development of the people in justice, peace and the common good".⁶ In practice, the accord safeguards the Church's freedom to provide its services, including spiritual assistance in prisons, hospitals or orphanages, operating charities and organising educational activities. For its part, the state allocates subsidies to the Catholic Church.

INCIDENTS AND DEVELOPMENTS

In general, violations of religious freedom are rare and minor in Timor-Leste. During the period in review, there were no reports of significant incidents or developments directly related to religious freedom.

However, the country remains a young state with relatively undeveloped legal and political institutions. It has a large proportion of young people and, having achieved independence only in 2002, it remains fragile.

On 26th January 2018, President Francisco Guterres dissolved Parliament after opposition parties rejected the

budget.⁷ In June 2018, former President Taur Matan Ruak was appointed prime minister, through a peaceful transfer of power, demonstrating the commitment of political parties to respect the decision of voters.⁸

Despite significant political strife, partly due to controversy over a potential oil and gas project and the challenges of COVID-19, Ruak remains prime minister at the end of 2020.⁹ He is considered one of the Catholic Church's most important allies in the country.¹⁰

Some people are also concerned that the ability of the Church to serve as an agent of moral and political reform is declining. For a lay activist with the Legion of Mary and Catholic Charismatics, "We are a Catholic church in Timor Leste in name only. Complaints from priests from all of the country's dioceses are that Catholics live more on Catholic formalities but not on Catholic behaviour. This government has a lot of corrupt officials, whether in the legislature, executive or judiciary. Even in the police and army, corruption is rampant."¹¹

PROSPECTS FOR RELIGIOUS FREEDOM

There is nothing to suggest that the situation of religious freedom in Timor-Leste will change in the near future. Prospects are stable.

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