

## ASIA FOUNDATION

### Organizational Overview and Approach to Gender

Founded in 1954, the Asia Foundation is an international agency funded by corporations, foundations, government and individuals from the United States, Europe and Asia, as well as by the United States Congress. The Asia Foundation is concerned to support the development of those institutions and processes across the Asia-Pacific region that it identifies as integral to democratic, functioning nation-states. In Timor-Leste this has resulted in an emphasis on legal, legislative, economic and conflict-management program areas, as well as women's empowerment.

The Asia Foundation began its Timor-Leste country program in 1992 and established an office in Dili in 2000. It primarily works with and supports East Timorese government and non-government organizations. Its in-country program activities are funded by USAID.

Much of the Asia Foundation's work in the area of gender has focused on ensuring that women have access to gender-sensitive legal processes. Violence against women, and particularly the legal issues that accompany this—such as ensuring that women are supported by lawyers who are knowledgeable of women's rights and sensitive to the social needs of women subject to violence—are key concerns for the Asia Foundation.

In 2006 the Asia Foundation created a Gender Focal Point position, which is currently filled by one of the senior program assistants. The Gender Focal Point liaises with partners and collaborating organizations on gender issues, and supports Asia Foundation programs in their efforts to mainstream the consideration of gender.

### Programs

#### *Access to Justice*

The Asia Foundation states that it supports the 'active participation of women in all aspects of East Timor's development' (Asia Foundation, *East Timor*, Program Overview, 2006, p. 2). The Asia Foundation's *Access to Justice* program, which began in 2003, reflects this aim through supporting the development of a functioning and independent judicial system and promoting citizens' access to justice. In terms of gender, the program took account of earlier work undertaken by the Asia Foundation that revealed that most civil and criminal cases involve male plaintiffs and that there is little opportunity for women to be represented by female lawyers. Further internal evaluations confirmed that access to justice is particularly limited for women.

In an effort to improve women's access to justice, an initial step was taken to support the Indonesian university training of two female lawyers. These lawyers now work with legal aid institutions in gender units. The Asia Foundation also identified organizations that could provide support to women in civil and criminal cases. The organization has also been keen to ensure that legal aid services are offered across the four court jurisdictions in Timor-Leste (Dili, Suai, Baucau and Oecusse) and has worked with other organizations in an effort to facilitate this.

From this initial partnership development, a network of legal aid institutions and victim support services has been developed to support the particular needs of women and children. The Asia Foundation provides these partners with institutional support, equipment, training, and evaluation and monitoring. It also provides a level of network co-ordination through administrative support, the facilitation of regular meetings, promotion and production of materials. Key Asia Foundation NGO partners include FOKUPERS' Case Handling Division, JSMP's Victim Support Services, and Yayasan HAK's Case Handling Division. Legal aid partners include LBH Fortuna, LBH Liberta, LBH Tane Timor, LBH Timor Leste and LBH Ukun Rasik An. These organizations collaborate and refer cases to each other according to their respective areas of legal speciality and geographic focus. This network has also forged connections with police and women's organizations.

A recent development in the *Access to Justice* program has been the formation of a Mobile Team Clinic. Comprised of members of various legal aid institutions, the Clinic visits districts on a monthly basis to garner cases that have arisen. The Clinic also helps to determine the appropriate means by which to resolve these cases, whether it be through local mediation or court proceedings. Conscious of the heavy backlog of cases within the court system, the Clinic commonly advises that cases classed as civil should continue to be arbitrated by local authority figures such as the *xefi suco*. The Asia Foundation believes that the guidance and support extended by the Clinic team to male-dominated local mediation processes typically result in more consideration being given to women's needs and rights than would otherwise be the case. In criminal cases involving women victims, such as domestic violence, the Clinic recommends court proceedings and ensures full support is given, from transport, accommodation, costs, accompanying women to court and legal advice.

The Mobile Team Clinic project necessitates strong involvement at the community level. Initial relationships with local authority structures are formed to allow entry into the community. Locally based female university graduates are then employed to undertake liaison between the community and the Clinic and to lend support to administrative duties.

The *Access to Justice* program delivered support services to victims of gender-based violence in IDP populations across the 2006 crisis, and may extend and formalise this work into the future.

#### *Other*

Beyond the *Access to Justice* program, the Asia Foundation has undertaken gender programming in other ways. In 2005 and 2006 the organization worked with the Office for the Promotion of Equality to deliver pilot domestic violence training to village chiefs, youth leaders and women's organizations in Lospalos and Baucau. The Asia Foundation also supports FOKUPERS in its work in mediation and advocacy, and Rede Feto through institutional management development and financial training. Financial support was also extended to the Second National Women's Congress of Timor-Leste through the Asia Foundation's general grants scheme. The Asia Foundation has also supported the Alola Foundation and other partners to establish baseline data on the trafficking of women and anti-trafficking strategies.

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