



No.Ref.: /PDHJ/VI/2011

### Basic Position Information

Job Title: Legal Advisor for the Provedoria for Human Rights and Justice (PDHJ)  
Location: Office of the Provedoria for Human Rights and Justice, Dili, Timor Leste  
Reports to: Provedor  
Commencement date : April 2011  
Languages (essential) : Portuguese  
Languages (advantage): English, Tetun

### Organizational Background

The PDHJ was established through the National Parliament's Law No. 7/2004 in compliance with the 2002 Constitution of the Democratic Republic of East-Timor stipulating the establishment of an "an independent organ in charge of examining and seeking to settle citizens' complaints against public bodies, preventing and initiating the whole process to remedy injustice". The PDHJ is an independent national human rights institution which has a mandate to cover human rights, good governance / maladministration. The purpose of the PDHJ is to protect and promote human rights and fundamental freedoms of natural and legal persons throughout the national territory and prevent maladministration. The PDHJ serves therefore two different but linked mandates, namely as the National Human Rights Institution of Timor-Leste and the Ombudsman. Within its two areas, it discharges its mandate within a three activities-approach: education and promotion, prevention or monitoring and investigation (based on complaints or based on its own initiative).

The competencies, powers and duties of the Provedor are set out in Chapter IV of the Statute. The PDHJ has the powers to receive complaints; investigate and inquire into matters under his or her competence; to visit any place of detention, treatment or care in order to inspect the conditions therein and conduct a confidential interview of the persons in detention; to refer a complaint to a competent jurisdiction or another recourse mechanism; seek leave of the National Parliament to appear before a court, arbitration tribunal or an administrative enquiry commission; act as a mediator or conciliator; make recommendations for redress in complaints brought before him or her, notably by proposing remedies and reparations; provide advice including opinions, proposals and recommendations for the purpose of improving respect for human rights and good governance by the entities within his or her jurisdiction; report to the National Parliament in relation to the findings of an investigation or in relation to his or her recommendations.



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## Key Functions

### Summary of key functions:

- Provide legal advice to the PDHJ in the execution its mandate;
- Provide legal advice on PDHJ's regulatory framework and contract issues;
- Facilitate the institutionalization of the work of the legal adviser within the PDHJ.

### 1. Provide legal advice to the Provedoria in the execution the its mandate;

- Provide legal advice in areas of human rights and good governance;
- Monitor legal developments particularly laws and draft laws related to human rights and good governance areas;
- In consultation with relevant PDHJ staff, analyse and verify the compatibility of laws, draft laws, regulations, administrative orders, policies and practices in accordance with international human rights standards and good governance principles.
- Prepare court briefs in court in execution of the Provedor's mandate pursuant to articles 150 and 151 of the Constitution of the Democratic Republic of Timor Leste;
- Provide any other legal duties which may be required in execution of the mandate of the Provedoria.

### 2. Provide legal advice on PDHJ regulatory framework and contract issues;

- Provide advice on PDHJ's legal and contractual framework and obligations;
- Draft internal regulations and amendments to laws as required;
- Draft Memorandum of understandings with other institutions as required;
- Draft legal contracts as required.

### 3. Facilitate the Institutionalisation of the work of the legal adviser;

- In coordination with the legal library, establish and maintain an archival system of laws, regulations and international treaties and conventions;
- Implement systems for the dissemination of information within the PDHJ about legal developments in area of human rights and good governance;
- Hold consultations with relevant PDHJ staff in the development of legal analysis of draft laws, law and issues relevant to staff's work.



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### Competencies required

- Excellent written and oral communication skills;
- Excellent legal research and legal analysis skills;
- Sound legislative drafting skills;
- Excellent cross cultural communication skills;
- Ability to adhere to principles of confidentiality and impartiality;
- Ability to work with limited administrative support.

### Qualifications Required

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|------------------------|--|
| Education:             | Advanced degree in Law   |
| Experience:            | <ul style="list-style-type: none"><li>• Minimum 10 years post graduate legal experience, preferably in area of human rights or within public administration.</li><li>• Experience working with an National Human Rights Institution or an Ombudsman's Office an advantage;</li><li>• Good knowledge of International Human Rights Law and Principles of Good Governance essential;</li><li>• Experience in working in a developing country context and capacity building of national staff is desirable;</li><li>• Experience in drafting laws, regulations and contracts;</li><li>• Knowledge of Timor-Leste legal and political context, particularly developments since 1999, is desirable.</li></ul> |
| Language Requirements: | <ul style="list-style-type: none"><li>• Fluency in Portuguese is required</li><li>• Knowledge of English, Tetum and/or Bahasa Indonesia will be highly regarded</li></ul>  |

Please send your letter of application and curriculum vitae to [pdhjt@gmail.com](mailto:pdhjt@gmail.com) by 25 March 2011.