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## TIMOR-LESTE

### EXCEPTIONAL AND TEMPORARY MEASURES CONCERNING THE EPIDEMIOLOGICAL SITUATION OF THE NEW CORONAVIRUS COVID-19

On March 19, 2020, the Resolution of the Government of Timor-Leste No. 10/2020 ("**Resolution**") was published in the Official Gazette (Jornal da República), establishing a set of exceptional and temporary measures in order to contain the spread of the new Coronavirus Covid-19 ("**Covid-19**") in the national territory.

Among the approved provisions, we note the following:

1. Prohibition of entry into national territory, by air, land and sea, to all foreign citizens who, in the last four weeks, have left or have transited through countries with registered cases of infection by Covid-19:
  - a) The prohibition shall not apply to foreign nationals who were born in Timorese territory and the ones habitually residing there;
  - b) In duly justified cases (namely, defense of national interest or convenience of service), the Prime Minister of Timor-Leste may authorize the entry of foreigners in national territory;
  - c) For the purpose of sea or air transportation and the release of goods at Ports or Airports, foreign citizens (at the expense and under the responsibility of the carrier) may only remain in the International Zone as defined in Law No. 11/2017 of May 24 on Migration and Asylum.
2. Prohibition of the disembarking of passengers from cruise ships except if they are Timorese citizens or foreign nationals covered by the exception referred to in 1. a).;
3. Prohibition of missions on duty outside the national territory to all human resources of the direct and indirect administration of the State of Timor-Leste;
4. Confirmation of the possibility of urgent medical evacuations and supplies of medicines, materials and hospital consumables, on flights for health and/or humanitarian reasons;

5. All national citizens (and foreign citizens in the situation referred to in 1. a)) who enter Timor-Leste by air, land or sea shall be in voluntary quarantine for a minimum period of 14 days, informing the health authorities present at the border posts where they will be isolated.

The interdiction measures foreseen in the Resolution shall be reviewed on a monthly basis, with a view to their maintenance or elimination.

The Resolution came into force on March 20, 2020.

## DECLARATION OF THE STATE OF NATIONAL EMERGENCY

Law no. 1/2020, of March 27, was published today in the Official Gazette (“Jornal da República”) as approved by the National Parliament of Timor-Leste on the previous day, which authorizes the President of the Republic to declare a state of national emergency in order to face the challenges presented by Covid-19.

Following this approval, the President of the Republic, through the Decree no. 29/2020, of March 27 (“Decree”), declared a state of emergency for a period of 30 days, which shall be in force as from 00:00 am on March 28, 2020 until 23:59 pm on April 26, 2020.

Under the Decree, the exercise of certain rights was partially suspended to reduce the risk of contagion and to implement measures to prevent and combat the epidemic, namely:

1. International mobility: health controls may be implemented at ports and airports (including the enforcement of compulsory confinement of people) as well as the implementation of the necessary measures to ensure the international passage of essential goods and services;
2. Freedom of movement and of establishing residence anywhere within the national territory: restrictions such as compulsory confinement at home or in a health facility, establishment of sanitary fences, ban on traveling and unjustified circulation on the public road, among others, being the Government of Timor-Leste responsible for identifying the circumstances and purposes in which individual freedom of movement is preserved;
3. Right of assembly and demonstration: restrictions may be imposed such as limiting or prohibiting the holding of religious celebrations and other worship events involving the gathering of people;
4. Right of resistance: ban on any and all acts of active or passive resistance to orders issued by the competent public authorities in execution of the declaration of the state of emergency;
5. Right of ownership and private economic initiative: the provision of any services and the use of movable or immovable property, health care units, commercial or industrial establishments may be required, as well as the obligation to open and operate companies, establishments and means of production or their closure and other limitations or modifications to their activity, including changes to the quantity, nature or price of goods produced and marketed or to their distribution and marketing procedures and circuits, as well as changes to their operating rules;

6. Labour rights: It may be determined that any employees of public or private entities, regardless of the type of employment relationship, may report to duty and, if necessary, carry out their roles in a different location, in a different entity and in working conditions and hours other than those corresponding to the existing employment relationship (particularly in the case of workers in the health, civil protection, security and defence sectors, among others essential to the functioning of the economy, the operation of critical infrastructure networks, the maintenance of public order and the democratic rule of law), as well as suspending the exercise of the right to strike insofar as it may compromise the essential sectors of the State as mentioned above.

The suspensions of rights provided for in the Decree shall in no case affect the right to life, physical integrity, civil capacity and citizenship, non-retroactivity of criminal law, defense in criminal proceedings, freedom of conscience and religion, immunity from torture, slavery, servitude and cruel, inhuman or degrading treatment or punishment and from discrimination.

The execution of the declaration of the state of emergency contained in the Decree shall be the responsibility of the Government of Timor-Leste.

The decree enters into force on this date, March 27, 2020.

VdA will issue updated information on the measures as and when they are approved in Timor-Leste in the context of the epidemiological situation Covid-19.

VdA remains at your disposal for any further clarifications regarding this or other legislation that may be enacted and regarding the impacts of the measures adopted.