



Press Release
Covalima Municipality
25 June 2019

JSMP continues to disseminate information about the Protection of Children's Rights and Access to Justice

On 18 June 2019 JSMP provided training to community members in Ogues Village, Maukatar Sub-District, Covalima Municipality. 20 members of the community participated in this training, comprising 12 women and 8 men. The participants included the heads of 5 sub-villages, women's delegates/representatives, community members and the Village Chief.

“This training was aimed at increasing the knowledge of community members, especially community representatives from each sub-village and the sub-village chiefs in particular, so they will be knowledgeable about the rights of children, and the provision of special protection to children and how to access the formal justice system if children are in conflict with the law,” said the Acting Director of JSMP, Mr. Casimiro dos Santos.

During the opening session of this training the Village Chief of Ogues, Mr. Faustino de Araújo, stated that he was happy and he thanked JSMP for providing this training to members of the community leadership structure in Ogues Village and to the community members so they can know about the rights of children and how to use formal justice if children encounter problems. During the closing ceremony the Village Chief stated that this training would enable the participants to gain knowledge about the rights of children, and how to provide protection to children and how to use formal justice when children encounter problems such as violence, discrimination and maltreatment in the community.

The Village Chief also asked the participants, and the Sub-Village Chiefs, women's delegates/representative and all participants to disseminate this information to community members who were unable to attend this training.

The participants fully participated in the training and expressed their concerns about the rights of the child in relation to parental responsibility and how to access the formal justice system if parents do not comply with their obligations.

In response to these concerns, JSMP responded that children are given special rights from the family, society, and the State because children are physically and emotionally immature, and they don't have the capacity to make decisions and can't protect themselves. Parents have the obligation to look after, provide food, supervise and protect children from risk, without discrimination and provide opportunities for them to develop, based on their capacity.

Meanwhile in relation to the issue of fathers not taking care (neglecting) their children, JSMP explained that parents are obliged to provide food support to their children but if children are not provided with this food support/care because a father has left his wife and children in order to marry another woman, then the civil law obliges a father or mother to care for and provide food for their children, and if the father or mother fails to do so, then they will be held criminally responsible for the crime of failure to provide food assistance as set out in Article 225 of the Penal Code with a minimum penalty of 30 days of prison and maximum penalty of 3 years in prison or a fine. In relation to the exercise of parental power pursuant to Article 1758 of the Civil Code, parents have the duty to uphold the best interests of their children, to ensure their safety and health, to direct their education, to represent them and manage their assets.

In relation to children who come into conflict with the law (children appearing as victims or defendants) JSMP explained that certain articles provide protection for child victims such as the crime of maltreatment against minors as provided for in Article 155 of the Penal Code, the crime of aggravated sexual coercion as provided for in Article 171 and Article 173 (d) of the Penal Code, the crime of aggravated rape as provided for in Article 172 and Article 173 (d) of the Penal Code, the crime of child prostitution provided for in Article 175 of the Penal Code, the crime of child pornography provided for in Article 176 of the Penal Code, sexual abuse of a minor provided for in Article 177 of the Penal Code, the crime of sexual acts with an adolescent as provided for in Article 178 of the Penal Code, the crime of termination of pregnancy provided for in Article 141 of the Penal Code and the crime of infanticide provided for in Article 142 of the Penal Code.

In relation to children appearing as defendants, they are given protection in Article 20 of the Penal Code on exemption from criminal liability by reason of age, because a child under the age of 16 cannot be held criminally responsible because the child is not yet mature, and does not yet have the capacity to make decision and lacks knowledge about the consequences of their actions.

JSMP observed that this training activity went well and the participants actively asked questions and shared their experiences in the family and society.

This training was made possible with the financial support of Hivos.

For more information, please contact:

Casimiro dos Santos
Acting Director of JSMP
Email: santos.cas76@gmail.com
Website: <http://jsmp.tl/>