



**Press Release**  
**10 August 2018**  
**National Parliament**

**JSMP appreciates the initiative of Committee F of the National Parliament for providing an opportunity to civil society to contribute to the legislative process**

On 8 August 2018 Committee F of the National Parliament held a public consultation with civil society to hear about the role, vision, mission and perspective of civil society in relation to the work of Committee F which is responsible for education, health, social security and gender equality.

After expressing its appreciation to Committee F of the National Parliament for the opportunity given to civil society to be involved and heard, JSMP started with an introduction on the work of JSMP in the area of court monitoring and the National Parliament, including JSMP's findings and achievements and how these can have an impact by increasing the quality of the justice sector and public confidence in the justice sector.

“JSMP appreciates the initiative of Committee F and considers this consultation as a positive step taken by Committee F at the start of the V legislature to provide an opportunity to involve civil society so they can contribute to the legislative process in relevant areas under the responsibility of Committee F. It is hoped that this will not be just a formality but will be ongoing and the issues presented by civil society will be given consideration and heard,” said the Executive Director of JSMP, Luis de Oliveira Sampaio.

During this consultation JSMP received questions from two members of parliament about the progress of serious crimes cases and JSMP's opinion on how to end the political impasse relating to proposed members of the VIII constitutional government whose nominations are still pending.

In response to these two questions the Director of JSMP stated that the issue of the nomination of members of government is a political issue and in order to resolve this issue politicians must sit together and form a consensus. If dialogue and other approaches cannot resolve the issue then another option recommended by JSMP was to take the matter to the Supreme Court of Justice to be decided, because only the court has full competency to decide on the matter and has more power than any other authority.

In relation to the processing of serious crimes, JSMP stated that most of the main perpetrators have remained free and only some have been prosecuted. Some of those who have been prosecuted then fled and some have served their sentence but those processed by the courts and sentenced could be counted on one hand. Many defendants are free in Indonesia and there is no mechanism to bring them to Timor-Leste to face charges. Politically speaking the State has not

given priority to past serious crimes and has placed more importance on diplomatic relations between the two countries.

In addition, the courts cannot try past serious crimes because pursuant to Article 10.3 of UNTAET Regulation No. 11/2000, and Article 22 of UNTAET Regulation No. 15/2000, on the composition of panels for serious crimes, the serious crimes panels must involve two international judges two and one national judge. Currently there are no international judges and therefore the courts are unable to process and try these serious crimes. JSMP recommended for members of parliament to amend the law to give competency to East Timorese judges to process these cases in the future.

JSMP has observed that the members of parliament from Committee F were enthusiastically heard the thoughts of civil society. The members of parliament considered these ideas to be very important and they asked civil society to collaborate positively in the future to monitor government activity to make further improvements and improve those things that need to be improved to take the nation forward in the future.

During the closing ceremony the President of Committee F, Ms. Maria Goru Mali Barreto, stated that she welcomes this contribution and Committee F will continue to listen to the thoughts and concerns of civil society to provide good solutions to resolve problems faced by the people.

Lastly, JSMP asked Committee F to be available in the future to hear detailed information from JSMP and members of the advocacy group on incest to present and discuss their thoughts on amending the Penal Code to include a specific article on the crime of incest.

Those civil society organizations that participated in the public consultation with Committee F included 12 NGOs, namely JSMP, AIFeLa, Pradet, FGG, Orfonato Santa Bakita, Rede Feto, Fakupers, Casa Vida, Movimento Feto Foin Sae, Caucus, Ba Futuru and Alola Foundation.

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