



JUDICIAL SYSTEM MONITORING PROGRAMME
PROGRAMA MONITORIZASAUN BA SISTEMA JUDISIÁRIU

Press Release
Baucau Regional Seminar
6 February 2017

**JSMP holds regional seminar on the role of the National Parliament
and the formal justice sector in Timor-Leste**

On 3 February 2017 JSMP held a regional seminar in Baucau Municipality on “The Role of the National Parliament and Judicial Actors in the Timor-Leste Formal Justice System”. The participants in this seminar came from all sectors of the community, including village chiefs, women's representatives, members of village councils and community leaders from 16 villages in Vemasse Sub-District, Baucau Municipality, Lautem Sub-District, Lautem Municipality and Ossu Sub-District, Viqueque Municipality. There were 25 participants, comprising 7 women and 18 men.

The seminar had a guest speaker from the Baucau District Court and another guest speaker from a non-government organisation. The court was represented by the Judge Administrator of Baucau District Court, the Honorable Judge Afonso Carmona, who spoke about the role of the Formal Justice System, and the non-government organisation was represented by JSMP Director, Luis de Oliveira Sampaio, who spoke about JSMP monitoring at the Parliament and the courts.

This seminar was aimed at establishing a direct relationship between the participants who received training on democracy, the role of sovereign organs of the State, public participation in the legislative process and access to the the formal justice system, with representatives from sovereign organs, specifically the National Parliament and the courts. Members of the community were able increase their knowledge and also express their views, criticism, doubts and concerns in relation to the role of the aforementioned sovereign organs. Unfortunately, a representative from the National Parliament was unable to attend due to an important matter that could not be delayed.

The topics covered during the seminar included arresting criminals, detaining defendants without a warrant of arrest, reporting criminal and civil cases, and also the application of Portuguese law, Indonesian Law and UNTAET regulations.

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The participants also raised issues such as land disputes involving people who occupy other's land and then claim the land as their own, and how the law determines who is entitled to such land. They also raised the possibility of amending the Law on Lifelong Pensions which was drafted by the National Parliament which provides no benefit to the State in terms of improving the lives of the people and its implications on society.

In addition the participants also raised the issue of Law No. 9/2016 which amends Law No. 3/2009 on Village Authorities which provides no benefits to village officials and has made them unhappy because delegates receive no salary and attendance lists are the consideration. In relation to laws that are still pending before the national parliament, the participants made a request to JSMP to ask the National Parliament and the Government to accelerate the discussion of such laws, especially land laws.

In relation to these questions, the court representative stated that to date the legislation and legal procedures that are applicable in Timor-Leste are the laws produced by the government of Timor-Leste and other laws that are applied when no new laws have been produced to supersede Indonesian laws and other laws.

In relation to the amendment of the Law on Lifelong Pensions, this is a political process before the National Parliament. JSMP is also concerned about this decision and encourages the community to actively participate in the process of developing the State and hopes that during the next legislative period the aforementioned law will be improved in accordance with the real conditions that exist in Timor-Leste.

The land laws are still being discussed, and therefore in the near future the National Parliament will approve this package of laws. They made a promise to the public that before their mandate expires they will complete the aforementioned package of laws. In addition they will also give priority to the Draft Law Against Corruption that is still pending before the National Parliament.

JSMP really appreciates the efforts of the participants and speakers to attend this regional seminar, especially the participation of the Judge Administrator of Baucau District Court.

The participants recommended for programs like this one to be carried out in other locations, especially for those communities that don't really have access to this type of legal information.

JSMP hopes that forums like this can provide a reference point that is beneficial and real for decision makers and in particular the courts, so that they can integrate reality with the actual needs of the people when upholding justice in Timor-Leste.

There is a plan to carry out the same program in Dili Municipality in February and March 2017.

This program was made possible through the support of the Government of Australia via AusAid for the 2016-2017 year.

For more information, please contact:

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