



JUDICIAL SYSTEM MONITORING PROGRAMME  
PROGRAMA MONITORIZASAUN BA SISTEMA JUDISIÁRIU

**Press Release**  
**Oekusi District**  
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**Community members from Bobocasse Village requested for the Government to promptly approve the law on Child Protection and to increase awareness about existing laws**

Community members in Bobocasse village, Pante Makasar Sub-Region, Oekusi Municipality –the Special Administrative Region of Oekusi-Ambeno, requested for the Government and the National Parliament to promptly approve the law on Child Protection and to raise awareness about existing laws. The participants raised this issue during training facilitated by JSMP about the Rights of Women and Children and Access to Formal Justice on 28 June 2019.

21 community members participated in this training, comprising 10 women and 11 men. These community members included residents from the sub-villages of Fatubisae and Bihala. The materials presented and discussed related to the definition of the child and the rights of the child, the obligations of institutions to protect children, national laws and international tools that protect the rights of the child, types of crimes against children including relevant articles in the Penal Code that provide protection to children.

“This training is part of JSMP’s commitment to continue providing information, especially in relation to the rights of women and children and also the existing formal procedures in order to help increase their knowledge about legal tools and laws that guarantee and protect women’s rights and also children’s rights including enabling them to initiate proceedings through the formal system”, said Casimiro dos Santos, Acting Director of JSMP.

During this training the community members raised questions, and expressed their concerns and regrets about that fact that laws exist but the Government has not engaged in efforts to raise awareness about these laws and has not approved the law on child protection, as well as the exercise of human rights in ways that do not respect others, the issue of divorce and responsibility for children in the future, rape involving minors and domestic violence (fathers hitting their children) which they consider to be a way of educating their children. In addition, the participants raised the issue of showing pornographic films to children.

In response to these questions, concerns and regrets, as well as the issue of raising awareness about the existing laws and the issue of the Draft Law on Child Protection which has not yet been discussed by the National Parliament, JSMP explained that actually when laws are

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approved and promulgated, the Government through the Ministry of Justice has the responsibility and obligation to raise awareness about these laws, but sometimes we also need to understand that the Government has limited resources and other priorities, therefore the Government has not yet raised awareness about some laws. Meanwhile, regarding the issue of the Draft Law on Child Protection, JSMP explained about JSMP's involvement in the process of discussing this draft law. JSMP told the community members about the status of this draft law, and that the Ministry of Social Solidarity and Inclusion has a plan to prepare the draft law so it can be presented to the Council of Ministers for approval and presentation to the National Parliament.

In relation to the issue of the exercise of human rights and freedoms in a way that does not respect others (no respect for parents), JSMP explained that even though we have rights and freedoms, there are also limitations, meaning that we can have the freedom and right to do something, but this does not mean that we can use these rights to violate the rights of another person. Also, sometimes people do not use these freedoms and rights in the correct way and do not limit their own actions and therefore undermine the rights of others.

In relation to the issue of divorce and child neglect, JSMP clarified that divorce is a civil issue and can be resolved in accordance with civil proceedings. In relation to child neglect (the issue of food assistance), JSMP explained that in the first instance a person can access civil proceedings to request for a father or mother who has neglected their child to take responsibility for providing food assistance. However, if the court has decided the matter and the father or mother has not complied with the decision of the court, then the mother or father can be held responsible for violating Article 225 of the Penal Code on the crime of failure to provide food assistance which carries a minimal sentence of 30 days in prison and a maximum sentence of 3 years in prison or a fine. Also, Article 1758 of the Civil Code on the exercise on parental power was discussed.

Also JSMP spoke about the issue of parents who hit their children as a way of educating them, and JSMP explained that according to the Constitution, children have the right to receive special protection from parents, society and the State, especially against actions such as the failure to look after them, neglect, violence and other acts.

JSMP also explained that when a mother and father commit a crime against their children (such as hitting), this violates Article 145 of the Penal Code on simple offence against physical integrity. Also, because these acts occur in the domestic sphere or as part of family relations, the Law Against Domestic Violence also applies.

In relation to the issue of showing pornographic films to children, JSMP mentioned Article 176 of the Penal Code on child pornography, which carries a sentence of between 3 - 10 years in prison.

During the opening and closing sessions of this training, the Village Chief of Bobocasse, Mr. Sebastião Cob, asked the participants to focus on this activity and to take it seriously so they

could obtain useful information for the community, parents as well as local authorities. The Village Chief added that the information distributed by JSMP is useful because it relates to the rights of community members and the rights of their children, so that everyone will know that the development of children is the responsibility of parents and the community. The Village Chief also asked for community members to disseminate this information to other community members who were unable to take part in this activity.

Finally the village chief, on behalf of the members of Bobocasse Village, thanked JSMP for taking the initiative to disseminate this important information to their community.

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