



JUDICIAL SYSTEM MONITORING PROGRAMME
PROGRAMA DE MONITORIZAÇÃO DO SISTEMA JUDICIAL

Press Release

Period: 28 April 2008

Edition: April 2008

Anniversary of JSMP: Progress and Challenges
April 2001 - April 2009

JSMP is a national NGO that was established in Timor Leste and has been in operation since 2001 with the main aim of promoting the rule of law and democracy and upholding international human rights standards through court monitoring, analysis of court decisions, research, commentary and recommendations on thematic justice issues identified within the formal justice sector.

In order to achieve this objective JSMP established four units, namely the Legal Research Unit, the Women's Justice Unit, the Public Outreach Unit and the Victim Support Service (VSS). These units are provided with administrative support and supervision by the management team of JSMP. These four units conduct activities in specific areas, such as: monitoring all of the district courts and the Court of Appeal, as well as the National Parliament, analysing legislation, information dissemination programs (radio and television programs), training programs for women's groups and journalists in the districts, training to police, Village Councils and members of the community about the Timor Leste judicial system as well as providing legal aid to victims of gender based violence. The aim of these activities is to support and develop a judicial system that is strong, adequate, transparent and accessible to all.

JSMP publishes the results of these activities through press releases, justice updates and thematic and annual reports. The publication of thematic reports is a routine and periodic activity whereby JSMP prepares information related to the judicial system that is disseminated to interested members of both the national community and the international community. Therefore, on this occasion of the eighth anniversary of JSMP, we are launching a report about provisions on Abortion as contained in the Timor Leste Penal Code, with a discussion on constitutionality and compliance with international laws that have been ratified by the state of Timor Leste. This analysis makes reference to and reflects on practices existing in other member states of the international conventions that relate to the protection of human rights. This report is entitled **"Abortion Issue Still Needs to be Addressed: Article 141 of the Timor Leste Penal Code needs**

to Comply with the Constitution and International Law” which can be found on the JSMP website.

During its eight years of operation JSMP has observed many impediments that have influenced the functioning of the judicial system in Timor Leste, however JSMP also recognises progress that has been made in some areas. These impediments include language issues, limited human resources in the justice sector, pending cases, infrastructure, inadequate legislation/laws and other types of logistic support that are required to ensure the effective functioning of the judicial system. These impediments have had an impact on the ability of the justice system to respect fundamental human rights and provide affordable, timely and equal justice, including respect for other basic principles that are set out in the Constitution.

Progress has been made in some areas such as the renovation of the Dili District Court and other district courts, an increase in the number of judicial officials in the Public Prosecution Service, ongoing training programs for jurists, the construction of accommodation for prosecutors and public defenders in the districts, the provision of transport for some judges etc.

JSMP would like to use this opportunity to appeal to all components of the state, especially those components that have a decision making capacity in this respectable judicial system of Timor Leste, because JSMP believes that the only solution available to fix the current situation is to guarantee the provision of justice to all people.

JSMP also appeals to other entities, individuals, collectives, academics, donors and representatives of civil society to come together and help each other to complement, strengthen and revive the judicial sector with proper regard to the spirit of the Constitution, the rule of law and human rights across Timor Leste.

Through an effective justice system we will be able to exercise and enjoy our fundamental rights as guaranteed in the Constitution and international conventions that have been ratified by the State.

For further information please contact:

Luis de Oliveira Sampaio

Executive Director of JSMP

Email: luis@jsmp.minihub.org