



JUDICIAL SYSTEM MONITORING PROGRAMME

PROGRAMA MONITORIZASAUN BA SISTEMA JUDISIÁRIU

Press Release

Suai District

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Community leaders prefer to use formal justice mechanisms to resolve crimes in their villages

On 22 January 2015 the Judicial System Monitoring Program (JSMP) facilitated training on access to formal justice for authorities from Sadahur Sub-Village, Fohorem Village, Fohorem Sub-District, Suai-Covalima District.

This training started with an introduction about JSMP and its history of monitoring the justice system and the legislative process in Timor-Leste. In addition, the purpose of this training was explained, namely to disseminate information about access to formal justice to increase the knowledge of local authorities as well as members of the community about how to make a complaint in accordance with the formal mechanisms that exist in Timor-Leste.

This training was attended by 31 participants, comprising 15 men and 16 women. The participants included local authorities, representatives from women's groups, youth and other female members of the population.

The materials presented and discussed in the training session covered the Law Against Domestic Violence and provisions of the Penal Code that provide for crimes categorized as domestic violence pursuant to Article 35 of the Law Against Domestic Violence. In addition, the training also discussed relevant provisions set out in the Penal Code relating to the family context and other provisions in the Criminal Procedure Code.

There was also discussion about the duties and institutional responsibilities of the court actors, namely the judges, public prosecutors, public defenders, private lawyers and the police, and how to access formal justice as a defendant or victim of a crime.

“The village authorities are an important pillar in the community. JSMP believes that training for local authorities on the Law Against Domestic Violence and access to formal justice will strengthen their knowledge regarding the most common cases that occur in the community, so they can handle these cases in accordance with formal mechanisms which they understand,” said the Executive Director of JSMP, Luis de Oliveira Sampaio.

The Village Chief of Fohorem, Mr. Agosto Cardoso, stated that the community was happy that JSMP had chosen his village to receive relevant information on formal justice.

The Village Chief emphasized that in his village there were many types of cases, such as domestic violence, violence against minors, land disputes, divorce, abortions and cases involving members of the police, however they did not have enough information to process these cases. Therefore, they only resolve them at the village level.

During the training JSMP observed that the participants, especially the village authorities, were confused about cases of domestic violence and other crimes that until now have been resolved at the village level because previously they considered domestic violence to be a family problem. Therefore, JSMP believes that the dissemination of legal information should be continued to enable the community and the village authorities to have sufficient knowledge about the legal provisions that are in force.

The customary elders requested JSMP organize the same training in the future at the sub-village level, and to include more members of the community. They also requested JSMP convey their concerns, especially in relation to the dissemination of information by the State via the relevant institutions so that information could be passed on to community members in isolated areas where it is difficult to access information especially regarding the justice sector.

JSMP observed that the participants actively participated in the discussion and asked questions in relation to cases of domestic violence and other cases that they identified. On the basis of these concerns, the facilitator responded that in accordance with the applicable law, and the Law Against Domestic Violence, domestic violence is a public crime and the legal process does not rely on a complaint from a victim.

JSMP believes that this training will continue to allow members of the community in isolated areas to have a better understanding, and in particular will enable them to choose how to handle cases categorized as semi-public and public crimes involving members of their families.

This training ended with the handover of JSMP brochures and publications to the local village chief to be passed on to community members.

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