



Press Release

29 February 2016

Dili District Court

Dili District Court sentences defendant to 5 years in prison for crime of rape

On 16 February 2016, the Dili District Court sentenced the defendant JCM to 5 years in prison after he was found guilty of committing the crime of rape against the victim JS on 24 October 2008, in Liquica District.

The court found that the defendant forcefully carried the victim and laid her on the ground, removed her clothing, covered her mouth tightly, and forcefully had sexual intercourse with her. The defendant committed these actions when the victim was taking food to her mother at a plantation. After the incident, the victim and her family made a complaint against the defendant to the police.

In front of the police, the defendant promised to marry the victim, so the victim and her family stopped the process against the defendant and it was resolved through the family. The victim and the defendant lived together, however, not long after the defendant left. The victim did not accept the actions of the defendant and reopened the case against him.

During the trial the court determined that the defendant's promise to marry the victim was just a way for him to avoid criminal responsibility for the crime committed against her.

“JSMP believes that it is important for relevant institutions to understand their respective roles in accordance with the legal rules. According to the law, the police do not have the authority to facilitate negotiations between a victim and defendant

in any crime, especially rape”, said the Executive Director of JSMP, Luis de Oliveira Sampaio.

The Public Prosecutor charged the defendant for violating Article 285 of the Indonesian Penal Code because this case allegedly occurred in 2008.

Although the defendant denied that he used force to engage in the aforementioned relations, and said the relations were based on mutual consent, the court proved the charge of rape based on the victim’s testimony that the defendant had raped her.

The case was registered with the court as Case No. 1430/08.PDDIL. The announcement of this decision was led by judge Jumiati Maria Freitas representing a panel of judges. The public prosecution service was represented by Antonio da Silva Tavares and the defendant was represented by public defender Sebastiao Amado de Almeida.

For more information please contact:

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