



Press Release

4 April 2024

Participants in the training gained an understanding of public crimes and semi-public crimes after receiving information from JSMP

On 19 March 2024 JSMP shared information about access to formal justice to the administrative structure and community members from Uai-Tunau Sub-Village, Uma-Ana-Iku Village, Venilale Administrative Post, Baukau Municipality.

The aim of providing this information was to increase the knowledge of the sub-village administrative structure and community members about how to access formal justice and to ensure that disputes and other cases are resolved in the sub-village based on the formal laws that are applicable.

“JSMP is happy to provide this training to local authorities at the sub-village level and community members, which can increase the knowledge of community members about the formal justice process. This activity is a part of other activities carried out according to a Memorandum of Understanding (MoU) between Uma-Ana-Iku Village and JSMP based on the Community Security Support Program (PASK) to respond to concerns raised by the Sub-Village Chief and community members regarding issues they have faced in relation to justice,” said Ms. Ana Paula Marçal, Executive Director of JSMP.

The training materials covered definitions about the law, definitions of crimes, types of crimes, the nature of crimes, and sentences, and also procedures in criminal and civil cases that are processed through the formal justice system. Also an explanation was provided about the role of the administrative structure in the Sub-Villages when disputes occur in the Sub-Villages. Finally the JSMP team also spoke about the work of the referral network that provides legal aid to women and children who are victims.

After hearing JSMP’s presentation, some participants expressed their concerns about the implementation of the Law Against Domestic Violence (LADV) which allows another person to make a complaint when there is a fight between a wife and husband, even though this is considered normal.

In response to these concerns, JSMP explained that after the Law Against Domestic Violence came into effect, any crimes involving a wife and a husband, an ex-wife and an ex-husband or another person living together in the same household, when there is economic dependency, or parents against a child, or a child against parents, are considered to be public crimes, therefore any person who has knowledge about such an incident can make a complaint to the police or the Public Prosecution Service and the matter can only be resolved at the court. However, even if the matter is resolved at the village level or between the families or according to cultural norms, the case still needs to be decided by the court.

Other participants conveyed their concerns about the presence of some village leaders at the scene of the crime (when a husband has hit a wife), because the leaders just observe but they don't make a complaint. We know that these cases are public crimes. What about their job?

In response to this concern, JSMP explained that, when these cases occur in the community and some authorities are there, and any community member witnesses it, then a complaint can be made, and if the authorities are at the scene of the crime then they have the duty to make a complaint, because their role is to prevent such cases.

The next concern related to family rights, especially inheritance rights. In relation to the wealth of parents, do daughters have these rights or not? Does the law grant rights to daughters as well? Because when we talk about culture, sons always have more power than daughters.

In response to this concern, JSMP explained that inheritance is mentioned in the Timor-Leste Constitution, namely there are equal rights for women and men, and our Civil Code also sets out equal rights for women and men regarding inheritance from their parents.

The Uai-Tunau Sub-Village Chief, Mr. Ponciano da Costa Belo, in his speech stated that as the Sub-Village Chief who was recently elected, he is very happy with the collaboration between Uma-Ana-Iku Village and JSMP, because this collaboration can help communities who are dealing with cases. Also, it can increase our knowledge about public crimes and semi-public crimes, because this is the first time that we (myself and the community) in this Sub-Village have attended training about access to justice and this is new training for us and previously cases occurred in our community, especially between wives and husbands, however we did not make a complaint because we didn't know if such behavior was a crime or not and didn't know about how to make a complaint. After attending the training we gained an understanding that this behavior is a public crime and any person who has knowledge about an incident can make a complaint.

34 people participated in this activity to disseminate information, namely 16 women and 18 men. The participants comprised the Sub-Village Chief, a customary elder from the Sub-Village, a male elder from the Sacred House, male and female delegates, a disabled person, a Veteran, a representative of a Martial Arts group, and some community members.

This training activity was conducted by JSMP through the Community Security Support Program (PASK), through collaboration with The Asia Foundation (TAF) which was financed by the Embassy of New Zealand in Timor-Leste.

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