



Press Release
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Information from JSMP about access to justice really helps community members in Eraulu Sub-Village, Ermera to channel their problems and understand the process

On 22 March 2024 JSMP disseminated information to local authorities and community members from Eraulu Sub-Village, Samalete Village, Railaku Administrative Post, Ermera Municipality about human rights, definitions of the law, gender based violence (GBV), how to access formal justice and the work of the referral network in dealing with cases involving GBV.

This activity took place in Eraulu Sub-Village with 29 participants, comprising 14 women (including one disabled person) and 15 men. The participants included members of the sub-village administrative structure, sub-village chief, female and male youth leaders, female and male delegates, a disabled person and community members including a customary elder.

The aim of disseminating this information was to increase the knowledge of community leaders and community members about the aforementioned issues so that they can understand and manage their cases based on existing mechanisms (formal justice and community justice).

“JSMP considers that it is important to provide information about how to access formal justice to the sub-village administrative structure and community members who live in rural areas, so that they will have a good understanding about justice mechanisms in accordance with the law to help them deal with problems in accordance with community justice and to channel their cases to the formal justice system,” said Ms. Ana Paula Marçal, Executive Director of JSMP.

During his speech, the Eraulu Sub-Village Chief, Mr. Hipolito Oliveira Carvalho, thanked JSMP for holding this activity with them and the presence of JSMP has provided an opportunity to community members in Eraulu Sub-Village to hear information about rights and access to formal justice.

The Sub-Village Chief also stated that to date community members in Eraulu Sub-Village have had many cases, however they didn't understand information and didn't know how to channel their cases, so they remained silent, however with the presence of JSMP the Sub-Village Chief believes that community members will have an understanding and can channel their cases in accordance with the existing mechanisms.

The Sub-Village Chief also recommended for JSMP to continue providing such activities to communities that don't have opportunities, so that all

communities can have knowledge and can exercise their rights in accordance with the law.

During this session the participants conveyed their concerns about witnesses in cases of domestic violence (DV) who wish to make a complaint, however they are afraid that in the future there will be resentment and they will not have any money to pay for transport to and from the court. Also, there is the issue of children selling goods in Dili and not going to school and the issue of land disputes.

In response to the issue of witnesses feeling afraid to make a complaint, JSMP responded that people should not feel afraid to make a complaint because the act of making a complaint will save other people from violence in the family or society and can contribute to ending the cycle of violence in our society. The Law on the Protection of Witnesses also provides guarantees or protections, so that others will not know when a person makes a complaint. Also, this law states that the State will reimburse expenditure when parties are contributing to justice as witnesses, however the implementation of this law has not been smooth, so JSMP together with the service network for many years has been focusing on this and demanding for the Government (MoJ) to properly implement this law so that it can ensure, guarantee and provide proper protection to witnesses or victims.

Regarding the issue of many children not having access to their rights and selling goods in Dili, JSMP explained that the State has ratified the International Convention on the Rights of the Child and has promulgated the Law on Protection for Children and Young Persons who are in Danger. This law ensures the rights of children and young people who are in danger, therefore our State is endeavouring to create the necessary conditions for children and young people to have access to their rights and this law also places obligations on the family (parents) to provide minimum conditions and protections to their children.

Regarding land disputes, JSMP responded that all citizens have the right to property, including land, however for land that is obtained, through a purchase, inheritance from parents, or donation, in accordance with the law. Land issues are complex because sometimes a piece of land can belong to three or four people. Some people have Portuguese certificates, some people have Indonesia certificates and some people have occupied land for many years, and they all have the right to make a claim, however if the matter goes to court to be decided in accordance with the law, and parties and witnesses will have a chance to provide testimony, then documental evidence such as a certificate will have more value in accordance with the law and logic.

JSMP also informed the community members that the main role of judicial institutions is to ensure a judicial process that is fair for all people in any cases, both criminal or civil, that are being tried at the courts.

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