



JUDICIAL SYSTEM MONITORING PROGRAMME
PROGRAMA MONITORIZASAUN BA SISTEMA JUDISIÁRIU

Press Release
11 January 2023

JSMP signs an MoU with leaders from Samalete Village for the Community Security Support Program (PASK)

On 10 January 2023, JSMP together with leaders from Samalete Village, Railaku Administrative Post, Ermera Municipality, represented by the Village Chief of Samalete, Mr. Antonio Filipe dos Santos signed a Memorandum of Understanding (MoU) on future collaboration for JSMP's Community Security Support Program (PASK) with specific activities to monitor dispute resolution processes in relation to the community justice system in Samalete Village and to ensure harmonization between community justice and formal justice. This MoU is valid for the period of 10 January 2023 until 10 January 2024 with the possibility for extension, depending on the agreement of the two parties.

The ceremony to sign this MoU was attended by Mr. Tomas Soares, Administrator of Railaku Administrative Post, Prosecutor Simão B. Seixas, Delegate from the Ermera Municipality Public Prosecution Service, Marcia Sarmento, Inspector from the Office of the Public Defender, Mr. Sudençio de Jesus, Railaku PNTL Commander, Ms. Hildegardis Wondeng, Representative from the PASK/TAF Program and was also attended by sub-village chiefs, customary elders, representatives from the Village Police Officers and Community Policing Councils and female and male delegates from Samalete Village.

"We are very grateful to the village chief and all of the village authorities for signing this MoU for future collaboration through the Community Justice Program. This program focuses on the community justice system which to date has existed by following up the process to resolve disputes in the community, and the village authorities ensure that rules and decisions are in harmony with the applicable law. Also, JSMP will monitor the effectiveness of applying suspended sentences in cases and will disseminate information about law, including ensuring that information is provided to communities about the progress of matters that are taken to court," said Ms. Ana Paula Marçal, Executive Director of JSMP.

Mr. Antonio Filipe dos Santos, the Samalete Village Chief, said that he was very grateful that JSMP chose his village as a place to monitor the community justice process because they acknowledge that to date many community members have

Rua Beco Lakateu, Aldeia Manufuik, Suku Kolmera,
Sub-distrito Vera Cruz Munisípiu Dili

PoBox: 275

Telephone: 3323883 |77040735

www.jsmp.tl

info@jsmp.tl

Facebook: www.facebook.com/timorleste.jsmp

wished to resolve their cases through community justice, however the village authorities more often resolve civil cases rather than criminal cases because they don't have knowledge about the resolution process, but they have also faced difficulties when making decisions because most parties want to obtain a decision that satisfies their interests. Therefore, the village chief hopes that JSMP's presence can help them to provide fair solutions that do not violate the law.

Also, Simão B. Seixas, a member of the delegation from the Ermera Municipality Public Prosecution Service, was grateful to JSMP for choosing Samalete Village which is located in a remote area, therefore he asked for the village authorities and the Village Police Officers to collaborate with JSMP because this program has the excellent objective of aiming to strengthen the justice system through the use of processes by the village authorities to resolve community disputes. Also, this prosecutor emphasized that this was an excellent opportunity for prosecutors to share information about the role of prosecutors and at the same time the communities could know that in Ermera Municipality there are prosecutors that can help communities when they have problems.

Also, Marçia Sarmiento, Inspector from the Office of the Public Defender, shared information about the role of the Office of the Public Defender, and said that this program is an excellent initiative and therefore the aforementioned office is ready to collaborate with this program to find good ways to enable access to justice.

Mr. Sudençio de Jesus, Railaku PNTL Commander, Railaku Administrative Post, Ermera Municipality, stated that he was really happy with this JSMP program because it can help raise the knowledge of village authorities about the dispute resolution process and therefore dispute resolution will not be in conflict with the formal law. The aforementioned commander said that sometimes they receive information from communities that the community justice process only favors some parties. This commander also requested for JSMP to further expand this program to other villages to ensure that village authorities can make even better decisions.

Also, Tomas da Costa Soares, the Administrator of Railaku Administrative Post, expressed his gratitude to JSMP for choosing Samalete Village with a new program to monitor the community justice process and to help this village collaborate in legal processes. He requested for JSMP to expand this program to other villages because Railaku has nine (9) villages that have similar circumstances and really need the support of JSMP to strengthen the justice system.

The final speech was made by Ms. Hildegardis Wondeng, as a representative of The Asia Foundation (TAF). She thanked the village team for allowing JSMP to implement this program with the role of helping communities so they can facilitate access to fair justice and to ensure that ultimately the communities will use customs in accordance with the applicable law.

In this activity JSMP is working with The Asia Foundation, through the Community Security Support Program (PASK) which is financed by the New Zealand Embassy to conduct research on the effect of community justice to resolve disputes in the community. Through this program JSMP has met with Village Leaders including authorities and customary elders in 9 villages and five municipalities, namely Baucau, Covalima, Ermera, Aileu and the Special Administrative Region of Oecusse-Ambeno. In the end JSMP and The Asia Foundation chose the option to conduct monitoring in four villages, namely Samalete Village, Railaku Administrative Post, Ermera Municipality, Oges Village, Maukatar Administrative Post, Covalima Municipality, Uma Ana-Ulu Village, Venilale Administrative Post, Baucau Municipality and Lifau Village, Pante Makasar Administrative Post, Special Administrative Region of Oecusse-Ambeno.

JSMP hopes that with good collaboration between village authorities and community members in the selected villages, as well as relevant parties such as post administrators, the police and judicial institutions, this program will achieve success and achieve the main aim that all people will have access to justice with transparency and fairness and communities will use customs in accordance with the applicable law.

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For more information, please contact:

Ana Paula Marçal
Executive Director of JSMP
Telephone: 3323883/77040735
Email: ana@jsmp.tl
info@jsmp.tl
Website: <http://jsmp.tl>