



Press Release
Suai District Court
9 June 2021

Suai Public Defenders did not attend mobile trials in Maliana Municipality due to a lack of transport
JSMP recommends for the Office of the Public Defender and the Ministry Of Justice to respond urgently

The Suai District Court conducted mobile trials in the second week of June 2021 in Maliana, Bobonaro Municipality for 34 cases. However these mobile trials were not attended by the Suai Public Defender because they had no transport.

“JSMP has observed that this situation is very serious because according to the agenda for the first trials on Monday there were five cases that had to be adjourned by the court because there was no public defenders to provide assistance to the defendants for the same reason as always, due to a lack of transport. JSMP urges the Office of the Public Defender and the Ministry of Justice to respond to this situation to immediately ensure the rights of vulnerable citizens to access justice,” said the Executive Director of JSMP, Ms. Ana Paula Marçal.

On 8 June 2021 the Mobile Court scheduled one case involving the crime of smuggling and one case involving the crime of the sexual abuse of a minor. However for these cases the court appointed private lawyers to substitute the public defender to provide assistance to the defendants because there were no public defenders present. Private lawyers were only substituted on that day and they didn't have a good understanding of the cases which impacts on their ability to provide a sound defence.

JSMP considers this situation to be serious and it undermines the rights of the parties to access fair justice because they expect public defenders to provide good quality and free assistance in their cases, however public defenders did not provide assistance because of transport problems. For this reason, JSMP demands for the Ministry of Justice to urgently facilitate sufficient operational transport to the Office of the Public Defender to facilitate the work of public defenders, including their participation in the mobile courts. If transport is not available in the short term it could have further implications on the rights of defendants to access justice free of charge when the mobile court is conducted in the future.

Previously, the Suai Public Defenders Office had two operational cars to assist the public defenders to carry out their work, but one car is in the workshop and the other car is out of service due to an accident.

In JSMP's Overview of the Justice Sector Report and previous press releases¹ JSMP has often recommended for the Ministry of Justice to provide sufficient facilities to the Office of the Public Defender to enable its staff to carry out their work properly,

¹ https://jsmp.tl/wp-content/uploads/RelatoriuKontratuProsesuSIVIL_TETUM.pdf and https://jsmp.tl/wp-content/uploads/PrTribunalBaucauAdiaJulgamentu_TETUM.pdf

however to date public defenders continue to face problems with transport and other facilities, and in the end public defenders from the Suai Office were unable to attend mobile trials in Maliana Municipality.

In 2020 during the debate on the 2021 State Budget, the Minister of Justice acknowledged that the Office of the Public Defender lacked transport to facilitate work in the courts. Therefore, the Minister of Justice promised to transfer 8 vehicles from the National Cadastral System Company that has finished its contract with the Government to the Office of the Public Defender, however until now only two vehicles have been transferred and they are out of service, so the public defenders still don't have transport.

For more information, please contact:

Ana Paula Marçal

Executive Director of JSMP

Email: ana@jsmp.tl

Website: <https://jsmp.tl/>

Rua Beco Lakateu, Aldeia Manufuik,
Suku Colmera, Administrativu Vera Cruz
Dili Timor Leste
PoBox: 275
Telefone: 3323883 | 77040735
www.jsmp.tl
ana@jsmp.tl

Facebook: www.facebook.com/timorleste.jsmp

Twitter: @JSMPTl