



Press Release
25 January 2022
National Parliament

JSMP praises the efforts of MPs for initiating draft amendments to the Statute of the Office of the Public Defender and the Law for the Legal and Judicial Training Centre for these institutions to become independent institutions

On 19 January 2022 Committee A of the National Parliament managed to hold the first meeting with relevant entities in the justice sector to hear their thoughts about the draft amendment of the Statute of the Office of the Public Defender and the Law for the Legal and Judicial Training Centre.

During her speech, her excellency MP Carmelita C. Moniz, who was one of the proponents, explained that the aim of these two draft laws is to complement the Law on Judicial Organisation which was approved by the National Parliament and also promulgated by the President of the Republic. These two laws are also part of the policy to reform the judicial sector and therefore the MPs believe it is important to separate these two institutions from the Ministry of Justice so they can effectively perform their work to help improve the quality of justice in Timor-Leste.

“JSMP really appreciates the efforts of the MPs who initiated these amendments, for prioritizing these two draft laws and also Committee A which has made it a priority to hold an initial assessment of these two draft laws in order to obtain information from relevant entities in the justice sector before discussing and approving these laws so they can become independent institutions based on recommendations made by JSMP to date”, said the Director of JSMP, Ana Paula Marçal.

JSMP also recommended for the members of parliament to use the new draft law on the Statute of the Office of The Public Defender not to amend Decree-Law No.10/2017 on the Statute of the Office of the Public Defender, but rather to revoke it. Therefore, the Office of the Public Defender will be able to transform itself into an independent public institution separate from the oversight of the Ministry of Justice.

JSMP also agrees to separate these two institutions, the Office of the Public Defender as well as the Legal and Judicial Training Centre from the oversight of the Ministry of Justice so they are independent institutions to enable them to work more effectively and with better quality in accordance with the strategic plan for the justice sector for 2011-

2025.¹ Previously in the JSMP 2018 annual report on the justice sector,² JSMP questioned the financial independence of the Office of the Public Defender and recommended that funding for the Office of the Public Defender needs to be independent and this office should not rely on the Ministry of Justice for funding so they can manage their own resources based on their own needs in relation to facilities, and budget to ensure high quality work and to help the people access formal justice in Timor-Leste³.

The entities that participated in the discussion to assess these two draft laws agreed to separate these two institutions from the Ministry of Justice and considered it important to establish a new law for the Legal and Judicial Training Centre to formulate training in the justice sector. The following institutions participated in this meeting: the courts, the Public Prosecution Service, Office of the Public Defender as well as the Director of the Legal and Judicial Training Centre.

Meanwhile the proponents of these two draft laws were the following MPs: Ms. Carmelita C. Moniz (CNRT), Mr. Arão Noe J. C Amaral (CNRT), Mr. Patrocino F. dos Reis (CNRT), Mr. Francisco David Xavier Carlos (UDT), Mr. Joaquim dos Santos Boraluli (Fretilin), Mr. Jose Pacheco Soares (Fretilin), Mr. Francisco M. Branco (Fretilin) and Mr. Dario Madeira (Fretilin).

For more information, please contact:

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

¹ Full information is available on page 23 and page 28 of the strategic plan for the justice sector 2011-2025 on the website: http://www.mj.gov.tl/files/JSSP_TETUM.pdf

² Refer to JSMP's 2018 annual report on the justice sector, page 66 on the JSMP website: <https://jsmp.tl/wp-content/uploads/OJS-2018-report-TETUM.pdf>

³ Full information is available on the budget of the Office of the Public Defender on page 23 of the JSMP 2020 annual report on the JSMP website: https://jsmp.tl/wp-content/uploads/Relatoriu-OJS-2020_FINAL.pdf

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Rua Beco Lakateu, Aldeia Manufuik,
SukuColmera, 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