



JUDICIAL SYSTEM MONITORING PROGRAMME
PROGRAMA MONITORIZASAUN BA SISTEMA JUDISIÁRIU

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Committee A of the National Parliament hears JSMP's thoughts on the draft laws on Judicial Organization

On 8 April 2021 Committee A of the National Parliament held a public consultation with JSMP and the President of the Court of Appeal. The aim of this meeting was to hear the thoughts of relevant parties, especially JSMP, about the draft amendments to Law No 19/V (3) on Judicial Organization and proposed amendments to Law No. 28/V (3) on the Organization and Functioning of the Courts.

During his introduction President of Committee A, His Excellency Mr. Joaquim dos Santos 'Boroluli', said that the purpose of producing these draft laws was to introduce a new judicial system in accordance with the provisions of the Constitution set out in Article 163.2 which states that the Judicial Organization existing in Timor-Leste from the time the Constitution enters into force shall continue until a new judicial system is established and starts its functions.

"JSMP really appreciates the work and efforts of the National Parliament, particularly Committee A and the Government, for giving priority to initiate these two draft laws to speed up discussions on these laws. This is a positive step for Timor-Leste to have its own laws that will regulate the functioning of the judicial system", said the Executive Director of JSMP, Ana Paula Marçal.

To date the functioning of the courts in Timor-Leste has been based on UNTAET Regulation No.11/2000, dated 6 March, as amended by Regulation No. 25/2001 to introduce judicial organization in Timor-Leste with courts located in 4 districts, namely the Baucau, Dili, Oecusse-Ambeno and Suai district courts. Also, there are orders and rules that regulate the professional status of those in the judicial sector, especially judges, prosecutors, agents of the Office of the Public Defender and private lawyers, and also other essential matters to support the administration of justice in Timor-Leste.

JSMP believes that it is very important for legislators to hear the thoughts of relevant entities to allow them to express their thorough analysis of these two draft laws to provide reflections on how to further improve these laws to respond and reflect the real situation that the judicial actors face as well as their needs.

When making its presentation JSMP spoke about the importance of these laws to properly establish three pillars in the judicial sector that are interdependent in their

functioning, namely the courts, the Public Prosecution Service and the Office of the Public Defender and private lawyers, because without them the judicial process will not function.

Also, JSMP highlighted improvements to the title of these laws, the way they are structured and set out so that these laws are better organized and structured in a systematic fashion. Therefore, JSMP presented a written opinion that presents an alternative structure. More information about the alternative structure recommended by JSMP can be accessed via JSMP's opinion on JSMP's website¹.

This public consultation was attended by Honorable Judge Deolindo dos Santos, President of the Court of Appeal, who also highlighted articles that regulate the Public Prosecution Service and the Office of the Public Defender, as well as judicial officers, including parallel support for the administration of the courts to be regulated in their statutes.

When closing the meeting the President of Committee A, His Excellency Joaquim dos Santos, thanked JSMP and the courts for participating in this public consultation and also expressed gratitude for receiving written opinions from JSMP and the courts that were immediately available to Committee A and can be included in future reports compiled by the Committee.

For more information, please contact:

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¹ Available at: <https://jsmp.tl/publications/submissaun/>