



JUDICIAL SYSTEM MONITORING PROGRAMME
PROGRAMA MONITORIZASAUN BA SISTEMA JUDISIÁRIU

Press Release
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Community members and members of the village administrative structure in Lalisuc Village raised concerns about the formal justice process which involves lengthy delays

On 10 November 2023 JSMP held training for members of the village council and community members in Lalisuc Village, Pante Makasár Administrative Post, Special Administrative Region of Oecusse-Ambeno (RAEOA). The training materials focused on democracy, the role of sovereign organs, public participation in the law-making process and access to formal justice in Timor-Leste.

The aim of this training was to increase the knowledge of members of the Village Council and community members, including disabled persons in particular, about democracy, the role of sovereign organs in the law-making process, and the right to access formal justice in Timor-Leste.

“JSMP hopes that the members of the village council and community members who participated in this training can pass on the information that they obtained to community members who did not participate in this training. Therefore, other community members can also have knowledge about relevant information and can actively participate in the national development process, especially in the political, legislative and justice sectors,” said the Executive Director of JSMP, Ms. Ana Paula Marçal.

During the training the participants conveyed some of their concerns about the formal justice process that involves lengthy delays in the courts, and democracy that does not reflect the culture of Timor-Leste, the use of rights and freedoms to violate the rights of other persons, the rights relating to marriage including procedures to resolve cases of domestic violence in accordance with the formal law in Timor-Leste.

In response to these questions, JSMP stated that in relation to the formal justice process, currently a problem facing the justice sector is a lack of human resources. Sometimes this can have an impact on delays in processing cases. In relation to this issue, if during proceedings there are indications that the Criminal Procedure Code and Civil Procedure Code are not being followed, then a complaint can be made.

Regarding the issue of democracy and use of rights and freedoms, according to the democratic rule of law everything is regulated by the law, therefore, when exercising rights and freedoms the law that is applicable in Timor-Leste must be followed, with respect also for the rights and freedoms of other persons. If these rights and freedoms are used to remove another persons' rights, then the law will educate and convict or punish. In relation to the issue of resolving cases of domestic violence, Timor-Leste has

Law No. 7/2010 Against Domestic Violence. This law decrees that domestic violence is a public crime and if it takes place the other person can make a complaint and these crimes will be processed in accordance with formal justice.

Also, the issue of marriage is regulated in the Timor-Leste civil law. The provisions of Article 1475 regulate marriages that are considered legal, namely marriages in accordance with the Catholic religion, the civil registry (notarized), customary marriage (barlake). One of these three requirements must be met in order for a marriage to be considered legal according to the law.

In his speech, the Village Chief Mr. Hermelindo, stated that this was the first time that JSMP has disseminated information in Lalisuc Village and it was important that the community members and members of the village administrative structure listened to this information and passed it on to other community members who did not participate in this training.

The Village Chief also appreciated the visit of JSMP to share relevant and important information to community members and members of the village administrative structure.

The participants comprised members of the village administrative structure and community members from 4 sub-villages with a total of 33 participants (19 women and 14 men).

This training was made possible with the financial support from the Timor-Leste Government, through the Civil Society Fund or SASCAS, Office of the Deputy Prime Minister.

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