



Press Release
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The application of local area confinement for public health reasons and mandatory lockdown makes it difficult for victims of gender-based violence to access assistance and access the courts: JSMP urges the authorities to seek an immediate solution

During the local area confinement for public health reasons and mandatory lockdown imposed by the Government to limit movement or circulation and activities, JSMP has continued to give limited assistance to victims of gender-based violence.

From the limited assistance provided during the implementation of the local area confinement and mandatory lockdown, JSMP has discovered many cases, especially cases of gender-based violence - for example, in Ermera Municipality (Gleno) – where victims of gender-based violence continue to make complaints to the Police-VPU but the Police only register the complaint and tell the victims to go home and they don't refer the victim's to the services that they need in their circumstances, for example to Pradet or to a shelter, because of compliance with the local area confinement and mandatory lockdown.

“JSMP believes that it is very important to ensure the rights of victims of gender-based violence, especially in cases such as rape, sexual abuse, sexual acts with an adolescent and domestic violence, that require proof or evidence, and also to guarantee the rights of victims to protection and security. Therefore, JSMP urges the relevant institutions to find an alternative solution to respond to such circumstances”, said Ms. Ana Paula Marçal, Executive Director of JSMP.

Even though local area confinement and mandatory lockdown were enforced, Law No. 2/2021, 01 March, on the Authorisation and Extension of the State of Emergency, in Article 8 on access to the courts and also the Ombudsman for Human Rights and Justice,^{*} states that in a situation of local area confinement

^{*} Article 8: Civil law proceedings and access to courts and the Ombudsman for Human Rights and Justice
1. Common courts will keep their powers and perform their functions. In particular, they will ensure compliance with the constitutional and legal provisions governing the state of emergency.

and mandatory lockdown, institutions such as the courts, the public prosecution service and the Ombudsman for Human Rights and Justice will carry on performing their functions. Therefore, JSMP believes that such cases need to be given priority even when complying with the rules on local area confinement and mandatory lockdown.

JSMP believes and assumes that the circumstances mentioned above could also be occurring in other municipalities. Therefore, JSMP urges the relevant institutions to seek an immediate solution to respond to the concerns of victims of gender-based violence, because during the implementation of local area confinement and mandatory lockdown they are facing difficulties in accessing assistance and access to the courts.

For more information, please contact:

Ana Paula Marçal
Executive Director of JSMP
Email: ana@jsmp.tl
Telefone: 77040735
Website: <https://jsmp.tl/>

2. Citizens will retain their right to access the courts and the Ombudsman for Human Rights and Justice, in accordance with the legal provisions that are in force, to defend their rights, freedoms and guarantees should they be affected or come under threat from any unconstitutional or illegal provisions.