



Press Release
Bobonaro District
15 January 2019

Community members in Aidabaleten concerned about cases of child neglect

Community members in Aidabalen Village are concerned about cases of child neglect. This concern was conveyed on 11 January 2019 during training organized and facilitated by the Judicial System Monitoring Programme (JSMP) on "The Rights of the Child to Access the Formal Justice System", that took place in Aidabaleten Village, Atabae Sub-District, Bobonaro District.

30 people participated in this training, comprising 19 women and 11 men, including the village chief, sub-village chiefs, traditional elders and young men and women.

The community members were happy to receive this training on the rights of the child to access formal justice, which covered issues relating to the rights of the child, access to formal justice, the obligation to protect children, child protection in accordance with national and international legal frameworks as well as the concept of crimes against children.

The training included presentations and discussions on the types of crimes that regularly occur in the community and how the community processes these cases in accordance with the formal justice system. Also there was discussion on cases where the victim, defendant or witness is a child. In addition, JSMP also played a video about the role of judges, prosecutors and public defenders.

“JSMP is aware that communities in rural areas face serious challenges relating to accessing basic information and the functioning of State institutions in the area of formal justice. Therefore, JSMP appreciates the generous support of the Canadian Embassy in Jakarta for financing this activity”, said the Executive Director of JSMP, Luis de Oliveira Sampaio.

This training is part of an institutional commitment by JSMP to continue disseminating information and increasing the knowledge of community leaders such as village chiefs, customer elders, and youth representatives about the rights of the child to access formal justice. In the society and context of Timor-Leste, children are very vulnerable to violence committed by their own family members and therefore it is often difficult for them to seek safer options to protect and defend themselves. For this reason this training is important and very relevant for communities to understand the how to process cases that involve children as victims according to the formal justice system. JSMP believes that the village chief, sub-village chiefs and other members of the village administrative structure will disseminate this information to their neighbourhoods.

During the opening and closing ceremony the Village Chief Francisco Fontes Lopez thanked JSMP for its initiative to distributed information to his village. Mr. Lopes and the members of

the community stated that the information provided by JSMP about the rights of children to access formal justice is very important. The participants also conveyed their concerns during the training about cases of child neglect that have occurred in their village, and how they can make a complaint according to the formal process. This is because they have registered many cases involving children but they don't really know how cases are dealt with according to the formal process.

In relation to this concern, JSMP clarified that according to the applicable law, normally the public prosecution service represents children to request paternal responsibility from the parents who have neglected their children. Article 225 of the Penal Code sets out the obligation to provide food assistance to a child or person who needs food assistance and other relevant conditions that need to be fulfilled to satisfy their needs. Therefore, even if the parents are separated, the law protects children so they can have access to food assistance through the court. Also, it is possible to process such cases through the civil process to request parental responsibility pursuant to Article 1787 of the Civil Code.

JSMP also observed that the discussion with participants was very proactive, with questions about minors involved in crimes, and cases of sexual abuse against minors. In relation to these questions, the facilitator clarified with reference to Article 20 of the Penal Code on exemption from criminal liability by reason of age. However, crimes involving the sexual abuse of children will be dealt with pursuant to Article 177 of the Penal Code on the sexual abuse of a minor who has not reached the age of 14 which carries a prison sentence of 5 to 20 years.

In the last session the participants formed smaller groups to engage in discussion and then each group presented the results of this discussion.

The training ended with JSMP handing over brochures to the Village Chief of Aidabaleten, Fransisco Fontes Lopez.

This training activity was made possible with the financial support of the Canadian Embassy in Indonesia.

To obtain more information, please contact:

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