



Press Release
15 April 2020

**The courts have continued to conduct trials in urgent cases during the State of Emergency:
JSMP recommends the use of appropriate and safe measures and the establishment of
necessary conditions**

On 27 March 2020 the President of the Republic, via Presidential Decree No. 29/2020, declared a State of Emergency from 28 March 2020 until 26 April 2020 in relation to the corona virus pandemic or COVID-19 (*Coronavirus Disease 2019*) which has killed thousands of people around the world. According to this decree-law, public movement and the activities of all institutions, including the courts, are restricted during this period. However, the courts have continued to attend to urgent cases such as summary proceedings, first hearings (judicial questioning), cases where the defendant is in prison/detention and cases that need to be decided.

"JSMP appreciates the work of the courts and requests for the Court of Appeal to establish the necessary conditions at all of the courts in accordance with the protocols of the World Health Organisation (WHO) as well as complying with the main rules mentioned in Government resolutions about adopting joint measures for the prevention and control of this virus, to safeguard judicial actors during the performance of their duties, as well as all of the parties involved," said Casimiro dos Santos, Acting Director of JSMP.

JSMP believes that when court actors feel safe, together with those participating in trials, then the trials can continue to run smoothly and the interested parties will continue to have the right to access justice pursuant to Article 26 of the Constitution which guarantees that all citizens have the right to access the courts to defend their legally protected rights and interests.

Also, JSMP has observed that the district courts have adjourned cases that are ongoing and set dates to try these cases after the State of Emergency. However, there is a possibility that the State of Emergency could be extended, depending on the circumstances.

Therefore, JSMP requests for the courts to start thinking about the long-term appropriate mechanisms that need to be put in place when the courts continue trying urgent cases in order to

adhere to standards regarding the prevention of COVID-19, that have been established by WHO and the Ministry of Health, so that their work can be carried out safely. In addition, JSMP recommends for the courts to coordinate with relevant institutions such as the Police, the Public Prosecution Service, the Office of the Public Defender and Prisons, to discuss and establish a secure system to facilitate these processes. JSMP also recommends that the internet be provided to court actors, by increasing the internet capacity in each of the courts, to effectively facilitate trials via teleconference or other types of media or means of communication.

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