

JURISTAS

Organizational Overview and Approach to Gender

Juristas (Jurists) is a Dili-based organization consisting of lawyers. Currently the organization, a member of Rede Feto, operates as an informal voluntary association. It has not yet completed its statute formation process or accumulated enough members to be recognised formally as an NGO. A key member of Juristas, Zelia Trindade, a prosecutor-in-training for the Dili District Court, has served for several years as one of Rede Feto's board members. In her work as a prosecutor-in-training Zelia looks particularly to assisting women in cases of sexual or domestic violence.

Despite ... advancements and the government's overall commitment to gender equality, Timor Leste's judiciary continues to contain various systemic flaws which are not favourable to women's attainment of justice. This is augmented by the absence of clear laws that protect women's rights and a patriarchal society which is the cause of an inherent insensitiveness to women's rights by legal actors. Timor Leste's judicial system is a little over 4 years old and uses Indonesian law as secondary law. Indonesian law itself does not have specific laws that protect women's rights. There is no other alternative in laws that may protect women especially in relation to ordinary crimes eg. domestic violence, sexual violence, and other forms of abuse.

Zelia Trindade, 'Major Needs and Challenges for Achieving Gender Justice in Timor Leste', *Peace Needs Women and Women Need Justice: Conference on Gender Justice in Post-Conflict Situations*, New York, 15–17 September 2004, pp. 1–2.

Juristas' mission is to educate women about their legal rights, as well as to undertake advocacy to strengthen the legal system's recognition of women's rights. The organization argues that women are still largely unaware of their legal rights, which Juristas believes are protected by some vigorous legal instruments (for example the Constitution or CEDAW).

In terms of an approach to gender, Juristas believes that formal gender equality before the law and an improved knowledge of this may help to liberate women—particularly women in rural areas with little access to education—from some patriarchal aspects of East Timorese culture. Juristas' most immediate concerns in terms of women and the law is in the sphere of gender-based violence.

At the present time, Juristas' greatest concern is to consider how to give adequate protection to women against gender-based violence (GBV) within the formal justice system. There is still no specific law in existence that deals with GBV or domestic violence, and yet GBV is a common experience for many women, reinforced on occasion by patriarchal underpinnings of East Timorese culture. One example of this proffered by Juristas is that the system of *barlake*, or the traditional gift exchange that accompanies marriage rites, may be accompanied by the idea that women are the property of their husbands. This is perceived to lead to some husbands believing that they have a right to hit their wives. Juristas holds the view that one way to reduce domestic violence is through dissemination of the idea that the formal law views women and men as equal and violence against women as criminal.

Juristas argues that in order to reduce domestic violence, Timor-Leste needs to immediately put into action a specific domestic violence law. This law must carry enough weight to ensure that justice institutions such as police and courts work to ensure the equal rights of both men and women, and to reinforce the notion that violence against women is a serious crime that

will be punished. Juristas believes such a law can be an important tool to discourage violence against women and to be an available recourse for women who have suffered violence.

Programs

At the present time Juristas does not have formal programs per se. Particularly through Zelia Trindade, Juristas works to circulate legal perspectives and expertise to organizations working in the area of gender and to international audiences. For example, conference papers are given and information is distributed to the board and the member organizations of Rede Feto. This in turn contributes to program development and advocacy within Rede Feto and its member organizations.

Contacts

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