

A justice system in East Timor

by Catherine Caruana

On 11 and 12 March about 30 Australian and East Timorese delegates met in Darwin to discuss past, current and future capacity building initiatives in the justice sector in East Timor. It was the first such gathering of representatives from both sides of the Timor Sea engaging in direct dialogue about how the legal professions in Australia and East Timor can best work together to promote the development of a strong and independent legal system in East Timor.

The delegates met with the shared objective of achieving more effective assistance from legal organisations in Australia through the joint identification of needs and greater coordination of Australian assistance projects. A three-day pilot training program on mediation followed, provided by Resolve, which was a chance to pilot and assess an appropriate model of professional training.

The Symposium was organised by Darwin Community Legal Service in partnership with the East Timor Jurists Association, with the main funding coming from AusAID's Community and Professional Development Scheme. Donations from the Northern Territory Department of Justice and the Northern Territory Legal Aid Commission made it possible for DCLS to employ a part time Project Coordinator.

The symposium and training program was an initiative of Australian community legal centres (CLCs).

In the course of our work with East Timorese it became apparent that the response by the Australian legal community lacked coordination.

This raised the possibility of duplication of projects and confusion in the minds of potential beneficiaries. In addition the East Timorese government's response to offers of assistance for the training of judges and government lawyers varied, with several projects meeting official disinterest and eventually being withdrawn in frustration.

Therefore the idea arose to hold an event that would bring the parties face to face to facilitate direct networking between organisations and to create ongoing partnerships and a mechanism to ensure the better coordination of Australian projects.

The symposium was attended by representatives of East Timorese non-



Above: East Timorese delegates, trainers and symposium organisers.

government legal aid organisations, the judiciary and a range of national and state Australian legal and advocacy bodies. Joint facilitation was provided by Ian Gray, Chief Magistrate of Victoria and Agio Pereira, Director of the East Timor Development Agency.

Outcomes

During the two days of the symposium offers of assistance from the Australian legal profession in the following areas were discussed:

- ♦ gender issues including domestic violence, sexual assault & gender awareness
- ♦ material needs
- ♦ human resources (including scholarships and training)
- ♦ incorporation of customary/traditional dispute resolution processes into the legal system
- ♦ Legal Aid administration
- ♦ support for Community Legal Education activities
- ♦ support for the establishment of a Timorese Lawyer's Association.

Where possible, firm commitments to realistic and achievable projects were made by those present.

For a full account of the resolutions reached, see the symposium report at www.nalc.org.au/timor-network.

It is hoped that more effective coordination of existing and future Australian initiatives in East Timor will be achieved by way of information exchange via a closed email group set up after the symposium.

For further information regarding the group, refer to the list organiser at tls-legal@yahoo.com.au In addition a working group has been formed from the symposium delegates to work towards the establishment of an ongoing training program for NGO lawyers and advocates.

Another outcome from the symposium was the offer by the National Association of Community Legal Centres to host a web page (at the above address) providing current information about Australian support projects in the Justice sector and the East Timorese legal system as it develops.

The symposium report and a number of other documents will be available from that site. Links to the websites of participating organisations and other relevant sites will be established.

We hope that this is just the first in a number of initiatives to work towards a more coordinated and informed response by the Australian legal community to the requests for assistance from our East Timorese colleagues. ①