

La'o Hamutuk

Timor-Leste Institute for Development Monitoring and Analysis

Rua Dom Alberto Ricardo, Bebora, Dili, Timor-Leste

Tel: +670-77234330 (mobile) email: laohamutuk@gmail.com

Website: www.laohamutuk.org



Dili, 8 July 2021

Press Release

Sexual Abuse Case: We Must Come Together to Respect and Support Victims and to Ensure that the Justice Process Moves Along

Introduction

La'o Hamutuk condemns every kind of sexual abuse, and we support victims of crimes like this. La'o Hamutuk appreciates that the case is finally being heard in court, but we are worried that the judicial process has been repeatedly delayed and may not move ahead effectively, and that it is receiving political pressure from important people and comments on social media which can increase the psychological suffering of victims. These trends could set a poor example for other victims in the future, or make victims afraid to report cases to the authorities.

La'o Hamutuk appreciates the courage of victims who speak the truth in a challenging situation, and the courage of activists and journalists who have bravely shone a light on the sexual violations committed by ex-priest Richard Daschbach against several young women who stayed at the Topu Honis Orphanage in Oecusse. We believe that this struggle has been made longer and more difficult because some people try to intervene, speculate, or protect the perpetrator.

Sexual violations against women and girls are serious crimes, and everyone must come together to oppose these acts. Activists, journalists, the state, human rights institutions, and our entire population needs to act more intentionally to fight for physical safety, privacy and liberty of women and girls.

It's no secret that, around the world, many male clergy have committed sexual violations like those perpetrated by ex-priest RD. The girls at the Topu Honis Orphanage are not alone; many such cases have become public, and many continue to move through legal processes.

Although it is still a challenge to prevent all these violations, many efforts by activists, journalists and religious authorities are already working to prevent and combat these criminal acts, by defrocking priests who commit such crimes and apologizing and/or paying damages to the victims.

The Topu Honis case recalls the serious sexual violations that Indonesian soldiers committed during the illegal military occupation, while that military regime denied responsibility for the many wounds and scars it inflicted on the Timorese people. Many people still seek justice, although the legal process has not yet been very effective against these perpetrators.

In Timor-Leste, many women and children still cannot enjoy their human rights – including nutrition, education, and freedom from physical and sexual violence. Some people don't want to hear about their reality, or don't believe their accounts. La'o Hamutuk thinks that we all, including the judicial system, need to pay attention to their words and to ensure their rights to privacy and justice.

Key issues

La'o Hamutuk is very worried that the justice process is moving very slowly, and that this delay will cause more problems in achieving justice for the victims and judgement for the accused, which is far from the hopes of people who seek justice. We believe that a strong, effective justice process can help prevent such violations in the future. We are concerned that when this case moves very slowly through the courts, other cases may not be delayed or not tried at all.

We are concerned by reports in *The Oekuse Post* which systematically try to distract from the truth and damage the credibility of the struggle against the sexual violations committed by ex-priest RD. We are saddened that some journalists try to distort reality with twisted words, forgetting ethics and journalistic values such as loyalty to the victims and supporting human rights.

The video produced by *The Oekuse Post* did not conceal the girls' faces, and we are concerned that this does not support or respect the rights to privacy and security which everyone has, in relation to their private lives.

Recommendations

- We ask all justice authorities to work harder to show that the State of Timor-Leste considers child sexual abuse to be a very serious crime, and has the capacity and willingness to carry out an effective judicial process. This case can be an opportunity to show other victims, as well as perpetrators, that Timor-Leste does not tolerate sexual abuse.
- We encourage the Public Prosecutor, as the person responsible for criminal action in this case, to work harder to ensure that the trial of RD moves ahead expeditiously, and is not delayed without valid reasons.
- We ask the Public Prosecutor to ask the court to change the coercive measure from house arrest to preventive detention, because when perpetrator met with girls outside Dili District Court, he may have influenced witnesses and distorted evidence, and caused them psychological trauma.
- We also encourage relevant institutions, such as the Commission on the Rights of the Child and the Provedor for Human Rights and Justice to take appropriate measures to protect the rights to privacy and safety in the current situation.
- We note that all journalists and media should be brave enough to do more professional and accurate reporting, and to respect human rights, safety and privacy in every publication. We encourage the media and journalists to stand firm alongside the truth and defend the values of human rights and justice for vulnerable people.
- We also encourage our friends in civil society organizations, media and public institutions to continue to stand strong in the struggle for justice and human rights, and to share accurate information about this case.
- We encourage the public to take courage to prevent and condemn violations like this one, which the whole world is struggling against.
- We ask everyone to seek out accurate information, and not to rely on gossip, rumors or false information. Reliable information is available from the articles we have gathered at <http://www.laohamutuk.org/Justice/2021/RD/21Daschbach.htm>.

Thank you.