

***Press Release Dili District Court
19 November 2014***

Visit of the Prime Minister to the Dili District Court could raise a range of questions

On 18 November 2014 the Prime Minister (PM) Xanana Gusmão visited the Dili District Court.

During this visit the PM met with the Administrator of the Dili District Court, Duarte Tilman, and the meeting was held in private.

JSMP observed that prior to the visit the Dili District Court was surrounded by a security team made up of police and security guards. Other institutions were present, which included several MPs, members of the government, NGOs, national and international media and civil society.

After the visit Duarte Tilman said that the PM came to submit documents to the Dili District Court in relation to a certain case that is still being investigated. In addition, he said that this visit was also to provide encouragement to the court to keep working independently. During the meeting the PM said that the government respected decisions of the courts and the principle of separation of powers set out in the RDTL Constitution.

“JSMP believes that the presence of the head of the government at the court could lead to a range of interpretations and questions about the independence of the courts and separation of powers as set out in the RDTL Constitution”, said the Executive Director of JSMP, Luis de Oliveira Sampaio.

Previously, on 24 and 30 October 2014, the National Parliament (PN) and the government issued three consecutive resolutions to audit the justice sector and sever the contracts of international judicial actors. These resolutions are being debated and many people are still questioning the validity and constitutionality of these resolutions, including the strong stance of the courts to reject the resolutions, stating that they could not be legally enforced.

In addition, the PM appeared in a televised debate/ interview and strongly criticized decisions of the courts and incompetence of judges, which could raise a number of questions relating to the aforementioned visit for the community and government strategic partners who have been supporting justice sector development in Timor-Leste.

JSMP observed that the PN and government resolutions to dismiss international staff will have a large impact on the productivity of the courts, for example, many cases will have to be adjourned by the courts.

JSMP values the statement of the PM regarding his stance to respect the decisions of the court and the principle of separation of powers. Therefore, JSMP encourages the government and the PN to allow the courts to carry out their functions freely without pressure and intervention into the functioning of the justice sector, because judicial institutions are an important pillar in this democratic nation and are an integral part of Timor-Leste's national interests.

JSMP is concerned because the visit of PM was accompanied by such a large group at the court, which could psychologically impact on the work of the court and other judicial officers, especially because this visit occurred outside of an official summons from the court. JSMP encourages all State authorities to contribute towards strengthening the role of the courts as one of the democratic institutions in Timor-Leste.

For more information, please contact:

Luis de Oliveira Sampaio, Eksekutive Director JSMP

Email: luis@jsmp.minihub.org info@jsmp.minihub.org

telephone: 3323883/77295795

Website: www.jsmp.tl Face book: www.facebook.com/timorleste.jsmp Twitter: @JSMPtl