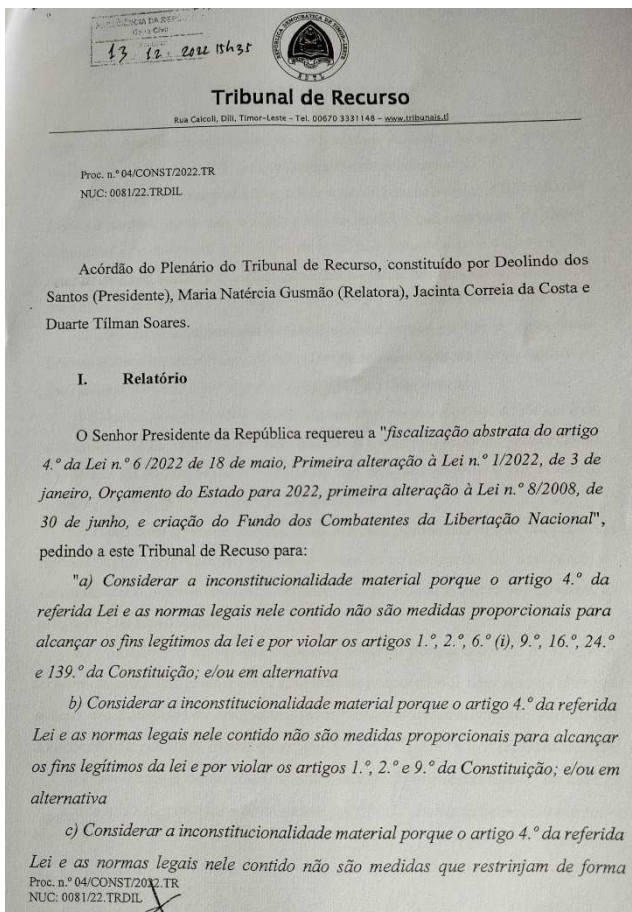


The Tribunal Recursos Decision concerning the Veterans' Fund



Explanatory Note from the Presidencia of the Republic, 19 December 2022

On 13 December 2022 the Timorese Court of Appeal handed down its decision in an abstract review of constitutionality filed by President Ramos Horta concerning the validity of the Veterans' Fund created by the rectifying budget of 2022. The following day the Court handed down a decision relating to a preventive review of constitutionality filed by the President concerning the allocation in the 2023 General State Budget to the Fund. The two cases cover the same issues and the decisions are identical, with the decision on the abstract review providing extensive reasoning of the Court's opinions and findings.

The reasoning of the Court is important and is further evidence of the growing confidence and acumen of the judges. The President of the Republic welcomes the decision and congratulates the Court on its reasoning and its commitment to the Constitution and the people of Timor-Leste.

The principle of Proportionality

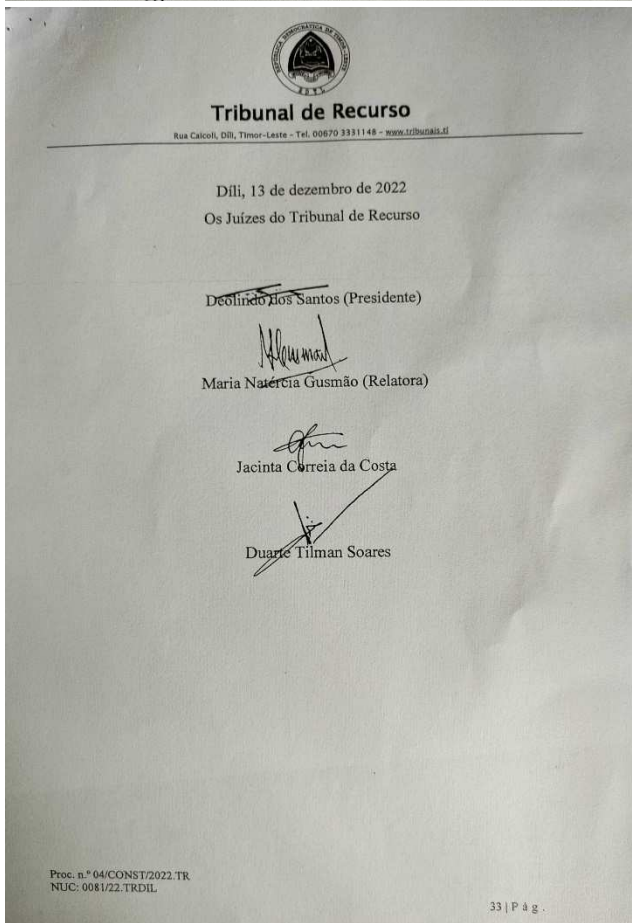
The Court affirmed that every State decision, including the budget, needs to be seen within the light of the principle of proportionality. and the clear words of the Constitution. The Court traces the history of the principle of proportionality from Ancient Greece, the writing of Plato and Aristotle, up to contemporary jurisprudence and states that:

"Under the terms of Section 1.1 of the Constitution of the Republic, "the Democratic Republic of Timor-Leste is a democratic State based on the rule of law".

The principle of proportionality, or the prohibition of excess, is intrinsic to the political-legal concept of the Rule of Law ...is intrinsic to the political-legal concept of the rule of law. It is now seen as a "universal principle within the Constitutions of democratic States ...

In the first place, it is important to remember that the 'just is what is proportional, the unjust is what violates proportion'".

The Court recognises that the principle of proportionality is a general principle of law, constitutionally enshrined which requires that the



acts of the public authorities and, to some extent, of private entities, must be proven to be suitable and necessary to attain the legitimate and concrete ends that each of those acts. It further considered that the Government and the Parliament must always demonstrate a proportional or adequate link between the means they use to achieve a particular result. Government and Parliament cannot act without this link. If they do they may find that their decisions are found to be legally or constitutionally invalid.

The principle of proportionality is composed of three sub-principles. First, a legislative or administrative measure used must be suitable or appropriate to achieve the purposes in question. Second, the measure adopted must prove to be the least onerous or restrictive available of all the possible measures available to attain the objective. And third, the balancing or weighing, which requires an analysis of the proportionality between the costs and benefits resulting from the adoption of the measure.

These are important points for Parliament, Government, public administration and citizens to always keep in mind. The public institutions cannot act simply based on their subjective views and wishes. They cannot act willy nilly. They must always demonstrate the legitimacy of what they do by reference to the principle of proportionality. Government and Parliament have a large degree of freedom to act, but, the Court's will intervene when the measure in question is manifestly excessive. The Court should always seek to strike a just balance and outcome. In the case of the Veterans' Fund the Court found that the law made by Parliament was manifestly excessive and therefore violated the proportionality principle at the root of a democratic State

Proportionality and the Veterans' Fund.

In applying the principle of proportionality to the Veterans' Fund the Court stated that the National Parliament described the operation of the fund and its objective in an excessively vague and imprecise manner. Parliament, the Court said, did not provide any justification regarding the concrete problems that veterans face in the areas of social support, education, health, employment, access to credit and income generating activities. Nor did it provide any explanation of how these difficulties could not be resolved in other ways, how existing veterans' support was insufficient, or what the (possible) future advantages of the Fund might be. Importantly, the Parliament provided no information on what might be the (eventual) benefit, even if indirect, for the rest of the Timorese community. The Court also noted that the vague terms of the law meant that it was possible for any type of program without any limits or boundaries, there were no boundaries, limits, assumptions or objectives; everything is very undefined. Simply the law allocated to the Fund \$1,000,000,000 (1 billion dollars).

The Court noted that the funding allocation to the that the veterans who represent a maximum of 2% of the population, in relative terms when compared to the 2022 State Budget, corresponds, to:

- almost half of the global revenue (\$2,178,942,591) and of the global expenditure (\$2,178.328.791);
- almost 11 times the consolidated global expenditure of the Special Administrative Region of Oe-Cusse Ambeno (\$89,565,344);
- about 19 times the tax revenue from direct taxes (\$51,757,975);
- about 14 times of the tax revenue with indirect taxes (\$69,801,709);
- around 125 times the Ministry of Justice's expenditure on "access to justice" (\$7,992,325);
- about 23 times the Ministry of Health's expenditure on "health" (\$43,631.607);
- around 30 times the expenditure of the Ministry of Public Works on "roads and bridges" (\$32,873,534);
- about 61 times the expenditure of the Ministry of Defence on "national defence" (\$16.296.389);
- about 2,037 times the expenditure of the National Institute of Science and Technology (\$490,824);
- about two and a half times the revenue of Social Security (\$387,998,000)
- about 13 times the expenditure of the Ministry of Education, Youth and Sport with "education and training" (\$75,926,640)

- about four times the expenditure of the central administration for “wages and salaries (\$245,437,130).
- about half of our GDP of 2021 (US\$1.96 billion), and the per capita income in Timor-Leste for that year was in Timor-Leste was \$1,457”.

The Court concluded that:

“... the principle of proportionality tells us that in the legal and constitutional evaluation of a precept we must consider all the interests at stake; that we must consider whether the benefits it seeks to bring are greater than the disadvantages that may result from it.

The National Parliament says that “the creation of the National Liberation Combatants Fund does not attribute by itself any added right to the National Liberation Combatants.

With all due respect, one cannot follow such a statement.

Naturally, the beneficiaries of the creation of the Fund are the National Liberation Combatants.

National Liberation Combatants. If not them, then who? And the creation of the Fund gives rise to the legal expectation that National Liberation Combatants to access, in an advantageous situation, the financing of the support programmes that are aimed at them. And the “legal expectation is already a position of expectation to which the Law confers protection, namely through permissions attributed to the expectant subject, in order to defend the probability of the fulfilment of his wish (i.e. his right to). And we must also bear in mind that, as the Government states”, in our legal system, National Liberation Combatants already benefit from the Statute of the National Liberation Combatants (Law 3/2006, of April 12), the regime of Pensions of the Soldiers and Martyrs of the National Liberation (Decree-Law 15/2008, June 4). Law 15/2008, of 4th June), of the Single Cash Benefit for Combatants and Families of National Liberation Martyrs (Decree-Law 5/2012, of 15 February) and the Scholarship Allocation Regime for the Children of Combatants and National Liberation Fighters and Martyrs (Decree-Law 8/2009, of 15 January).

The fact is that the National Liberation Combatants Fund does not immediately or gradually replace this set of rights, it is in addition to them. ...Besides this, obviously, the one billion dollars that will be that will be channelled into the Fund will not be used to address the needs of the population in general....

The set of diplomas that confer rights to the National Liberation Combatants, as mentioned above, materializes the deserved recognition of the country its “veterans”, which is due to them, moreover, in obedience to the constitutional command of ... article 11, and shows that, in this matter, much has been done.

In light of all the above, weighing the cost-benefits for the National Liberation Combatants and for all other East Timorese, with balance rationality and reasonableness, we must conclude that the creation of the National Liberation Combatants Fund, under the precise terms in which article 4 of Law 6 /2022 of Law 6 /2022 offends the principle of proportionality, inherent in article 1 of the Constitution of the Republic”.

The fair and equal use of natural resources.

Article 139(1) of the Constitution of the Republic provides that *“the resources of the soil, of the subsoil, of the territorial waters, of the continental shelf and of the exclusive economic zone, which are vital to the economy, are the property of the State and shall be used in a fair and equitable manner, in accordance with the national interest“.*

The Court affirmed that Article 139 means that the natural resources of the nation belong to all and that it is to all citizens that the profits from them should reach; the benefits arising from them must be shared equitably by all Timorese people. The Parliament, therefore, has the clear purpose and duty to ensure that this common good shall not be used by some to the detriment of others. Parliament must always

have the national interest on the horizon, so that the benefits of the nation's natural resources and the Petroleum Fund are enjoyed directly or indirectly, by all of society.

The Court considered that the Veterans' Fund was created with capital from the Petroleum Fund, and thus from profits originating, even if indirectly, from the "resources" referred to in Article 139 of the Constitution. For the reasons they set out in their decision, the Court considered that the amount of \$1,000,000,000 to the Veterans Fund did not in any way translate into the "fair and equal" use, since it was an amount too large for the benefit of so few people. Accordingly they declared that Article 4 of Law 6/2022, of 18 May 2002 was also in violation of Article 139 paragraph 1 of the Constitution of the Republic.

Inclusive Sustainability

The decision of the Court gives further support to the policy of the President outlined in his address to the National Parliament on 15 September 2022. In that address the President laid out his vision of Inclusive Sustainability for the nation:

"The objectives of the State set out in the Constitution include such things as the building of a society based on social justice, establishing the material and spiritual welfare of the citizens, protecting the environment and preserving our natural resources. These objectives include promoting the harmonious and integrated development of the sectors and regions, and importantly, ensuring the fair distribution of the national product.

What we should take from this is that in our Constitutional system inclusion means that there is a Constitutional duty to ensure social justice, the material welfare of the citizens and the fair distribution of the national product. Inclusion means that our natural resources and the product of those resources, such as the Petroleum Fund and our common national wealth, must be Constitutionally distributed fairly and used in a fair and equitable manner.

Inclusive Sustainability means that our economic system, the use of our national product and the use of our natural resources must be done in a manner that is sustainable both now, and in the future, for the generations that come. That does not mean that the Government cannot spend and use, for example the Petroleum Fund, but that it must do so fairly for the benefit of all with the needs of future generations considered alongside the present.

It means we must look beyond our personal and party political interest to ensure the material welfare of all of the citizens of the nation, whilst at the same time protecting our abundant natural resources and our environment.

It gives substance to the overriding and fundamental right to equality before the law in the context of the allocation of the nation's financial and natural resources and its sustainable economic development, in the fair distribution of the national product and the fair and equitable use of natural resources. It entails the duty and obligation to ensure and safeguard the sustainable development of the economy, the environment, and the nation. It entails the duty and obligation to ensure and safeguard the inclusive and sustainable development of our greatest asset, our people.

From the perspective of my Presidency, I have already begun to outline and advocate for the principle of Inclusive Sustainable Development. Its substance, for example, includes our collective duty as organs of State power and sovereignty to plan and build an inclusive social and economic policy. It includes our collective duty to create employment for all in our own country, to revitalize and build our agricultural sector to ensure food nutrition and security and to build local food production, packaging, distribution systems and networks as basis for local manufacturing industries.

To achieve Inclusive Sustainable Development we must work together ..."

END

Tribunál Rekursu nia Desizaun kona-ba Fundu Veteranu

Nota Esplikativa hosi Prezidénsia Repúblika
19 Dezembru 2022

Iha loron 13 fulan-Dezembru tinan 2022 Tribunál Rekursu Timor-Leste nian fó-sai ninia desizaun ba iha revizaun abstratu kona-ba konstitusionalidade ne'ebé apresenta hosi Prezidente Ramos-Horta kona-ba validade Fundu Veteranu nian ne'ebé kria hosi orsamentu retifikadu tinan 2022. Iha loron tuirmai Tribunál fó-sai desizaun ida ne'ebé relasiona ho revizaun preventiva ba konstitusionalidade ne'ebé apresenta hosi Prezidente kona-ba alokasaun iha Orsamentu Jerál Estadu 2023 ba Fundu ne'e. Kazu rua ne'e kobre kestaun sira ne'ebé hanesan no desizaun sira ne'e idéntiku, ho desizaun kona-ba revizaun abstratu ne'ebé fornese argumentu estensivu hosi Tribunál nia opiniaun no konkluzau sira.

Argumentu Tribunál nian ne'e importante no sai nu'udar evidénsia liután ba konfiansa no inteligénsia juis sira nian ne'ebé aumenta. Prezidente Repúblika sauda desizaun ne'e no kongratula Tribunál ba ninia argumentu no ninia kompromisu ba Konstituisaun no povu Timor-Leste.

Prinsípiu Proporsionalidade

Tribunál afirma katak, kada desizaun Estadu nian, inklui orsamentu, presiza haree iha naroman prinsípiu proporsionalidade no liafuan klaru sira Konstituisaun nian. Tribunál haree tuir istória prinsípiu proporsionalidade hosi Gregu Antigu, eskrita Plato no Aristotle nian to'o mai iha jurisprudénsia kontemporania no deklarata katak:

“Tuir termu Seksaun 1.1 Konstituisaun Repúblika nian, “Repúblika Demokrátika Timor-Leste ne'e nu'udar Estadu demokrátiku bazeia ba estadu direitu”.

Prinsípiu proporsionalidade, ka proibisaun ba esesu, ne'e inerente ba konseitu polítiku-legál Estadu Direitu nian...Buat ne'e oras ne'e konsideradu hanesan “prinsípiu universál iha Estadu demokrátiku sira-nia Konstituisaun sira...”

Uluk nana'in, importante atu hanoin katak “justu ne'e mak nu'udar saída mak sai proporsionál, la justu ne'e mak saída mak viola proporsionál”.

Tribunál rekoñese katak prinsípiu proporsionalidade ne'e nu'udar prinsípiu jerál ida lei nian, konstitusionalmente konsagrada, ne'ebé ezije katak aktu sira autoridade públiku nian no, ba iha pontu balu, aktu sira entidade privadu sira nian, tenke provadu atu sai adekuaudu no nesésáriu hodi alkansa finalidade lejítimu no konkretu hosi kada aktu sira-ne'e. Tribunál konsidera liután katak Governu no Parlamentu tenke sempre hatudu ligasaun ida ne'ebé proporsionál ka adekuaudu entre meius sira ne'ebé sira uza atu alkansa rezultadu espesífiku ida. Governu no Parlamentu labele atua sein ligasaun ida-ne'e. Se karik sira hala'o buat ne'e, sira sei hatene katak sira-nia desizaun sira ne'e legalmente ka konstitusionalmente inválidu.

Prinsípiu proporsionalidade ne'e komposta hosi sub-prinsípiu tolu. Primeiru, medida lejislativu ka administrativu ne'ebé uza ne'e, tenke sai adekuaudu ka apropiadu hodi alkansa objetivu sira ne'ebé tama iha kestaun. Segundu, medida ne'ebé adotadu tenke prova atu sai menus todan ka restritivu ne'ebé disponivel hosi medida posivel sira hotu, ne'ebé disponivel atu alkansa objetivu ne'e. No terseiru, tetu ka hatodan, ne'ebé ezije análise ida kona-ba proporsionalidade entre kustu no benefísiu ne'ebé rezulta hosi adopsaun ba medida ne'e.

Buat sira-ne'e nu'udar pontu importante sira ba Parlamentu, Governu, administrasaun públika no sidadaun sira atu sempre tau iha neon. Instituisaun públiku sira labele atua simplesmente bazeia ba sira-nia pontu-de-vista no dezeju subjektivu sira. Instituisaun sira-ne'e labele atua arbiru. Sira tenke hatudu bebeik lejitimidade ba saída mak sira halo liuhosi referensia ba prinsípiu proporsionalidade.

Governu no Parlamentu iha degraude liberdade ne'ebé boot atu atua, maibé, Tribunál sira sei intervein bainhira medida iha kestaun ne'e, manifestamentete, sai esesivu. Tribunál tenke sempre buka atu hamosu balansu no rezultadu ida ne'ebé justu. Iha kazu Fundu Veteranu, Tribunál haree katak lei ne'ebé halo hosi Parlamentu ne'e, manifestamente, esesivu, no tanba ne'e viola ona prinsípiu proporsionalidade iha baze ba Estadu demokrátiku ida.

Proporsionalidade no Fundu Veteranu.

Atu aplika prinsípiu proporsionalidade ba Fundu Veteranu, Tribunál deklara katak Parlamentu Nasionál deskreve operasaun ba fundu ne'e no ninia objetivu iha maneira ida ne'ebé esesivamente indefinidu no impresizu. Parlamentu, Tribunál hatete, la fornese kualker justifikasaun kona-ba problema konkretu sira ne'ebé veteranu sira hasoru iha área sira apoiu sosiál, edukasaun, saúde, empregu, asesu ba kréditu no atividade sira ne'ebé hamosu rendimentu. Nune'e mós Parlamentu la fornese kualker esplikasaun kona-ba oinsá difikuldade sira-ne'e bele hetan solusaun ho maneira sira seluk, oinsá apoiu ba veteranu sira ne'ebé eziste daudaun ne'e la suficiente, ka sá vantajen sira iha futuru ne'ebé posivel ba Fundu ne'e bele iha. Importantemente, Parlamentu la fornese informasaun kona-ba saída maka bele sai benefísiu (eventuál), maske indireta, ba comunidade Timoroan sira seluk. Tribunál mós nota katak termu sira lei nian ne'ebé indefinidu signifika katak, posivel ba kualker tipu programa sein kualker limitasaun ka fronteira, laiha fronteira, limitasaun, premisa ka objetivu sira; buat hotu-hotu ne'e sai indefinidu tebes. Simplesmente lei aloka ba Fundu ne'e: dolár biliaun ida.

Tribunál nota katak alokasaun finansiamentu ba veteranu sira ne'ebé reprezenta máximu porsentu 2 hosi populasaun ne'e, iha termu relativu bainhira kompara ho Orsamentu Estadu tinan 2022, korresponde ba:

- kuaze metade hosi reseita globál ((\$2,178,942,591) no hosi despeza globál ((\$2,178.328.791);
- kuaze dala 11 hosi despeza globál konsolidadu ba Rejiaun Administrativu Espesiál Oe-cusse Ambeno ((\$89,565,344);
- maisumenus dala 19 ba reseita impostu hosi impostu direta (\$51,757,975);
- maisumenus dala 14 ba reseita impostu ho impostu indireta (\$69,801,709);
- maisumenus dala 125 ba Ministériu Justisa nia despeza kona-ba “asesu ba justisa” (\$7,992,325);
- maisumenus dala 23 ba Ministériu Saúde nia despeza nian kona-ba “saúde”(\$43,631.607);
- maisumenus dala 30 ba despeza Ministériu Obras Públika nian kona-ba “estrada no ponte sira” (\$32,873,534);
- maisumenus dala 61 despeza Ministériu Defeza kona-ba “defeza nasional” (\$16.296.389);
- maisumenus dala 2.037 despeza Institutu Nasionál ba Siensia no Teknolojia nian (\$490,824);
- maisumenus dala rua ho balun reseita Seguransa Sosiál nian (\$387,998,000)
- maisumenus dala 13 despeza Ministériu Edukasaun, Juventude no Desportu nian ho “edukasaun no formasaun” (\$75,926,640)
- maisumenus dala haat despeza administrasaun sentrá nian ba “remunerasaun no saláriu sira” (\$245,437,130).
- maisumenus metade hosi ita-nia PDB ba tinan 2021 (bilian US\$1.96), no rendimentu per kapita iha Timor-Leste ba tinan ne'e mak \$1,457”.

Tribunál konklui katak:

“... prinsípiu proporsionalidade hatete mai ita katak iha avaliasaun konstitusionál no legál ba norma ida, ita tenke konsidera interese sira hotu mak iha; katak ita tenke konsidera seráke benefísiu sira ne'ebé avaliasaun ne'e buka atu hatu'o ne'e, boot liu duké desvantajen sira ne'ebé bele rezulta hosi buat ne'e.

Parlamentu Nasionál hatete katak “kriasaun Fundu Kombatente Libertasaun Nasionál ne'e la atribui rasik kualker direitu adisionál ba Kombatente Libertasaun Nasionál sira.

Ho respeito tomak, ema ida labele tuir deklarasaun ida hanesan ne'e.

Naturalmente, benefisiáriu sira ba kriasaun Fundu ne'e maka Kombatente Libertasaun Nasionál sira.

Kombatente Libertasaun Nasionál sira. Se la'ós sira, entaun sé? No kriasaun Fundu ne'e hamosu espetativa legál katak Kombatente Libertasaun Nasionál sira atu iha asesu, iha situasaun ida ne'ebé vantajoju, ba finansiamentu hosi programa apoiu sira ne'ebé iha alvu ba sira. No “espetativa legál ne'e sai tiha ona pozisaun espetativa ida ne'ebé Lei ne'e konfere protesaun, nomeadamente liuhosi permisaun sira ne'ebé atribui ba sujeitu expektante, atu defende probabilidade ba alkansu ba ninia hakarak (n.e. ninia direitu atu). No ita tenke tau iha neon katak, hanesan Governu deklara, “iha ita-nia sistema legál, Kombatente Libertasaun Nasionál sira ne'e benefisia tiha ona hosi Estatutu Kombatente Libertasaun Nasionál sira (Lei Númeru 3/2006, 12 Abril), rejime Pensaun ba Soldadu no Mártiriu Libertasaun Nasionál (Dekretu-Lei Númeru 15/2008, 4 Juñu), Benefísiu Osan Úniku ba Kombatente no Família sira Mártiriu Libertasaun Nasionál (Dekretu Lei Númeru 5/2012, 15 Feveireiru) no Rejime Alokasaun Bolsu Estudu ba Oan sira hosi Kombatente no Funu-na'in no Mártiriu Libertasaun Nasionál sira (Dekretu Lei Númeru 8/2009, 15 Janeiru).”

Fakta maka katak Fundu Kombatente Libertasaun Nasionál la imediatamente ka gradualmente troka direitu sira lubuk ida-ne'e, fundu ne'e aumenta tan ba direitu sira-ne'e. Aleinde ida-ne'e, oviamente, dolar biliaun ida-ne'e, ne'ebé sei kanaliza ba Fundu ne'e sei la uza atu tau-matan ba nesesidade sira populasau en jerál nian...

Diploma lubuk ida ne'ebé konfere direitu sira ba Kombatente Libertasaun Nasionál, hanesan mensiona iha leten, materializa rekoñesimentu meresidu nasaun nian ba ninia “veteranu sira”, ne'ebé tanba sira, liuliu, hodi halo tuir orden konstitusionál hosi...artigu 11, no hatudu katak, iha kestaun ida-ne'e, buat barak hala'o tiha ona.

Haree ba buat sira hotu iha leten, hodi tetu kustu-benefísiu ba Kombatente Libertasaun-Nasionál sira no ba Timoroan sira seluk hotu, ho racionalidade balansu no razoabilidade, ita tenke konklui katak kriasaun Fundu Kombatente Libertasaun Nasionál, tuir termu loloos artigu 4 hosi Lei Númeru 6/2022, ofende prinsípiu proporsionalidade, inerente iha artigu 1 Konstituisaun Repúblika nian.

Uzu rekursu naturál sira ne'ebé justu no hanesan.

Artigu 139 (1) hosi Konstituisaun Repúblika hatete katak, “rekursu rai leten nian, rai okos nian, bee territoriál, plataforma kontinentál no zona ekonómiku eskuzivu, ne'ebé importante ba ekonomia, ne'e Estadu nia propriedade ne'ebé tenke utiliza iha forma loloos no hanesan de'it ba ema hotu-hotu, tuir interese nasional.”

Tribunál afirma katak Artigu 139 ne'e signifika katak rekursu naturál sira nasaun nian pertense ba ema hotu, no tanba ne'e ba sidadaun sira hotu maka lukru sira hosi rekursu naturál sira-ne'e tenke alkansa ba; benefísiu sira ne'ebé mosu hosi rekursu naturál sira-ne'e tenke fahe ho ekuitativu hosi ema Timoroan sira hotu. Tanba ne'e, Parlamentu, iha objetivu no knaar ne'ebé klaru atu garante katak sasan komun ne'e labele uza hosi ema balu atu hamosu estragu ba ema seluk. Parlamentu tenke sempre iha interese nasional iha horizonte, atu nune'e benefísiu sira hosi nasaun nia rekursu naturál sira no Fundu Petrolíferu ne'e hetan aproveitamentu direktamente ka indiretamente, hosi sosiedade tomak.

Tribunál konsidera katak Fundu Veteranu ne'e kria hosi kapitál Fundu Petrolíferu, no tanba ne'e hosi lukru sira ne'ebé mai, maske indiretamente, hosi “rekursu sira” ne'ebé refere ba iha Artigu 139 Konstituisaun nian. Ba razaun sira ne'ebé sira fó-sai iha sira-nia desizaun, Tribunál konsidera katak montante \$ 1.000.000.000 ba Fundu Veteranu ne'e, iha kualker maneira, la tradús ba iha uzu

“ne’ebé justu no hanesan”, tanba buat ne’e nu’udar montante ida ne’ebé boot liu loos ba benefísiu ema oituan loos nian. To’o ikus sira deklara katak Artigu 4 hosi Lei Número 6/2022, ho data 18 Maiu tinan 2002 mós halo violasaun hasoru Artigu 139 parágrafu 1 Konstituisaun Repúblika nian.

Sustentabilidade Inkluzivu

Desizaun Tribunál nian fó apoiu liután ba polítika Prezidente nian ne’ebé subliña iha nia diskursu ba Parlamentu Nasionál iha loron 15, fulan-Setembru tinan 2022. Iha diskursu ne’e Prezidente fó-sai nia vizaun kona-ba Sustentabilidade Inkluzivu ba nasaun:

“Objetivu sira Estadu nian ne’ebé estipula iha Konstituisaun inklui buat sira hanesan harii sosiedade ida ne’ebé bazeia ba justisa sosiál, estabelese ben-estar espirituál no materiál, proteje ambiente no prezerva ita-nia rekursu naturál sira. Objetivu sira-ne’e inklui promove dezvoltamentu setór no rejiaun sira ne’ebé integradu no armoniozu, no importantemente, garante distribuissau produtu nasional ne’ebé justu.

Sáida maka ita tenke foti hosi buat ida ne’e maka katak iha ita-nia sistema konstitusionál inkluziun signifika katak iha knaar konstitusionál atu garante justisa sosiál, ben-estar materiál ba sidadaun sira no distribuissau ne’ebé justu ba produtu nasional. Inkluziun signifika katak ita-nia rekursu naturál sira no produtu hosi rekursu sira-ne’e, hanesan Fundu Petrolíferu no ita-nia rikeza nasional ne’ebé komun tenke, konstitusionalmente, fahe ho justu no uza ho maneira ida ne’ebé ekuitativu no justu.

Sustentabilidade Inkluzivu signifika katak ita-nia sistema ekonómika, uzu ba ita-nia produtu nasional no uzu ba ita-nia rekursu natural sira tenke hala’o iha maneira ida ne’ebé sustentavel ba oras ne’e, no mós ba iha futuro, ba jersaun sira tuirmai. Ne’e la signifika katak Governu labele gasta no uza, por ezemplu Fundu Petrolíferu, maibé katak Governu tenke hala’o buat ne’e ho justu ba benefísiu ema hotu nian ho nesesidade sira ba jersaun sira tuirmai, ne’ebé konsideradu hamutuk ho jersaun sira oras ne’e nian.

Buat ne’e signifika katak ita tenke haree ba dook liután ita-nia interese pesoál no interese polítika partidu nian hodi garante ben-estar material ba sidadaun sira hotu nasaun ne’e nian, embora iha tempu ne’ebé hanesan proteje ita-nia rekursu natural sira ne’ebé barak no ita-nia ambiente.

Buat ne’e fó substansia ba direitu fundamentál no iha prioridade ba igualdade iha lei nia okos iha kontestu ba alokasaun nasaun nia rekursu naturál no finansiera sira no ninia dezvoltamentu ekonómiku ne’ebé sustentavel, iha distribuissau ida-ne’ebé justu ba produtu nasional no uzu ba rekursu naturál ne’ebé ekuitativu no justu. Buat ne’e nesesita knaar no obrigasaun atu garante no salvaguarda dezvoltamentu ekonómiku ne’ebé sustentavel, ambiente, no nasaun. Buat ne’e nesesita knaar no obrigasaun atu garante no salvaguarda dezvoltamentu ne’ebé sustentavel no inkluzivu ba ita-nia aset boot liuhotu, maka ita-nia povu.

Hosi perspetiva ba ha’u-nia Prezidéncia, ha’u hahú tiha ona atu halo elaborasaun no advokasia ba prinsípiu Dezvoltamentu Sustentavel Inkluzivu. Ninia substansia, por ezemplu, inklui ita-nia knaar koleтиву hanesan orgaun sira poder Estadu nian no soberania atu planeia no kria polítika ekonomia no sosial nian ida ne’ebé inkluzivu. Buat ne’e inklui ita-nia knaar koleтиву atu kria empregu ba ema hotu iha ita-nia rain rasik, hodi revitaliza no kria ita-nia setór agrikultura hodi garante nutrisaun ai-han no seguransa ai-han no kria produssaun ai-han lokal, empakotementu, sistema sira distribuissau nian no rede servisu nu’udar baze ba industria fábrica lokal sira.

Atu alkansa Dezvoltamentu Sustentavel Inkluzivu ita tenke serbisu hamutuk.....”