



JUDICIAL SYSTEM MONITORING PROGRAMME

PROGRAM PEMANTAUAN SISTEM YUDISIAL

Press Release

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Baucau District Court continues to postpone hearings

During court monitoring carried out at the Baucau District Court from the middle of June until September 2011, JSMP observed that on every Monday the cases scheduled for the morning session were postponed. Normally the cases due to be heard in the morning were adjourned until a later date or sometimes they were rescheduled to be heard in the afternoon.

Based on court monitoring, JSMP noted that these failures were due to the fact that the accommodation or housing provided for judges is inadequate to meet their daily needs. In other words, the accommodation for judges is not adequate to accommodate all of the judges working in this jurisdiction. Currently the Baucau District Court has four judges (three nationals and 1 international). However, accommodation is only provided for two judges, and the facilities are inadequate, for example there are not enough rooms to enable the judges to stay there.

The Executive Director of JSMP, Luis de Oliveira Sampaio, stated that even though he understands that the government is facing a number of challenges and has prioritized development in its policies and annual plans, JSMP urges the government to provide conducive conditions for all judicial actors so they can carry out their role properly and fulfill their obligations in accordance with the law.

In relation to this matter, JSMP observed that several judges had to rent a hotel or organize accommodation at their own cost.^[1] However, JSMP really values the commitment of these judges, but is concerned that this situation is not fair and places a huge burden on the judges because it can obstruct them from carrying out their work properly and fulfilling their obligations. If this situation continues, JSMP is concerned that the judges might neglect their work because circumstances are not adequate or conducive for them to carry out their tasks.

^[1] JSMP obtained this information from a trusted source at the Baucau District Court who wishes to remain anonymous.

Based on information compiled by JSMP, these circumstances are extremely detrimental to them in relation to being able to fulfill their obligation to the court to be present and to conduct hearings in certain cases. For example, parties to proceedings from the District of Lospalos are extremely disappointed because they have spent their own money to pay for transport and wasted their own time to travel long distances but in the end no hearings took place, because the judges were not there or were late arriving to work.

JSMP believes that the government should address this situation to find a temporary solution to the current problem faced by the judges at the Baucau District Court so they can avoid directly disadvantaging the parties.

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