



## JUDICIAL SYSTEM MONITORING PROGRAMME

### PROGRAMA DE MONITORIZAÇÃO DO SISTEMA JUDICIAL

#### *Press Release*

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#### **National Parliament takes issue with UNDP report that accuses PM Xanana of being an obstacle to development**

On 5 May 2001 the National Parliament, through the AMP coalition, took issue with an internal document from the United Nations Development Program (UNDP) and other UN bodies (UNCDF, UNEST and DGSU) which indicated that the Prime Minister Xanana Gusmão was an obstacle to the development of the Democratic Republic of Timor-Leste, a State based on the rule of law.

The acting director of JSMP, Flora Soriano Menezes, stated that she has some concern about the aforementioned report, however the report reflects the critical and significant messages directed at the sovereign bodies in relation to the performance of their respective functions in accordance with the provisions of the Constitution. Therefore, she requests for all institutions to examine and consider the report as reference material and a point of reflection for the bodies concerned.

The report was issued on 24 January 2011 whereby UNDP tried to express its observations about the governance of Timor-Leste. The report is 9 pages long and was posted on the website of the *Tempo Semanal* newspaper.

This document raised tensions in the National Parliament when Fretilín referred to the UNDP document in a political statement delivered in the plenary session that accused the AMP government of incompetence with particular mention of page 9 which stated that PM Xanana is a major obstacle to the development of democratic governance in the democratic State of Timor-Leste which is based on the rule of law.

The document stated that the executive, in particular Prime Minister Xanana Gusmão, has tried to increase its influence over the parliament and courts, which means that the Prime Minister has been placing pressure on the courts and the parliament in relation to the decision making process. For example, the Maternus Bere case and an attack on the first decision from the Administrative Court in 2010, where the rule of law played second fiddle to the rule of the Prime Minister.

Fretilín considers this report to be accurate because it reflects the prevailing circumstances in Timor-Leste, because the de facto AMP government often disregards the Constitution and does not pay heed to the legislative body as the highest authority.

On the other hand, the AMP coalition in the National Parliament, including the President of the Parliament Fernando Lasama, is extremely concerned with the aforementioned report or document and stated that he would be seeking a detailed explanation from the UN/UNDP. Lasama acknowledged that there are some weaknesses in several areas, however PM Xanana has never had any desire to disrupt this country. Several members of the AMP coalition believe that this document or report was launched by certain people for political reasons, as their mandate is going to end soon and they hope to have it extended.

***For further information, please contact:***

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