



JUDICIAL SYSTEM MONITORING PROGRAMME
PROGRAMA DE MONITORIZAÇÃO DO SISTEMA JUDICIAL

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**The Bishop of Baucau Monsignor Dom Basílio do Nascimento acknowledges
the complex role that JSMP plays in the justice sector**

On 12 July 2011 the Judicial System Monitoring Program (JSMP) had the opportunity to meet with the Bishop of Baucau, Monsignor Dom Basílio do Nascimento, in his office the Baucau Diocese. The meeting took place between 11:00 - 12:30. The meeting was attended by a team of 6 representatives from JSMP, and the Diocese was represented by Monsignor Bishop Dom Basílio do Nascimento.

The Executive Director of JSMP, Luis de Oliveira Sampaio, stated that just like previous meetings, this meeting was aimed at mobilizing the support of the church for the development of the legal sector, as well as to enable JSMP, the church and other religious institutions to share their opinions, because JSMP believes that collaboration in this process will provide a greater range of outcomes than just relying on the capacity of an individual or group.

“This meeting was part of the JSMP plan to approach all parties, both individuals and institutions, to encourage a collective effort to develop and build a legal system that provides protection to all, a system that is independent and credible, as well as ensuring that every citizen can enjoy their rights as set out in the Constitution”.

Similar to previous meetings,^[1] JSMP used the aforementioned opportunity to inform Bishop Basílio about how and why JSMP was established^[2] and JSMP’s commitment to continue to actively promote justice for all.

^[1] Refer to the ‘Publications’ Section of the JSMP website concerning previous meetings that JSMP held respectively with Monsignor Dom Alberto Ricardo, Bishop of Dili, and the President of the Islamic Community .

At this opportunity JSMP attempted to provide a short explanation about the recent development of the justice sector, both in regards to what has been achieved and challenges that continue to accompany all efforts that have been pursued in this sector.

JSMP underlined the importance of this sector in the context of its commitment to combat corrupt practices, which is a concern for all layers of society. JSMP believes that a strong, firmly rooted and credible justice system will ensure that State authorities will be able to carry out their functions in accordance with the applicable law and fulfill their obligations to serve their people.

Also JSMP used this opportunity to convey its concerns about violence against women, including cases of domestic violence, sexual violence, and in particular cases involving victims and perpetrators who are closely related which are categorized as incest, and several other cases that can impact on the dignity and self-respect of individuals as human beings.

After hearing the short summary about the establishment and role of JSMP in the justice sector over the last nine years, Bishop Basílio do Nascimento started by saying that actually he did not know enough about law and justice. Therefore he stated that the stance he has taken on several occasions was his own personal stance as an ordinary citizen, in response to his perception that something wasn't right, whether that be the actions of a member of government or rogue elements in the government who truly don't want the legal system to function properly.

In addition, the Bishop raised several issues that require the careful consideration of all parties, namely the possibility that the justice system is not functioning because of the inexperience of the judicial actors, or the possibility that certain parties are guiding things because they want our justice system to function as it is. The Bishop also suggested that it appears that our justice system is being choked and therefore it cannot breathe comfortably.

He believes that the justice sector is an area that is 'rotten' and if anyone wants to interfere or play around with this area then the question must be asked: is there sufficient courage and commitment to address all of this rottenness? He acknowledged that there were several cases relating to incidents that happened in the past that indicate that the process was not fair or transparent, because he believes that there were indications that certain people were involved in these cases but they were not pursued, whereas others were prosecuted and convicted in the same cases.

In relation to all of the aforementioned issues Bishop Basílio acknowledged that this sector is extremely complex and full of responsibility and just like other nations people don't always feel satisfied or applaud the work done by this sector. Therefore, people need to be brave and to take

^[2] JSMP was established in April 2001 with the main aim of monitoring the Ad Hoc Trials in Jakarta – Indonesia in relation to the processing of serious crimes from 1999 and the Special Panels for Serious Crimes in Dili, Timor-Leste, and until now JSMP continues to conduct monitoring activities in all of the courts of Timor-Leste and has a strong commitment to push for the establishment of an international tribunal.

the initiative of moving this process forward. Because, although this work is very complex and full of responsibility, he continues to encourage and urge JSMP to maintain its commitment and to continue speaking out and providing tough commentary and be ready to face other risks that may emerge.

The discussion of various issues between the representatives of JSMP and Bishop Basílio marks the start of a new beginning for the two parties who agreed to continue working together on several matters that need the support of the church and that need to be addressed collectively.

The meeting concluded with the submission of documents or reports published by JSMP such as the 2010 Overview of the Justice Sector, the thematic report on the 11 February Case entitled “More Questions than Answers” and several other publications.

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