



JUDICIAL SYSTEM MONITORING PROGRAMME
PROGRAMA MONITORIZASAUN BA SISTEMA JUDISIÁRIU

Press Release
Oecusse District Court
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The Oecusse District Court sentences two defendants to 18 years in prison for two different cases of aggravated murder

On 29 September 2014 the Oecusse District Court, via the Dili District Court, conducted a hearing to announce its decision in two cases of aggravated murder involving the defendant OE who committed the crime against his wife and the defendant MB who committed the crime against his sister in law (wife of his brother). The court concluded the two trials and sentenced each of the defendants to 18 years in prison.

“JSMP welcomes the decision of the court to convict the two defendants. JSMP believes that these sentences are proportional to the actions of the defendants and this will encourage all members of the community to avoid using violent means to settle domestic disputes”, said the Executive Director of JSMP, Luis de Oliveira Sampaio.

JSMP has observed that the number of cases involving violence against women continues to increase, even though the courts have handed down heavy penalties against defendants in a number of cases. The crime of murder is a very serious offence. There is no justification for taking the life of another. The right to life is a fundamental human right and every citizen possesses this right. Therefore, the State must pursue every avenue possible to prevent the crime of murder in Timor-Leste, which mostly involves female victims.

In the case involving OE the public prosecutor alleged that on 4 January 2014 in Toep-Ana, Taiboco Village, Pante-Makassar, the defendant and the victim had an argument about cleaning weeds from a rice field and they continued to remove the weeds until late afternoon. However, when they got home, the defendant strangled the victim, took a piece of rope and tied it around the victim’s neck and the victim died there.

In the case involving MB, the public prosecutor alleged that on 3 March 2014, the victim accused the defendant of taking the memory card from her mobile phone. Therefore, the victim and her husband went to the home of the defendant to ask for the missing memory card. The defendant became angry and took a piece of wood in his two hands and struck the victim above the eye causing her to fall to the ground. The defendant then struck the victim once on the back of her neck. The victim’s husband did not do anything to stop the violence and assault carried out by the defendant against the victim. The victim’s husband only told the defendant not to strike the victim because she was already on the ground. After the incident the victim’s husband took her to hospital in an ambulance but one day later the victim died at the hospital.

The public prosecutor charged both defendants with violating Article 139 of the Timor-Leste Penal Code on aggravated murder.

In court the defendants admitted all of the facts described in the indictments of the public prosecutor.

In his final recommendations the public prosecutor requested the court to sentence the defendant OE to 20 years in prison because the defendant had been proven guilty of committing the crime of murder against his wife. In the case involving the defendant MB, the public prosecutor recommended a sentence of 24 years in prison because the defendant had committed a similar crime against his niece during Indonesian times.

The public defender requested the court to apply an appropriate and fair penalty against the defendants because the defendants admitted all of the facts.

On 29 September 2014 the Dili District Court conducted a hearing to announce its decision against the defendants and each of them were sentenced to 18 years in prison.

This hearing was presided over by judge. João Ribeiro. The public prosecution service was represented by Amrosio R. Freitas and the defendants were represented by public defender Calisto Tout.

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