



**JUDICIAL SYSTEM MONITORING PROGRAMME  
PROGRAMA DE MONITORIZAÇÃO DO SISTEMA JUDICIAL**

***Press Release***

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**JSMP meets with the Deputy Prime Minister in his office**

On 12 January 2012 the Judicial System Monitoring Program (JSMP) had an opportunity to participate in a meeting with His Excellency the Deputy Prime Minister, José Luis Guterres, in his office. JSMP sent seven staff members to the aforementioned meeting and the Deputy Prime Minister was accompanied by his advisor.

In a written request JSMP had asked to meet with His Excellency the Prime Minister, José Alexandre Xanana Gusmão, however as the Prime Minister had another important issue to attend to, he delegated authority to his deputy to meet with JSMP. Although JSMP didn't meet with the Prime Minister directly, JSMP feels extremely happy to be given an opportunity to meet with the Deputy Prime Minister who despite his busy schedule was willing to welcome JSMP and hear our opinion on the role of JSMP in the justice sector and the obstacles faced by the justice sector to date.

Just like other meetings organized by JSMP with other authorities over the last few years, this meeting was also aimed at explaining the role that JSMP plays in relation to the justice sector and is an opportunity for JSMP to invite all parties to work collectively to support the justice sector. Also, JSMP took the opportunity to explain its position that has tended to be in opposition to legislative policies and judicial policies that JSMP believes does not reflect the reality in Timor-Leste and the obligations of the State to guarantee justice for the community in accordance with the spirit of the Constitution within the existing legal framework. JSMP raised issues including the independence of the courts, the separation of powers, past crimes, human resources in the courts, language use in the justice sector and court interpreters, as well as the legislative process and other practical issues relating to the administration of justice. JSMP specifically encouraged and urged the competent authorities to distance themselves from practices that attempt to undermine the independence and credibility of the courts, for example, the case of Maternus Bere that occurred in 2009.

The efforts of JSMP were designed to ensure that the courts carry out their functions in accordance with the procedures, Constitution, laws and customary practices that have been adopted in Timor-Leste.

The Executive Director of JSMP, Luis de Oliveira Sampaio, *stated that the government has a strong commitment and the political will to eradicate corruption, however if the legal system does not function as it is supposed to, then this commitment and political can not be realized. This is because JSMP believes that only with the creation of a strong justice sector can we ensure that individuals or those who violate their obligations and try to enrich themselves or particular groups will be held responsible in accordance with the provisions of the law.*

After hearing the explanation given by JSMP, the Deputy Prime Minister stated that the government is open to all criticism and the government has a strong commitment towards ensuring democracy and freedom of expression in this nation. The government has a good understanding of the role of civil society in performing social monitoring so that everything is carried out in accordance with the law.

The Deputy Prime Minister stated that ‘criticism is gold’ and therefore he encouraged JSMP to continue the role that it has been playing to date in challenging/correcting policies and government acts by sharing information with society on issues that relate to the public interest.

Moreover the Deputy Prime Minister stated that civil society has an important role in conveying the voice/aspirations of the people to the government. This criticism is not only originating from civil society but also in the National Parliament as political parties have expressed harsh criticism of government policies, but the government continues to value and carefully listen to all of this criticism, because the government wishes to foster democracy and freedom of expression in this nation. Therefore, in his final message he appealed to JSMP to continue this important role to ensure that democracy can function smoothly in accordance with the procedures that have been established in this nation.

Before the meeting ended JSMP expressed its gratitude for everything that the government has done, especially its efforts to strengthen the legal system, although JSMP acknowledges that there are still many things that need specific attention to establish a legal system that is credible to ensure justice for all.

Also JSMP used this opportunity to provide a copy of a JSMP thematic report on the 11 February 2008 case entitled “More Questions than Answers (Implications for the justice system in Timor-Leste)” and a press release entitled “The long road ahead for the Justice Sector in Timor Leste - Development of the Timor-Leste Justice System and challenges faced during 2011”.

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