



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

***Press Release***

31 August 2012

**Dili District Court convicts defendants in case of falsification of documents and fraud**

The Dili District Court conducted a hearing to read out its decision against the three defendants who were involved in this case. The defendants Francisco da Costa Ramos, Duarte Caitano and Helder Guterres da Silva were involved in the crime of forgery and fraud. The aforementioned hearing took place on 29 August 2012.

The court sentenced the defendant Francisco da Costa Ramos who was the former Principal of the Sergio de Melo Becora Junior High School to 4 years and 8 months imprisonment and ordered him to return money belonging to the State totaling US\$ 8,000 because he was found guilty of committing the crime of forgery and fraud in accordance with Articles 263 and 372 under the Indonesian Penal Code.

In addition, the court also convicted the defendant Duarte Caetano to 3 years 6 months imprisonment and ordered him to pay compensation totaling US\$ 3,000.00 for the same crime, and the defendant Helder Guterres da Silva received a suspended sentence of two years for the crime of falsifying a technical report set out in Article 303 of the Timor-Leste Penal Code.

*“JSMP believes that the court has shown its ongoing commitment to ensure that any person who violates their duties must be held responsible in accordance with the applicable law”* said the Executive Director of JSMP, Luis de Oliveira Sampaio.

In this case the public prosecutor applied two penal codes, namely the Indonesian Penal Code and the Timor-Leste Penal Code. However after the court considered the circumstances and advantages of the two aforementioned laws, the public prosecutor chose to apply the Indonesian Penal Code when charging the defendants because the Indonesian Penal Code was more favorable to the defendants.

This case related to the allocation of funding from the Ministry of Education for the Sergio Vieira de Melo Becora Junior Primary School totaling US\$ 19,610 in 2008-2009 aimed at the rehabilitation of this school.

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