



JUDICIAL SYSTEM MONITORING PROGRAMME PROGRAMA DE MONITORIZAÇÃO DO SISTEMA JUDICIAL

Press Release

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Cases of maltreatment and property damage in Baucau

In early October 2008, JSMP carried out monitoring activities at the Baucau District Court, specifically examining criminal cases.

The schedule for the Baucau District Court listed hearings in five criminal cases (three cases before a panel; two cases before a single judge). JSMP noted only two matters proceeding at this time.

The first of these was a preliminary hearing only. This involved reading out the indictment and conducting some initial examinations. In this matter, the prosecution unit charged two defendants with maltreatment and property damage under Article 351 (1) and Article 406 (1) of the Indonesian Penal Code.

The two defendants made a full confession that on 8 October 2007 (almost exactly a year prior to the hearing) in Buruma Village, Baucau, they did in fact beat the victim and damage his property. One of the defendants claimed that the incident had been provoked by their belief that the victim had tried to rape a female relative of theirs. The defendants stated that, prior to the hearing, the defendants and the victim (including their respective families) had reached an amicable settlement. The matter will continue to a formal sentencing.

The second matter observed at the Baucau District Court was the continuation of a property destruction trial (examination of witnesses). In this case, the Baucau Prosecution Unit had charged the defendants under Articles 170 & 55 of the Indonesian Penal Code on the basis that they had, in October 2007, damaged several homes by throwing stones and lighting fires. The hearing heard testimony from several witnesses, and will continue at the court's next sitting.

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