



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

**PRESS RELEASE**

*Dili, 27 January 2007*

**THROUGH THE WITNESS STATEMENT, THE COURT ORDERED  
THE OFFICE OF THE PROSECUTOR TO LAUNCH A CRIMINAL  
INVESTIGATION AGAINST RAILOS AND  
LIQUIÇA DISTRICT PNTL COMMANDER**

On 26 January 2007, the Dili District Court held a judicial hearing for the witness Vicente da Conceição Pereira dos Santos (LECO), the Liquiça District Administrator and Augusto Pereira de Araujo (LETAMANE), Basartete Sub-district Administrator at the Court of Appeal. At the hearing, the two witnesses used Portuguese as the medium of instruction in answering all the questions asked to them by the court actors.

There was something interesting at the hearing for witness. The witness Augusto Pereira de Araújo recognized that previously RAILOS had sent three of his members to Basartete in order to capture him on 26 May 2006. Feeling that security under threat at that time, the witness Augusto decided to simply do as he was told because two men from RAILOS group brought sharp weapons such as machetes, big knives and pistols. The witness Augusto was then locked up in the Liquiça District Police cell for two days. The witness Augusto was released on 29 Mei 2006, at around 18.00 after RAILOS returned from Dili to Liquiça. JSMP knew from the statement made by the witness that, till present day, nothing is known about the motive behind his detention.

Based on the statement from this witness and prior to the closure of the hearing, the Court, through the panel of judges ordered the Office of the Prosecutor to launch a criminal investigation against RAILOS and MARIANO SOARES (Liquiça District PNTL Commander).

JSMP fully accepted the issuance of the judicial order by the court. JSMP is of the opinion that the court order is lawful according to the applicable law. JSMP recommends that all Timorese obey the law because all this time everyone always accuses and criticizes the judicial or legal system for not functioning as it should be in accordance with the law. If we have courage to criticize, we should also be responsible individually for appearing before the trial when notified or summoned by the court. JSMP wants to stress that although we are brought before the court, our presence is not to be interpreted as a guilt. Although facing

the trial, the presumption of innocence remains applicable until such a time as the court decides whether or not a person is innocent. The court is the only competent judicial organ that has the force of law to decide whether or not a person is innocent.

JSMP observes that currently the Court is just beginning with its judicial authority (only in the Dili District Court). It is hoped that such a good and conducive step continues and covers all the District Courts in Timor-Leste. This applies not only to the case against Lobato, but also to everyone as demanded by all the people up till now. Let us join together in one commitment to trust the court actors for processing all cases in a transparent manner.

We should not merely trust the court actors in exercising their power and simply leave them on their own. It would be better for us to go to the court where trial is conducted so that everything occurring during the judicial proceeding can be seen or observed. Also we can know how the judicial proceeding takes place in the court. If we have witnessed it by ourselves, we may criticize and it will lead to improvement of the justice system. If we merely criticize the court actors without sufficient ground because we hear from the others, it will not be a good step or way. According to JSMP, such criticism does not help restore justice system and uphold the Human Rights, and will just fuel confusion to others with our comments and expressions that contradict the reality of what occurs in the court.

**FOR FURTHER INFORMATION PLEASE CONTACT:**

Maria de Vasconcelos

Acting Director, JSMP

Telephone: 332 3883

Email: [vasconcelosmerry@yahoo.com](mailto:vasconcelosmerry@yahoo.com)