

JSMP Press release

East Timor Special Panels for Serious Crimes: More Postponements than Hearings

11 October 2002

In the previous month and a half, the Special Panels for Serious Crimes in Dili, East Timor have postponed more scheduled hearings than they have held. Since the beginning of September until today, the Special Panel has scheduled twenty nine hearings. Seventeen of these have been postponed.

Judicial System Monitoring Programme (JSMP), which monitors the Serious Crimes process, has been present at all of the scheduled hearing dates. The reasons for postponement have been made available to JSMP by Court staff.

Eleven hearings have been postponed because judges sitting on the Panel have not been available to hear the cases allocated to them. Five have been postponed because the Defence have indicated they require more time to prepare. In one case both the Defence and Prosecution indicated they were not ready to proceed.

These decisions to postpone have all been taken in private without the presence of the accused. While this is permitted by the law that governs Court procedure, JSMP is concerned that such a practice is becoming commonplace rather than the exception. The public have no official way to know why hearings are being rescheduled with such frequency.

On many occasions, the accused have been brought from Prison to the Court merely to be told, after extended periods waiting, that the scheduled hearing will not go ahead. These postponements were also made without consideration for family members that had travelled from outside Dili to attend the scheduled hearing.