

JSMP Press release  
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### **East Timor urgently needs Court of Appeal to guarantee fundamental human rights**

Judges must be appointed as soon as possible to the nation's Court of Appeal in order to guarantee one of the most fundamental aspects of a fair trial, the right to appeal, according to East Timorese NGO Judicial System Monitoring Programme.

In a report released today, JSMP notes that East Timor's Court of Appeal has not functioned for a year. This situation violates the right to appeal and the right to be tried without undue delay.

The report emphasizes that the right to appeal is a fundamental part of the rights of the accused to a fair trial. It points out that international human rights instruments guarantee that everyone convicted of a crime has the right to have their conviction and sentence reviewed by a higher court.

The report argues that both UNTAET and East Timor's Ministry of Justice have displayed a lack of planning and a failure to appreciate the importance of the right to appeal.

The report recommends that as a matter of urgency the President of the Republic should appoint the President of the Court of Appeal. The President of the Republic, the National Parliament, the Government, and the sitting Timorese judges should also nominate members of the Superior Council of the Judiciary - the body responsible under law for appointing East Timor's judges.

The report recommends that, once constituted, the Superior Council of the Judiciary should take all steps necessary to ensure that international and national vacancies on the Court of Appeal are filled as quickly as possible.

And it advises, among other recommendations, that there is an urgent need for the ongoing training of Timorese lawyers to make them familiar with the filing of appeals as a fundamental step to protect and enforce the right to a fair trial.