



JUDICIAL SYSTEM MONITORING PROGRAMME
PROGRAMA DE MONITORIZAÇÃO DO SISTEMA JUDICIAL

PRESS RELEASE

Dili, 11 Januari 2007

**HEARING OF EVIDENCE IN THE TRIAL OF THE DEFANDANT ROGERIO
LOBATO AND THE OTHER CO-ACCUSED**

On 10 January 2007, the Dili District Court, represented by the same Panel of Judges mentioned in our *Press Release* dated 10 January 2007 continued the hearing of evidence in the case against the defendant Rogerio Lobato and the other co-accused at the Court of Appeal located in Kaikoli-Dili. The hearing that was scheduled for 9am local time began at 9.15am due to the late arrival of Rogerio Lobato and the other co-accused. The witness Railos and defendant Marcos Piedade arrived at the premises of the Court of Appeal prior to 9am.

This hearing was held over two sessions. The first session took place between 9.15am and 12.23pm and the second session began at 14.15pm and finished at 17.53pm.

The hearing of evidence in the case of Rogerio Lobato and the other co-accused saw the court actors concentrating on the testimony of the witness Railos. JSMP observed that Railos was a witness for the prosecution, and this witness gave testimony on the illegal distribution of weapons to civilians in Timor Leste.

The legal representative of Lobato and the other co-accused claimed that the testimony given by the witness Railos before the court was invalid as it contradicted the statement he made in his written declaration that was sent to the President of the Republic. The prosecution responded by stating that the testimony provided by the witness in court is valid and beneficial as it was made pursuant to evidence presented by the witness during the trial. After the examination of the witness was complete the presiding judge announced that the witness may leave the court room. Before the witness departed, the presiding judge reminded him that he would have to return to the court if and when summoned to do so.

JSMP observed that those witnesses who failed to appear on the 9 January 2007, after having been duly notified by the court, did in fact attend court on 10 January. They appeared at the court in accordance with the schedule previously determined by the court. As there was insufficient time to continue

the examination, at the close of the day's session the panel of judges reminded the witnesses present in the court room to return the following day to provide their testimony as the trial continued.

JSMP applauds those witnesses who appeared at the court with the purpose of participating in the trial. JSMP observed that these witnesses always arrived at court in accordance with the schedule set by the court. Although by the close of the day's proceedings they had yet to be given an opportunity to testify, they were still ready and willing to return to the court when required.

JSMP applauds the actions of the court actors who have concentrated their efforts in this case. JSMP believes that by hearing this case, namely one that relates to the illegal distribution of weapons to civilians, the court can alter the perception of the public who have lost their faith in the judicial system of Timor Leste. The community can regain its faith and confidence in the rule of law and justice in Timor Leste. JSMP is optimistic that this trial represents a positive step forward. JSMP hopes that such positive actions can be maintained and developed to alter the perception, confidence and faith of the community towards the applicable law in our beloved country.

FOR FURTHER INFORMATION PLEASE CONTACT:

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