

JSMP releases report on the Los Palos trial

Dili 15 April 2002.

The Dili based Judicial System Monitoring Programme today released a trial observation report from the first trial in East Timor where the defendants were convicted of crimes against humanity. The Los Palos trial was also the first case in which legislation taken directly from the Rome Statute of the recently established International Criminal Court was applied in a court of law.

JSMP observers were present at all preliminary hearings and trial sessions over a period of ten months. The case was widely viewed as a litmus test of the ability of the emerging East Timorese judicial system to try such cases in accordance with international fair trial standards.

JSMP concludes in the report that “even though substantial progress has been made within the judicial system since 1999, international minimum standards have not yet been met in a number of specific areas”.

The most pressing need, according to JSMP, is to provide the defendants in serious crimes cases with defence lawyers of experience and competence that correspond with the alleged offences. Other shortcomings identified by the JSMP observers correspond with the findings contained in the organisation’s previous report Justice in Practice – Human Rights in Court Administration. A lack of public information about the court proceedings, a lack of translators and inadequate support facilities for the judges were all issues which endangered the defendant’s right to a fair trial.

The full report can be downloaded in either English or Bahasa Indonesia from <http://www.jsmp.minihub.org/Resources.htm>

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