



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

PRESS RELEASE

Dili, 23 January 2007

**MAJORITY OF THE TOP OFFICIALS OF THE TIMOR-LESTE'S
GOVERNMENT ASKED TO BE PRESENT AS WITNESSES
IN THE CASE AGAINST THE DEFENDANT ROGÉRIO F. T. LOBATO**

On 22 January 2007, the Dili District Court continued to hear the witnesses at the Timor-Leste's Court of Appeal. The hearing was held by the same panel of judges presided by the judge Ivo Nelson de Caires Baptista Rosa from Portugal who was assisted by the judge Antonino Gonçalves and judge Teresa. Meanwhile, the prosecutor Bernardo C. Fernandes represented the Office of the Prosecutor.

In this session of hearing, the lawyer makes some changes. The new lawyer for the defendant Marcos Piedade, also known as Labadaen, as mentioned in the JSMP Press Release issued on 16 January 2007 regarding the replacement of his Legal Adviser for this case, whose official power of attorney was read out by the presiding judge at the hearing. The new lawyers are Benevides Correia Barros and José Camões. Both lawyers are from AATL (Asosiasi Advokat Timor-Leste). Consequently, Benevides C. Barros, SH and José Camões, SH officially became the lawyers for Labadaen replacing lawyer Pedro Monteiro Andrade from Cabo Verde and Zeni Alves Arndt. Whereas the defense lawyers for Lobato and the other co-accused consist of Luís Mendonça Freitas, Francisco Nicolau, Paulo dos Remédios and Nelson de Carvalho.

The reason why the defendant had his lawyer replaced was because the lawyer had no contact with the defendant most of the time during the process of the trial. Besides that, another difficulty that the defendant had was in relation to language. On one hand, both international lawyers who had ever assisted the case of the defendant Labadaen could not speak Tetum, on the other hand, the defendant could not speak Portuguese.

It needs to be mentioned that the witnesses brought before the trial were Eusébio Salsinha from Ministry of Interior and Mateus dos Santos Pereira, also known as ARAKAT and Leandro Lobato, also known as GREY HARANA from the FRETILIN Secret Security Force recruited by the defendant Rogério Tiago Lobato. During the trial proceeding, JSMP (Judicial Monitoring System Program) observed that statements made by the three witnesses were related to the

background and purpose of forming the FRETILIN Secret Security Force as well as the facts concerning the 18 HK33 rifles received by the witness RAILOS and his co-witnesses in Liquiça.

The defense lawyers for the defendants Lobato, Francisco Salsinha and Francisco Viegas Xavier proposed 34 names to be notified by the court as their witnesses. George Barbosa da Silva, the international court clerk who assisted the trial proceeding informed JSMP that 21 of the 34 witnesses had been notified by the court. As the names were mentioned by the panel of judges, JSMP noted that the persons to appear at the court hearing were mostly the top officials of the Timor-Leste's Government.

The top officials in this case were among others the Prime Minister of Timor-Leste José Ramos-Horta, the Minister of Interior Alcino Barris and José Reis from CCF (Comité Central de FRETILIN = FRETILIN Central Committee), etc. Whereas another witness to appear before the court was Brigadier Michael Slatter from Australia, the Stabilization Force Commander who arrived in Timor-Leste on 25 May 2006 in order to restore security situation.

In principle, JSMP welcomes the presence of the Timor-Leste's top officials at the court hearing to give their testimony relating to criminal case of the alleged arming of Timorese civilians which brought charges against the defendants. JSMP fully understands the judicial process in accordance with Title V of the Criminal Procedure Code on Proof currently applicable in Timor-Leste. However, JSMP is very much hopeful that the presence of those top officials will blow fresh air into the law enforcement and justice in Timor-Leste. Thus, the whole community thirsty for law enforcement and justice will turn out to be sympathized with their collaborative attitude. Otherwise, Timor-Leste and International community will become hateful and antipathetic towards them if their collaborative attitude with the court turns into an attitude of supporting and defending each other. If this happens, JSMP is of the opinion that new conflicts will more likely arise in Timor-Leste.

FOR FURTHER INFORMATION PLEASE CONTACT:

Maria de Vasconcelos
Acting Director, JSMP
Telephone: 332 3883
Email: vasconcelosmerry@yahoo.com