



**JUDICIAL SYSTEM MONITORING PROGRAMME
PROGRAM PEMANTAUAN SISTEM YUDISIAL**

13 July 2005
JSMP Press Release

Men Arrested on Complaint of Member of Parliament

Two prison staff were arrested in Dili on Thursday 7 July 2005 and held for three days on the complaint of a Member of Parliament that they did not greet him with respect.

The men arrived on the scene of a property dispute in Raikotu. Seven Members of Parliament were also present in an attempt to assist in resolving the dispute.

One Member of Parliament contacted police to ask that the prison officers be arrested. Police arrived directly on the scene and arrested the prison officers and they were taken to Dili Police Station.

Police released the men on Sunday 10 July because they had been held for 72 hours without a hearing before a Judge, and hearings are not held on Sundays.

On Monday 11 July the Prosecutor commenced an investigation into the alleged crime and concluded that it did not amount to an offence and that charges would not be laid.

JSMP is pleased that the accused were released after 72 hours and that the Prosecutor has decided not to press charges in this case.

However, in JSMP's view there was simply no basis for the men to have been arrested on the complaint of a Member of Parliament for actions that clearly did not amount to a crime under the law of Timor-Leste. They were arrested without a warrant, and without being informed of the charge against them. All people have the right to liberty and security of the person and arbitrary arrest and detention is a grave violation of that right. The law and those enforcing it must ensure that this does not happen.

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