



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

**PRESS RELEASE**

*Dili, 30 Januari 2007*

**THE WITNESS PAULO DE FÁTIMA MARTINS JUSTIFIED THE ISSUANCE OF  
F2000 AUTOMATIC GUNS BY THE DEFENDANT ROGÉRIO LOBATO**

An incessant session of the trial hearing against Rogério Tiago Lobato and the other co-accused continues. The hearing of evidence was held on 29 January 2007 with the presence of two witnesses namely Paulo de Fátima Martins (General Commander of PNTL) and Felix da Costa (Maubara Sub-district Administrator, Liquiça district). Actually, the court had to hear the testimony from one more witness by the name of Bendito Freitas. However the presiding judge said that the witness Bendito Freitas failed to appear at the hearing because the court had not managed to notify him. Therefore, the court could only hear the two witnesses who were present. The witness Bendito will be notified once again to appear at the trial hearing to be held on 6 February 2007.

On the basis of the testimony given by the witness Paulo de Fátima Martins (*General Commander of PNTL appointed since 2001 to 2007*), JSMP noted that the witness justified the issuance of a PNTL (*Polícia Nacional de Timor-Leste*) owned F2000 automatic gun from the PNTL armory by the defendant Rogério Lobato on 28 April 2006. The witness Paulo himself recognized that a PNTL owned F2000 automatic gun had been indeed removed from the armory by the defendant Lobato. Although giving such a testimony before the court, the witness Paulo said that he did not know about the purposes and reasons why the defendant Lobato removed the gun from the armory. The witness Paulo also recognized that there had been previously an F2000 automatic gun kept at the residence of the defendant Lobato. The gun was used by the defendant's bodyguard to provide security there. It was explained by the witness Paulo that the purpose of purchasing and supplying F2000 guns for PNTL was to provide Government VIPs with security close protection. The witness Paulo raised a question of F2000 automatic gun removed by the defendant and what the gun was used for.

When referring to the procedure of removal and issuance of PNTL uniforms, particularly URP (Unidade Reserva da Polícia = Police Reserve Unit) or UPF

(Unidade Patrulhamento Fronteira = Border Patrol Unit) uniforms, there had been contradicting statements between that made by the witness Paulo and by the witness Adalberto Mau. The witness Adalberto Mau who was *the officer in charge of PNTL uniform received ordered from the PNTL Finance Director, Basílio de Jesus to remove and deliver URP uniform to the defendant Lobato at his residence in Fomento-Dili*. Hence, in accordance with the statement made by Paulo de Fátima Martins before the court, the Rogério Lobato's lawyer found that there was an awkwardness of the testimony given by both witnesses and requested the court, as provided in article 140 of Criminal Procedure Code, to make a *cross-check* of the statement with the presence of the witnesses. Based on that reason, the court fulfilled the request from the defendant's lawyer require once again the presence of the witnesses Adalberto Mau and Paulo at the trial hearing that was held on 30 January 2007, at 14.30 in order to verify the reliability of their statements.

JSMP welcomed the court's decision because all the statements made by the witnesses including those by Paulo de Fátima Martins and by PNTL officer Adalberto Mau ought to be taken into a thorough consideration.

The provision regarding the witness obligation to make fair and true statement has been provided in article 118(1) of Criminal Procedure Code:

*The aggrieved person takes an oath and he or she is subject to the duty to truth and the ensuing the criminal liability for the breach thereof.*

JSMP hopes that the communities understand and accept the current judicial process. JSMP respects all the statements made by the witnesses at the trial hearing. During the smooth judicial proceeding, JSMP observed that all questions were answered properly by the witnesses, although sometimes the witnesses had to answer boring questions made by the court actors.

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