



JUDICIAL SYSTEM MONITORING PROGRAMME
PROGRAMA DE MONITORIZAÇÃO DO SISTEMA JUDICIAL

Press Release
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**WITNESS/VICTIM NOT SURE IF THE DEFENDANT ABILIO MAUSOKO
AND OTHER CO-DEFENDANTS WERE INVOLVED IN SHOOTING THAT
OCCURRED AT THE RESIDENCE OF BRIGADIER GENERAL TAUR
MATAN RUAK**

On 8 June 2007 the Dili District Court conducted a hearing to examine a witness/victim who was presented by the Public Prosecutor. In this hearing the court heard a statement from the witness Cezario da Costa, a member of F-FDTL who was present at the scene of the crime in his capacity as head of security at the residence of Brigadier General Taur Matan Ruak.

In this hearing the Dili District Court only examined 1 witness. The witness claimed that the attack on 24th and 25th May 2006 resulted in injuries to 2 members of F-FDTL. The names of the two victims are Leqilero and Damião. According to the testimony of this witness, members of PNTL and UIR conducted the attack together with armed civilians. Shots were fired from the direction of the school, hospital and from hidden locations behind the hills.

The shooting commenced at approximately 11.00am on 24 May and continued until 5.00pm on 25 May 2006. Just before the shooting took place 2 members of F-FDTL were able to negotiate with the defendant Abilio Mesquita to work together to provide security to avoid conflict between the two factions who were split along eastern-western lines.

As the situation was out of control on the 25 May 2006, the witness and several of his men left the scene at the order of Brigadier General Taur Matan Ruak.

The witness was unsure if Abilio Mesquita and other defendants were involved in the shooting because at that time the witness and a number of his men were hiding in order to avoid casualties.

At that time the witness and several of his men also returned fire to prevent a large scale attack on the residence of Brigadier General Taur Matan Ruak.

Based on the observations of JSMP legal researcher Leonidio Marques, on many occasions the witness was unable to understand the questions put forward by the prosecution and defence because the questions were obscure and too long.

In the same hearing the lawyer representing Abilio Mesquita, requested for the court to conduct a further investigation at the scene of the crime to reveal the legal facts and identify the locations used to fire shots at the Brigadier General's residence. This request was made pursuant to Article 166 of the Criminal Procedure Code on the reconstruction of the crime. However the court asked for the lawyer's request to be submitted in writing for the court's consideration, with a decision to be announced in the following hearing.

JSMP recommends for all court actors to phrase questions to witnesses/victims/defendants in such a way as to avoid confusing them so that they can answer accurately based on what they know, heard and saw.

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