



JUDICIAL SYSTEM MONITORING PROGRAMME  
PROGRAMA MONITORIZASAUN BA SISTEMA JUDISIÁRIU

**Press Release**  
**14 January 2021**  
**National Parliament**

**JSMP praises the National Parliament for removing the immunity of members of parliament via a majority vote**

The National Parliament, through a plenary meeting on Monday 11 January 2021, approved the request to remove the immunity of three members of the National Parliament so they can respond to a request from the Public Prosecution Service to provide statements as witnesses at the Central Office for Combatting Corruption and Organised Crime, at the Office of the Prosecutor General.

For MP Antonio da Conceição there were 55 votes in favour, 1 against, and 6 abstentions, 0 blank votes and 0 votes that were null and void. For MP. Maria Angelina Lopes Sarmiento there were 56 votes in favour, 1 against, 4 abstentions, 0 blank votes, and 1 vote that was null and void. Meanwhile for MP. Luís Roberto da Silva there were 56 votes in favour, 1 against, 4 abstentions, 0 blank votes, and 1 vote that was null and void. 62 MPs participated in the vote.

“JSMP praises the members of parliament because most of them wanted to contribute to the judicial process to remove the immunity of members of parliament who are in conflict with the law without a lengthy discussion. This act sets a good example for the future, especially in cases of corruption because the public to date has been concerned with the immunity of MPs and members of government and considers it to be a challenge in administering justice”, said the Executive Director of JSMP, Ana Paula Marçal.

JSMP believes that the positive action of the parliament can contribute towards accelerating the judicial process, during the investigative phase before the Public Prosecution Service and also during the trial process before the courts.

The member of parliament who has had his immunity removed, MP Antonio da Conceição, will provide a statement as a witness in the case of NUC. 007/19 CACTL and based on a request from the Public Prosecution Service statements in relation to this case will be taken on 13 January 2021.

Meanwhile the two Vice-President of the National Parliament Ms. Maria Angelina Lopes Sarmiento and Mr. Luís Roberto da Silva will provide statements as witnesses in the

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case of “*coercion against a constitutional organ*” registered as NUC.0035.20/. PGGCC and will provide statements to the Public Prosecution Service in response to written questions.

In this case a complaint was made by representatives from the Parliamentary Benches of Fretilin, PLP and KHUNTO in response to an open letter issued by the *Asosiasaun Kombatentes Brigada Negra* that was signed by Mr. Nuno Manuel Covelo de Andrade Sarmiento on 15 May 2020.

JSMP recommends for the National Parliament to create a separate law regarding the suspension of mandate or removing the immunity of MPs in accordance with the provisions of Article 94 of the Timor-Leste Constitution and Article 8 of Law No. 15/2009 as amended by Law No. 1/2016 on the Rules of Procedure of the National Parliament. This separate law could describe in detail the types of crimes that would fulfill the criteria for removing immunity as well as the procedures, from political, administrative and judicial aspects, as mentioned by JSMP in its 2019 annual report on page 8<sup>1</sup>.

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<sup>1</sup> For more detailed information, please refer to the JSMP: <https://jsmp.tl/wp-content/uploads/Relatorio-anual-POP-2019-Tetun.pdf>