

## JUDICIAL SYSTEM MONITORING PROGRAMME PROGRAMA MONITORIZASAUN BA SISTEMA JUDISIÁRIU

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National Parliament

Once again the National Parliament has cancelled an overseas trip by the President of the Republic:

JSMP requests for the National Parliament to end the debate over the list of candidates for members of government that is still pending before the courts

On 23 October 2018, through a plenary meeting of the National Parliament, the members of parliament once again did not give authorisation to the President of the Republic to travel overseas to the neighbouring country of Indonesia.

During the discussion and vote on a request regarding the visit of the President of the Republic, there were those in favour and against, from the Parliamentary Majority Alliance (AMP) and the opposition. The outcome of the vote was 19 in favour, 31 against and 0 abstentions from a total of 50 MPs who were present. The MPs who voted against were from AMP.

"JSMP is very concerned with the dynamics and political developments in the National Parliament recently, because the political climate remains unhealthy and unsafe in the interests of the people. These policies will have serious implications on political and institutional relationships and communications with the President of the Republic because they undermine the relationships between the sovereign organs and will affect the life of the nation and ordinary citizens", said the Executive Director of JSMP, Luis de Oliveira Sampaio.

JSMP understands that these practices reflect the spirit of the norms provided in the Constitution regarding "checks and balances" but these mechanisms need to be exercised in a healthy, responsible, dignified manner and most of all should protect the national interest and promote good governance, not for political reasons that are counterproductive.

If MPs from AMP are expressing political dissatisfaction in relation to the list of candidates for members of government that still remains pending, then JSMP requests for the MPs in the National Parliament, especially the MPs from AMP, to use the legal and constitutional mechanisms provided for in the law to challenge the decision of the President of the Republic in order to end this debate/polemic.

JSMP has observed that the solution promoted by the Prime Minister, Taur Matan Ruak and the President of the Republic, Francisco Guterres "Lu-Olo" to use dialogue has not been acknowledged and received positively to date because each party is maintaining their respective position. In a democratic nation based on the rule of law the right, appropriate and legitimate solution is a court decision, to avoid political options that are unsafe for the nation and this fledgling system of democracy.

The members of parliament might have their own assessments and political convictions, but JSMP believes that there is no urgent and exceptional need to blook the President of the Republic from travelling overseas, especially as this is the third time. This policy has no basis because the political situation has been almost normal since the President of the Republic promulgated the 2018 State Budget on 27 September 2018.

During the vote the opposition benches expressed strong criticism and disappointment with the policy of the MPs from AMP who voted against this visit. The Opposition Party of PD when declaring its vote considered this decision to be a political one that is unfavourable for our nation. The PD Bench noted that the other organs, such as the President of the National Parliament, have travelled overseas whenever they like, whilst the President of the Republic continues to be blocked by the members of the National Parliament. This has created a precedent that will have political complications for our nation in the future. What is the reason for again blocking the trip of the President of the Republic? The PD Bench outlined that they don't know for how long the MPs from AMP will continue with this policy of impeding each other.

Previously PD had only 8 votes for the President Minister Taur Matan Ruak to visit Japan, said MP Adriano when declaring the votes.

The FRETILIN Bench also expressed disappointment with this decision when declaring the votes. MP Antonino Bianco said that he has only just recently experienced the feelings of hatred towards Fretilin or this historical leader. MP Bianco added that this is the only time that the President of the Republic, the Chief of State, has been hated in this country. From all of the countries in the world, it only happens in Timor-Leste.

Although the AMP Bench did not declare its vote in the plenary, through an interview with the media, an MP from AMP, Mr. Patrocínio Fernandes dos Reis, said that the President of the Republic's trip is important but does not mean that domestic problems are not important. There is no concern about the bilateral relations between the two countries, because the role of the Government is to engage in diplomacy between the countries. The visit of the President of the Republic is not to engage in diplomacy but to ensure a good image by representing the State overseas.

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