

JUDICIAL SYSTEM MONITORING PROGRAMME PROGRAMA MONITORIZASAUN BA SISTEMA JUDISIÁRIU

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For the first time ever the Office of the Ombudsperson for Human Rights and Justice is being led by a woman:

JSMP congratulates the Ombudswoman-elect for Human Rights and Justice

For the first time the Office of the Ombudsperson for Human Rights and Justice (PDHJ) in Timor-Leste is being led by a woman after two males led this office for consecutive terms. JSMP congratulates the National Parliament for this achievement because it highlights significant progress in the commitment of the State to promote equality and women's participation in key State institutions, and this human rights institution in particular.

However, JSMP is still critical of the National Parliament because this process did not provide the space and opportunity for candidates to convey their vision and mission, in order for them to demonstrate their merit, perspective and competence prior to the National Parliament appointing/selecting the eligible candidate. This appointment was not different to the previous process, even though the National Parliament ensured that this was a public and competitive process.

The National Parliament on Monday 05 November 2018 during a plenary session elected the new Ombudsperson for Human Rights and Justice. There were 12 candidates, and only two of them reached the second round, namely Ms. Jesuína Maria Fereira Gomes who received 31 votes and Mr. Horacio de Almeida who received 20 votes in the first round of voting.

The final results from the second round showed that Ms. Jesuína Maria Fereira Gomes was selected as the new Ombudsperson with 38 votes in favor. The other candidate Horacio de Almeida received 23 votes, with a total of 61 members of parliament participating in this vote.

"JSMP praises the National Parliament for choosing a female candidate to lead the Office of the Ombudsperson for Human Rights and Justice and congratulates the Ombudswoman-elect who has been entrusted by the National Parliament to lead this human rights institution for the next 4 years", said the Executive Director of JSMP, Luis de Oliveira Sampaio.

For many years the public has heavily criticised and expressed its disappointment with the Office of the Ombudsman for Human Rights and Justice for not properly utilising its powers and competencies granted in the Constitution to defend human rights issues faced by the community. In particular, the PDHJ should utilise the competencies provided to it in Articles 150 and 151 of the Timor-Leste Constitution. JSMP hopes that the Ombudswoman-elect can respond to public expectations by improving and promoting the services of the PDHJ and make it more proactive and productive in the future during her mandate.

JSMP also has observed the work of this office through the Asia and Pacific regional network named 'Asian NGOs for National Human Rights Institutions' (ANNI) where each year a chapter

is provided and updated in the annual ANNI report on the performance of the PDHJ in regards to protecting and promoting human rights, justice and good governance in Timor-Leste. The evaluation of the work of human rights institutions in the Asian and Pacific region provides a reference point. JSMP recommends for the leadership structure under the Ombudswoman-elect, who have many years' experience in this institution, to further reinforce, improve and consolidate the work of the PDHJ to protect and promote human rights, justice and good governance based on the mandate of the PDHJ.

JSMP also hopes that the Ombudswoman-elect will be open to listening and considering civil society's opinions on human rights issues that are still pending.

JSMP encourages the Ombudswoman-elect to use the competencies provided in the Constitution to safeguard the public interest and defend our Constitution and our democratic rule of law.

Based on information provided by the chair of the plenary, in the near future the National Parliament will provide a written notification to the Ombudswoman-elect to attend an extraordinary plenary session for the purposes of swear in the Ombudswoman-elect.

The following information relates to the selection process involving the 12 candidates who competed in the first round of voting: Mr. Aniceto Guru Berteni Neves received 0 votes, Mr. Filipe Rodrigues Pereira received 2 votes, Mr. Florindo José Cristóvão received 0 votes, Mr. Henrique de Oliveira Ximenes received 0 votes, Mr. Horácio de Almeida received 20 votes, Ms. Isabel da Costa Fereira received 3 votes, Mr. Jaime Xavier received 0 votes, Ms. Jesuína Maria Fereira Gomes received 31 votes, Mr. José Luis Oliveira received 1 vote, Mr. José Pereira da Conceição received 0 votes, Mr. Nívio Leite Mangalhães received 3 votes, Mr. Silvéiro Pinto Baptista received 0 votes and one (1) null vote was cast, from a total of 61 members of parliament who participated in the vote.

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