



Press Release
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National Parliament

JSMP urges the National Parliament, Government and relevant institutions to consider the recommendations of the Anti-Corruption Commission (KAK)

On Monday 30 May 2022 the Anti-Corruption Commission (KAK) through a plenary meeting at the National Parliament presented its 2021 annual report to the National Parliament as a legal obligation as a State Institution that according to the law must present the results of its work to the National Parliament each year.

This report was presented to the National Parliament in relation to what the KAK is doing to continue to ensure that The State is fighting against corruption in Timor-Leste. The report is organised into four sections, namely the first part is the introduction that discusses the alignment of strategic plans and programs of the KAK for the period 2021-2025, and the second part reports on the implementation of an access to justice program through measures to prevent crimes of corruption, and the third part presents progress achieved and the results of 12 activities that were designed to achieve the goals of the national objectives of the Good Governance and Institutional Management program, and the final part outlines challenges and recommendations.

“JSMP believes that the recommendations of the KAK are important and very pertinent for the National Parliament, the Government and relevant institutions to consider to further strengthen the work of the KAK to prevent and combat corruption in Timor-Leste especially to strengthen the KAK with the provision of certain legal instruments that are not yet available and to provide sufficient funding support to the KAK as mentioned in this report”, said the Executive Director of JSMP, Ana Paula Marçal.

The KAK made the following recommendations to State Institutions including the National Parliament and Government for consideration:

- The Law on Witness Protection was approved more than a decade ago, however until now this law has not been implemented effectively. The KAK made recommendations in previous years to the competent authorities to implement this law, because investigative work has encountered some challenges in relation to the protection of witnesses and whistle blowers;
- To create an Asset Recovery Regime for criminal investigations, especially for crimes of corruption. The judicial authorities, including police bodies, and the KAK in particular, have encountered difficulties in detecting and recovering Timor-Leste wealth that corrupt individuals have hidden or taken overseas.
- Create a Regime for the Management of the Apprehension of Objects so that it is not difficult for criminal police when they are managing the apprehension of objects;
- Produce a Law on the General Regime regarding the Application of Fines. Implementation of the Law on Measures to Prevent and Combat Corruption in relation to Statements of Income, Goods and Interests that needs to be complemented by other laws, such as a General Regime regarding the Application of Fines;

- Request an amendment to the Criminal Procedure Code that will open up the possibility of and facilitate KAK's launching of a rigorous inquiry prior to forwarding the case to the Public Prosecution Service to initiate criminal proceedings against a legal person;
- Apply standardization or guidelines on the Accounting System in the Code of Conduct in the Private Sector to ensure standards and to help investigators obtain sufficient information during investigation processes for the private sector;
- Financial Inclusion Policy. The financial inclusion policy has not been fully implemented yet. Many citizens do not use banking systems to make payments, therefore it is difficult to detect illegitimate payments because they are paid in cash, therefore a request is made for the Central Bank to intensify awareness raising on this issue;
- Request for the Ministry of Justice, especially the Cadastral Commission to establish a database in relation to the immovable assets of all citizens to make it easier for investigators who are seeking information in relation to citizens' registration of data such as land, houses, plantations, large domesticated animals, cars and motorcycles across the entire territory;
- Ask for each institution to continue strengthening internal systems, including strengthening directorates/departments that perform roles as auditors, inspectors and similar functions, so they can perform their functions to limit risks of corruption;
- There is a lack of participation in public decision making processes therefore it is really necessary to define a policy to involve relevant parties, especially decisions that respond to the interests of many people. One element of Good Governance is participation in the formulation of policies that uphold the interests of many people;
- Collective efforts to Prevent and Combat Corruption are still weak in Timor-Leste. Therefore, the competent parties at the political level are requested to make decisions to allocate sufficient resources to institutions for this long fight, and at the level of implementation there is a need to develop systematic, integrated and coordinated measures, to limit the movements of corrupt individuals.

This report was presented by the KAK Commissioner, Sergio de Jesus Hornai, who was accompanied by three Vice Commissioners and KAK staff, to the National Parliament.

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