



AATL-TRANSITIONAL ADMINISTRATIVE BODY (TAB)
Meeting Minutes
ASF-Belgium Office-Balide Dili East Timor
September 17 2004

Participants:

- **Dr. Benevides Correia Barros (Pres AATL)**
- **Dr. Cancio Xavier (Public Defender)**
- **Dr. Napoleao Soares da Silva (LBH Ukun Rasik An)**
- **Dr. Humberto Jose Alves (LAIFET)**
- **Dr. Daniel Freitas (LIBERTA))**
- **Dr. Celito Cardoso (LIBERTA)**
- **Dr. Olderic A. da Costa (TANE TIMOR)**
- **Dr. Pascoal da Costa (TANE TIMOR)**
- **Dr. Jose Aniceto H.P. (LAIFET)**
- **Dr. Taigo Amaral Sarmento (JSMP)**
- **Shelly R. Wieck (ASF- PO)**
- **Joao Travolta (ASF APO)**

Agenda:

Based on the decision taken in the meeting held on 10 September, this meeting is designed to discuss and to review the progress of discussion over Draft Advocate Statute. However, the last information quoted from president of AATL concerning four international Judges who received mandate from government to attend the case in the District Court-Dili, therefore the President (Benevides) suggested discussing also this matter. What is the position of all AATL's members towards mandate given to the international Judges to handle the case in the court in Timor Leste.

Discussion

President (Benevides) started with the introduction and spoke about the collaboration between AATL and ASF to organize General Constituent Assembly that would be held on Saturday, 25 September 04 in Maritime Hotel. He also spoke about the general lobby of Advocate Organic Law.

President Benevides also asked members who attend the meeting to inform to all members to take part in this General Constituent Assembly of AATL, because this program is important for us to review the activities which have been done so far. We will also use this opportunity to give ideas about what should be done in the future.

Napoleao Soares stated that the lawyers would put ideas together and prepare arguments through General Constituent Assembly AATL to make a bargaining with the government, if the government sometime wants to control Private Lawyers. He further stated that, the government prepares law to legalize its interest and thought. In order to prevent this, we

lawyers should prepare legal arguments in advance, because in the reality the Private Lawyers are not included in the government hierarchy.

Benevides offered two options, which are considered to be urgent in relation to the four International judge who receive mandate from government to handle the case in Dili District court.. Benevides also informed all members to decide on two following options:

- First option is all AATL members should reject any cases handled and led by any international judge in the court.
- Second options is all AATL members could attend hearing if hearing is chaired by national judge.

Dr. Humberto Alves from LAIFET also stated that all AATL members should be united to face problems emerging. He also noted that all AATL members should reject if the hearing is chaired by international judge because of language problems. He also said that all AATL members should be united and have one word and one thought to confront this phenomenon. The AATL members must be united because it would be a boomerang for the East Timorese lawyers in the future if the government does not have good will to develop a strong judicial system in East Timor.

Dr. Tiago stated that the advocates have a legal base to refuse to attend the hearing in the court if the hearing is chaired by international Judge. Tiago said that our rejection is based on Article 163 in East Timor's constitution. We can show to the international judge that our constitution does not allow any foreigner to handle case in court, because Article 163 states that they can only be advisors in the serious crimes unit.

At the end of the meeting, Benevides once again informed AATL members to attend the General Constituent Assembly that would be held in Hotel Maritime.

The meeting lasted without setting up a date for the next meeting, because all the members, especially Shelly and Joao Travolta, are concentrating on the General Constituent Assembly of AATL.