

**FRENTE REVOLUCIONÁRIA DO TIMOR-LESTE INDEPENDENTE
FRETILIN
TIMOR-LESTE NATIONAL PARLIAMENT**

MEDIA RELEASE

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Timor-Leste parliament approves illegal release of accused mass murderer

Timor-Leste's parliamentary majority put personal interest ahead of the rule of law, the constitution, justice for victims and national sovereignty when they voted against a motion to censure Prime Minister Xanana Gusmão for illegally ordering the release of a thug wanted for mass murder, FRETILIN MP and party Vice President Arsenio Bano said today.

MPs voted 39 to 25 against the censure motion on Monday, despite Mr Gusmão's admission that he ordered the release of Maternus Bere, a former pro-Indonesian militia commander indicted by the United Nations for orchestrating crimes against humanity.

Mr Bano said the vote showed the majority of MPs remained "Gusmão's lackeys".

"These MPs depend on Gusmão's personality to keep them in power and continuing to receive benefits by way of contracts for their friends and families, not to mention the 400% pay rise they recently voted themselves," he said.

"Many of these MPs know it was wrong to vote against bringing a former militia leader to justice, but being dependent on Gusmão, they feel they have no choice but to hang on to power with him, to the point of ignoring his illegal and unconstitutional actions.

"They refused to censure the de facto Prime Minister despite his public admission, repeated several times to parliament yesterday that he ordered the release of Maternus Bere. And the President of the Court of Appeal has already told us that the release was without a court order and therefore illegal - in fact a criminal offence.

"Had they voted according to what they know is right, the government would have fallen, and most of them would have little prospect of being re-elected.

"This was shown by the results of last Saturday's community leaders' election, where FRETILIN representatives picked up 56% of positions with another 10% of positions being taken by FRETILIN and allied party shared tickets. In Dili FRETILIN won 60% of the Suco leadership positions. Mr Gusmão's CNRT party's national share of the vote collapsed in a huge swing against it."

Maternus Bere was indicted by a United Nations Serious Crimes Panel Court for crimes against humanity committed when Indonesian backed militia attacked defenceless refugees at a church compound in Suai on 6 September 1999, killing and injuring over 200 people, including many women, children and old people and three priests.

Bere, an Indonesian citizen, was arrested by Timor-Leste police in Suai on 9 August this year. A judge ordered he be held in custody and transferred to Dili to await trial but on 30 August - the day the people of Timor-Leste celebrated the 10th anniversary of their vote to break away from Indonesia - Mr. Gusmão bowed to Indonesian demands and ordered Bere's release.

“Bere’s unlawful release has been condemned by the President of the Court of Appeal, Judge Claudio Ximenes, the United Nations High Commissioner for Human Rights, the UN Secretary General, Timor-Leste’s two Catholic Bishops, numerous civil society organizations, victims groups and veterans groups, “ Mr Bano said.

He said Monday’s censure motion had the support of all 21 FRETILIN MPs, one MP from KOTA, one from PPT and two from the National Unity Party, a total of 25 votes. The parliamentary majority of 39 members who voted against the censure motion, were mostly from Gusmão’s CNRT party, with the support of four other parties.

“In his statement to parliament on Monday, Mr. Gusmão admitted to a number of illegal acts. He also admitted that his own Minister for Justice at first refused his instruction to transfer Maternus Bere from prison to the Indonesian Embassy.

“As Mr. Gusmão recounted to parliament, it was not only the Minister for Justice’s resistance to breaking the law that he had to overcome. Gusmão told parliament: ‘When the Police arrived in Becora (prison), without a court document, the Head of the Prison Service refused to comply with the Minister’s orders. I told the Minister to tell him that I would assume all responsibility, but that he had to carry out the order.’

Mr Bano said: “Mr. Gusmão has admitted to not only breaking the law but also exerting undue and improper influence on others to also break the law. The parliamentary majority heard all this yet they voted not to censure him and to cover up violations of the law and the constitution.”

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