



MEDIA RELEASE

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ABA voices concern over Timor Leste dismissals

The Australian Bar Association (ABA) has expressed deep concern over developments which saw the dismissal of foreign judges from Timor Leste following a decision by the Government and Parliament of Timor Leste last month.

The decision was made at a secret meeting late in October. Foreign judges have been a part of the Timor Leste legal system since its independence was formalised in 2002, brought in to assist in establishing a legal and justice system.

“We note the concern of the Australian Government over the way these events have taken place,” said ABA President Mark Livesey QC. “The ABA has taken the step of writing to the East Timorese Government to similarly outline our fears that the integrity of our neighbour’s emerging independent legal system is being compromised.”

Mr Livesey said that at the core of the ABA’s concern was that the people of Timor Leste deserve to feel confidence in the administration of justice in their country, and this depended on judicial independence, including transparency in the appointment and removal process for any individual judges.

“Swift removal of a whole section of the judiciary by a government can only undermine the public’s faith in the authority of the court, and therefore the confidence they have in the law and the legal system.

“The separation of powers between the State and the justice system is essential to a robust legal system and an accountable democracy; the rule of law must prevail,” said Mr Livesey.

“The Australian legal profession has a long history of supporting our colleagues in Timor Leste in the development of their legal system since independence.

“We look forward to constructively supporting them through this, and watch with keen interest,” Mr Livesey concluded.

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