

UNITED NATIONS

United Nations Transitional Administration
in East Timor



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Administration Transitoire des Nations Unies
au Timor Oriental

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NOTIFICATION

ON THE PROVISIONAL APPOINTMENT OF JUDGES AND PROSECUTORS

The Transitional Administrator, pursuant to United Nations Security Council Resolution 1272 (1999) of 25 October 1999, for the purpose of establishing an independent judiciary and in response to the urgent need to provide judicial services in East Timor,

Hereby notifies:

Following the recommendation received on 6 January 2000 from the Transitional Judicial Service Commission, as established under Regulation No. 1999/3, and in accordance with my authority pursuant to United Nations Security Council Resolution No. 1272 (1999),

I appointed

Domingos Maria Sarmento
Jacinta C. da Costa
Maria Natercia Gusmao Pereira
Cirilo Jose J.V. Cristovao
Rui Pereira dos Santos
Antonio Helder Viana do Carmo
Longuinhos Monteiro
Joao Henriques de Carvalho

as judges at the District Court in Dili. Mr. Longuinhos Monteiro and Mr. Joao Henriques de Carvalho will serve as investigating judges at the District Court in Dili.

I also appointed

Jose Fernandes Leite
Remizia de Fatima da Silva

as prosecutors within the jurisdiction of the same District Court in Dili.

Pending the election of the President of the District Court in Dili by the assembly of judges of the District Court in Dili,

I appointed

Domingos Maria Sarmento

as the acting President of the District Court in Dili.

The appointments are made for a probational period of two (2) years. At the end of this period, or at any given time before, the Transitional Judicial Service Commission may recommend that the judge or prosecutor either be appointed for life or leave office, for reasons related to unsatisfactory performance of duties.

Upon recommendation of the Transitional Judicial Service Commission and in view of Section 13.3 of UNTAET Regulation No. 1999/3, the appointments can also, at any time, be revoked by me or my designee for grave violations of office, including the failure to perform the duties of the office, or the failure to take the oath, or violations of the oath referred to in this notification, or serious violations of the law, or if information is provided to the Commission on criminal offences committed by the appointee.

For the duration of their term, the appointees shall have full powers of their office, as provided under applicable law. They shall have jurisdiction throughout the entire territory of East Timor, until otherwise decided by the Transitional Administrator.

The appointees shall carry out the functions of their office in an independent and impartial manner. In doing so they shall at all times uphold the law and act in accordance with the highest standards of professionalism and with the dignity of their office and the tasks with which they have been entrusted.

Following the appointment, each appointee took an oath or a solemn declaration before me. The text of the oath is as follows:

"I, [name], swear (solemnly declare) that in carrying out the functions entrusted to me as a judge/prosecutor, I will perform my duties independently and impartially. I will, at all times, uphold the law and act in accordance with the dignity that the performance of my functions requires. I will carry out my functions without discrimination on any ground such as sex, race, color, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or all other status."

The above appointments took effect on 7 January 2000.

The present notification will be published in the Official Gazette of East Timor, pursuant to UNTAET Regulation No. 1999/4.

Sergio Vieira de Mello
Transitional Administrator