



**P R I M E
M I N I S T E R**

**ADDRESS BY
HIS EXCELLENCY THE PRIME MINISTER
DR RUI MARIA DE ARAÚJO
AT THE OPENING SESSION OF THE 14TH CONFERENCE OF
MINISTERS OF JUSTICE OF THE CPLP**

“Land Ownerships as a Development Factor”

**Noble Hall of the MFAC, Dili
22 June 2015**



Palácio do Governo,
Avenida Presidente Nicolau Lobato,
Dili, Timor-Leste

Your Excellencies

The President of the Court of Appeal
The Prosecutor-General of the Republic
The Ombudsman of Human Rights and Justice

Your Excellencies

The Ministers of Justice of the CPLP Member States
The Representative from the CPLP Executive Secretariat
The Members from the Delegations of the CPLP Member States
The Diplomatic Corps

Distinguished Members of Parliament

Fellow Government Members

Ladies and Gentlemen,

Welcome to Timor-Leste! Our country is very pleased to receive you, the Ministers of Justice of the CPLP and your respective delegations. We trust you will feel at home, given that home is where we like to welcome our family, our brothers and sisters.

Please allow me to greet in particular the representative from the Minister of Justice of Guinea-Bissau, whose attendance confirms that constitutional order has been fully restored in a country that is so close to our hearts. This makes us all very happy.

Since 2003 Timor-Leste has been part of the Conference of Ministers of Justice of the CPLP. As the country currently holding the *pro tempore* Presidency of the Community of Portuguese Speaking Countries, we are proud to host the 14th edition of this biennial Conference, which will cover an issue as timely as “Land ownership as a development factor”. This means that our Community is once again meeting in Dili to reflect on matters that are absolutely vital to a prosperous and developed society. After the recent meetings on education and social solidarity and employment, we are now covering another key issue – the justice sector.

Although this is a matter that concerns every nation, I believe that it applies even more strongly to our nations, as they share a common legal framework. As such, this Conference will enable us to present and share our specific experiences, so that we may reflect together on the diversified approaches we are now facing.

When we assumed the presidency of our Community we wanted to make the latter more global, since globalization is a reality from which no country can hide. We want to use globalization to boost economic growth in our countries, both within our Community and within the regional and international arenas.

Timor-Leste benefits from a privileged geostrategic position between the Pacific Ocean and the Indian Ocean, which places us between Southeast Asia and the Pacific. We can and should use this location as a platform for boosting our competitiveness as a Community and for opening the door to economic globalization.

In light of this, our country has been striving to attract national and foreign investment to promote the sustainable development of the economic sector. We continue supporting a business environment - that also includes a diversified private sector.

In order to attract this investment that is so essential to our development, we must provide conditions allowing for greater security and less risk for everyone, including to the investors. Otherwise we will not be able to attract the investment we need for diversifying our economy. This encompasses several sectors, with the justice sector having vital importance. One of the key issues covered by the sector of justice pertains to land ownership.

For many centuries now, agriculture has been one of the main sources of wealth for many peoples and populations. As such, land has enormous economic potential, since it generates income and is an important factor in the efforts to free people from poverty.

We also know that land in itself, regardless of being used for private purposes or for the development of national interest projects, ends up influencing individuals or the society in general in a direct or indirect manner.

We all represent countries that, in view of our history, have struggled to register land that belonged to our ancestors but whose ownership has not been formally regularised. In colonial times, many plots of land were taken away from their owners and issued to other people. Now that we are an independent country, we have people claiming ownership over the same plots of land. This characteristic is common to post-conflict countries.

Currently we are also facing other issues such as agrarian reform, demarcation of land plots, expropriation of land towards the development of national projects and even the possibility of the State acquiring possession of unclaimed land plots.

Concerning the reform of agrarian property in Timor-Leste, we are presently facing challenges related with:

- agricultural land based on traditional law;
- urban land lacking mapping/division and unequivocal ownership rights, and
- government land that can be used for carrying out investment projects that serve the interests of the country and have positive impact on the lives of the Timorese.

As such, the Sixth Government considers it essential to speed up legislation seeking to regularise land ownership, which we call the Land and Properties Law. We are strongly committed to continuing the process for regularizing land ownership and to promoting private ownership titles, so that people may use and enjoy assets belonging to them.

In 2008 we started the “Ita Nia Rai” pilot project, under a partnership between the National Directorate of Land, Property and Cadastral Services of the Ministry of Justice and USAid. In 2012 our National Directorate became responsible for collecting information on the ownership of immovable assets.

This is a lengthy and complex process, which is why we felt the need to implement a service using modern technologies. As such, precisely one year ago we launched the National Cadastral System, provided by the National Directorate of the Ministry of Justice. This service enables us to conduct a cadastral survey concerning every land and property in the country. The goal is to put every land plot from every municipality of Timor-Leste in a database, so as to have the necessary data for identifying land plots, solving disputes, issuing ownership titles and taxing estates.

Presently we have full cadastral information on over 30,500 land plots and we expect to reach around 65,000 land plots by the end of the year. This figure will be increased by the around 50,000 plots identified in the “Ita Nia Rai” project, which will migrate to this new system.

This is a key issue for guaranteeing the full, balanced and long lasting economic development of Timor-Leste, as it encourages national or foreign economic investment and the sustainable use of natural resources, thereby ensuring the interests of the Timorese people and of the nation.

In order to attract investment we must make the most of our Community and of the regional organizations to which we belong. We will not have business people interested in investing in our country, in the most varied areas, unless we guarantee the minimum conditions for protecting those investments, which in turn creates growth and employment.

Your Excellencies

Ladies and Gentlemen,

We also need a credible and trustworthy justice sector. As such, we need to carry out a reform seeking to strengthen this sector and to consolidate peace and stability. It is essential to have a strong judicial system guaranteeing and protecting the rights of citizens, while also enabling sustainable development.

Consequently the Sixth Government is committed to harmonizing and standardising laws, as well as to introducing reforms in the sector of justice, so as to enable the speeding up of procedural issues within the scope of policies and measures ensuring that agencies work better and making justice more efficient and quick. We must improve access to justice by every citizen, as well as protect without any doubt the principle of checks and balances.

The justice sector is a vital and transversal pillar for the development of the country at various levels. We cannot forget that the ways in which justice operates and legal proceedings are conducted are very important for the manner in which justice is perceived

in Timor-Leste. In a democratic State under the rule of law, politicians abide by democratic principles and the judicial system focusses on the law. It is important that the interests of the State are well represented, that good sense prevails and that we never lose sight of the whole, which is the national interest.

In order for our justice systems to work, we cannot neglect the training and capacity building of our human resources. The Judicial Training Centre, which is the key training centre for every legal agent, has been contributing to the increase of the number of professionals in this area. Presently, and counting trainees as well as career professionals, we have 34 Judges, 30 Public Defenders and 132 Attorneys. We also have 7 Public Notary / Registrars and 78 Forensic Science and Criminal Investigation Police Officers, thereby adding to the number of people possessing the skills needed to improve the legal system in Timor-Leste.

These are encouraging figures; however they are still not enough. We require additional means and more human resources to accompany the development of our society and our country and to be able to continue providing full and free legal, judicial and extrajudicial assistance to citizens that do not have the means to pay for it. This is a great challenge for our young State, and one that we are meeting with responsibility. Still, this will always take time.

Your Excellencies
Ladies and Gentlemen,

These two days of meetings will also enable us to present other subjects that are also important in the area of justice and that stand out within our Community of brothers and sisters.

Let us make use of this Conference to review together the presentations on the drafting of the Constitution for the Council of Wardens of Prison/Penitentiary Services and the conclusions of the Working Committee on the Trafficking of Human Beings and of the Working Committee that surveyed the current situation of international child protection within the CPLP area, as well as the respective Action Plan that will feed the Dili Declaration on this very subject.

This is undoubtedly another opportunity to promote the development of relations of cooperation between our countries. In this regard, we are also striving to restore bilateral cooperation with Portugal in the justice sector and discuss cooperation protocols in this sector with other member countries, including Mozambique.

I will not take much more of your time, as I know how busy your schedule is. At a time when the Minister of Justice of Timor-Leste assumes the position of President, I would like to thank the outgoing President, the Minister of Justice of Portugal, for the support and commitment provided during her mandate. I also want to thank Portugal for its efforts of cooperation within the area of justice, which I believe will soon enter a more *mature* stage.

I trust that our work will be successful, so that within this common spirit of friendship we will be able to achieve outcomes reflecting the improvement of the living standards of our peoples, as well as nurturing economic activity and enabling development in our States.

Thank you very much!

Dr Rui Maria de Araújo
22 June 2015