



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

**SPEECH BY HIS EXCELLENCY THE PRIME MINISTER OF THE
DEMOCRATIC REPUBLIC OF TIMOR-LESTE,
DR RUI MARIA DE ARAÚJO,
AT THE OPENING SESSION OF THE INTERNATIONAL SEMINAR ON
“INTERNATIONAL COOPERATION AND ASSET RECOVERY”**

**MFAC Conference Room
3 June 2015**

I ask everyone to join me in a minute of silence in the memory of the late Fernando La Sama de Araújo, Minister of State, Coordinator of Social Affairs and Minister of Education, who left us yesterday. Thank you.

Your Excellency the Acting President of the Court of Appeal
Your Excellency the Prosecutor-General of the Republic
Your Excellencies the Legal Counsellors and Law Judges
Your Excellency the President of Committee A of Parliament
Your Excellency the Chief Public Defender
Your Excellency the Commissioner of the Anti-Corruption Commission
Your Excellency the Ombudsman for Human Rights and Justice
Your Excellency the Director of the Scientific and Criminal Investigation Police
Distinguished Members of Parliament and fellow Government Members
Your Excellency the Governor of the Central Bank
Your Excellencies the guest lecturers and moderators

Ladies and gentlemen
Illustrious guests,

I would like to start by congratulating the Public Prosecution and the Office of the Prosecutor-General of the Republic for their initiative in holding this seminar on “International Cooperation and Asset Recovery” within the setting of the celebration of the 15th anniversary of this important institution. As such, I would like to convey to both of them my congratulations and sincere wishes for great success. This is a timely and relevant subject and the presentation and sharing of experiences by national and international lecturers will enable the acquisition of much needed know-how for the development of Timor-Leste.

Indeed, this is a subject that concerns both each nation per se and all countries together. Today’s world is a globalised world. It is easy to acknowledge this globalisation in the financial, economic, commercial and even cultural areas, since it entails an enormous set of influences that can be seen almost immediately in any given country.

Nowadays, while we have greater circulation of people, goods and commodities across borders, we also have another type of practices that do not benefit countries and their citizens in the least. On the contrary, “white collar” crimes such as corruption and money laundering, together with terrorism, drug trafficking and cyber-crime, the latter being a recent but already concerning phenomenon, hurt both the State and its citizens.

And because this type of complex and transnational jurisdiction cases is increasingly common, this “globalisation” must also be reflected in the legal area. A problem affecting everyone must be solved by everyone, within a spirit of cooperation and partnership.

Indeed, such cases require access to relevant information and data that are often subject to the jurisdiction of other countries. Therefore, while each State has its own jurisdictional system and the right to protect and guarantee its sovereignty and to enforce its laws, we have been trying to strengthen international cooperation and to institute several procedures providing and enabling access to justice beyond a State’s borders.

It is increasingly vital to have strong international legal cooperation acting as a means to ensure the sovereignty of each State, while preserving the relations between States. This requires close collaboration, particularly since it concerns the single goal of strengthening the effectiveness of each country's jurisdiction.

However, combating this type of criminality is not limited to legal provisions. It is also necessary to seize assets. Clearly, the goal of this type of complex criminality that damages several individual and collective interests is making an illicit profit. In order to dissuade crime, we must seek to recover the goods and products generated by illicit activities, so that in addition to the "traditional" sentence we may also reinforce the old saying that "crime doesn't pay".

Justice is the mechanism through which law is enforced on behalf of the people. This both gives citizens legal certainty and restores the rights and liberties of the citizens. That is why the efficient management of these recovered assets may also be seen from a social perspective. This is to say that the State will make sure that these assets are used for the good of the society. In this manner, justice restores to the State that which rightfully belonged to it.

Your Excellencies
Ladies and Gentlemen

Timor-Leste has been an associate member of the Financial Action Task Force since 2006 and a member of the Asia/Pacific Group on Money Laundering since 2008. In 2009 we created the Anti-Corruption Commission. In 2011 we established the Legal Regime for Preventing and Combating Money Laundering and Terrorism Financing, as foreseen in the Vienna and Palermo Conventions. In 2014 we created the National Commission for Implementing the Measures meant for Combating Money Laundering and Terrorism Financing and the Financial Intelligence Unit at the Central Bank. Already in 2015 we witnessed the first steps by the Police Scientific Criminal Investigation Unit – PSCIU –, which has special responsibilities in the field of criminal police cooperation.

This is evidence of the commitment by Timor-Leste and its Governments regarding the need to fight this type of criminality. We need to create conditions to fight that which is a global problem, showing the international community that we are operating with responsibility and zeal, and continuing to show the countries with which we have diplomatic, economic and even relations of friendship that we are worthy of their trust and that we contribute towards common solutions.

Let us have no illusions regarding these practices: they exist in every corner of the world and it is up to us to create mechanisms for preventing them and for recovering, in any way, that which was ours to begin with.

Younger and poorer countries like Timor-Leste are very vulnerable to this type of criminality, particularly since our technical know-how in this area does not match its complexity. Therefore we have greater need for international support and cooperation.

Our Government will continue assessing and monitoring transnational threats in order to do its best to defend the highest values for our people and our Nation, without

neglecting our international role and responsibility. For this purpose we need to perfect our legal framework – the Penal Procedure Code –, particularly in terms of recovering assets.

Consequently, we must encourage and promote the adoption of good practices allowing us to bridge these gaps and create legislation in this area, while we develop financial and investigative institutions for ensuring the recovery and management of assets. We must also strengthen training and enhance regional and international communication.

This requires the commitment of everyone. Here I would like to highlight the proposal submitted to the Ministry of Justice by His Excellency the Prosecutor-General of the Republic concerning the possibility of creating an Asset Recovery Office. This proposal is presently being reviewed. Therefore, we are on the right path.

In this sense, the information and experience that we will be able to share during this international seminar will surely be a great contribution to the development of the fight against this type of criminality. I am certain that this seminar will be successful and that it will make a sound contribution towards the consolidation of democracy and justice, as we continue working to build a fair nation.

Before I conclude I would like once more to congratulate the Public Prosecution, which will be celebrating its 15th birthday on 6 June, as well as all those who have contributed to its prestige over this period. The Sixth Government vows to continue working in close collaboration with the bodies of sovereignty, in this case the Courts, so as to consolidate the area of justice, with the utmost respect for the principle of checks and balances.

Thank you very much.

Dr Rui Maria de Araújo
Dili, 3 June 2015