

Statement of qualifications

Statement of qualification regarding article 36(3)(a),(b) and (c); (5), (7) and (8)(b) of the Rome Statute.

Mrs. Maria Natércia is Timorese, married and has children. During her 14 years as a judge, Mrs. Maria Natércia has demonstrated among other judges high moral character in private and public life, she is independent, fair and with integrity and also has shown the capacity needed for highest judicial position.

Mrs. Maria Natércia has all the attributes required as per article 36(3)(a), (b) and (c), (5), (7) and (8)(b) of the Rome Statute.

She has been a practicing assistant lawyer since 1999, mainly as protector and promoter of Timorese human rights.

In early 2000, Mrs. Maria Natércia was appointed as the first Timorese judge by the Special Representative of Secretary General of the United Nations (SRSG), and was immediately appointed as a national judge to join the international judges on the Special Panel for Serious Crimes in the District Court of Dili, Timor-Leste and served in this position until 2005. As a judge for Special Panels for Serious Crimes, she has performed as presiding and rapporteur for several criminal cases involving homicide, persecution, illegal detentions, torture, rape and sexual violence, deportation and forcible transfer of population, imprisonment or other severe deprivation of physical liberty in violation of fundamental rules international laws, enforced disappearance of persons, other inhumane acts of similar intentionally causing great suffering or serious injury of body, mental, physical health and other crimes against humanity. Mrs. Maria Natércia has an excellent knowledge of the procedures and working methodology of the International Criminal Court.

As stated above, Mrs. Maria Natércia has been presiding and rapporteur for several criminal cases using English as the working language at the time, therefore she has good oral and written English.

The Special Panels for Serious Crimes was established and applied by UNTAET in their Regulations as a combination of common and civil law systems, namely UNTAET Regulation 15/2000 derived from the Rome Statute.

And now, as Timor-Leste applies the civil law system, Mrs. Maria Natércia in her daily activity applies the civil law system.

Mrs Maria Natércia also has gained experience by presiding and acting as rapporteur in criminal cases involving sexual abuse, rape and domestic violence against women and children.

Since 2011, Mrs Maria Natércia has been exercising her functions as a Justice at the Timorese Superior Court, dealing with criminal cases, such as sexual abuse, rape and domestic violence against women and children. In turn, this Superior Court is the highest court in the country and has competence to decide constitutional, electoral, administration and tax matters.

This experience has further bolstered her knowledge of the practice and theory of international law, as well as her expertise in negotiations conducted in a multilateral context.

As a judge, Mrs Maria Natércia has been directly involved in many debates at national, regional and international forums about international humanitarian law, and the children and women rights.

Based on her expertise and experience as a judge, it is the most appropriate to include her candidacy in the List A, as required by article 36 (.5) of the Rome Statute.

Apart from her proved experience as a judge, she also is an Assistant Professor lecturing Procedural and Criminal Law at the Faculty of Law at the Paz University.

From 2007 to 2009, Mrs. Maria Natércia served as Acting President of the Court of Appeal in Dili, whilst also undertaking functions of a Judge and Judge Administrator of the Dili District Court.

At this moment, Mrs Maria Natércia is the Vice-President of the Timorese Superior Council of Magistracy (CSMJ) and she is also responsible for courts and CSMJ's administration and budget management since 2006.

As a recognition of the important work that Mrs. Maria Natércia has been developing in her country, especially her contribution to the rule of law, the Timorese People and humanity, in 2012 she received a honorable award from the President of Republic of Timor-Leste, Dr. José Ramos-Horta.

To All Members of States Parties to the Rome Statute

This declaration has been made in Dili, on 1 August 2014.
