

## **Court of Appeal dismisses final appeal by militia member**

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On Friday (29 June 2001), the East Timor Court of Appeal dismissed an appeal by Joao Fernandes, also known as Joao Atabe, and confirmed his sentence and conviction delivered by the Special Panel for Serious Crimes on 25 January 2001. Joao Fernandes, 22, is currently serving twelve years in prison for murder after pleading guilty. Fernandes was a member of the Dadarus Merah Militia and admitted he killed a village chief in Maliana in September 1999. This is the first final appeal to have been decided by East Timor's highest court in relation to the cases involving the violence during 1999. The decision was read by the President of the Court of Appeal, Judge Claudio Ximenes (Portugal).

The Court of Appeal also granted leave to a former Falintil member, Julio Fernandes, to appeal outside the time limits specified in UNTAET legislation. Fernandes is appealing his sentence of seven years' imprisonment for the murder of a suspected militia member in Ermera district in late September 1999. No date has yet been announced for the hearing of the appeal.

An appeal by Jose Cardoso Ferreira, also known as Mouzinho, was also dismissed by the Court of Appeal last Friday. Cardoso had appealed from a decision of the Special Panel for Serious Crimes to continue his detention pending his trial for various charges, including crimes against humanity, in the Lolotoe area of Bobonaro district during 1999. The preliminary hearing before the Special Panel continues on Wednesday 4 July 2001.