

## **Domingos Mendonca, Ex-Commander of Ablai militia is Sentenced for 10 years and 6 Months Imprisonment by Special Panel**

On Monday, 13 October 2003, the Special Panel for Serious Crimes handed down a decision giving a sentence of 10 years and 6 months for the accused Domingos Mendonça, ex-member of the Ablai militia from Same-Manufahi. The Panel was composed of Judge Maria Natercia Gusmao (East Timor) - Presiding Judge - Judge Sylver Ntuzamazina (Burundi) and Judge Sigfried Blunk (Germany).

The prosecutor from the Serious Crimes Unit charged Domingos Mendonça with crimes against humanity - the murder of Luis Boco Siri and Agapito de Araújo on or about 17 April 1999 and persecution - in Orluli, Same-Manufahi, all within a systematic attack against the civilian population.

Other persons initially indicted in the same case with Domingos Mendonça were already found guilty by the Special Panel for Serious Crimes in July and August this year. Benjamim Sarmiento, vice sub-district commander of the Ablai Militia, was punished to 12 years imprisonment, Romeiro Tillman, third in charge of the Ablai Militia, is to serve 8 years and Joao Sarmiento, member of the Ablai militia, was sentenced for a period of 8 years and 8 months.

Judge Maria Nartecia Gusmao dissented with the Panel's decision to sentence Domingos Mendonça to 10 years and 6 months. Judge Maria expressed the opinion that Domingos Mendonça should instead have been punished with 8 years and 6 months. In her opinion, the sentence was unfair. Domingos Mendonça can make an application to the Court of Appeal to review the severity of his sentence.

JSMP has closely monitored this case, was present throughout the proceedings and was generally satisfied with the Court's performance. "Overall the Special Panel ensured that the rights of the accused were upheld." - said JSMP.

The four persons indicted in what was generally called the "Same Case" have now been found guilty and sentenced by the Special Panel.