

## **First Serious crimes sentence served**

JSMP, Dili 1 July 2002

Alarico Fernandes, one of the men who was convicted in the Los Palos Case in December 2001 by the Special Panel for Serious Crimes, has been conditionally released from Becora Prison in Dili after serving two thirds of his sentence.

Fernandes was found guilty and convicted of two counts of forcible transfer or deportation of civilian population and persecution as crimes against humanity for his involvement in the Team Alfa attack on the villages around Leuro in Lautem district in September 1999. During the trial Fernandes admitted burning two houses but claimed he was forced by Team Alfa members to participate. The court sentenced him to only 4 years' imprisonment due to the fact that he had cooperated with the authorities and assisted with the investigation, as well as the fact that the court found that he had been acting under superior orders, although the court decided that he was not forced. Fernandes was also charged with involvement in the Team Alfa group that killed Kalistu Rodrigues and Alfredo Araujo in Ira-Ara village, however, the court found him not guilty of this charge as there was no evidence that he had participated in the murders.

He had been detained since 9 October 1999. When he was sentenced to 4 years imprisonment on 11 December 2001, he had already served 2 years, 2 months and 2 days which was credited towards his sentence. This sentence was due to expire on 8 October 2003. However, under the Transitional Rules of Criminal Procedure, a person may be granted conditional release after completing 2/3 of the sentence has been completed if there has been a good report of his conduct in prison and where there is no danger to public security or safety.

On 21 June 2002, Special Panel Judge Antero Luis (Portugal) concluded that each of these elements has been satisfied and he ordered that Fernandes be released on certain conditions, including that he report to police once a month. The release will become unconditional after 8 October 2003. If any of the conditions are violated, Fernandes will have to serve the remainder of his prison sentence.

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