

## **Former Laksaur militia sentenced to 13 years imprisonment**

JSMP Dili, 29/5 2001

Former Laksaur militia member, Yoseph Leki, was today found guilty of murder by the Special Panel for Serious Crimes at the Dili District Court. Leki was charged with committing two separate murders on the 25 and 26 of September 1999 in Cova Lima district. According to witnesses, he was part of a militia operation to search the forests to find and kill independence supporters in hiding. However, none of the witnesses saw him shoot the first victim. In his statement Leki claimed he was forced to participate in the killings. This claim was supported by the witnesses in relation to the second victim, who confirmed that a gun was put to his head, and threats made to kill him if he refused to shoot the second victim.

The disposition of the judgment was read out by Presiding Judge Sylver Ntukamazina (Burundi). Other members of the panel were Judge Maria Natercia Gusmao Pereira (East Timor) and Judge Marcelo Dolzany da Costa (Brazil). The complete written judgment, including the court's findings of fact, statement of applicable law and reasons for the sentence, will be publicly read at the Dili District Court on 11 June 2001 at 09:00.

Public Defender Siphon Malunga (Zimbabwe) was obviously surprised by the court's decision, and informed the court that the judgment will be appealed.

However, it is unclear when any such appeal may be heard. All appeals are presently suspended indefinitely as the Court of Appeal has recently lost its only East Timorese judge Jacinta C.da Costa on her appointment to the Independent Election Commission. She is unable to remain on the court for the duration of that appointment and the Court of Appeal is required by UN Regulation to include a Timorese judge. The Department of Justice has not indicated if, or when a new East Timorese judge might be appointed to the Court of Appeal.