

## **Lolotoe trial commences in Dili**

JSMP, Dili 8 February 2002

The commencement of the second of the major crimes against humanity trials commenced before the Special Panel of the Dili District Court today. The Lolotoe trial, one of the Serious Crimes Unit's ten priority cases, was listed to begin on 8 February 2002 but has faced numerous delays. The three East Timorese accused, Joao Franca da Silva (alias Joni Franca), Jose Cardoso Ferreira (alias Mouzinho) and Sabino Gouvias Leite, are charged with a total of 27 counts of crimes against humanity that include imprisonment, torture, inhumane acts, persecution, three rapes and four murders that took place between May and September 1999 in the Lolotoe sub-district of Bobonaro.

The Special Panel hearing the case is comprised of Judge Sylvester Ntukamazina (Burundi) presiding, Judge Maria Natercia Gusmao Pereira (East Timor) and Judge Benfeito Mosso Ramos (Cape Verde). The Public Prosecutor, Essa Faal, presented his opening statement to the Court, in which he described the details of numerous atrocities that led to the charges set out in the indictment. He alleged that Joao Franca da Silva and Jose Cardoso Ferreira were both commanders of the Kaer Metin Merah Putih militia and that Sabino Gouvias Leite was the village chief of Guda village in Lolotoe Sub-District. The Public Prosecutor indicated that he would call up to 36 witnesses during the course of the trial and present other evidence to show that the accused knew that their actions were part of a widespread or systematic attack on the civilian population.

Each of the accused is represented by two public defenders, one international and one East Timorese. The defence team has already visited the crime scenes and indicated it also intends to call several witnesses. To date, no defence witnesses have testified in any serious crimes trial. Originally the Lolotoe indictment included charges against 2nd Lt Bambang Indra, the subdistrict commander of the Indonesian armed forces (TNI) in Lolotoe sub-district. As this accused is still at large, presumed to be in Indonesia, the charges against him were severed from the indictment against the other three to allow their trial to begin.

The trial is continuing and is expected to last for at least 3 months.

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