

## **Lolotoe trial faces further delays**

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The second case involving crimes against humanity in East Timor was due to commence yesterday before the Special Panel of the Dili District Court but has been postponed for another two months. Known as the Lolotoe case, it involves 27 counts of crimes against humanity, including imprisonment, torture, inhumane acts, persecution, three rapes and four murders. The incidents took place between May and September 1999 in and around the Lolotoe area near the West Timor border in Bobonaro district. Two of the three accused are alleged to have been commanders of the Kaer Metin Merah Putih militia and the third was a former village chief. A fourth individual, a lieutenant of the Indonesian army (TNI) was originally included in the indictment, but as he is still at large in Indonesia the trial is proceeding against the three men only. The Lolotoe case is one of the ten priority cases investigated by the Serious Crimes Unit.

The case was originally listed for trial on 23 August 2001 but was postponed, together with all other Serious Crimes cases, as the Los Palos trial was still being heard by the first Special Panel for Serious Crimes. The Lolotoe trial was rescheduled to be heard yesterday, but was once again adjourned as one of the public defenders requested a few more days to prepare his defence. Although two Panels of judges now have been established, their schedule is completely full for the next few months, and the Lolotoe case is now scheduled to commence 8 February 2002.

The Special Panel, comprised of Judge Sylver Ntukamazina (Burundi) presiding, Judge Benfreito Mosso Ramos (Cape Verde) and Judge Maria Natercia Gusmao Pereira (East Timor), then heard applications for conditional release of the three accused. Their defence counsel argued that a further delay, after the accused have already spent at least one year already in pre-trial detention, justified the release of the accused subject to reasonable conditions to protect witnesses and evidence. The Public Prosecutor opposed the applications on the basis of the seriousness of the charges. The Special Panel will release its decision on the conditional release applications in chambers.