



**JUDICIAL SYSTEM MONITORING PROGRAMME**  
**PROGRAMA DE MONITORIZAÇÃO DO SISTEMA JUDICIAL**

**PRESS RELEASE**

*Dili, 15 January 2007*

**MEMBER OF LAKSAUR MILITIA APPEARS BEFORE PANEL OF  
JUDGES IN DILI DISTRICT COURT**

On 12 January 2007, a panel of judges in the Dili District Court heard a serious crimes against humanity case from 1999. The panel was composed of Judge Maria das Dores, Judge Maria Natercia and Judge Telma Figueredo as president. The accused was Alberto Mali da Silva.

The arrest warrant read out in court declared that the defendant is accused of committing two serious crimes. The two crimes amount to serious crimes against humanity and homicide relating to the murder of Father Francisco Soares, a priest of the Suai Catholic Church.

The defendant Alberto Mali da Silva was a member of the Laksaur Militia, which played a role in the events of the 6 September 1999 in Suai. The Prosecutor making the allegation was International Prosecutor Baltasar Ramos. The Defendant was represented by International Public Defender Erica Macedo.

During the trial, the accused declared he wanted to remain silent during the trial because he played no role in any crimes, including the two cases of serious crimes that the Public Ministry accused him of committing.

Before the judge informed the accused of his right remain silent, the defendant declared that the Border Patrol Police (UPF/URP) arrested him when he crossed into East Timor at Salele to visit his family in Suai.

The trial continued until 10:49 local time. However, because the accused wished to remain silent regarding the facts of his case, the president of the panel suspended proceedings until 14:00 in order to hear testimonies from witnesses yet to arrive from Suai. Unfortunately, after waiting until 14:46 for the witnesses, the president gave the order to return the accused to Becora Prison.

The case was given process number *01/C.Graves/06* and was adjourned until 9 February 2007 to enable the court to hear the testimony from the five witnesses who had failed to arrive from Suai. The president ordered

that the witnesses be notified again to attend the trial. The order also established that the courts can arrange accommodation, transport and other things for the witnesses to facilitate their participation in the judicial proceedings.

JSMP is pleased with the court order facilitating the participation of the witnesses. However, JSMP believes the reason the witnesses failed to attend court according to schedule was due to a lack of coordination between the Public Ministry, the Court Administration and the witnesses themselves. It would be impossible for such a situation to occur if there had been adequate coordination between these entities.

JSMP hopes that in the future better coordination will mean a similar situation does not re-occur, causing further adjournments and delays in court proceedings. The impact of these delays is great for defendants who have already been held for lengthy periods in a place of detention or prison.

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