

JSMP Press Release

28/10/02

### **More Delays Hamper Lolotoe Trial**

The Special Panel for Serious Crimes at the Dili District Court again adjourned the Lolotoe trial today after the prosecution informed the Court that they were unable to call any more witnesses until Wednesday at the earliest.

According to JSMP the situation is very regrettable given that there have already been so many delays in the hearing of this important crimes against humanity case.

The indictment in the case was filed on 25 May 2001 and the two accused have already been in detention now for more than 2 years. The Court began hearing the matter in March 2002 but was then forced to adjourn it repeatedly for a variety of reasons. There were originally three accused in the case but last week one of the accused, Jhoni Franca, pleaded guilty and was convicted and is now awaiting a decision on his sentence.

JSMP stated that it was a positive move for the Court to have scheduled uninterrupted time to hear the Lolotoe case which has been marked as a priority case. However, it is a great pity that now at least one and half days of that scheduled time has been lost.

The prosecution told the Court that they have done everything in their power to make the witnesses available. However, the prosecution did not explain, nor did the Court ask them to explain, exactly what steps have been taken by them to bring witnesses to Court earlier.

The Panel, consisting of Judge Sylver Ntukamazina (Burundi), Judge Maria Natercia Gusmão Perreira (East Timor) and Judge Benefeto Moso Ramos (Cape Verde), expressed their disappointment that the Court was forced adjourn but accepted that the situation was unavoidable. Judge Sylver, the presiding judge, stated that the prosecution had no interest in delaying the proceedings and therefore he accepted that they had made their best endeavors to make witnesses available.

End, JSMP