



**SPECIAL PANELS FOR SERIOUS CRIMES - WEEKLY SUMMARY**  
**24-28 FEBRUARY 2003**

**Scheduled Cases**

No	Criminal Case Name	Criminal Case Number
1	The General Prosecutor v Benjamin Sarmento	18/2001
2	The General Prosecutor v Gilberto Fernandes	09/2000

*NB:* Selected indictments and case summaries are available on JSMP's website: [www.jsmp.minihub.org](http://www.jsmp.minihub.org) – from the front page follow the 'Trial' links to the case information page.

**Monday, 24 February 2003.** No trial scheduled.

**Tuesday, 25 February 2003.** No trial scheduled.

**Wednesday, 26 February 2003.** No trial scheduled.

**Thursday, 27 February 2003.** No trial scheduled.

**I. Criminal Case 18/2001 General Prosecutor v Benjamin Sarmento**

**Friday, 28 February 2003,** Heard by the Honorable Judge Maria Natercia Gusmão Pereira, sitting alone. The hearing was again closed to the public. Benjamin Sarmento, a former Ablai militia member in Manufahi district, is charged with crimes against humanity murder, severe deprivation of physical liberty in violation of fundamental rules of international law, deportation or forcible transfer of population, and persecution. After having heard on 5 February 2003 an application from the public defender to release the accused Benjamin Sarmento, and on 20 February 2003 having heard submissions on the issue from the prosecutor, the defense and the prosecutor submitted summaries of their arguments to the court. The court was adjourned to 4 March 20.

## **II. Criminal Case 9/2000 General Prosecutor v Gilberto Fernandes**

**Friday, 28 February 2003**, His Honour Judge Sylver Ntukamazina, sitting alone, announced his decision on an application for the conditional release of Gilberto Fernandes. On 11 December 2001 a Special Panel for Serious Crimes had found Fernandes guilty of torture as a crime against humanity and sentenced him to five years' imprisonment. As of 9 February 2003, Gilberto Fernandes had served two-thirds his term, in Becora prison. Judge Sylver decided to conditionally release Fernandes, effective on 28 February 2003.

The conditions, to apply from 28 February 2003 to 8 October 2004, when Fernandes' five year sentence was due to expire, were: a) That Gilberto Fernandes does not commit any other offence and not pose and any danger to public safety or security; b) That Gilberto Fernandes resides in Sarano village, Lospalos district, not leave the jurisdiction of the Court without the prior authorization of the court, and report to the nearest police station once a month.