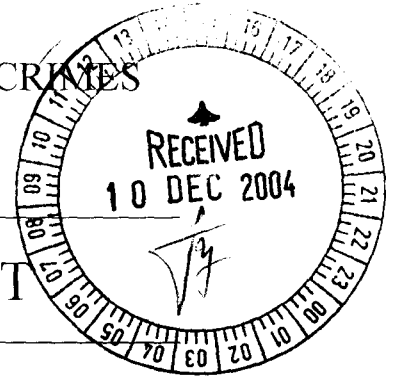


DISTRICT COURT OF DILI

BEFORE THE SPECIAL PANEL FOR SERIOUS CRIMES

Case No:



AMENDED INDICTMENT

The Deputy General Prosecutor for Serious Crimes, pursuant to his authority under UNTAET Regulations 2000/16 and 2000/30 (as amended by Regulation 2001/25), charges:

Cancio Lopes de Carvalho (1)
Remesio Lopes de Carvalho (2)
Orlando Baptista (3)
Celestino Barros (4)
Barnabe Barros (5)
Francisco Mendez (6)
Fernando Lopes (7)
Joao Baptista (8)
Martinho Lopes (9)
Francisco Atelulo (10)

Manuel Gomes (11)
Felismino Lopes (12)
Jose Lokomau (13)
Jose Beldasi (14)
Adriano Lopes Titimao (15)
Alfonso Caldas (16)
Silverto Lopes (17)
Marcelo Gomes (18)
Marcelino Beremali (19)

With

CRIMES AGAINST HUMANITY MURDER, ENFORCED DISAPPEARANCE,
OTHER INHUMANE ACTS, PERSECUTION and DEPORTATION

as set forth in this indictment,

I. NAME AND PARTICULARS OF THE ACCUSED

1. Name: **Cancio Lopes de Carvalho**
 From: Cassa, District of Ainaro
 Age/Date of Birth: Approximately 43 years old.
 Sex: Male
 Nationality: Indonesian/East Timorese
 Current address: West Timor, Republic of Indonesia
 Occupation at the time: Overall Mahidi militia Commander

2. Name: **Remesio Lopes de Carvalho**
 (also phonetically spelt as Remejio, Remezio, Remexio)
 From: Cassa, District of Ainaro
 Date of Birth: On or around 1/1/1965
 Place of birth: Believed to be Suro Crick village, Ainaro subdistrict, Ainaro
 Sex: Male
 Nationality: Indonesian/East Timorese
 Current address: West Timor, Republic of Indonesia
 Occupation at the time: Intelligence Officer of the Mahidi militia, Mahidi Coordinator for the District of Ainaro.

3. Name: **Orlando Baptista [aka Orlando Bulak]**
 From: Cassa, District of Ainaro
 Age/Date of Birth: Approximately 48 years old
 Sex: Male
 Nationality: Indonesian/East Timorese
 Current address: West Timor, Republic of Indonesia
 Occupation at the time: Mahidi militia Kompi B Commander and retired TNI soldier

4. Name: **Celestino Barros**
 From: Manutassi, District of Ainaro
 Age/Date of Birth: Approximately 24 years old
 Sex: Male
 Nationality: Indonesian/East Timorese
 Current address: West Timor, Republic of Indonesia
 Occupation at the time: Mahidi militia member

5. Name: **Barnabe Barros**
 From: Manutassi, District of Ainaro
 Age/Date of Birth: Approximately 28 years old
 Sex: Male
 Nationality: Indonesian/East Timorese
 Current address: West Timor, Republic of Indonesia
 Occupation at the time: Mahidi militia member

6. Name: **Francisco Mendez [Chico Holarua]**
 From: Holarua, Sub-district of Same, Manufahi
 Age/Date of Birth: Approximately 28 years old
 Sex: Male
 Nationality: Indonesian/East Timorese
 Current address: Unconfirmed report states he is in East Timor, living in Karbulao village, Sub-district of Same, Manufahi
 Occupation at the time: Mahidi militia member
7. Name: **Fernando Lopes**
 From: Cassa, District of Ainaro
 Age/Date of Birth: Approximately 28 years old
 Sex: Male
 Nationality: Indonesian/East Timorese
 Current address: West Timor, Republic of Indonesia
 Occupation at the time: Mahidi militia platoon leader
8. Name: **Joao Baptista**
 From: Manutassi, District of Ainaro
 Age/Date of Birth: Approximately 55 years old
 Sex: Male
 Nationality: Indonesian/East Timorese
 Current address: West Timor, Republic of Indonesia
 Occupation at the time: Mahidi militia company commander
9. Name: **Martinho Lopes**
 From: Cassa, District of Ainaro
 Age/Date of Birth: Between 35-40 years old
 Sex: Male
 Nationality: Indonesian/East Timorese
 Current address: West Timor, Republic of Indonesia
 Occupation at the time: Mahidi militia member
10. Name: **Francisco Atelulo [aka Chico Zumalai]**
 From: Sub-district of Zumalai, Covalima
 Age/Date of Birth: Approximately 35 years old
 Sex: Male
 Nationality: Indonesian/East Timorese
 Current address: West Timor, Republic of Indonesia
 Occupation at the time: Mahidi militia platoon leader
11. Name: **Manuel Gomes [aka Manuel Kompi]**
 From: Cassa, District of Ainaro
 Age/Date of Birth: Approximately 54 years old
 Sex: Male
 Nationality: Indonesian/East Timorese
 Current address: West Timor, Republic of Indonesia

- Occupation at the time: Mahidi militia Kompi A Commander and retired TNI soldier
12. Name: **Felismino Lopes**
 From: Cassa, District of Ainaro
 Age/Date of Birth: Approximately 28 years old
 Sex: Male
 Nationality: Indonesian/East Timorese
 Current address: West Timor, Republic of Indonesia
 Occupation at the time: Mahidi militia member
13. Name: **Jose Lokomau [aka Gadapaksi]**
 From: Cassa, District of Ainaro
 Age/Date of Birth: Approximately 28 years old
 Sex: Male
 Nationality: Indonesian/East Timorese
 Current address: West Timor, Republic of Indonesia
 Occupation at the time: Mahidi militia platoon leader
14. Name: **Jose Beldasi**
 From: Cassa, District of Ainaro
 Age/Date of Birth: Between 40 to 50 years old
 Sex: Male
 Nationality: Indonesian/East Timorese
 Current address: West Timor, Republic of Indonesia
 Occupation at the time: Mahidi militia member
15. Name: **Adriano Lopes Titimao**
 From: Cassa, District of Ainaro
 Age/Date of Birth: Between 30 to 35 years old
 Sex: Male
 Nationality: Indonesian/East Timorese
 Current address: West Timor, Republic of Indonesia
 Occupation at the time: Mahidi militia member
16. Name: **Alfonso Caldas**
 From: Cassa, District of Ainaro
 Age/Date of Birth: Between 35 to 40 years old
 Sex: Male
 Nationality: Indonesian/East Timorese
 Current address: West Timor, Republic of Indonesia
 Occupation at the time: Mahidi militia member
17. Name: **Silverto Lopes**
 From: Zumalai Sub-district, Covalima
 Age/Date of Birth: Approximately 35 years old
 Sex: Male
 Nationality: Indonesian/East Timorese
 Current address: West Timor, Republic of Indonesia

Occupation at the time: Mahidi militia member

18. Name: **Marcelo Gomes**
From: Cassa, District of Ainaro
Age/Date of Birth: Between 35 to 40 years old
Sex: Male
Nationality: Indonesian/East Timorese
Current address: West Timor, Republic of Indonesia
Occupation at the time: Mahidi militia member

19. Name: **Marcelino Beremali**
From: Cassa, District of Ainaro
Age/Date of Birth: Approximately 35 years old
Sex: Male
Nationality: Indonesian/East Timorese
Current address: West Timor, Republic of Indonesia
Occupation at the time: Mahidi militia platoon leader

II. INTRODUCTORY STATEMENT OF FACTS

1. A widespread or systematic attack was committed against the civilian population in East Timor in 1999. The attack occurred during two interconnected periods of intensified violence. The first period followed the announcement on 27 January 1999 by the Government of Indonesia that the people of East Timor would be allowed to choose between autonomy within the Republic of Indonesia or independence. This period ended on 4 September 1999, the date of the announcement of the result of the popular consultation in which 78.5 per cent voted against the autonomy proposal. The second period followed the announcement of the result of the popular consultation on 4 September through 25 October 1999.
2. The widespread or systematic attack was part of an orchestrated campaign of violence, that included among other things incitement, threats to life, intimidation, unlawful confinements, assaults, forced displacements, arsons, murders, rapes, torture and other forms of violence carried out by members of the pro-autonomy militia, members of the Indonesian Armed Forces, ABRI (Angkatan Bersenjata Republik Indonesia) renamed TNI (Tentara Nasional Indonesia) in 1999, and members of the Indonesian Police Forces POLRI (Kepolisian Republik Indonesia) with the acquiescence and active participation of civilian and military authorities.
3. In 1999, numerous militia groups operated throughout East Timor. Their goal was to support autonomy within Indonesia. The militia groups participated in the widespread or systematic attack and acted and operated with impunity.
4. This widespread or systematic attack was directed against civilians and predominantly against individuals who supported or were perceived to support independence and resulted in lethal injury including death by sharp force injury, gun shot injury, blunt force trauma and/or a combination of the three.
5. As part of the widespread or systematic attack against the civilian population, members of the militia, the members of the Indonesian Armed Forces, and members of the Indonesian Police Forces destroyed property including houses and livestock belonging to the civilian population.
6. The widespread or systematic attack resulted in the internal displacement of thousands of persons (IDPs). Additionally, the forcible transfer of the civilian population within East Timor and deportation to West Timor, Indonesia was an essential feature of the orchestrated campaign of violence.
7. Under terms of the 5 May 1999 Agreements, between Indonesia, Portugal and the United Nations on the popular consultation, the Indonesian Security Authorities had the responsibility to ensure a safe environment devoid of violence or other forms of intimidation as well as the general maintenance of law and order before and during the popular consultation. The Indonesian Security Forces failed to meet these obligations.

8. The Indonesian Military in East Timor consisted of both regular territorial forces (BTT) and Special Combat Forces, i.e. the Strategic Reserve Command (KOSTRAD), (Komando Strategis Angkatan Darat) and Special Forces Command (KOPASUS), (Komando Pasukan Khusus), all of which had units, staff officers and soldiers stationed in East Timor.
9. From February 1999 to October 1999, the Indonesian Police Force (POLRI), the state agency for upholding the law and public order were also present in East Timor. It included a Mobile Police Brigade (BRIMOB), whose units and members were stationed in East Timor, including in the Bobonaro District.

III. SPECIFIC STATEMENT OF FACTS

10. In 1999, the Mahidi militia operated in the Districts of Aileu, Ainaro and the Eastern part of the District of Covalima. Mahidi [Mati Hidup Demi Integrasi] means: "Die or Live for Integration".
11. In 1999, **Cancio Lopes de Carvalho** was the overall Commander of the Mahidi Militia. The Headquarters of the Mahidi militia were located in his house, in the village of Cassa, Ainaro Sub-district, District of Ainaro.
12. In 1999, Nemesio Lopes de Carvalho was the Deputy Commander of the Mahidi Militia and his residence was in the village of Cassa.
13. In 1999, **Remesio Lopes de Carvalho** was the Intelligence Officer of the Mahidi militia and the coordinator for the District of Ainaro. He had control and command over the Mahidi militia based in the District of Ainaro. He resided in the village of Cassa.
14. In the village of Cassa there were two Kompis – A and B (a Kompi is the equivalent of a Company in the military structure). **Manuel Gomes** was the Commander of Kompi A and **Orlando Baptista** Commander of Kompi B.
15. Prior to the popular consultation of August 1999, **Cancio Lopes de Carvalho** publicly stated to Mahidi militia members that if pro-autonomy did not win, East Timor would be turned into ashes, houses of pro-independence people would be burned and independence supporters would be killed.
16. In 1999, **Cancio Lopes de Carvalho** received firearms from the Indonesian Military based in the District of Ainaro. **Cancio Lopes de Carvalho** stored those firearms at his house in Cassa. Those firearms were distributed, at various times, to Mahidi militia members to conduct their operations.

A. The attack at Fatuk Maria, Sub-district of Manutassi, District of Ainaro on 3 January 1999.

17. On or about 3 January 1999, members of the Mahidi militia erected a checkpoint at Fatuk Maria, Sub-district of Manutassi, District of Ainaro.
18. That same day, independence supporters went to the checkpoint at Fatuk Maria and demonstrated against the construction of the checkpoint. The Mahidi militia members were armed with rifles. **Cancio Lopes de Carvalho** had given specific orders to erect the checkpoint and to kill anyone who would commit any action against the Mahidi militia members present.
19. Mahidi militia members, including **Joao Baptista, Celestino Barros,** and **Barnabe Barros** fired directly into the group of independence supporters. Julio de Araujo and Reinaldo Martins were shot and they died from their injuries.
20. Celestino da Silva, Eurico de Araujo, Alifio Sarmiento, Markus de Andrade and Alarico de Andrade were also shot and seriously wounded in the attack. Mahidi member **Celestino Barros** injured one of these victims.

B. The murder of Fernando Gomes on 5 September 1999 in the village of Cassa, Sub-district of Ainaro, District of Ainaro.

[Material submitted to the Court in the Case of the Prosecutor vs. Anigio de Oliveria (2001/7) and all testimony in that case.]

21. On 4 September 1999, the results of the popular consultation were announced publicly and the people of East Timor voted for Independence.
22. On or about that time, members of the Mahidi militia, in coordination with the TNI began attacking the villages, murdering suspected independence supporters, killing livestock and burning their houses in the village of Cassa and in other areas.
23. In addition, on or about that time **Cancio Lopes de Carvahlo** gave the order that all civilians had to go to West Timor or be killed.
24. During the night of 4 September 1999, Mahidi militia member **Manuel Gomes** ordered the murder of Fernando Gomes because he was suspected of supporting independence.
25. In the early hours of 5 September 1999, Mahidi militia members, including **Francisco Atelulo, Martinho Lopes, Fernando Lopes** and **Francisco Mendez**, went to and surrounded the house of Fernando Gomes. They knocked on the door and called for Fernando Gomes to come out of the house.
26. The Mahidi militia members poured fuel around the house and lit the fuel, setting parts of the house of Fernando Gomes on fire.

27. When the house started burning, Fernando Gomes came out from the house. Mahidi militia member **Fernando Lopes** fired two shots at Fernando Gomes causing his death.
28. After the death of Fernando Gomes, the Mahidi militia members went to the house of **Cancio Lopes de Carvalho**. **Fernando Lopes** informed **Cancio Lopes de Carvalho** that he had killed Fernando Gomes.

C. The abduction and killing of Paulino Maria Bianco on 12 September 1999.

29. On the night of 12 September 1999, Mahidi Militia members, including **Remesio Lopes de Carvalho**, located Paulino Maria Bianco in a house in the village of Cassa. Paulino Maria Bianco was ordered to follow them to the house of **Cancio Lopes de Carvalho**, which was nearby. Some of the Mahidi Militia members present were armed.
30. The Mahidi Militia members escorted Paulino Bianco to the house of **Cancio Lopes de Carvalho**. **Cancio Lopes de Carvalho**, in an angry and loud voice, conducted an interrogation of Paulino Maria Bianco. After completing his questioning, **Cancio Lopes de Carvalho** handed Paulino Bianco to a TNI member outside his house.
31. The TNI member also questioned Paulino Maria Bianco. After completing his interrogation, the TNI member called on **Remesio Lopes de Carvalho** to decide what to do with Paulino Maria Bianco.
32. **Remesio Lopes de Carvalho** then questioned Paulino Maria Bianco. **Remesio Lopes de Carvalho** ordered Mahidi militia members present to kill Paulino Maria Bianco because he had influenced civilians to vote for independence. On **Remesio Lopes de Carvalho's** orders, Paulino Maria Bianco was tied up and his head covered with a cloth.
33. Paulino Maria Bianco was taken by truck to the Sub-village of Haricain, Sub-district of Zumalai. Militia members, including **Adriano Lopes Titimao**, **Alfonso Caldas**, **Felismino Lopes**, took Paulino Maria Bianco out of the truck and brought him to a field nearby. **Adriano Lopes Titimao** struck Paulino Maria Bianco on the neck once with a machete. **Alfonso Caldas** also struck Paulino Maria Bianco once again with a machete and severed his head.
34. **Felismino Lopes** took the head of Paulino Maria Bianco, walked down a road in the Sub-village of Haricain and disposed of it.
35. The Mahidi militia members then returned to the village of Cassa and reported to **Remesio Lopes de Carvalho** the death of Paulino Maria Bianco.

D. The attack on the village of Maununo, Sub-district of Ainaro, District of Ainaro on 23 September 1999.

36. In the early morning of 23 September 1999, approximately 60 members of the Mahidi Militia attacked the villagers of the village of Maununo, Sub-district of Ainaro in order to deport them to West Timor. The village of Maununo is comprised of Mamalao, Aileu and Mausuka Sub-villages. The villagers of Maununo were also known to support independence.
37. The Mahidi Militia members were armed with rifles. Some militia members were dressed in TNI Military camouflage uniform with red and white Bandana's.
38. The attack resulted in the deaths of eleven persons, the wounding of six others, the deportation of approximately 75 persons and up to 165 destroyed property and livestock.
39. The Mahidi Militia members led by **Remesio Lopes de Carvalho** formed three groups and attacked the village of Maununo from three different directions.
40. **Remesio Lopes de Carvalho** yelled at the inhabitants of Maununo that everyone had to go to the village office in order to be transported to Atambua, West Timor. He threatened that those who would refuse would be shot. He then took a grenade, bit it with his teeth and acted like he was going to throw the grenade into the crowd.

i) The murder of Jacob Bianco

41. Jacob Bianco was behind his house when militia members found him and asked where he was coming from. He replied he came from the village of Maununo. At that point, Mahidi militia member **Jose Beldasi** fired his rifle at Jacob Bianco's chest. Jacob Bianco fell to the ground and died from his wounds.

ii) The murders of Ernestina Bianco, Francisco Bianco, Isabel Maria Almeida and Isadoru Bianco, persecution of Arsenio Magalhaes and the wounding of Francisca Maria Almeida, Adozinda Magalhaes, Zeferina Bianco and Maria Bianco.

42. Arsenio Magalhaes and family members went hiding near a creek when they heard the militia members coming. Maria Bianco and her daughter Zeferina Bianco were also hiding nearby.
43. Militia members **Silverto Lopes, Jose Lokomau** and **Orlando Baptista** attacked this group. **Jose Lokomau** first shouted to the group that they were all going to die.
44. Militia members **Silverto Lopes** and **Jose Lokomau** shot Ernestina Bianco in the back and killed her.

45. **Jose Lokomau** then walked up to Francisco Bianco and shot him in the back, killing him. **Jose Lokomau** then proceeded towards Francisca Maria Almeida. Francisca Maria Almeida was kneeling holding her 2 year-old-son Isadoru in her arms. **Jose Lokomau** shot her once. The bullet went through her and her son's body, but did not kill them.
46. **Orlando Baptista** also fired at Francisca Maria Almeida. **Orlando Baptista** discharged his rifle many times. One of these bullet hit Isadoru Bianco in the back of the head. Adozinda Magalhaes sustained gunshot wounds. Isabel Maria Almeida (the mother of Francisca Maria Almeida) was also shot by **Orlando Baptista**. Both Isabel Maria Almeida and Isadoru Bianco died from their wounds. Francisca Maria Almeida was seriously injured during the attack.
47. Arsenio Magalhaes decided to run for his life. **Orlando Baptista** yelled at him to stop running and shot at him many times. Arsenio Magalhaes was able to flee without being injured.
48. **Jose Lokomau** then walked towards Maria Bianco. Standing on the edge of the creek, he shot Maria Bianco twice, hitting her in the leg and stomach. **Jose Lokomau** shot once again, this time hitting Zeferina Bianco, the daughter of Maria Bianco. Zeferina and Maria Bianco were both seriously wounded.

iii) The murder of Jorge Correia

49. Jorge Correia and his family heard the sound of gunfire and they started running. As they were running, they saw **Remesio Lopes de Carvalho** coming towards them. **Remesio Lopes de Carvalho** shot Jorge Correia in the chest, killing him.

iv) The murder of Joao Nunes

50. Joao Nunes heard gunshots and started running with others to hide. About 50 meters from his house, militia members **Remesio Lopes de Carvalho** and **Marcelino Beremali** pointed their rifles at him. **Remesio Lopes de Carvalho** and **Marcelino Beremali** yelled for him to stop running. Joao Nunes kept on running when gunshots were heard. Joao Nunes was hit by bullets and fell to the ground. He died from his wounds.

v) The murder of Afonso Ramos

51. Afonso Ramos heard gunshots and ran with others towards a hill to hide from militia members. As Afonso Ramos was running, unidentified militia members shot him to death.

vi) The murder of Lucia da Silva

52. Lucia da Silva was walking towards Cassa following the orders of Mahidi militia members when she came upon **Remesio Lopes de Carvalho** and other

militia members. **Remesio Lopes de Carvalho** confronted Lucia da Silva on the whereabouts of her husband. **Remesio Lopes de Carvalho** accused her husband of feeding the Falintil, which Lucia da Silva denied. **Remesio Lopes de Carvalho** then shot her to death.

vii) The murder of Miguel Monis and Alcino Araujo

53. Miguel Monis and his son Alcino Araujo were walking towards the village of Maununo when they came upon a group of Mahidi militia members. An unidentified militia member shot once in the direction of Miguel Monis and killed him. The same unidentified militia member then pointed his rifle at Alcino Araujo and shot him dead.

viii) The wounding of Armando Da Costa Araujo

54. Armando Da Costa and his family were returning to their house in Maununo after days of hiding in the surrounding mountains when they heard gunshots. The family started running in different directions. Mahidi militia member **Marcelo Gomes** chased Armando Da Costa Araujo. **Marcelo Gomes** fired his rifle several times at Armando Da Costa Araujo. One bullet hit Armando Da Costa and he fell to the ground seriously injured. He lay there for several hours before being rescued.

ix) The wounding of Jose Magalhaes

55. Jose Magalhaes and his family started running when they heard the gunshots. Jose Magalhaes ran toward a hill when he came upon two unidentified armed Mahidi militia members. He was trying to run away from them when he was hit in the leg and seriously injured. Several hours later, his father rescued him.

x) The forced transfer of the villagers of Maununo to the village of Cassa and their deportation to West Timor

56. During the attack, the Mahidi Militia members, including **Remesio Lopes de Carvalho**, ordered the villagers of Maununo to travel to Atambua, West Timor. Mahidi militia members threatened to kill them if they refused.
57. Approximately 75 villagers of Maununo were first ordered to travel to the village of Cassa. Once in Cassa, they were deported to Atambua, West Timor.

xi) The destruction of property

58. During the attack on the village of Maununo and following the orders of **Remesio Lopes de Carvalho**, houses of perceived independence supporters were burnt or destroyed by Mahidi militia members. Mahidi militia members also killed livestock, including buffaloes and cows.

IV. GENERAL ALLEGATIONS

59. The acts or omissions by the accused, described in this indictment, were undertaken as part of a widespread or systematic attack directed against the civilian population, with knowledge of the attack, and especially targeting those who were believed to be linked to or sympathetic with the independence cause in East Timor.

V. CRIMINAL RESPONSABILITY

Individual criminal responsibility

60. The accused are individually responsible for the crimes charged in this indictment. Individual responsibility under Section 14.3 UNTAET Regulation 2000/15 arises if an accused:

“(a) commits such a crime, whether as an individual, jointly with another or through another person, regardless of whether that other person is criminally responsible;

(b) orders, solicits or induces the commission of such a crime which in fact occurs or is attempted;

(c) for the purpose of facilitating the commission of such a crime, aids, abets or otherwise assists in its commission or its attempted commission, including providing the means for its commission;

(d) in any other way contributes to the commission or attempted commission of such a crime by a group of persons acting with a common purpose. Such contribution shall be intentional and shall either:

a. be made with the aim of furthering the criminal activity or criminal purpose of the group, where such activity or purpose involves the commission of a crime within the jurisdiction of the panels; or

b. be made in the knowledge or the intention of the group to commit the crime;

Superior Criminal Responsibility

61. **Cancio Lopes de Carvalho (1), Remesio Lopes de Carvalho (2) and Vasco da Cruz (6)** are charged with superior criminal responsibility in this indictment. They are responsible under Section 16 of UNTAET Regulation 2000/15 for the acts of their subordinates if they:

“knew or had reason to know that the subordinate was about to commit such acts or had done so and the superior

failed to take the necessary and reasonable measures to prevent such acts or to punish the perpetrator thereof.”

VI. THE CHARGES

Pursuant to the above the Deputy General Prosecutor for Serious Crimes charges:

Count 1: Crimes Against Humanity: Murder of Julio de Araujo and Reinaldo Martins

By their acts or omissions in relation to the events described in paragraphs 19 to 22 inclusive, **Cancio Lopes de Carvalho (1), Celestino Barros (4), Barnabe Barros (5) and Joao Baptista (10)** are responsible as individuals or as a superior for the murders of Julio de Araujo and Reinaldo Martins, on or about 3 January 1999 in the village of Manutassi, District of Ainaro, committed as part of a widespread or systematic attack against a civilian population with knowledge of the attack and thereby committed CRIMES AGAINST HUMANITY, MURDER pursuant to Section 5.1(a) of UNTAET Regulation 2000/15.

Count 2: Crime against Humanity: Other inhumane acts

By their acts or omissions in relation to the events described in paragraphs 19 to 22 inclusive, **Cancio Lopes de Carvalho (1), Celestino Barros (4), Barnabe Barros (5) and Joao Baptista (10)** are responsible as individuals or as a superior for inhumane acts against Celestino da Silva, Eurico de Araujo, Alifio Sarmiento, Markus de Andrade and Alarico de Andrade, on or about 3 January 1999 in the village of Manutassi, District of Ainaro, committed as part of a widespread or systematic attack against a civilian population with knowledge of the attack and thereby committed CRIMES AGAINST HUMANITY, OTHER INHUMANE ACTS pursuant to Section 5.1(k) of UNTAET Regulation 2000/15.

Count 3: Crimes Against Humanity: Murder of Fernando Gomes

By their acts or omissions in relation to the events described in paragraphs 74 to 81 inclusive, **Cancio Lopes de Carvalho (1), Francisco Mendez (8), Fernando Lopes (9), Martinho Lopes (11), Francisco Atelulo (12) and Manuel Gomes (13)** are responsible as individuals or as a superior for the murder of Fernando Gomes, on or about 5 September 1999 in the Village of Cassa, Sub-district of Ainaro, District of Ainaro, committed as part of a widespread or systematic attack against a civilian population with knowledge of the attack and are thereby responsible for a CRIME AGAINST HUMANITY, MURDER pursuant to Section 5.1(a) and Section 14 and/or 16 of UNTAET Regulation 2000/15.

Count 4: Crimes Against Humanity: Murder of Paulino Maria Bianco

By their acts or omissions in relation to the events described in paragraphs 82 to 88 inclusive, **Cancio Lopes de Carvalho (1), Remesio Lopes de Carvalho (2), Felismino Lopes (14), Adriano Lopes Titimao (17) and Alfonso Caldas (18)** are responsible as individuals or as superiors for the murder of Paulino Maria Bianco, on or about 12 September 1999 in the Village of Cassa, Sub-district of Ainaro, District of Ainaro, committed as part of a widespread or systematic attack against a civilian population with knowledge of the attack and are thereby responsible for a CRIME AGAINST HUMANITY, MURDER pursuant to Section 5.1(a) and Section 14 and/or 16 of UNTAET Regulation 2000/15.

Count 5: Crimes Against Humanity: Murder of Jacob Bianco

By their acts or omissions in relation to the events described in paragraphs 94, **Cancio Lopes de Carvalho (1), Remesio Lopes de Carvalho (2) and Jose Beldasi (16)** are responsible as individuals or as superiors for the murder of Jacob Bianco, on or about 23 September 1999 in the Village of Maununo, Sub-district of Ainaro, District of Ainaro, committed as part of a widespread or systematic attack against a civilian population with knowledge of the attack and are thereby responsible for a CRIME AGAINST HUMANITY, MURDER pursuant to Section 5.1(a) and Section 14 and/or 16 of UNTAET Regulation 2000/15.

Count 6: Crimes Against Humanity: Murder of Ernestina Bianco, Fransisco Bianco, Isadoru Bianco and Isabel Maria Almeida

By their acts or omissions in relation to the events described in paragraphs 95 to 99 inclusive, **Cancio Lopes de Carvalho (1), Remesio Lopes de Carvalho (2), Orlando Baptista (3), Jose Lokomau (15) and Silvertto Lopes (19)** are responsible as individuals or as superiors for the murder of Ernestina Bianco, Fransisco Bianco, Isadoru Bianco and Isabel Maria Almeida on or about 23 September 1999 in the Village of Maununo, Sub-district of Ainaro, District of Ainaro, committed as part of a widespread or systematic attack against a civilian population with knowledge of the attack and are thereby responsible for a CRIME AGAINST HUMANITY, MURDER pursuant to Section 5.1(a) and Section 14 and/or 16 of UNTAET Regulation 2000/15.

Count 7: Crimes Against Humanity: Other Inhumane acts

By their acts or omissions in relation to the events described in paragraphs 95 to 101 inclusive, **Cancio Lopes de Carvalho (1), Remesio Lopes de Carvalho (2), Orlando Baptista (3), Jose Lokomau (15) and Silvertto Lopes (19)** are responsible as individuals or as superiors for inhumane acts against Francisca Maria Almeida, Zeferina Bianco, Maria Bianco and Adozinda Magalhaes on or about 23 September 1999 in the Village of Maununo, Sub-district of Ainaro, District of Ainaro, committed as part of a widespread or systematic attack against a civilian population with knowledge of the attack and are thereby responsible for a CRIME AGAINST HUMANITY, OTHER INHUMANE ACTS pursuant to Section 5.1(k) and Section 14 and/or 16 of UNTAET Regulation 2000/15.

Count 8: Crimes Against Humanity: Persecution - Assault

By their acts or omissions in relation to the events described in paragraphs 95 to 100 inclusive, **Cancio Lopes de Carvalho (1)**, **Remesio Lopes de Carvalho (2)**, **Orlando Baptista (3)**, **Jose Lokomau (15)** and **Silverto Lopes (19)** are responsible as individuals or as superiors for the assault of Arsenio Magalhaes on or about 23 September 1999 in the Village of Maununo, Sub-district of Ainaro, District of Ainaro, committed as part of a widespread or systematic attack against a civilian population with knowledge of the attack and are thereby responsible for a CRIME AGAINST HUMANITY, PERSECUTION pursuant to Section 5.1(h) and Section 14 and/or 16 of UNTAET Regulation 2000/15.

Count 9: Crimes Against Humanity: Murder of Jorge Correira

By their acts or omissions in relation to the events described in paragraph 102, **Cancio Lopes de Carvalho (1)** and **Remesio Lopes de Carvalho (2)** are responsible as individuals or as superiors for the murder of Jorge Correira, on or about 23 September 1999 in the Village of Maununo, Sub-district of Ainaro, District of Ainaro, committed as part of a widespread or systematic attack against a civilian population with knowledge of the attack and are thereby responsible for a CRIME AGAINST HUMANITY, MURDER pursuant to Section 5.1(a) and Section 14 and/or 16 of UNTAET Regulation 2000/15.

Count 10: Crimes Against Humanity: Murder of Joao Nunes

By their acts or omissions in relation to the events described in paragraph 103, **Cancio Lopes de Carvalho (1)**, **Remesio Lopes de Carvalho (2)** and **Marcelino Beremali (21)** are responsible as individuals or as superiors for the murder of Joao Nunes, on or about 23 September 1999 in the Village of Maununo, Sub-district of Ainaro, District of Ainaro, committed as part of a widespread or systematic attack against a civilian population with knowledge of the attack and are thereby responsible for a CRIME AGAINST HUMANITY, MURDER pursuant to Section 5.1(a) and Section 14 and/or 16 of UNTAET Regulation 2000/15.

Count 11: Crimes Against Humanity: Murder of Afonso Ramos

By their acts or omissions in relation to the events described in paragraph 104, **Cancio Lopes de Carvalho (1)** and **Remesio Lopes de Carvalho (2)** are responsible as individuals or as superiors for the murder of Afonso Ramos, on or about 23 September 1999 in the Village of Maununo, Sub-district of Ainaro, District of Ainaro, committed as part of a widespread or systematic attack against a civilian population with knowledge of the attack and are thereby responsible for a CRIME AGAINST HUMANITY, MURDER pursuant to Section 5.1(a) and Section 14 and/or 16 of UNTAET Regulation 2000/15.

Count 12: Crimes Against Humanity: Murder of Lucia da Silva

By their acts or omissions in relation to the events described in paragraph 105, **Cancio Lopes de Carvalho (1)** and **Remesio Lopes de Carvalho (2)** are responsible as individuals or as superiors for the murder of Lucia da Silva, on or about 23 September 1999 in the Village of Maununo, Sub-district of Ainaro, District of Ainaro, committed as part of a widespread or systematic attack against a civilian population with knowledge of the attack and are thereby responsible for a CRIME AGAINST HUMANITY, MURDER pursuant to Section 5.1(a) and Section 14 and/or 16 of UNTAET Regulation 2000/15.

Count 13: Crimes Against Humanity: Murder of Miguel Monis and Alcino Araujo

By their acts or omissions in relation to the events described in paragraph 106, **Cancio Lopes de Carvalho (1)** and **Remesio Lopes de Carvalho (2)** are responsible as individuals or as superiors for the murder of Miguel Monis and Alcino Araujo, on or about 23 September 1999 in the Village of Maununo, Sub-district of Ainaro, District of Ainaro, committed as part of a widespread or systematic attack against a civilian population with knowledge of the attack and are thereby responsible for a CRIME AGAINST HUMANITY, MURDER pursuant to Section 5.1(a) and Section 14 and/or 16 of UNTAET Regulation 2000/15.

Count 14: Crimes Against Humanity: Other Inhumane Acts

By their acts or omissions in relation to the events described in paragraph 107, **Cancio Lopes de Carvalho (1)**, **Remesio Lopes de Carvalho (2)**, and **Marcelo Gomes (20)** are responsible as individuals or as superiors for inhumane acts against Armando da Costa Araujo, on or about 23 September 1999 in the Village of Maununo, Sub-district of Ainaro, District of Ainaro, committed as part of a widespread or systematic attack against a civilian population with knowledge of the attack and are thereby responsible for a CRIME AGAINST HUMANITY, OTHER INHUMANE ACTS pursuant to Section 5.1(k) and Section 14 and/or 16 of UNTAET Regulation 2000/15.

Count 15: Crimes Against Humanity: Other Inhumane Acts

By their acts or omissions in relation to the events described in paragraph 108, **Cancio Lopes de Carvalho (1)** and **Remesio Lopes de Carvalho (2)** are responsible as individuals or as superiors for the inhumane acts against Jose Magalhaes, on or about 23 September 1999 in the Village of Maununo, Sub-district of Ainaro, District of Ainaro, committed as part of a widespread or systematic attack against a civilian population with knowledge of the attack and are thereby responsible for a CRIME AGAINST HUMANITY, OTHER INHUMANE ACTS pursuant to Section 5.1(k) and Section 14 and/or 16 of UNTAET Regulation 2000/15.

Count 16: Crimes Against Humanity: Deportation

By their acts or omissions in relation to the events described in paragraphs 89 to 110 inclusive, **Cancio Lopes de Carvalho (1)**, **Remesio Lopes de Carvalho (2)**, **Orlando Baptista (3)**, **Jose Lokomau (15)**, **Jose Beldasi (16)**, **Silverto Lopes (19)**, **Marcelo Gomes (20)** and **Marcelino Beremali (21)** are responsible as individuals or as superiors for the deportation of the villagers of the village of Maununo, District of Ainaro, on or about 23 September 1999, committed as part of a widespread or systematic attack against a civilian population with knowledge of the attack and are thereby responsible for a CRIME AGAINST HUMANITY, DEPORTATION pursuant to Section 5.1(d) and Section 14 and/or 16 of UNTAET Regulation 2000/15.

Count 17: Crimes Against Humanity: Persecution - Destruction of Property

By their acts or omissions in relation to the events described in paragraphs 89 to 110 inclusive, **Cancio Lopes de Carvalho (1)**, **Remesio Lopes de Carvalho (2)**, **Orlando Baptista (3)**, **Jose Lokomau (15)**, **Jose Beldasi (16)**, **Silverto Lopes (19)**, **Marcelo Gomes (20)** and **Marcelino Beremali (21)** are responsible as individuals or as superiors for the persecution of a civilian population by the destruction of property in the village of Maununo, District of Ainaro, on or about 23 September 1999, committed as part of a widespread or systematic attack against a civilian population with knowledge of the attack and are thereby responsible for a CRIME AGAINST HUMANITY, PERSECUTION pursuant to Section 5.1(h) and Section 14 and/or 16 of UNTAET Regulation 2000/15.

VII. VICTIMS

The list of victims and the list of evidence, which form part of this indictment are attached as Annex "A" and Annex "B" respectively.

VIII. REQUEST FOR TRIAL

The Deputy General Prosecutor for Serious Crimes hereby requests the Special Panel for Serious Crimes of the District Court of Dili to try this case.

Dated 9, Decemeber 2004


Nicholas Koumjian
Deputy General Prosecutor for Serious Crimes