

**UNTAET**

United Nations Transitional Administration in East Timor

Case No.OE-12-99-SC

**THE GENERAL PROSECUTOR OF THE  
UNITED NATIONS TRANSITIONAL  
ADMINISTRATION IN EAST TIMOR**

**AGAINST**

**FLORENCO TACAQUI**

*Case: 20/2001*

**I. INDICTMENT**

The General Prosecutor of the United Nations Transitional Administration in East Timor, pursuant to his authority under UNTAET Regulations 2000/16 and 2000/30, charges:

**FLORENCO TACAQUI**

**WITH**

**CRIMES AGAINST HUMANITY:**

**IMPRISONMENT OR OTHER SEVERE DEPRIVATION OF PHYSICAL  
LIBERTY IN VIOLATION OF FUNDAMENTAL RULES OF INTERNATIONAL  
LAW, OTHER INHUMANE ACTS OF SIMILAR CHARACTER INTENTIONALLY  
CAUSING GREAT SUFFERING OR SERIOUS INJURY TO BODY  
OR MENTAL OR PHYSICAL HEALTH, MURDER, EXTERMINATION,  
DEPORTATION OR FORCIBLE TRANSFER OF POPULATION AND  
PERSECUTION**

As set forth in this Indictment.

## II. NAME AND PARTICULARS OF THE ACCUSED

Name: **Florenco Tacaqui**  
 Age: 38 years  
 Date of Birth: 21<sup>st</sup> October 1962  
 Place of Birth: Natuna, Passabe, Oecussi, East Timor  
 Location: Becora Prison  
 Occupation: Government employee; school teacher

## III. STATEMENT OF THE FACTS

### A) INTRODUCTORY STATEMENT OF FACTS

1. A widespread or systematic attack directed against the civilian population was committed 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 with 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) 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 large-scale attack was directed against civilians of all age groups, 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 or a combination of the three.

5. As part of the widespread or systematic attack against the civilian population, the militia 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 (TNI and POLRI) 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 TNI and POLRI failed to meet these obligations and made no attempt to disarm or neutralize the militia groups. They were allowed to act with impunity.
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 Oecussi District.

## **B) SPECIFIC STATEMENT OF FACTS**

10. The district of Oecussi is an enclave of East Timor and is about 43 km away from the rest of East Timor. It is landlocked on three sides by Indonesian territory of West Timor. The Selat Ombai Sea is to the north.
11. The district of Oecussi is divided into four (4) Sub districts, Pantemakassar A and B, Nitibe, Oessilo and Passabe.
12. The Sakunar militia operated within the district of Oecussi.

13. Simao Lopes was the supreme commander of Sakunar militia and Laurentino Soares alias Moko was the de facto deputy commander of the Sakunar militiaman throughout Oecussi.
14. In each village there was a Sakunar commander who reported to Simao Lopes. In Passabe village, Gabriel Kolo, a police officer and also chief of the village, was the commander. Some Indonesian TNI soldiers, such as Anton Sabraka were also members of the same militia.
15. **Florenco Tacaqui** was one of the members of the Sakunar militia in Passabe. Other members of the militia included Bonifacio Bobo alias Bone, Tomas Bubun, Elvis Lopes, Domingos Obe, Julio da Costa and Andre Ulan, an East Timorese TNI soldier.
16. On 17<sup>th</sup> April 1999, a rally was held in Dili at which many supporters of autonomy gathered. Members of pro-autonomy militia were present at the rally, including members of Sakunar militia from the district of Oecussi.
17. On 1<sup>st</sup> May 1999, there was a ceremony for inauguration of the militia group Sakunar in the district of Oecussi. The ceremony was attended by Abilio Soares (Governor of East Timor), Domingos Soares (the Bupati of Dili), Filomeno Misquito da Costa (the Bupati of Oecusi District), Kamiso Mira (the District Military Commander), Wilmar Marpaung (the Chief of Police in Oecussi), Joao Tavares (leader of the PPI, the pro-integration militia umbrella group) and his deputy Eurico Gutteres. Simao Lopes, the Commander of Sakunar militia, was the master of ceremonies. The Bupati of Oecussi opened the ceremony. Eurico Gutteres and Joao Tavares spoke at the ceremony.
18. During the rally, members of the National Council of Timorese Resistance (CNRT) were threatened to end their pro-independence activities.

#### 17<sup>th</sup> April 1999

19. Mateus Mesac lived in Nuncolo village; Passabe sub-district was a CNRT member and a supporter of independence for East Timor.
20. In the night of 17<sup>th</sup> April 1999, **Florenco Tacaqui** and three other men went to the house of Mateus Mesac.
21. **Florenco Tacaqui** and his men ordered Mateus Mesac out of his house and they took him to Gabriel Kolo's house, where some CNRT members,

namely Fernando Kelo, Antonio Lafu and Vicente Kefi were already being held.

22. At Kolo's house these pro-independence supporters were questioned on their CNRT's membership and beaten by Sakunar militiamen including **Florenco Tacaqui**, Gabriel Kolo, Anton Sabraka, Andre Ulan, Tomas Bubun, and Julio da Costa. They were held at Kolo's house all the night.
23. The following morning, Mateus Mesac was ordered to return home to collect his CNRT membership card. Mesac collected his card and returned to the house of Gabriel Kolo. On his return, he was forced to hand over his CNRT membership card.
24. After he had handed over his card Mateus Mesac was allowed to leave the house. As he left, Tomas Subun struck him in the mouth. The blow broke two of his teeth.

#### 18<sup>th</sup> April 1999

25. On 18<sup>th</sup> April 1999 a group of Sakunar militia, including **Florenco Tacaqui**, went to the village of Usapin in Passabe. Five members of TNI, including Andre Ulan and Anton Sabraka, and fourteen members of the Indonesian Police Force, accompanied the group.
26. At Usapin, forty-three individuals were arrested by the personnel from TNI and POLRI. Those forty-three people were all members of CNRT and/or pro-independence supporters.
27. **Florenco Tacaqui** and other members of the Sakunar militia beat the forty-three individuals including Fernando Quelo who was hit several times on the head. Other people who the militia suspected of being pro- independence were also beaten.
28. The forty-three CNRT members were forcibly taken and held at the police station in Passabe. Whilst in custody they were beaten by Sakunar militia members **Florenco Tacaqui**, Tomas Bubun, Julio da Costa and personnel from TNI.
29. On 22<sup>nd</sup> April 1999, while they were still detained in the police station, around 200 Sakunar militiamen marched in front of the Koramil office and around the main road shouting, " Long live Red and White, Long Live Sakunar, Long live Indonesia". Koramil office was situated near the police station.
30. On 24<sup>th</sup> April 1999, Simao Lopes, the Supreme Commander of Sakunar militia, arrived in Passabe. The forty-three members of CNRT, who were still

held in custody, were taken to the football field in Passabe. There, they were made to ask Simao Lopes publicly for forgiveness. Simao Lopes threatened to kill anyone who joined CNRT. The forty-three members of CNRT were released from the police station on 25<sup>th</sup> April 1999.

### 9<sup>th</sup> August 1999 –Inhumane Acts against Jose Bubun

31. Jose Bubun lived in Pope sub-village, Abani village, and Passabe sub-district.
32. Some time in July 1999, at the football field in Passabe village, **Florenco Tacaqui** spoke to Jose Bubun. **Florenco Tacaqui** was with Gabriel Kolo, Andre Ulan and Thomas Subun. **Florenco Tacaqui** said to Jose Bubun that people from Pope village should join the militia activity.
33. In the night of 9<sup>th</sup> August 1999, **Florenco Tacaqui** went with Domingos Obe, Octo Vianus and others, to the house of Zakarius Elu. At that time a CNRT meeting was in progress in Zacharias 's house.
34. **Florenco Tacaqui** and the others kicked the door of the house and shouted that they were going to kill the people inside. The people inside ran out of the back of the house. Jose Bubun was one of those who ran away by the back of the house.
35. The militiamen chased the people who were fleeing, and **Florenco Tacaqui** and Domingos Obe caught Jose Bubun.
36. **Florenco Tacaqui** struck Jose Bubun with a machete cutting off the big toe of his left foot.
37. As Jose Bubun tried to run, **Florenco Tacaqui** struck him again with his machete twice to his back and once to his right shoulder. Domingos Obe stabbed Jose Bubun under his right arm and to his lower back. He was also struck on the head. Jose Bubun managed to reach the jungle where he met a relative who had also fled the attackers.

### 29<sup>th</sup> August 1999: Attack on Malelat village .

38. On 29<sup>th</sup> August 1999, a large group of Sakunar militia went to the village of Malelat, Passabe sub-district. The group was led by Gabriel Kolo. **Florenco Tacaqui**, Andre Ulan and Tomas Bubun were a part of the group.
39. At Malelat village, **Florenco Tacaqui** set fire to five houses belonging to Marco Cab, Angelo Laku, Agostino Timo, Domingos Nino and Carlos Nino, who were all CNRT members and /or pro-independence supporters. While

the houses were burnt, other militiamen shouted "Long live Indonesia. Long live autonomy".

40. At the Malelat village, Saturlino Mino and Thomas, both members of CNRT, Mino were beaten and abducted from the village by force by the militia group. **Florenco Tacaqui**, Tomas Bubun and Andre Ulan participated in the beating and abduction of Saturlino Mino and Thomas Mino.
41. Saturlino Mino and Thomas Mino were never seen again.

**8<sup>th</sup> and 9<sup>th</sup> September 1999: Murder of Eighteen men from the villages of Tumin, Nibin and Kiobiselo; Inhumane Acts and Forcible Transfer of the Population.**

42. Within the district of Oecussi, in the sub-district of Nitibe are the villages of Nibin, Kiobiselo and Tumin. All those villages are situated on the main north-south road through the enclave. Passabe lies to the south of the enclave some 45 kilometers from the main town of Oecussi on the north coast. Kiobiselo is approximately 10 kilometers north of Passabe and Tumin a further 7 kilometers north from Kiobiselo.
43. The people in the villages of Tumin, Nibin and Kiobiselo were predominantly supporters of independence.
44. On 7<sup>th</sup> September 1999 there was a meeting of Sakunar militia at the TNI District Military Command at Padimaw. About thirty people attended the meeting. Simao Lopes, the supreme Commander of Sakunar militia, addressed the meeting. A plan was discussed and orders given. Simao Lopes was to lead one group and Laurentino Soares alias Moko was to lead another group. Simao Lopes group was to attack the villages around Passabe and Laurentino Soares group was to attack the villages around Oesilo. The two groups were to meet at the village of Kiobiselo.
45. On 8<sup>th</sup> September 1999, a large group of members and supporters of Sakunar militia gathered at the house of Gabriel Kolo in Passabe village. **Florenco Tacaqui** was a part of that group. Simao Lopes and Gabriel Colo addressed the group. The villages of Nibin, Kiobiselo and Tumin were identified as being targets for attack. Simao Lopes ordered to burn houses and to kill anyone who resisted. Gabriel Kolo also addressed the group and ordered that animals were to be stolen and the houses burnt. There were four TNI soldiers with the group.

46. The group led by Simao Lopes, in which **Florenco Tacaqui** was a part, walked to the village of Nibin. At Nibin they set fire to houses and killed people and animals. Many inhabitants of the village fled into the surrounding area.
47. Armando Sani was the chief of the Nibin village and was a pro-independence supporter. Armando Sani was in Nibin at the time of the militia attack. During the attack the militia killed Armando Sani.
48. From Nibin the group walked on to the village of Kiobiselo. At Kiobiselo they set fire to houses and killed people and animals. Many inhabitants of the village fled into the surrounding area. At Kiobiselo the militia set fire to and destroyed the houses in the village and killed livestock belonging to the villagers.
49. Victor Punef, Yacobus Sici, Jose Noni Maknaun, Augustino Ulan, Zacharias Ena, Mikhael Sasi, Yacobus Oki, Jose Sici were inhabitants of Kiobiselo village and were killed during the militia attack.
50. Mateus Sufa and Josefino Bose were inhabitants of Kiobiselo village. They escaped from being killed by the same militiamen but were severely injured during the attack.
51. From Kiobiselo the group walked on to the village of Tumin and joined the group lead by Laurentino Soares, alias Moko. Many inhabitants of the village fled into the surrounding area. At Tumin the militia set fire to and destroyed the houses in the village and killed livestock belonging to the villagers.
52. Marcos Sufa Afoan, Filippus Tualaka, Laurentino Ulan Cono, Augustino Neno, Naub Lape, Alberto Afoan, Nenu Catu, Ciprianus Anin and Francisco Elu were inhabitants of Tumin village and were killed during the militia attack.
53. Laurencio Leo Mali was an inhabitant of Tumin village. He escaped from being killed by the same militiamen but was severely injured during the attack.
54. A total of eighteen people were killed during the attacks in the villages of Nibin, Kiobiselo and Tumin by Sakunar militia. **Florenco Tacaqui** participated in the attacks and the killing of Armando Sani, Victor Punef, Yacobus Sici, Jose Noni Maknaun, Augustino Ulan, Zacharias Ena, Mikhael Sasi, Yacobus Oki, Jose Sici, Marcos Sufa Afoan, Filippus Tualaka, Laurentino Ulan Cono, Augustino Neno, Naub Lape, Alberto Afoan, Nenu Catu, Ciprianus Anin and Francisco Elu

55. On 9<sup>th</sup> September 1999, a group of Sakunar militia members including **Florenco Tacaqui**, Tomas Bubun, Bonifacio Bobo alias Bone returned to the villages of Nibin, Kiobiselo and Tumin. The people from the villages were forcibly transferred to Imbate in West Timor by the militia members.

**10<sup>th</sup> September 1999 – Murder of fifty- nine men from the villages of Tumin and Kiobiselo – Deportation and Forcible Transfer of the Population of the same villages.**

56. At Imbate, many people including the villagers from Nibin, Tumin and Kiobiselo and members of the Sakunar militia had gathered. The villagers were forced to register at the sub-district office by the militiamen including **Florenco Tacaqui**. The villagers were also segregated into groups according to age and education.

57. About sixty-seven young men including Marcus Baquen, Josefino Ulan, Pedro Cono, Cipriano Bobo, Sebastiano Sunef (Ulan Sufa), Augustino Ase (Afoan Ase) and Mateus Kusi were separated from the other people. The men were all from the villages of Tumin and Kiobiselo. The young men were put into pairs and tied together using bindings.

58. At or around midnight, the men were forced to leave Imbate on foot. A large group of militia including **Florenco Tacaqui** escorted the men. The men were taken back from Imbate in West Timor towards Passabe in East Timor.

59. At or around 3am on 10<sup>th</sup> September 1999, the group reached the border between East and West Timor at Tionlasi. Here the group crossed the Noel Passabe River into East Timor.

60. Once the group had crossed the river, at a place called Nifu Panef, the militia including **Florenco Tacaqui** commenced the killing of the young men who were still tied together by bindings. The victims were either shot or hacked with machetes or swords. In total, more than forty-seven were killed.

61. **Florenco Tacaqui** took part in the killing of the young men. Tacaqui was armed with a machete which he used to strike the men. Some men were struck, as they were unable to escape because of their bindings. Others had been shot, but not killed, and had fallen to the ground. Those men were struck as they lay on the ground.

62. At or around 6am the same morning of the 10<sup>th</sup> September 1999, the same militia including **Florenco Tacaqui** ordered about one hundred inhabitants

of Passabe village and surrounding area to collect tools such as hoes and shovels to go to the area where the killings had taken place, but they were initially informed that they were going to open a road .The villagers were forced to bury in single and multiple graves the bodies of those men who had been killed

#### **IV. CRIMINAL RESPONSIBILITY**

##### **Individual Criminal Responsibility**

1. The accused is individually responsible for the crimes alleged against him in this indictment pursuant to Section 14 UNTAET Regulation 2000/15. Under Section 14 individual responsibility results if the individual:

*“(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:*

*(i) 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*

*(ii) be made in the knowledge of the intention of the group to commit the crime;”*

#### **V. PURSUANT TO THE ABOVE THE GENERAL PROSECUTOR CHARGES:**

The accused Florenco Tacaqui

Count 1

**COUNT 1: CRIME AGAINST HUMANITY: IMPRISONMENT OR OTHER SEVERE DEPRIVATION OF PHYSICAL LIBERTY IN VIOLATION OF FUNDAMENTAL RULES OF INTERNATIONAL LAW**

By his Acts or omissions in relation to events described in paragraphs 25 and 30 (inclusive), **Florenco Tacaqui**, is responsible with others for the imprisonment or other severe deprivation of physical liberty in violation of fundamental rules of international law, of forty three CNRT members and/or pro-independence supporters at the Police Station in Passabe Sub-District, Oecussi District from 18 April 1999 to 24 April 1999 as part of a widespread or systematic attack against a civilian population with knowledge of the attack, and thereby committed a **CRIME AGAINST HUMANITY, IMPRISONMENT OR OTHER SEVERE DEPRIVATION OF PHYSICAL LIBERTY IN VIOLATION OF FUNDAMENTAL RULES OF INTERNATIONAL LAW**, a crime stipulated under Section 5.1(e) UNTAET Regulation 2000/15 and for which he is individually responsible under Sections 14 and/ or 16 of UNTAET Regulation 2000/15.

**COUNT 2: CRIME AGAINST HUMANITY: OTHER INHUMANE ACTS OF SIMILAR CHARACTER INTENTIONALLY CAUSING GREAT SUFFERING OR SERIOUS INJURY TO BODY OR MENTAL OR PHYSICAL HEALTH**

By his acts and omissions in relation to the events described in paragraphs 31 to 37 (inclusive), **Florenco Tacaqui** is responsible with others for intentionally causing great suffering or serious injury to body or mental or physical health of Jose Bubun on 9<sup>th</sup> August 1999, in Pope sub-village, Abani village, Passabe sub-district, Oecussi district, as a part of a widespread or systematic attack against a civilian population with knowledge of the attack and thereby committed a **CRIME AGAINST HUMANITY, INTENTIONALLY CAUSING GREAT SUFFERING OR SERIOUS INJURY TO BODY OR MENTAL OR PHYSICAL HEALTH**, a crime stipulated under Section 5.1(k) of UNTAET Regulation 2000/15 and for which he is individually responsible under Section 14 of UNTAET Regulation 2000/15.

### COUNT 3: CRIME AGAINST HUMANITY: MURDER

By his acts or omissions in relation to the events described in paragraphs 42 to 47, 49, 52 and 54 (inclusive), **Florenco Tacaqui**, is responsible with others for the murders of Armando Sani from Nibin village, Nitibe sub district, Oecussi district, Marcos Sufa Afoan, Filipus Tualaka, Laurentino Ulan Cono, Augustino Neno, Naub Lape, Alberto Afoan, Nenu Catu, Ciprianus Anin and Francisco Elu, from the village of Tumin, sub district of Nitibe, district of Oecussi, Victor Punef, Yacobus Sici, Jose Noni, Augustino Ulan , Zacharias Ena, Mikhael Sasi , Yacobus Oki and Jose Sici , from Kiobiselo village, Nitibe sub district, Oecussi district, on 8<sup>th</sup> September 1999 , as a part of a widespread or systematic attack against a civilian population with knowledge of the attack and thereby committed a **CRIME AGAINST HUMANITY, MURDER**, a crime stipulated under Section 5.1(a) of UNTAET Regulation 2000/15 and for which they are individually responsible under Section 14 and /or 16 of UNTAET Regulation 2000/15.

### COUNT 4: CRIME AGAINST HUMANITY: OTHER INHUMANE ACTS OF SIMILAR CHARACTER INTENTIONALLY CAUSING GREAT SUFFERING OR SERIOUS INJURY TO BODY OR MENTAL OR PHYSICAL HEALTH

By their acts or omissions in relation to the events described in paragraphs 50 and 53(inclusive), **Florenco Tacaqui is** responsible with others for intentionally causing great suffering or serious injury to body or mental or physical health of Laurencio Leo Mali in Tumin village, Nitibe sub district, Oecussi district, and on Mateus Sufa and Josefino Bose, in Kiobiselo village, Nitibe sub district, Oecussi district, on 8<sup>th</sup> September 1999 as a part of a widespread or systematic attack against a civilian population with knowledge of the attack and thereby committed a **CRIME AGAINST HUMANITY, INTENTIONALLY CAUSING GREAT SUFFERING OR SERIOUS INJURY TO BODY OR MENTAL OR PHYSICAL HEALTH**, a crime stipulated under Section 5.1(k) of UNTAET Regulation 2000/15 and for which he is individually responsible under Section 14 and /or 16 of UNTAET Regulation 2000/15.

### COUNT 5: CRIME AGAINST HUMANITY: DEPORTATION OR FORCIBLE TRANSFER OF POPULATION

By his acts or omissions in relation to the events described in paragraph 55, **Florenco Tacaqui** is responsible with others for the deportation or forcible transfer of population from the villages of Nibin, Tumin and Kiobiselo, Nitibe sub district, Oecussi district, to Imbate in West Timor on 9<sup>th</sup> September 1999 as a part of a widespread or systematic attack against a civilian population with

knowledge the attack and thereby committed a **CRIME AGAINST HUMANITY, DEPORTATION OR FORCIBLE TRANSFER OF POPULATION**, a crime stipulated under Section 5.1(d) of UNTAET Regulation 2000/15 and for which they are individually responsible under Section 14 and /or 16 of UNTAET Regulation 2000/15.

**COUNT 6: CRIME AGAINST HUMANITY: EXTERMINATION**

By their acts or omissions in relation to the events described in paragraphs 56 to 61(inclusive), **Florenco Tacaqui** is responsible with others for the extermination of forty-seven men from the villages of Tumin and Kiobiselo, Nitibe sub district, Oecussi district, on 10<sup>th</sup> September 1999, as a part of a widespread or systematic attack against a civilian population with knowledge of the attack and thereby committed a **CRIME AGAINST HUMANITY, EXTERMINATION**, a crime stipulated under Section 5.1(b) of UNTAET Regulation 2000/15 and for which they are individually responsible under Section 14 and /or 16 of UNTAET Regulation 2000/15.

**COUNT 7: CRIME AGAINST HUMANITY: OTHER INHUMANE ACTS OF SIMILAR CHARACTER INTENTIONALLY CAUSING GREAT SUFFERING OR SERIOUS INJURY TO BODY OR MENTAL OR PHYSICAL HEALTH**

By his acts or omissions in relation to the events described in paragraphs 56 to 62(inclusive), **Florenco Tacaqui** is responsible with others for intentionally causing great suffering or serious injury to body or mental or physical health of Marcus Baquen, Josefino Ulan, Pedro Cono, Crispiano Bobo, Sebastiano Sunef (Ulan Sufa), Augustino Ase (Afoan Ase) and Mateus Kusi on 10<sup>th</sup> September 1999 at Nifu Panef, near Passabe village, Oecussi district, as a part of a widespread or systematic attack against a civilian population with knowledge of the attack and thereby committed a **CRIME AGAINST HUMANITY, INTENTIONALLY CAUSING GREAT SUFFERING OR SERIOUS INJURY TO BODY OR MENTAL OR PHYSICAL HEALTH**, a crime stipulated under Section 5.1(k) of UNTAET Regulation 2000/15 and for which he is individually responsible under Section 14 and /or 16 of UNTAET Regulation 2000/15.

**COUNT 8: CRIME AGAINST HUMANITY: PERSECUTION**

By his acts and omissions in relation to the events described in paragraphs 18 to 62 (inclusive) **Florenco Tacaqui** is responsible with others for the persecution of members of CNRT and/or supporters of independence of East Timor in Oecussi district, as a part of a widespread or systematic attack against a civilian population with the knowledge of the attack and thereby committed a **CRIME AGAINST HUMANITY, PERSECUTION**, a crime stipulated under Section 5.1(h) of UNTAET Regulation 2000/15 and for which they are individually responsible under Section 14 and /or 16 of UNTAET Regulation 2000/15 .


**VI. WITNESSES AND EVIDENCE**

Pursuant to UNTAET Regulation 2000/30 Section 24.2, the list of witnesses and evidence that supports this indictment is contained in Annex A, which forms an integral part of this Indictment.

**VII. REQUEST FOR TRIAL**

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

Dated, this 28, day of January 2002



Siri Frigaard

Deputy Prosecutor General For Serious Crimes