

# DISTRICT COURT OF DILI

BEFORE THE SPECIAL PANEL FOR SERIOUS CRIMES

Case No: *30/CG/2003/PD-DIL*

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## INDICTMENT

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THE DEPUTY GENERAL PROSECUTOR FOR SERIOUS CRIMES

- Against -

**LAURENTINO SOARES (aka Moko)**  
**HERMAN NAUBASA**  
**NYONGKY WANKAI**  
**EDDIE TALAN**  
**LUIS INFIEN**  
**FIRMINIO AUNI**  
**FELIPE POTO**  
**ALA UNI**  
**DOMINGOS CAVA**  
**ALBERTO SOARES (aka Thomas Soares)**

## I: INDICTMENT

The Deputy General Prosecutor for Serious Crimes pursuant to his authority under UNTAET Regulations 2000/16 and 2000/30 as amended by 2001/25, charges: **Laurentino Soares (aka Moko), Herman Naubasa, Nyongky Wankai, Eddie Talan, Luis Infien, Firminio Auni, Felipe Poto, Ala Uni, Domingos Cava and Alberto Soares (aka Thomas Soares)** with **CRIMES AGAINST HUMANITY: MURDER, ATTEMPTED MURDER, INHUMANE ACTS AND PERSECUTION** as set forth in this indictment.

## II: NAME AND PARTICULARS OF THE ACCUSED

1. Name: **Laurentino Soares (aka Moko)**  
Place of Birth: East Timor  
Age/Date of Birth: Approximately 39 years old  
Sex: Male  
Nationality: East Timorese  
Address: Believed to be living in West Timor, Indonesia  
Occupation at the time: Deputy Commander of Sakunar militia
  
2. Name: **Herman Naubasa**  
Place of Birth: Not known  
Age/Date of Birth: Not known  
Sex: Male  
Nationality: Indonesian  
Address: Believed to be living in West Timor, Indonesia  
Occupation at the time: Sakunar militia member
  
3. Name: **Nyongky Wankai**  
Place of Birth: Kefamenanu, West Timor, Indonesia  
Age/Date of Birth: Not known  
Sex: Male  
Nationality: Indonesian  
Address: Believed to be living in Kupang, West Timor, Indonesia  
Occupation at the time: Sakunar militia member
  
4. Name: **Eddie Talan**  
Place of Birth: Kefamenanu, West Timor, Indonesia  
Age/Date of Birth: Not known  
Sex: Male  
Nationality: Indonesian  
Address: Believed to be living in Kefamenanu, West Timor, Indonesia

- Occupation at the time: Sakunar militia member
5. Name: **Luis Infien**  
 Place of Birth: Not known  
 Age/Date of Birth: Not known  
 Sex: Male  
 Nationality: East Timorese  
 Address: Believed to be living in West Timor, Indonesia  
 Occupation at the time: Sakunar militia member
6. Name: **Firminio Auni**  
 Place of Birth: Not known  
 Age/Date of Birth: Approximately 33 years old  
 Sex: Male  
 Nationality: East Timorese  
 Address: Believed to be living in Kefamenanu, West Timor, Indonesia  
 Occupation at the time: Sakunar militia member
7. Name: **Felipe Poto (aka Colo Poto)**  
 Place of Birth: Not known  
 Age/Date of Birth: Approximately 30 years old  
 Sex: Male  
 Nationality: East Timorese  
 Address: Believed to be living in Kefamenanu, West Timor, Indonesia  
 Occupation at the time: Sakunar militia member
8. Name: **Ala Uni**  
 Place of Birth: Not known  
 Age/Date of Birth: Not known  
 Sex: Male  
 Nationality: East Timorese  
 Address: Believed to be living in West Timor, Indonesia  
 Occupation at the time: Sakunar militia member
9. Name: **Domingos Cava**  
 Place of Birth: Not known  
 Age/Date of Birth: Not known  
 Sex: Male  
 Nationality: East Timorese  
 Address: Believed to be living in West Timor, Indonesia  
 Occupation at the time: Sakunar militia member
10. Name: **Alberto Soares (aka Thomas Soares)**  
 Place of Birth: Not known

Age/Date of Birth:	Not known
Sex:	Male
Nationality:	East Timorese
Address:	Believed to be living in West Timor, Indonesia
Occupation at the time:	Sakunar militia member

### III: INTRODUCTORY STATEMENT OF FACTS

1. A widespread or systematic attack was directed 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 confinement, assault, forced displacement, 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 Force (POLRI) with the acquiescence and active participation of civilian and military authorities.
3. In 1999, more than twenty-five militia groups operated throughout East Timor. Their goal was to support autonomy with Indonesia. The Integration Fighting Force (PPI) (Pasukan Pejuang Integrasi) under the command of Joao Tavares and Eurico Guterres was the umbrella organisation under which these militia groups were organized. It had the backing of the TNI and the Civil Administration. PPI Commanders issued, called upon and incited militia groups and their members to intimidate independence supporters and those perceived to support them. The militia groups participated in the widespread or systematic attacks 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 all three.
5. As part of the widespread or systematic attack against the civilian population, the militia destroyed property including livestock belonging to the civilian population.

6. The widespread or systematic attacks 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 the terms of the 5 May 1999 Agreements, between the Republic of 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 ie the Strategic Reserve Command (KOSTRAD) (Kommando Strategis Angkatan Darat) and Special Forces Command (KOPASUS) (Kommando 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 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 Dili district.

#### IV: **SPECIFIC STATEMENT OF FACTS**

10. The district of Oecussi is an enclave of East Timor and is about 43 kms away from the rest of East Timor. It is landlocked on three sides by the Indonesian territory of West Timor. The Selat Ombai Sea is to the north.
11. The district of Oecussi is divided into four sub districts, namely Pantemacassar A and B, Nitibe, Oesilo and Passabe.
12. The Sakunar militia, led by Militia Commander Simao Lopes, operated within the district of Oecussi from approximately April to October 1999. **Laurentino Soares** was the Deputy Commander of the Sakunar militia.
13. Between September 1999 and the arrival of the INTERFET forces in Oecussi on 22 October 1999 **Laurentino Soares** and militia members under his control engaged in a systematic campaign of violence against the civilian population of Oecussi. Over this period the militia methodically attacked different areas in Oecussi including Bihala, Cutet, Padiae and Lifau searching for suspected CNRT (*Concelho Nacional da Resistencia Timor Leste*) or pro-independence supporters

and killing them, destroying their villages and deporting the remaining members of the village into West Timor.

**A: Murder of Maria Au in Bihala on 22 September 1999**

14. Maria Au was an elderly woman who had stayed behind in Bihala village when the other villagers had fled into the hills. Maria Au had been an invalid since birth and could not walk but could only crawl on her hands and knees.
15. On or about 22 September 1999, a group of Sakunar militia led by **Laurentino Soares** attacked a number of villages in the Bobocase area, including Bihala, and began to burn the houses in the village.
16. Maria Au pleaded with **Laurentino Soares** and attempted to leave her house as **Laurentino Soares** began to set it alight. Maria Au's house was a traditional house made of palm leaves and thatch. **Laurentino Soares** was armed with an M-16 Armalite rifle and threatened to shoot Maria Au if she left the house. Maria Au was subsequently burned alive in her house.
17. After the militia left Bihala, some of the villagers returned and buried the body of Maria Au.

**B: Murder of Oscar da Costa in Cutet on 23 September 1999**

18. After the popular consultation, thousands of residents from Oecussi, including most of the CNRT leaders from Oecussi, went into hiding in and around Cutet village in the mountains south of Oecussi town.
19. On or about 23 September 1999 a large group of militia and TNI, led by **Laurentino Soares** and including **Herman Naubasa** and **Nyongky Wankai** launched an operation to attack Cutet village. The militia members were armed with machetes, rakitans (home made guns) and other weapons. They approached the local priest in Cutet, Father Richard Daschbach and other villagers asking for the whereabouts of the CNRT leaders. Father Richard Daschbach attempted to make peace with the TNI and militia.
20. However shortly afterwards the militia attacked and destroyed the village of Cutet. Oscar da Costa, Geraldu Sabu and other villagers were standing guard when militia members **Herman Naubasa** and **Nyongky Wankai** began shooting at them. Geraldu Sabu was shot in the foot. Oscar da Costa was shot in the head.
21. Oscar da Costa was taken to the teacher's house in Cutet village and died of his injuries that evening.

**C: Murder of Joao Eco, Leo Bano and Facunou Bano and torture of Blandino Riberio in Padiac/Sikone on 27 September 1999**

22. On or about 27 September 1999 in the late morning a number of militia led by **Laurentino Soares** and including militia members **Nyongky Wankai** and **Eddie Talan** came to the house where Blandino Riberio was staying in Padiac village. The militia began throwing stones at the house and ordered the inhabitants out.
23. Blandino Riberio came outside and was forced by **Nyongky Wankai** towards **Laurentino Soares** who was armed with a rifle. **Laurentino Soares** asked Blandino Riberio why he had not yet gone to West Timor with the other refugees. Blandino Riberio answered that he had gone to West Timor but had returned to harvest his rice. **Laurentino Soares** said he did not believe him and shot Blandino Riberio in the foot.
24. Blandino Riberio was then ordered into a UN vehicle commandeered by the militia and driven by **Eddie Talan**. Joao Eco, Facunou Bano and Leo Bano were also in the car under militia guard. Inside the car, **Eddie Talan** assaulted Blandino Riberio in the head with a knife.
25. The car drove a short distance and then stopped whilst **Laurentino Soares** and another militia member used a machete to cut the hair of Blandino Riberio, Joao Eco, Facunou Bano and Leo Bano. The four men were then driven by the militia a further three kilometers to Sikone.
26. Upon arriving in Sikone, **Laurentino Soares** ordered the four persons out of the car and ordered them to walk towards him. **Laurentino Soares** was carrying a rifle at the time. Joao Eco, Facunou Bano and Leo Bano had their hands tied, whilst Blandino Riberio's hands were not tied.
27. Blandino Riberio, Joao Eco, Facunou Bano and Leo Bano managed to escape from the militia and ran towards a nearby stream where Blandino Riberio was able to untie the hands of the three other men. As Blandino Riberio was untying their hands, the militia began shooting in their direction. Blandino Riberio then ran toward the mountains and hid in a cave whilst the three others ran along the stream.
28. Joao Eco, Facunou Bano and Leo Bano were shot as they were trying to escape from the militia. Their bodies were found by locals at the Sikone stream in October 1999 and taken away for burial.

**D: Attack on Luis Cofitalan and Domingos Vaz at Kolam Cina beach, Lifau on 13 October 1999**

29. On the morning of 13 October 1999 Domingos Vaz and Luis Cofitalan went fishing in the area of Kolam Cina, Lifau in Oecussi. Domingos Vaz and Luis Cofitalan were supporters of CNRT and Domingos Vaz was a local UNAMET employee.
30. At about lunchtime on the same day, a large number of militia members led by **Laurentino Soares** arrived in the area rounding up refugees for deportation into West Timor, searching for pro-independence supporters and burning houses. **Laurentino Soares** was riding a motorbike and was armed with an M16 rifle. Other militia members were carrying machetes, rifles and rakitans.
31. The militia under the command and control of **Laurentino Soares** arrived on the beach at Kolam Cina and found and captured Domingos Vaz and Luis Cofitalan. Both men pleaded for their lives. Villagers nearby then heard gunshots on the beach at Kolam Cina.
32. In the late afternoon, friends and family of Domingos Vaz and Luis Cofitalan located the body of Domingos Vaz on the beach at Kolam Cina and buried the body a short distance away. The body of Luis Cofitalan was never found.

**E: Murder of Herculando Kefi, Antonio Neno Colo and Domingos Conceicao at Tono on 14 October 1999**

33. On about 14 October 1999 **Laurentino Soares**, ordered the militia to attack the villagers in the Tono and Lifau areas of Oecussi. The militia including **Felipe Poto, Firminio Auni, Luis Infien, Ala Uni, Domingos Cava** and **Alberto Soares (aka Thomas Soares)** were given orders by **Laurentino Soares** to find and kill any remaining villagers who had not yet evacuated to West Timor. As proof of the killings, **Laurentino Soares** ordered the militia members to sever the ears of victims and bring them back to him.
34. At about lunchtime that day, a number of villagers including Herculano Kefi, Antonio Neno Colo and Domingos Conceicao came to Lifau from the mountains to find water.
35. They were captured by members of the Sakunar militia including **Firminio Auni** and **Felipe Poto** who led the three men away to a nearby place where they began to attack them.
36. **Felipe Poto, Firminio Auni, Luis Infien, Ala Uni** and **Domingos Cava** all took turns in hacking at Herculano Kefi, Antonio Neno Colo and Domingos Conceicao with their machetes. **Alberto Soares** shot at Antonio Neno Colo with his rifle.

**Luis Infiem** gave orders to the militia during the attack. Herculano Kefi, Antonio Neno Colo and Domingos Conceicao died of their injuries.

37. After the killings, the militia members left the bodies of the three victims in the rice fields and continued on their way.

#### V: GENERAL ALLEGATIONS

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.

#### VI: CRIMINAL RESPONSIBILITY

##### (a) Individual criminal responsibility

38. The accused **Laurentino Soares Herman Naubasa, Nyonky Wankai, Eddie Talan, Luis Infiem, Firminio Auni, Felipe Poto, Ala Uni, Domingos Cava and Alberto Soares** are individually responsible for the crimes charged in this indictment. Individual responsibility under Section 14 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:*

*(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 or the intention of the group to commit the crime; and

...  
 (f) Attempts to commit such a crime by taking action that commences its execution by means of a substantial step, but the crime does not occur because of circumstances independent of the person's intentions. However, a person who abandons the effort to commit the crime shall not be liable for punishment under the present regulation for the attempt to commit that crime if that person completely and voluntarily gave up the criminal purpose.

**(b) Superior Criminal Responsibility**

39. In addition **Laurentino Soares** is charged with superior criminal responsibility in this indictment. An accused is responsible under Section 16 UNTAET Regulation 2000/15 for the acts of his subordinates:

*“ . . . if he 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 perpetrators thereof.”*

**VII: THE CHARGES**

**Laurentino Soares (aka Moko)**

**Count 1: Crimes Against Humanity: Murder**

By his acts or omissions in relation to the events described in paragraphs 16 of this indictment, **Laurentino Soares** is responsible as an individual for the murder of Maria Au on or about 22 September 1999 in Bihala, Pantemacassar sub-district, Oecussi district which was committed as 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) UNTAET Regulation 2000/15.

**Count 2: Crimes Against Humanity: Murder**

By his acts or omissions in relation to the events described in paragraph 20 of this indictment, **Laurentino Soares** is responsible as an individual or a superior for the murder of Oscar da Costa on or about 23 September 1999 in Cutet, Pantemacassar sub-district, Oecussi district which was committed as 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) UNTAET Regulation 2000/15.

**Count 3: Crimes Against Humanity: Attempted Murder**

By his acts or omissions in relation to the events described in paragraph 20 of this indictment, **Laurentino Soares** is responsible as an individual or as a superior for the attempted murder of Geraldu Sabu on or about 23 September 1999 in Cutet, Pantemacassar sub-district, Oecussi district as 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) UNTAET Regulation 2000/15 and Section 14.3(f) of UNTAET Regulation 2000/15.

**Count 4: Crimes Against Humanity: Murder**

By his acts or omissions in relation to the events described in paragraphs 26-28 of this indictment, **Laurentino Soares** is responsible as an individual or as a superior for the murder of Joao Eco, Facuno Bano and Leo Bano on or about 27 September 1999 at Sikone, Pantemacassar sub-district, Oecussi district which was committed as 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) UNTAET Regulation 2000/15.

**Count 5: Crimes Against Humanity: Inhumane Acts**

By his acts or omissions in relation to the events described in paragraphs 23-25 of this indictment, **Laurentino Soares** is responsible as an individual for inhumane acts committed against Blandino Riberio on or about 27 September 1999 at Sikone, Pantemacassar sub-district, Oecussi district which was committed as part of a widespread or systematic attack against a civilian population with knowledge of the attack, and thereby committed a CRIME AGAINST HUMANITY: INHUMANE ACTS, a crime stipulated under Section 5.1.(k) UNTAET Regulation 2000/15.

**Count 6: Crimes Against Humanity: Persecution (Abduction)**

By his acts or omissions in relation to the events described in paragraphs 22-26 of this indictment, **Laurentino Soares** is responsible as an individual for the persecution by abduction of Blandino Riberio, Joao Eco, Facuno Bano and Leo Bano on or about 27 September 1999 near Sikone, Pantemacassar sub-district, Oecussi district which was committed as part of a widespread or systematic attack against a civilian population with knowledge of the attack, and thereby committed a CRIME AGAINST HUMANITY: PERSECUTION, a crime stipulated under Section 5.1.(h) UNTAET Regulation 2000/15.

### **Count 7: Crimes Against Humanity: Murder**

By his acts or omissions in relation to the events described in paragraphs 30-31 of this indictment, **Laurentino Soares** is responsible as an individual and as a superior for the murder of Domingos Vaz on 13 October 1999 at Kolam Cina, Lifau, Pantemacassar sub-district, Oecussi district which was committed as 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) UNTAET Regulation 2000/15.

### **Count 8: Crimes Against Humanity: Murder**

By his acts or omissions in relation to the events described in paragraphs 33-37 of this indictment, **Laurentino Soares** is responsible as an individual or as a superior for the murder of Herculano Kefi, Antonio Neno Colo and Domingos Conceicao on or about 14 October 1999 in Tono/Lifau, Pantemacassar sub-district, Oecussi district which was committed as 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) UNTAET Regulation 2000/15.

### **Herman Naubasa**

### **Count 9: Crimes Against Humanity: Murder**

By his acts or omissions in relation to the events described in paragraph 20 of this indictment, **Herman Naubasa** is responsible as an individual for the murder of Oscar da Costa on or about 23 September 1999 in Cutet, Pantemacassar sub-district, Oecussi district which was committed as 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) UNTAET Regulation 2000/15.

### **Count 10: Crimes Against Humanity: Attempted Murder**

By his acts or omissions in relation to the events described in paragraph 20 of this indictment, **Herman Naubasa** is responsible as an individual for the attempted murder of Geraldu Sabu on or about 23 September 1999 in Cutet, Pantemacassar sub-district, Oecussi district as 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) UNTAET Regulation 2000/15 and Section 14.3(f) of UNTAET Regulation 2000/15.

**Nyongky Wankai****Count 11: Crimes Against Humanity: Murder**

By his acts or omissions in relation to the events described in paragraph 20 of this indictment, **Nyongky Wankai** is responsible as an individual for the murder of Oscar da Costa on or about 23 September 1999 in Cutet, Pantemacassar sub-district, Oecussi district which was committed as 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) UNTAET Regulation 2000/15.

**Count 12: Crimes Against Humanity: Attempted Murder**

By his acts or omissions in relation to the events described in paragraph 20 of this indictment, **Nyongky Wankai** is responsible as an individual for the attempted murder of Geraldu Sabu on or about 23 September 1999 in Cutet, Pantemacassar sub-district, Oecussi district as 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) UNTAET Regulation 2000/15 and Section 14.3(f) of UNTAET Regulation 2000/15.

**Count 13: Crimes Against Humanity: Persecution (Abduction)**

By their acts or omissions in relation to the events described in paragraphs 22-26 of this indictment, **Nyongky Wankai** is responsible as an individual for the persecution by abduction of Blandino Riberio, Joao Eco, Facuno Bano and Leo Bano on or about 27 September 1999 near Sikone, Pantemacassar sub-district, Oecussi district which was committed as part of a widespread or systematic attack against a civilian population with knowledge of the attack, and thereby committed a CRIME AGAINST HUMANITY: PERSECUTION, a crime stipulated under Section 5.1.(h) UNTAET Regulation 2000/15.

**Eddie Talan****Count 14: Crimes Against Humanity: Inhumane Acts**

By his acts or omissions in relation to the events described in paragraph 24 of this indictment, **Eddie Talan** is responsible as an individual for inhumane acts committed against Blandino Riberio on or about 27 September 1999 at Sikone, Pantemacassar sub-district, Oecussi district which was committed as part of a widespread or systematic attack against a civilian population with knowledge of the attack, and thereby committed a CRIME AGAINST HUMANITY: INHUMANE ACTS, a crime stipulated under Section 5.1.(k) UNTAET Regulation 2000/15.

**Count 15: Crimes Against Humanity: Persecution (Abduction)**

By his acts or omissions in relation to the events described in paragraphs 22-26 of this indictment, **Eddie Talan** is responsible as an individual for the persecution by abduction of Blandino Riberio, Joao Eco, Facuno Bano and Leo Bano on or about 27 September 1999 near Sikone, Pantemacassar sub-district, Oecussi district which was committed as part of a widespread or systematic attack against a civilian population with knowledge of the attack, and thereby committed a CRIME AGAINST HUMANITY: PERSECUTION, a crime stipulated under Section 5.1.(h) UNTAET Regulation 2000/15.

**Luis Infiem**

**Count 16: Crimes Against Humanity: Murder**

By his acts or omissions in relation to the events described in paragraphs 33-37 of this indictment, **Luis Infiem** is responsible as an individual for the murder of Herculano Kefi, Antonio Neno Colo and Domingos Conceicao on or about 14 October 1999 in Tono/Lifau, Pantemacassar sub-district, Oecussi district which was committed as 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) UNTAET Regulation 2000/15.

**Firminio Auni**

**Count 17: Crimes Against Humanity: Murder**

By his acts or omissions in relation to the events described in paragraphs 33-37 of this indictment, **Firminio Auni** is responsible as an individual for the murder of Herculano Kefi, Antonio Neno Colo and Domingos Conceicao on or about 14 October 1999 in Tono/Lifau, Pantemacassar sub-district, Oecussi district which was committed as 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) UNTAET Regulation 2000/15.

**Felipe Poto**

**Count 18: Crimes Against Humanity: Murder**

By his acts or omissions in relation to the events described in paragraphs 33-37 of this indictment, **Felipe Poto** is responsible as an individual for the murder of Herculano Kefi, Antonio Neno Colo and Domingos Conceicao on or about 14 October 1999 in Tono/Lifau, Pantemacassar sub-district, Oecussi district which was committed as 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) UNTAET Regulation 2000/15.

**Ala Uni****Count 19: Crimes Against Humanity: Murder**

By his acts or omissions in relation to the events described in paragraphs 33-37 of this indictment, **Ala Uni** is responsible as an individual for the murder of Herculano Kefi, Antonio Neno Colo and Domingos Conceicao on or about 14 October 1999 in Tono/Lifau, Pantemacassar sub-district, Oecussi district which was committed as 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) UNTAET Regulation 2000/15.

**Domingos Cava****Count 20: Crimes Against Humanity: Murder**

By his acts or omissions in relation to the events described in paragraphs 33-37 of this indictment, **Domingos Cava** is responsible as an individual for the murder of Herculano Kefi, Antonio Neno Colo and Domingos Conceicao on or about 14 October 1999 in Tono/Lifau, Pantemacassar sub-district, Oecussi district which was committed as 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) UNTAET Regulation 2000/15.

**Alberto Soares (aka Thomas Soares)****Count 21: Crimes Against Humanity: Murder**

By his acts or omissions in relation to the events described in paragraphs 33-37 of this indictment, **Alberto Soares (aka Thomas Soares)** is responsible as an individual for the murder of Herculano Kefi, Antonio Neno Colo and Domingos Conceicao on or about 14 October 1999 in Tono/Lifau, Pantemacassar sub-district, Oecussi district which was committed as 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) UNTAET Regulation 2000/15.

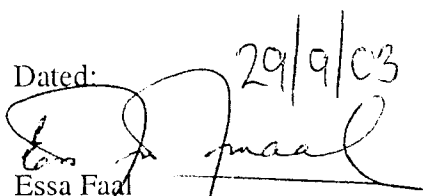
**VIII: VICTIMS AND EVIDENCE**

The list of victims of the crimes described in the indictment are attached to the indictment as Annex A.

The list of evidence, is attached to the indictment as Annex B.

**IX: REQUEST FOR TRIAL**

The Deputy General Prosecutor for Serious Crimes hereby requests that the Special Panel for Serious Crimes of the Dili District Court assumes jurisdiction and tries this case expeditiously.

Dated: 29/9/03  
  
Essa Faal  
Acting Deputy General Prosecutor for Serious Crimes