



## UNTAET

United Nations Transitional Administration in East Timor

Case No. BO-34-99-SC

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

AGAINST

**FRANCISCO PEDRO**

AND

**APOLINARIO DOS SANTOS****I. INDICTMENT**

The General Prosecutor of the United Nations Transitional Administration for East Timor, pursuant to his authority under UNTAET Regulations 1999/1, 2000/11, 2000/15, 2000/16 and 2000/30 charges:

**FRANCISCO PEDRO AND***Case: 01/2001***APOLINARIO DOS SANTOS**

with

**MURDER**

AND

**ATTEMPTED MURDER**

as set forth in this indictment and requests the Serious Crimes Panel of the District Court of

Dili to assume jurisdiction in this matter expeditiously.

**II. NAME AND PARTICULARS OF THE ACCUSED**

Name : Francisco Pedro  
 Date of Birth : 15 December 1969  
 Place of Birth : Desa Kota Village, Balibo, Bobonaro  
 Nationality : East Timorese  
 Location : Presently detained at Gleno CDC

Name : Apolinario Dos Santos  
 Date of Birth : 1975  
 Place of Birth : Atsaba, Ermera  
 Nationality : East Timorese  
 Location : Raikoto, Comoro, Dili

**STATEMENT OF THE FACTS**

- a. In September 1999, Joao Oliveria was the commander of the Firmi militia based in Balibo.
- b. In September 1999, Joaquin Maia Perreira was the vice commander of the Firmi militia based in Balibo.
- c. In September 1999, the accused **Francisco Pedro and Apolinario Dos Santos** were members of the Firmi militia.
- d. On or about 10 September 1999, pursuant to orders from Joao Oliveria, members of the Firmi militia transported Carlito Mau Loe, Jorge Mau Leo and Elias Pires from their homes to a house in Balibo owned by Markos Leo Soro.
- e. Carlito Mau Loe, Jorge Mau Leo and Elias Pires were detained for approximately four to five nights in the house of Markos Leo Soro.
- f. On or about 15 September 1999 Firmi militia vice-commander Joaquin Maia Pereira and other members of the Firmi militia, including the accused Francisco Pedro and Apolinario dos Santos, transported Carlitoe Mau Loe, Jorge Mau Leo and Elias Pires in a vehicle to Batugade, where it stopped at the militia checkpoint on the main road and was joined by another vehicle containing members of another militia from Batugade. Before leaving Batugade, members of the Firmi militia led by Joaquin Maia Perreira spoke with Reuben Tavares.

- g. The convoy proceeded towards Atambua. On the road between Batugade and Atambua, the convoy left the road and proceeded into a clearing.
- h. Jorge Mau Leo was then removed from the taxi. Francisco Pedro and others militia members, in the presence of Joaquin Maia Perreira, stabbed Jorge Mau Leo repeatedly until he died.
- i. Carlito Mau Loe was then pulled from the taxi but escaped into the bushes surrounding the clearing.
- j. Elias Pires was then removed from the taxi and Francisco Pedro and others militia members, in the presence of Joaquin Maia Perreira, stabbed Elias Pires repeatedly until he died.
- k. These victims were killed by militia members because they were pro-independence supporters.

**Pursuant to the above the Prosecutor**

#### **IV. CHARGES:**

##### **COUNT 1: MURDER**

On or about the 15 September 1999, in the District of Bobonaro, sub-district Balibo, the defendants **Francisco Pedro** and **Apolinario dos Santos** did, with deliberate intent and premeditation, commit, aid, abet or otherwise assist in the murder of Jorge Mau Leo, in violation of Section 8 of UNTAET Regulation 2000/15 and Section 340 of the Indonesian Penal Code, and are thereby responsible for MURDER.

##### **COUNT 2: MURDER**

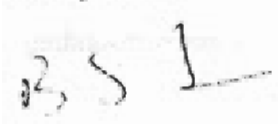
On or about the 15 September 1999, in the District of Bobonaro, sub-district Balibo, the defendants **Francisco Pedro** and **Apolinario dos Santos** did, with deliberate intent and premeditation, commit, aid, abet or otherwise assist in the murder of Elias Pires, in violation of Section 8 of UNTAET Regulation 2000/15 and Section 340 of the Indonesian Penal Code, and are thereby responsible for MURDER.

##### **COUNT 3: ATTEMPTED MURDER**

On or about the 15 September 1999, in the District of Bobonaro, sub-district Balibo, the defendant **Francisco Pedro** and **Apolinario dos Santos**, did, with deliberate intent and premeditation, attempt to murder Carlito Mau Loe, in violation of Section 8 of UNTAET Regulation 2000/15 and Section 340 of the Indonesian Penal Code, and are thereby responsible, pursuant to Section 14 (f) of UNTAET Regulation 2000/15 and Section 53 of the Indonesian Penal Code, for ATTEMPTED MURDER.

V. The list of witnesses and evidence that supports this Indictment is contained in Annex, A which forms an integral part of this Indictment.

Dili, 10 May 2001



Brenda Sue Thornton  
Public Prosecutor

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