

UNITED NATIONS



NATIONS UNIES

UNTAET

United Nations Transitional Administration in East Timor

DEPUTY GENERAL PROSECUTOR FOR SERIOUS CRIMES EAST TIMOR

Case No. LA-43-99-SC

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

AGAINST

JOSE VALENTE

Case : 03/2001

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:

JOSE VALENTE

with

MURDER

as set forth in this indictment, and request the Special Panel for Serious Crimes to take jurisdiction of this matter expeditiously.

II. Name and Particulars of the Accused

Name : JOSE VALENTE
Age :
Date of Birth : 18 July 1973
Place of Birth :
Nationality : East Timorese
Location : Becora Prison.

III. Arrest and Detention

1. The suspect JOSE VALENTE was arrested by Lospalos Civpol on 6 November 2000, pursuant to the arrest warrant issued by the Special Panel for Serious Crimes Investigating Judge on 20 October 2000 at the request of the prosecutor.
2. The 1st Detention Order is effective from 7 November 2000 until 6 December 2000, in accordance with the request from the prosecutor, as issued by the Investigating Judge for Serious Crimes on 7 November 2000.

IV. Statement of Facts

1. As already established, Team Alfa were operational in Luatem district from 1986, with the aim of combatting FALINTIL and other pro-independence activists.
2. In September 1999, Jose Valente and his colleagues, such as Eugenio de Araujo and Rui da Costa were members of Team Alfa.
3. During or around the month of September 1999, Jose Valente and colleagues from Team Alfa such as Eugenio de Araujo and Rui da Costa left Com and went to the rice warehouse in Lautem Subdistrict, Lautem District, to get rice. However, several days prior to that, the accused, together with Eugenio de Araujo and Rui da Costa had made a plan to dispose of the lives of Benedito Marques Cabral and Armindo da Silva who were known to be pro-independence activists.
4. On the day and date stated above, the accused together with other members of Team Alfa, altogether 10 people, including Eugenio de Araujo and Rui da Costa, saw Benedito Marques Cabral and his in-law Armindo da Silva near the gate of Lautem Sub-district carrying a bag of rice.
5. A number of the 10 members of Team Alfa, among others Eugenio de Araujo, Rui da Costa and the accused Jose Valente started to shoot at Benedito Marques Cabral and his in-law Armindo da Silva, who is a victim of attempted murder. The two victims tried to run away from the accused and his colleagues.
6. As a result of the shooting, Benedito Marques Cabral (deceased) fell at the scene of the incident, wounded by a shot from a firearm, whilst Armindo da Silva was able to escape.
7. A moment later, members of Team Alfa including Eugenio de Araujo, Rui da Costa and the accused Jose Valente surrounded Benedito Marques Cabral and the accused Jose Valente approached the victim and shot him.
8. These shots caused Benedito Marques Cabral to suffer serious injury which directly resulted in his death.
9. The accused Jose Valente and his colleagues also attempted to kill Armindo da Silva, who was able to escape from this attack.

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V. Pursuant to the above the Prosecutor charges:

PRIMARY CHARGE

On or about 25 September 1999 in the Lautem Subdistrict, Lautem District, the accused Jose Valente did with deliberate intent and with premeditation carry out, assist, conspire with his colleagues, or, alternatively, participate in the murder of **Benedito Marques Cabral** in violation of Article 340 of the Penal Code of Indonesia and Section 8 UNTAET Regulation 2000/15.

- VI. The list of witnesses and evidence that supports this indictment is contained in Annex A which forms an integral part of this Indictment.
- VII. The Prosecutor requests that the Special Panel for Serious Crimes of the District Court of Dili takes jurisdiction of this matter and tries the case expeditiously.

Dili 18 November 2000



Antonino Goncalves
Prosecutor for Serious Crimes