

UNTAET

United Nations Transitional Administration in East Timor

FIRST AMENDED INDICTMENT

Case No.SU-033 -01-SC

**The General Prosecutor of the  
United Nations Transitional  
Administration IN East Timor**

**against**

**Marcurious Jose De DEUS**

**I. INDICTMENT**

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

**Marcurious jose de deus**

with

**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 and to extend his detention pending trial.

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

Name : Marcurious Jose De Deus aka Marcurious Malik/ Marley

Date of Birth : 1977

Place of Birth : Dakolo (NANU)

Nationality : East Timorese

Location : Becora CDC detained since 15 December 2000

### **III. STATEMENT OF THE FACTS**

1. The accused, Marcurious Jose De Deus, was a member of the Laksaur Militia.
2. The accused was a member as at February 1999.
3. The accused joined the Laksaur Militia in Fatumean and was one of approximately 100 militia members based in the area.
4. At the time of joining the Laksaur militia the accused purchased a homemade knife, with a blade approximately 15 centimetres long. The accused carried this knife with him when carrying out militia activities.
5. The accused's duties as a member of the militia included being stationed at a checkpoint at the village of Bubur Fehan with orders to threaten pro-independence supporters .
6. On or about 6 September 1999 near the village of Manekiik a man named Agapito MAUK also known as Agapito AMARAL was killed by members of the Laksaur Militia: Petros FAHIK, Jacobus BERE and Petros LAU.
7. This murder was witnessed by Francesco De ARAUJO
8. The mother of Agapito MAUK, Rosalina Cardosa BELAK, became aware of the killing of her son and spoke out against the militia.
9. The accused, along with fellow Laksaur militia members: Petrus LAU and Jacobus BERE, were then ordered to kill Rosalina Cardosa BELAK.
10. The accused, along with these fellow militia members, then went to the home of Rosalina Cardosa BELAK but she was not there.
11. The accused, along with these fellow militia members, searched for Rosalina Cardosa BELAK and located her some fifteen minutes later. Rosalina Cardosa BELAK was found crying over the dead body of her son.
12. The accused then approached Rosalina Cardosa BELAK and stabbed her in the chest area with the knife he purchased at the time he joined the militia.
13. The accused then stabbed Rosalina Cardosa BELAK a second time to the right side of her body.
14. The accused then stabbed Rosalina Cardosa BELAK a third time to the left side of her body.
15. Petrus LAU then struck the neck of Rosalina Cardosa BELAK with a sword.
16. Rosalina Cardosa BELAK died as a result of this attack.
17. Following the killing of Rosalina Cardosa BELAK the accused returned to the Militia checkpoint.
18. That evening the accused returned to the scene of the killing and removed the bodies of Agapito AMARAL and Rosalina Cardosa BELAK.
19. The accused left East Timor in the middle of September 1999 and travelled to Atambua with his family.
20. On 12 December 2000 the accused attempted a covert entry into East Timor and was detained by the NZBATT.

Pursuant to the above, the Prosecutor

### **IV. CHARGES:**

#### **COUNT 1:**

Between 1 March 1999 and 15 September 1999 near the village of Bubur Fehan, sub-district Fatumean, District of Cova Lima, the accused **Marcurious Jose De DEUS alias Marcurious MARLEY alias Marcurious MALIK** did, with deliberate intent and premeditation, commit, together with Petrus LAU and Jacobus BERE, the murder of Rosalina Cardoso BELAK in violation of Section 8 of UNTAET Regulation 2000/15 and Section 340 of the Indonesian Penal Code,

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, 27 June, 2002

Donna DALEO

Public Prosecutor for Serious Crimes