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United Nations Transitional Administration in East Timor

Case No. LA-43-99-SC

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

***AGAINST***

***JOSE VALENTE***

**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.

**II. Name and Particulars of the Accused**

Name : JOSE VALENTE

Date of Birth : 18 July 1973

Place of Birth :

Nationality : East Timorese

Location : Becora Prison.

### III. Statement of Facts

1. The Accused Jose Valente joined Team Alpha Militia in the year 1994. This Militia was operational in Lautem district already from 1986, with the aim of combating FALINTIL and other pro-independence activists. It intensified its violent acts against persons deemed to be pro-independence after the result of the ballot was announced on 4 September 1999.
2. During or around the month of September 1999, Jose Valente and other members of Team Alpha Militia, among them Eugenio de Araujo and Rui da Costa, had decided on killing Benedito Marques Cabral and Armindo da Silva, since both were known to be pro-independence activists.
3. On 25 September 1999 a group of ten Team Alpha Militia members including the Accused Jose Valente, Eugenio de Araujo and Rui da Costa, met Benedito Marques Cabral and Armindo da Silva near the gate of Lautem Sub-district carrying a bag of rice. At this time, at least the Accused Jose Valente, Eugenio de Araujo and Rui da Costa were armed with firearms.
4. In order to execute their plan they immediately started to shoot at Benedito Marques Cabral and Armindo da Silva.
5. Hit by a projectile from a firearm Benedito Marques Cabral fell down to the ground. Armindo da Silva was able to escape uninjured and to run away.
6. The Accused Jose Valente and his accomplices immediately surrounded Benedito Marques Cabral. In order to finalize their plan, the Accused Jose Valente fired one more shot from short range at the body of Benedito Marques Cabral.
7. This shot finally caused the death of Benedito Marques Cabral.

### V. Pursuant to the above the Prosecutor charges:

#### Count 1:

On 25 September 1999 in the Lautem Subdistrict, Lautem District, the Accused **Jose Valente** acting as a principal jointly with other members of Team Alpha Militia did with deliberate intent and with premeditation take the life of **Benedito Marques Cabral** and thereby committed **murder** in violation of Section 8 of UNTAET Regulation 2000/15 and Article 340 of the Penal Code of Indonesia.

**Count 2:**

On 25 September 1999 in the Lautem Subdistrict, Lautem District, the Accused Jose Valente acting as a principal jointly with other members of Team Alpha Militia with deliberate intent and with premeditation attempted to take the life of Armindo da Silva and thereby committed attempted murder in violation of Section 8 of UNTAET Regulation 2000/15 and Articles 53, 340 of the Penal Code of Indonesia.

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