



UNTAET

United Nations Transitional Administration in East Timor

Case No. BO-97-01-SC

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

AGAINST

FRANCISCO DOS SANTOS LAKU ALIAS “FRANCISCO LALU”

ARMINDO DOS SANTOS

MARIO DE CARVALHO

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 DOS SANTOS LAKU
alias “FRANCISCO LALU”**

and

ARMINDO DOS SANTOS

and

MARIO DE CARVALHO

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.

II. NAME AND PARTICULARS OF THE ACCUSED

Name : Francisco Dos Santos Laku alias “Francisco Lalu”
Date of Birth : 12 June 1956
Place of Birth : Balibo, Bobonaro, East Timor
Nationality : East Timorese
Location : Presently in detention in Becora Civilian Detention Centre

Name : Armindo Dos Santos
Date of Birth : Unknown
Place of Birth : Unknown
Nationality : Believed to be East Timorese
Location : Believed to be residing in West Timor

Name : Mario De Carvalho
Date of Birth : Unknown
Place of Birth : Unknown
Nationality : Believed to be East Timorese
Location : Believed to be residing in West Timor

III. STATEMENT OF THE FACTS

1. On 7 September 1999, members of the Indonesian Armed Forces (Tentara Nasional Indonesia, TNI), led by **Francisco Dos Santos Laku, alias “Francisco Lalu”**, travelled in vehicles to a checkpoint on the road, outside the village of Berame, sub-district of Balibo.
2. The checkpoint was manned by individuals including **Armindo Dos Santos, Francisco Dos Santos Laku; alias “Francisco Lalu”, Mario De Carvalho**, Estani Lau, Hilario Leri, Orlando Ramos, Bentu Dos Santos, Jose Asmakin, and Nikolau Da Silva.
3. At the checkpoint, members of the TNI removed Celestino Fernandos from one of the vehicles.
4. **Francisco Dos Santos Laku, alias “Francisco Lalu”**, fired two shots into the air and ordered **Armindo Dos Santos, Mario De Carvalho**, Estani Lau, Hilario Leri, Orlando Ramos, Bentu Dos Santos, Jose Asmakin and Nikolau Da Silva to beat Celestino Fernandos.
5. Estani Lau, Hilario Leri, Orlando Ramos, Bentu Dos Santos, Jose Asmakin and Nikolau Da Silva assaulted Celestino Fernandos by kicking and punching him and hitting him with a rock.
6. **Francisco Dos Santos Laku, alias “Francisco Lalu”**, then ordered **Armindo Dos Santos,**

Mario De Carvalho, Estani Lau, Hilario Leri, Orlando Ramos, Bentu Dos Santos, Jose Asmakin and Nikolau Da Silva to kill Celestino Fernandos; he warned them if the did not, he would kill them when he passed along the road on his return from Maliana.

7. **Armindo Dos Santos, Mario De Carvalho**, Estani Lau, Hilario Leri, Orlando Ramos, Bentu Dos Santos, Jose Asmakin and Nikolau Da Silva forcibly transported Celestino Fernandos along a track running off the road. They stopped in front of a dry river bed that crosses the track. **Armindo Dos Santos Santos** then stabbed Celestino Fernandos twice in the stomach.
8. After the stabbing, **Armindo Dos Santos, Mario De Carvalho**, Estani Lau, Hilario Leri, Orlando Ramos, Bentu Dos Santos, Jose Asmakin and Nikolau Da Silva carried Celestino Fernandos off the track, on a path that runs parallel to the dry river bed.
9. As **Armindo Dos Santos, Mario De Carvalho**, Estani Lau, Hilario Leri, Orlando Ramos, Bentu Dos Santos, Jose Asmakin and Nikolau Da Silva were carrying Celestino Fernandos, **Mario De Carvalho** stabbed Celestino Fernandos in the stomach.
10. Celestino Fernandos died from these wounds.

Pursuant to the above the Prosecutor

IV. CHARGES:

COUNT 1:

On or about the 7 September 1999 in the District of Bobonaro, sub-district Balibo, the defendants **Francisco Dos Santos Laku, alias “Fancisco Lulu”, Armindo Dos Santos and Mario De Carvalho** did, with deliberate intent and premeditation, commit, order, aid, abet or otherwise assist in the murder of Celestino Fernandos, 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, 20 March 2001

Brenda Sue Thornton
Senior Prosecutor for Serious Crimes