



UNTAET

United Nations Transitional Administration in East Timor

**The Deputy General Prosecutor for Serious Crimes of the United Nations
Transitional Administration in East Timor**

AGAINST

**Eurico Guterres (1), Manuel Sousa (2), Joao Sera aka Joao Loumeza (3),
Floriano da Silva aka Floriano Dato Meta (4), Marculino Soares (5), Tome Diogo
(6), Jose Mateus (7), Antonio Gomes (8), Antonio Bescau (9), Antoninho Martins
(10), Teofilo da Silva Ribeiro (11), Abilio Lopez da Cruz (12), Jorge Viegas (13),
Mateus Metan (14), Domingos Bondia (15), Fernando Sousa (16) and Armindo
Carrion (17)**

II. INDICTMENT

The Deputy General Prosecutor for Serious Crimes of the United Nations Transitional Administration in East Timor, pursuant to her authority under UNTAET Regulations 2000/15 and 2000/30 charges

**Eurico Guterres (1), Manuel Sousa (2), Joao Sera aka Joao Loumeza (3),
Floriano da Silva aka Floriano Dato Meta (4), Marculino Soares (5), Tome Diogo
(6), Jose Mateus (7), Antonio Gomes (8), Antonio Bescau (9), Antoninho Martins
(10), Teofilo da Silva Ribeiro (11), Abilio Lopez da Cruz (12), Jorge Viegas (13),
Mateus Metan (14), Domingos Bondia (15), Fernando Sousa (16) and Armindo
Carrion (17)**

WITH

**CRIMES AGAINST HUMANITY (PERSECUTION, MURDER, and
INHUMANE ACTS)**

as set forth in this indictment.

III. NAME AND PARTICULARS OF THE ACCUSED

- | | | |
|----|------------------------------------|--|
| 1. | Name: | Eurico Guterres |
| | Age: | Approximately 33 years old |
| | Place of Birth: | Watulari, Viqueque, East Timor |
| | Function at the time of the event: | Deputy Commander of the Pasukan
Pejuang Integrasi (PPI) |
| | Present Location: | Republic of Indonesia |
| | | |
| 2. | Name: | Manuel Sousa |
| | Age: | Approximately 35 years old |

- Place of Birth: Maubara Lisa Village, Maubara, Liquica, East Timor
- Function at the time of the event: Commander of the Besi Merah Putih (BMP) Militia for the District of Liquica
- Present Location: Republic of Indonesia
3. Name: Joao Sera aka Joao Loumeza
Age: Approximately 40 years old
Place of Birth: Vaviquina Village, Maubara, Liquica, East Timor
Function at the time of the event: Vice Commander of the BMP Militia for the District of Liquica
Present Location: Republic of Indonesia
4. Name: Floriano da Silva aka Floriano Dato Meta
Age: Approximately 50 years old
Place of Birth: Kaikasa, Gugleur Village, Maubara, Liquica, East Timor
Function at the time of the event: BMP Militia Commander in Gugleur, Liquica
Present Location: Republic of Indonesia
5. Name: Marculino Soares
Age: Approximately 35 years old
Place of Birth: Lakvou, Vaviquina Village, Maubara, Liquica, East Timor
Function at the time of the event: BMP militia Commander in Guico, Liquica
Present Location: Republic of Indonesia
6. Name: Tome Diogo
Age: Approximately 41 years old
Place of Birth: Fatumasi Village, Bazartete, Liquica, East Timor
Function at the time of the event: Tentara Nasional Indonesia (TNI) Intelligence Officer
Present Location: Republic of Indonesia
7. Name: Jose Mateus
Age: Approximately 50 years old
Place of Birth: Maubara Lisa Village, Maubara, Liquica, East Timor
Function at the time of the event: TNI member
Present Location: Republic of Indonesia
8. Name: Antonio Gomes
Age: Approximately 40 years old
Place of Birth: Vaviquina Village, Maubara, Liquica, East Timor

- Function at the time of the event: TNI member
Present Location: Republic of Indonesia
9. Name: Antonio Bescau
Age: Approximately 60 years old
Place of Birth: Vatuboro Village, Maubara, Liquica, East Timor
Function at the time of the event: TNI member
Present Location: Republic of Indonesia
10. Name: Antoninho Martins
Age: Approximately 45 years old
Place of Birth: Rainaba Village, Gugleur 'A', Maubara, Liquica, East Timor
Function at the time of the event: TNI member
Present Location: Republic of Indonesia
11. Name: Teofilo da Silva Ribeiro
Age: Approximately 40 years old
Place of Birth: Maubara Lisa, Maubara, Liquica, East Timor
Function at the time of the event: TNI member
Present Location: Republic of Indonesia
12. Name: Abilio Lopez da Cruz
Age: Approximately 60 years old
Place of Birth: Vaviquina Village, Maubara, Liquica, East Timor
Function at the time of the event: TNI member
Present Location: Republic of Indonesia
13. Name: Jorge Viegas
Age: Approximately 38 years old
Place of Birth: Vaviquina Village, Maubara, Liquica, East Timor
Function at the time of the event: TNI officer Maubara
Present Location: Republic of Indonesia
14. Name: Mateus Metan
Age: Approximately 35 years old
Place of Birth: Bekinlau, Maubara Lisa Village, Maubara, Liquica, East Timor
Function at the time of the event: BMP militia member
Present Location: Republic of Indonesia
15. Name: Domingos Bondia
Age: Approximately 30 years old
Place of Birth: Maubara Lisa Village, Maubara, Liquica, East Timor
Function at the time of the event: BMP militia member

- | | | |
|-----|------------------------------------|---|
| | Present Location: | Republic of Indonesia |
| 16. | Name: | Fernando Sousa |
| | Age: | Approximately 35 years old |
| | Place of Birth: | Maubara Lisa Village, Maubara,
Liquica, East Timor |
| | Function at the time of the event: | BMP militia member |
| | Present Location: | Republic of Indonesia |
| 17. | Name: | Armindo Carrion |
| | Age: | Approximately 40-50 years old |
| | Place of Birth: | Maubara Lisa Village, Maubara,
Liquica, EastTimor |
| | Function at the time of the event: | BMP militia member |
| | Present Location: | Republic of Indonesia |

IV. INTRODUCTORY STATEMENT OF FACTS

1. On August 30, 1999, the United Nations held a referendum in which the people of East Timor voted for either autonomy with Indonesia or independence. In the referendum, approximately 78.5 % of the voters chose independence.
2. Both prior to and after the referendum the Indonesian civilian and military authorities, and members of various militia groups operating in East Timor, carried out a widespread or systematic attack against civilian pro-independence supporters throughout East Timor. The militia groups worked under the instruction of, and in coordination with, members of the Tentara Nasional Indonesia Forces (TNI).
3. The widespread or systematic attack included a campaign of violence against pro-independence supporters consisting of acts of incitement, intimidation, kidnappings, assaults, murders and rapes.
4. Many of the acts of violence resulted in lethal injuries.
5. The widespread or systematic attack also included attacks against property and livestock. For example, throughout East Timor villages were systematically burned by assailants.
6. The widespread or systematic attack also included the systematic displacement of civilians. Specifically, the civilian population was systematically displaced within East Timor and deported to West Timor.
7. From approximately March - October 1999 over 26 militia groups operated in East Timor. During this time, the Pasukan Pejuang Integrasi or 'PPI" (pro-integration forces) was an umbrella organization under which the militia groups in East Timor were organized. The goal of the PPI, and the militia groups, was to work with the Indonesian authorities and support autonomy with Indonesia.

8. From April - October 1999 the Besi Merah Putih (BMP) militia group operated in Liquica District and the Aitarak militia group operated in Dili District.
9. From approximately March 1999 - October 1999, Eurico Guterres (1) was the Deputy commander of the PPI. In addition he was the Commander of the Aitarak militia group. In April 1999, Eurico Guterres (1) exercised control over members of the various militia groups throughout East Timor, and over members of the Aitarak militia in Dili.
10. In April 1999 Manuel Sousa (2) was the Commander of the BMP in Liquica and Joao Sera aka Joao Loumeza (3) was the Vice Commander of the BMP in Liquica. Floriano da Silva aka Floriano Dato Meta (4) and Marculino Soares (5) were BMP commanders in the villages of Gugleur and Guico, respectively. All four exercised control over BMP militia members in Liquica.

IV. SPECIFIC STATEMENT OF FACTS

11. In 1999, PPI leaders organized a pro-autonomy rally to be held on 17 April 1999 in Dili and ordered militia members from throughout East Timor to attend the rally. Members of the TNI were instrumental in organizing the rally and also attended the rally.
12. The BMP militia from Liquica District was one of the many militia groups that traveled to Dili for the rally and various BMP commanders in Liquica District ordered their BMP members to go. For example, Marculino Soares (5), the BMP commander from the village of Guico, ordered his BMP members to go to the Koramil office in Maubara and led some of them there in order to go to the rally. These BMP members and others gathered at the Koramil Office with TNI members on 17 April 1999.
13. Members of the TNI gathered at the Koramil Office in Maubara included Jose Mateus (7), Antonio Gomes (8), Antonio Bescau (9), Antoninho Martins (10), Teofilo da Silva Riberio (11) and Jorge Viegas (13).
14. After their arrival at the Koramil Office a convoy was organized and vehicles full of armed BMP and TNI left the Koramil in Maubara for Dili.
15. On the way part of the convoy stopped in Liquica Subdistrict and additional BMP and TNI members joined the convoy there. For example, Tome Diogo (6), TNI Intelligence officer, joined the convoy in subdistrict Liquica and drove a truck of armed TNI and BMP militia to Dili.
16. Upon arrival in Dili most of the TNI and BMP militia members from Liquica proceeded to the government headquarters where the rally was beginning.
17. Governor Abilio Soares, Colonel Tono Suratman, Colonel Timbul Silaen and Joao Tavares, among others, attended the rally. In addition, Bupatis from the various districts attended the rally.

18. At that rally, Joao Tavares, the commander of the PPI forces, addressed the militia groups there. After that, Eurico Guterres (1), the Deputy Commander of the PPI forces in East Timor and the Commander of the Aitarak militia, addressed the militia groups.
19. During his speech, Eurico Guterres (1) singled out the Carrascalao family, stating that they were traitors.
20. In addition, in his address Eurico Guterres (1) identified anyone who was anti-integration as his 'enemy.' Eurico Guterres (1) then ordered all militia, both ordinary soldiers and commanders, from April 17 onwards 'to seek out and capture' anti-integration individuals and turn them in to 'an international tribunal.' Eurico Guterres (1) further stated that if they resisted 'to shoot them.'
21. Eurico Guterres (1) concluded by stating that I, Eurico Guterres, 'will take full responsibility.'
22. Immediately following his address, Eurico Guterres (1) ordered the militia members to fire into the air, which they did. Eurico Guterres (1) then ordered them to stop, stating 'that's enough', and telling the Commanders to calm their men. He further told them not to fire, or they would run out of bullets.
23. Immediately following the rally, the militia members and TNI members divided up into groups. Eurico Guterres (1) led one group as a convoy through Dili, carrying out various attacks on neighborhoods and civilians thought to support independence. These attacks resulted in 13 deaths, serious injuries and the destruction of property. Another group of militia members went to Aitarak headquarters that was located at the house of Eurico Guterres (1).

Attack in Mescarinhas Village, Dili District

24. The members in the convoy led by Eurico Guterres (1) attacked the residence of an independence supporter located in Mescarinhas Village, Dili District. Eurico Guterres (1), members of the militia and members of the TNI attacked the residence, setting the house and two cars in the compound ablaze and destroying property.

Attack in Lahane Village, Dili District

25. The members in the convoy led by Eurico Guterres (1) then attacked a residential compound of an independence supporter located in Lahane village, Dili District. Eurico Guterres (1) ordered members of the militia to attack the compound and led the attackers into the compound. Eurico Guterres (1) and the other attackers fired shots and destroyed property in and outside of the compound.

Attack in Benamauk Village, Dili District

26. Members of the TNI and militia then attacked the sub village of Benamauk, village of Tuba Fatuai, District of Dili. There, militia members destroyed houses of pro-independence supporters, fired weapons, and struck people. Manuel Pinto was shot in this attack and died from his injuries. Eurico Guterres (1) participated in the attack and at one point ordered the militia to stop the attack and return with him. The members of the militia immediately followed Eurico Guterres' (1) order.

Attack on the individuals seeking refuge at the house of Manuel Carrascalao

27. By 17 April 1999, due to the widespread or systematic attacks against pro-independence supporters in the District of Liquica and other places, over 100 supporters of pro-independence had sought refuge at the house of Manuel Carrascalao located at Antonio de Carvalho Street No. 13, Bairro Lecidere, Dili District. Throughout the morning of 17 April 1999 militia members and others gathered around the house, threatening to attack.
28. On 17 April 1999, sometime prior to 12 noon, Manuel Carrascalao and his daughter, Christina Carrascalao, left their residence to go to the airport and received news that the militias were gathering at their house and that it was going to be attacked. As a result, Manuel Carrascalao and Christina Carrascalao proceeded to Engenheiro Canto Resende, Farol Street, Dili, and met with Colonel Suhartono Suratman, the Indonesian Army Military Region Commander for East Timor.
29. Manuel Carrascalao and Christine Carrascalao informed Colonel Suhartono Suratman that their house was going to be attacked and requested protection for their house. Colonel Suhartono Suratman did not respond to this request for aid.
30. Manuel Carrascalao and Christine Carrascalao then attempted to go to their house. When they got to a point directly across from the Resende Hotel in Dili, Manuel Carrascalao approached several BRIMOB officers in two vehicles parked on the street.
31. The BRIMOB were armed with weapons. Manuel Carrascalao informed them that his house was under attack and pleaded for their help. The BRIMOB officers took no immediate action.
32. Sometime around 1:00 p.m. the beginning of the convoy of militia members led by Eurico Guterres (1) reached the house of Manuel Carrascalao.
33. Sometime after 1:00 p.m. members of the BMP militia and TNI members began attacking the residence and the individuals inside the house. Some militia members who had been with the convoy joined in the attack.
34. After the commencement of the attack, some of the members of the BMP that were eating lunch at the house of Eurico Guterres (1) heard the attack and went and joined in the attack.

35. The following TNI members, among others, were present and participated in the attack on the people in the house of Manuel Carrascalao: Tome Diogo (6), Jose Mateus (7), Antonio Gomes (8), Antonio Bescau (9), Antoninho Martins (10), Teofilo da Silva Riberio (11), Abilio Lopes da Cruz (12), and Jorge Viegas (13).
36. The following BMP militia members, among others, were armed and participated in the attack on the people in the house of Manuel Carrascalao: Manuel Sousa (2), Joao Sera aka Joao Loumeza (3), Floriano da Silva aka Floriano Dato Meta (4), Marculino Soares (5), Mateus Metan (14), Domingos Bondia (15), Fernando Sousa (16) and Armindo Carrion (17).
37. During the attack twelve people were killed.
38. Specifically, members of the TNI and militia attacked Manelito Carrascalao, shooting and stabbing him. Manelito Carrascalao died from injuries received during the attack.
39. Members of the TNI and militia attacked Eduardo de Jesus. One of the attackers was Antonio Bescau (9) who shot Eduardo de Jesus. Eduardo de Jesus died from injuries received during the attack.
40. Members of the TNI and militia attacked Alberto dos Santos. Specifically, Jose Mateus and Domingos Bondia, with others, killed Alberto dos Santos. Jose Mateus (7) shot Alberto dos Santos and Domingos Bondia (15) bludgeoned Alberto Dos Santos with a wooden plank. Alberto dos Santos died from injuries received during the attack.
41. Members of the TNI and militia attacked Antonio da Silva Soares. Specifically, Floriano da Silva aka Floriano Dato Meta (4) and Domingos Bondia (15), with others, killed Antonio da Silva Soares. Floriano da Silva aka Floriano Dato Meta (4) stabbed Antonio da Silva Soares and then ordered Armando dos Santos to stab Antonino da Silva, which he did. Domingos Bondia (15) participated in the attack on Antonio da Silva Soares. Antonio da Silva died from injuries received during the attack.
42. Members of the TNI and militia attacked Januario Pereira. Specifically an unidentified militia member shot Januario Pereira while he was in the house. In addition, Jose Mateus (7) and Fernando Sousa (16) each stabbed him during the attack. Januario Pereira died from injuries received during the attack.
43. Members of the TNI and militia attacked Raul dos Santos Cancela. Specifically, Jose Mateus (7) and Fernando Sousa (16), with others, killed Raul dos Santos Cancela. Raul dos Santos Cancela died from injuries received during the attack.
44. Members of the TNI and militia also attacked Joao dos Santos, Crisanto dos Santos, Rafael da Silva, Afonso Riberio, Cesar dos Santos and Augustino Benito X. Lay. These individuals died from injuries received during the attack.

45. Several people were also seriously injured in the attack (Victims 1 -5).
46. Members of the TNI and militia, including Mateus Metan (14) and Armindo Carrion (17), attacked Victim 1, stabbing and shooting him. Victim 1 was seriously injured in the attack.
47. In addition other members of the TNI and militia attacked Victims 2, 3, 4, and 5 with guns, swords and other weapons. Victim 5 saw Domingos Bondia (15) while he was being attacked. Victims 2, 3, 4, and 5 were seriously injured in the attack.
48. After approximately one hour, the attack was stopped by members of the BRIMOB and Indonesian Police Forces.
49. Following the attack, the BRIMOB and Indonesian Police Forces secured the area. The bodies of the 12 victims were taken to Wira Husada Military Hospital located in Lahane, Dili, where TNI soldiers kept them under guard, until the bodies were removed for burial.
50. Injured people were taken to and treated at the Wira Husada Military Hospital and the MOTAEL clinic.
51. Some of the survivors of the attack were taken to the house of Eurico Guterres (1) and later some were transferred to the police station and some were transferred to their villages.
52. Members of the BRIMOB and POLRI took others to the police station near the market in Dili and then to the POLDA station in Comoro. Many were kept at the POLDA station for approximately 40 days.
53. On about 19 April 1999, members of the TNI brought the bodies of 11 of the 12 victims from Dili to Leboke, Liquica, where they were buried.

The attack on Metiaut Village, Dili District.

54. On 17 April 1999, TNI members and Aitarak members attacked the village of Metiaut, District of Dili.
55. During the attack Victim 6, Victim 7, Victim 8, and Victim 9 were shot and seriously injured.
56. During the attack various property damage occurred including the destruction of houses.

Attack in Colmera Village, Dili

57. On 17 April 1999 members of the militia, led by Manuel Sousa (2) destroyed the headquarters of the newspaper Suara Timor Timur (STT) (Voice of East Timor) located at Gov. Alves Aldeai St. No. 7, Colmera, Dili.

58. The Indonesian Police came and stopped the attack and secured the area.

Attack in Kakaolidum Village, Dili

59. On 17 April 1999, members of the militia went to the area of Kakaolidun, Dili, searching for a pro-independence supporter. Members of the militia attacked the area, damaging the house of the independence supporter and destroying his motorcycle.
60. After the series of attacks carried out in Dili, some of the members of the various militia groups went to Eurico Guterres' (1) house. Eurico Guterres (1) addressed the members of the militia and instructed them to return to their respective villages.
61. The attacks that occurred in Dili on 17 April 1999 were widely reported in the media.
62. Before the attacks that occurred in Dili on that day, Eurico Guterres (1), Manuel Sousa (2), Joao Sera aka Joao Loumeza (3), Floriano da Silva aka Floriano Dato Meta (4) and Marculino Soares (5) knew or had reason to know that subordinates under their command and control were going to attack civilians and failed to take the reasonable and necessary measures to prevent such acts and/or after the attacks Eurico Guterres (1), Manuel Sousa (2), Joao Sera aka Joao Loumeza (3), Floriano da Silva aka Floriano Dato Meta (4) and Marculino Soares (5) knew or had reason to know that their subordinates had undertaken the acts and failed to punish the perpetrators thereof.

V. Criminal Responsibility

63. The accused are individually responsible for the crimes charged in this indictment. Individual responsibility under Section 14 UNTAET Regulation 2000/15 arises if an accused:

“(a) commits such a crime, whether as an individual, jointly with another or through another person, regardless of whether that other person is criminally responsible;

(b) orders, solicits or induces the commission of such a crime which in fact occurs or is attempted;

(c) for the purpose of facilitating the commission of such a crime, aids, abets or otherwise assists in its commission or its attempted commission, including providing the means for its commission;

(d) in any other way contributes to the commission or attempted commission of such a crime by a group of persons acting with a common purpose. Such contribution shall be intentional and shall either:

(i) be made with the aim of furthering the criminal activity or criminal purpose of the

- group, where such activity or purpose involves the commission of a crime within the jurisdiction of the panels; or*
- (ii) *be made in the knowledge or the intention of the group to commit the crime; and*

...

- (f) *attempts to commit such a crime by taking action that commences its execution by means of a substantial step, but the crime does not occur because of circumstances independent of the person's intentions. However, a person who abandons the effort to commit the crime shall not be liable for punishment under the present regulation for the attempt to commit that crime if that person completely and voluntarily gave up the criminal purpose.*

64. In addition or alternatively, the accused Eurico Guterres (1), Manuel Sousa (2), Joao Sera aka Joao Loumeza (3), Floriano da Silva aka Floriano Dato Meta (4) and Marculino Soares (5) are responsible for the crimes alleged against them in this indictment under Section 16 UNTAET Regulation 2000/15 as commanders or superiors. Under Section 16, a commander or other superior is responsible for the acts of his or her subordinate if:

“ . . . if he knew or had reason to know that the subordinate was about to commit such acts or had done so and the superior failed to take the necessary and reasonable measures to prevent such acts or to punish the perpetrators thereof.”

VI. Pursuant to the above the Deputy General Prosecutor for Serious Crimes charges:

Count 1. Crimes Against Humanity: Persecution

By his acts or omissions in relation to the events described in paragraphs 9, 11 - 62 the accused **Eurico Guterres (1)** and

by his acts or omissions in relation to the events described in paragraphs 10, 27 – 53, 57 and 62 the accused **Manuel Sousa (2)** and

by their acts or omissions in relation to the events described in paragraphs 10, 27-53 and 62, the accused **Joao Sera aka Joao Loumeza (3), Floriano da Silva aka Floriano Dato Meta (4) and Marculino Soares (5)** and

by their acts in relation to the events described in paragraphs 27-53 the accused **Tome Diogo (6), Jose Mateus (7), Antonio Gomes (8), Antonio Bescau (9), Antoninho Martins (10), Teofilo da Silva Ribeiro (11), Abilio Lopez da Cruz (12), Jorge Viegas (13), Mateus Metan (14), Domingos Bondia (15), Fernando Sousa (16) and Armindo Carrion (17)**

are responsible jointly with others for the persecution of civilians on political grounds committed in Dili District on 17 April 1999 as part of a widespread or systematic

attack against a civilian population with knowledge of the attack and are thereby responsible for a CRIME AGAINST HUMANITY, PERSECUTION, pursuant to Section 5.1(h) and Sections 14 and/or 16 of UNTAET Regulation 2000/15.

Count 2. Crimes Against Humanity: Murder

By his acts or omissions in relation to the events described in paragraphs 9, 26 and 62 **Eurico Guterres (1)** is responsible for the murder of Manuel Pinto committed on 17 April 1999 at the sub village of Benamauk, village of Tuba Fatuai, District of Dili as part of a widespread or systematic attack against a civilian population with knowledge of the attack and is thereby responsible for a CRIME AGAINST HUMANITY, MURDER pursuant to Section 5.1(a) and Section 14 and/or 16 of UNTAET Regulation 2000/15.

Count 3. Crimes Against Humanity: Murder

By his acts or omissions in relation to the events described in paragraphs 9, 27 – 53 and 62 the accused **Eurico Guterres (1)** and

by their acts or omissions in relation to the events described in paragraphs 10, 27-53 and 62, the accused **Manuel Sousa (2), Joao Sera aka Joao Loumeza (3), Floriano da Silva aka Floriano Dato Meta (4) and Marculino Soares (5)** and

by their acts in relation to the events described in paragraphs 27-53 the accused **Tome Diogo (6), Jose Mateus (7), Antonio Gomes (8), Antonio Bescau (9), Antoninho Martins (10), Teofilo da Silva Ribeiro (11), Abilio Lopez da Cruz (12), Jorge Viegas (13), Mateus Metan (14), Domingos Bondia (15), Fernando Sousa (16) and Armindo Carrion (17)**

are responsible jointly with others for the murders of Raul dos Santos Cancela, Manelito Carrascalao, Rafael da Silva, Antonio da Silva, Eduardo de Jesus, Alberto dos Santos, Cesar dos Santos, Crisanto dos Santos, Joao dos Santos, Januario Pereira, Afonso Riberio and Augustino Benito X. Lay committed on 17 April 1999 at Antonio de Carvalho No. 13, Bairro Lecidere, Dili District as part of a widespread or systematic attack against a civilian population with knowledge of the attack and are thereby responsible for a CRIME AGAINST HUMANITY, MURDER pursuant to Section 5.1(a) and Section 14 and/or 16 of UNTAET Regulation 2000/15.

Count 4. Crimes Against Humanity: Other Inhumane Acts

By his acts or omissions in relation to the events described in paragraphs 9 and 45-47 and 62 **Eurico Guterres (1)** and

by their acts or omissions in relation to the events described in paragraphs 10, 45-47 and 62 the accused **Manuel Sousa (2), Joao Sera aka Joao Loumeza (3), Floriano da Silva aka Floriano Dato Meta (4) and Marculino Soares (5)** and

by their acts in relation to the events described in paragraphs 45-47 the accused **Tome Diogo (6), Jose Mateus (7), Antonio Gomes (8), Antonio Bescau (9), Antoninho Martins (10), Teofilo da Silva Ribeiro (11), Abilio Lopez da Cruz (12), Jorge**

Viegas (13), Mateus Metan (14), Domingos Bondia (15), Fernando Sousa (16) and Armindo Carrion (17)

are responsible jointly with others for the inhumane acts committed in Dili on 17 April 1999 as part of a widespread or systematic attack against a civilian population with knowledge of the attack and are thereby responsible for a CRIME AGAINST HUMANITY, Other Inhumane Acts pursuant to Section 5.1(a) and Section 14 and/or 16 of UNTAET Regulation 2000/15.

Count 5. Crimes Against Humanity: Other Inhumane Acts

By his acts or omissions in relation to the events described in paragraphs 9, 54-56 and 62 **Eurico Guterres (1)** is responsible jointly with others for the inhumane acts committed in village of Metiaut, District of Dili on 17 April 1999 as part of a widespread or systematic attack against a civilian population with knowledge of the attack and is thereby responsible for a CRIME AGAINST HUMANITY, Other Inhumane Acts pursuant to Section 5.1(a) and Section 16 of UNTAET Regulation 2000/15.

Ms. Siri Frigaard,
The Deputy General Prosecutor
Dili, East Timor
Original English
18 February 2002