



**Office of the
Deputy General Prosecutor
for Serious Crimes
Timor Leste**

SERIOUS CRIMES UNIT INFORMATION RELEASE

17 December 2004

SCU ISSUES ITS FINAL INDICTMENTS

The Serious Crimes Unit (“SCU”) filed four new indictments charging 14 individuals with Crimes Against Humanity. Those accused include former militia commanders and military commanders from the Indonesian armed forces (TNI). The charges include sexual assaults, 45 murders, inhumane acts, destruction of property and forcible transfer of civilians. All of the accused are at large and believed to be currently residing outside of Timor Leste.

The four new indictments resulted from the recent completion of investigations in the districts of Ermera, Ainaro and Manufahi. Pursuant to UN Security Council Resolutions 1543 and 1573, the SCU completed all on-going investigations as of 30 November. With the end of investigations, these four indictments will be the last filed by the SCU and bring the final total filings by the unit since its inception in the year 2000 to 95 indictments charging 391 individuals.

The Ainaro Indictment

On 15 December 2004, the SCU charged Lieutenant Julius Adu (TNI), the former sub-district military commander (DANRAMIL) for Hataudo, Ainaro District, and Cesário Tilman, former TNI soldier and also company commander of the Mahidi militia. Tilman and Adu are charged with the murder of five persons and for the persecution and deportation of civilians from Ainaro District. The indictment alleges that Lieutenant Julius Adu was the "Danramil" (Sub-District Military Commander) in Hataudo and had effective command and control over TNI soldiers stationed there, including Cesário Tilman. In addition to being a soldier, Tilman was appointed the Commander of Company “A” of the Mahidi militia (Mati Hidup Demi Integrasi) (“Die or Live for Integration”). This company operated in Leolima Village in Hataudo Sub-District. Lieutenant Adu is charged with ordering one murder and with command responsibility for four additional murders committed by Tilman. They are jointly charged with the destruction of property and forcible transfer of the local population to West Timor.

The Ermera indictment

On 16 December 2004, the SCU charged Lieutenant Colonel Muhammad Nur, the TNI district military commander for Ermera, First Sergeant Melky, Second Sergeant Hilário and the former Derah Merah militia commanders Lukas Martins, Jeca Pereira and Cipriano da Costa, with the murder of 14 persons, the torture of two men and the repeated rape and murder of one woman.

The crimes alleged were committed between 27 January 1999 and September 1999, in Hatolia and Ermera, Ermera District where the Darah Merah, Aitarak and Pancasila Militias are alleged to have operated in close cooperation with the TNI.

The Manufahi indictments

On 17 December 2004, the SCU filed two related indictments focusing on crimes committed by the ABLAI militia in Manufahi district. The first indictment charges the three top commanders and founders of the militia, while the second charges direct perpetrators of killings in the district. .

The first indictment focuses on commanders who organized the militia violence. The indictment charges Nazario Vital dos Santos Corte Real, who is alleged to have been the commander ABLAI and to have co-founded the militia group, TNI Captain Sugyono, co-founder of ABLAI who at the time was the local head of the Kopassus (Special Forces of the Indonesian Army) and Francisco Capela Ferrão who was the vice-commander of militia group. The three are jointly charged with one count of persecutions as a crime against humanity. The campaign of persecutions is alleged to have included the killing of 19 persons, the attempted murder of another, the infliction of serious bodily injury on four persons, the detentions of hundreds of villagers, widespread destruction of property in the district and the forcible transfer of the population to West Timor.

The second Manufahi indictment charges three persons alleged to be direct perpetrators of killings in the district. Those charged are Guilhermino Marçal, the ABLAI militia commander for the sub-district of Same, Lieutenant Sumino, then the Same sub-district military commander, and José Laranzeira who is alleged to have been an ABLAI militia company commander. The three accused are charged with a total of seven murders. One murder was allegedly committed in the house of Guilhermino Marçal, which also served as the ABLAI headquarters in Same sub-district. Two other murders occurred on 24 September 1999 during an alleged deportation operation organized by Lieutenant Sumino. Sumino chased and shot Marten Gaspar Soares with a M16 rifle and ordered the killing of another civilian, which was carried out by José Laranzeira.