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Office of Communication and Public Information

FACT SHEET

SERIOUS CRIMES AND JUSTICE FOR VICTIMS OF 1999 VIOLENCE

- The Serious Crimes Panel at the Dili District Court has the exclusive mandate to try people suspected of carrying out crimes surrounding the popular consultation on 30 August 1999. The Panel, which consists of one Timorese and two international Judges, can try cases of Genocide, War Crimes, Crimes Against Humanity, Murder, Sexual Offences and Torture, carried out between 1 January and 25 October 1999. The Special Panel was set up in June last year and is part of the Department of Justice. Courts for ordinary crimes have been set up in Dili, Baucau and Oecussi.
- The legal framework for dealing with serious violations of human rights and international humanitarian law is to be found in Regulation 2000/15 on the Establishment of Panels with Exclusive Jurisdiction over Serious Criminal Offences and Regulation 2000/16 on the Organization of the Prosecution Service.
- The Office of East Timor's Prosecutor General intends to investigate the major incidents of mass killings committed throughout the territory. Perpetrators at all levels, and in particular those answerable for the directed campaign of murder, persecution and deportation of the civilian population, will be held accountable for their crimes.
- Serious Crimes investigators have concentrated on five priority cases: the Liquiça Church massacre (6 April 1999); the murders at the house of Manuel Carrascalão (17 April 1999); the Maliana Police Station (2-8 September 1999); the Lospalos case (21 April-25 September 1999, see below), and a sexual violence case (2 May-16 September 1999). These cases involve about 30 suspects in superior or command positions at district, sub-district and provincial levels, including some 16 low-level militia presently in detention.
- Some 60 people suspected of Serious Crimes are currently held in Becora (Dili) and Gleno (Ermera) prisons. To date, 31 persons have been indicted.
- The first indictment containing charges of Crimes Against Humanity was filed on 11 December, by the Office of the Prosecutor General. The indictment accuses eleven persons of committing Crimes Against Humanity, including murder, torture,

deportation and forcible transfer of civilian population in Lospalos, Lautem District, between 21 April and 25 September 1999. The group, which consists of members of the Team Alfa militia and an Indonesian Army Officer, is accused of committing at least 13 murders. Preliminary hearings will be conducted on 16 February and trial is expected to start sometime in March.

- The second indictment of Crime Against Humanity was filed on 6 February. Five persons, including an officer of the Indonesian Army, have been indicted suspected of murder, rape, torture, unlawful deprivation of liberty, inhumane and degrading treatment and persecution. The crimes were allegedly committed between April and October 1999 in Lolotoe sub-district, Bobonaro district, by members of the Indonesian Army (TNI) and the Kaer Metin Merah Putih militia.
- In addition to the first set of priority cases, investigations are advancing into five other significant cases: the Suai Church massacre (6 September 1999); the attack on Bishop Belo's compound (6 September 1999); the Passabe and Makaleb massacres (September-October 1999); a second case in Lospalos (April-September 1999); and further sexual violence cases.
- The Prosecutor General's Office is pursuing a policy aimed at also prosecuting low-level perpetrators, who have been taking part in criminal acts together with others in senior or command positions. A number of individual cases of murder and other offences that fall under the Serious Crimes mandate have been tried and are in the process of being tried at this writing. The first sentence in such a case was delivered on 25 January 2001. A former militia member, who admitted to a murder in Bobonaro district on 8 September 1999, was sentenced to 12 years imprisonment.

Dili, 15 February 2001