UNITED NATIONS NATIONS UNIES

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East Timorese Transitional Administration

DILI DISTRICT COURT

SPECIAL PANEL for SERIOUS CRIMES

Case No. 10/2000
Date: 15/05/2001
Original: English and Bahasa Indonesia

IN THE TRIAL CHAMBER

Before:

Judge Marcelo Dolzani da Costa, Presiding

Judge Luca Leandro Ferrero, Rapporteur

Judge Maria Natercia Gusmao Pereira,

Registrar: José Manuel Simoes

Judgment of: May 15, 2001

THE PROSECUTOR
v.
MANUEL GONCALVES LETO BERE *alias* MANUEL LETO BERE

JUDGEMENT

The Office of the Public Prosecutor:
Ms. Brenda Sue Thornton and Mr. Antonino Goncalves.

Counsel of the accused:
Ms. Lisete Quintao

INTRODUCTION

The trial of Manuel Goncalves Leto Bere alias Manuel Leto Bere, age 39, channel maker, born in Lahomea Village, Sub-district of Maliana, District of Bobonaro, married and father of three children, before the Panel for Serious Crimes in the District Court of Dili, responsible for the handling of serious criminal offences (hereafter: the "Special Panel"), commenced on 6 February 2001 and concludes today the 15 May 2001 with the rendering of the decision.
After considering all the evidence presented during the trial, and the written and oral statements from the office of the Prosecutor General for Serious Crimes (hereafter: the "Public Prosecutor") and The Defendant and The defence for the defendant, the Special Panel,

HEREBY RENDERS ITS JUDGEMENT.

A. THE SPECIAL PANEL

The Special Panels were established, within the District Court in Dili, pursuant to Section (hereafter "Sect.") 10 of UNTAET Regulation (hereafter "U.R.") No. 2000/11, in order to exercise jurisdiction with respect to the following serious criminal offences: genocide, war crimes, crimes against humanity, murder, sexual offences and torture, as specified in Sections 4 to 9 of U. R. 2000/15.

B. PROCEDURAL BACKGROUND

On 11 December 2000, The Public Prosecutor presented a written indictment (in English) with a charge of murder against the Defendant Manuel Goncalves Leto Bere alias Manuel Leto Bere, to the Dili District Court. Attached to the indictment were also the copies of the statements (typed and handwritten, and with the translation in Bahasa Indonesia) of the accused (21.11.2000), of the witnesses X, Y, Z.

Finally, was submitted a police report with photograph and another copy of the statemens mentioned above.

The case file was registered by the Registry of the Court and forwarded to this Special Panel. The Court clerk also provided notification of the

receipt of the indictment to the accused (21.12.2000) and to his legal representative (22.12.2000), pursuant to Sect. 26.1 and 26.2 U.R. 2000/30.

Manuel Goncalves Leto Bere, was arrested and detained since 20 November 2000. The Court did not find on file any document about the arrest, the detention and the extension of detention.

On 11.01.2001 The Public Prosecutor made a request for an extension of detention for Manuel Goncalves Leto Bere (and 19 other Defendants). On 12.01.2001 the Special Panel issued a warrant of arrest and the order of detention until the Preliminary Hearing.

The Preliminary Hearing commenced on the 6 February 2001. The Court checked if the Defendant had read the indictment or if the indictment had been read to him, and asked if he understood the nature of the charges, his right to be represented by a legal advisor, his right to remain silent, to plead guilty or not guilty to the charge, as provided for in Sect. 30.4 U.R. No 30/2000. The Defendant made a statement that he read the indictment and that he understood the charge against him. The defence asked for one week time to file a motion.
The Public Prosecutor did not object to the request of the defence and asked for an extension of detention for the Defendant.
The Special Panel, "recalling the decision of 12.01.2001 and the new arrest of Manuel Gonsalves Leto Bere, the Court decided to confirm the arrest and to order the detention for the duration of trial. As a response to request of the defence to have one week more to prepare the case, according to Sect. 29.4 of U.R. 2000/30, the Court postponed the preliminary hearing to the 13.02.2001".

On 9.02.2001 the Public Prosecutor submitted a translation of the indictment in Bahasa Indonesia (a copy was served to the defence).

On 13.02.2001 the hearing was postponed to the following day because the accused was not transferred from Gleno Prison to the Court.

On 14.02.2001 the continuation of the Preliminary Hearing was held and the defence filed a written motion saying that the accused is a normal civilian, illiterate and was involved by the Indonesian army and followed its political targets.

The Defendant made a statement about the charge: “I used to work as a water channel maker. I became a member of DMP in West Timor. When the driver came to pick me up, was in order to transport the body of a person who was already dead. However the young man was not dead yet and they forced me to stab him once. After I was trying to dig a hole to bury the body, but I couldn’t finish it because they called me back to the car. In the car there were four members of TENTARA NASIONAL INDONESIA (Indonesia army, hereafter mentioned as T.N.I) armed with guns and they ordered me not to tell to anybody what happened, otherwise I would die. When they called me was late at night and I went with them because I was afraid”. “He added that he was not feeling guilty, otherwise he would not come back to East Timor”. The parties made the request about the evidence for the ordinary trial.
On 14.02.2001, the Special Panel decided “to admit and deem relevant all the evidence submitted by the Public Prosecutor, but the CIVPOL report (with the exception of the photographs in it)”. Rejected the evidence requested by the defence, “because the witnesses submitted by the Public Defender will probably be compelled to incriminate themselves once questioned before the Court and because the whereabouts of them are unknown”. The trial was set on 19.04.2001.

On 14 February 2001, the Court of Appeal annulled the warrant of arrest issued on 12.01.2001 and ordered a review of the detention of the accused.

On 19.02.2001 the Special Panel decided to hold a review hearing on 22 of February (a dissenting opinion from Judge Luca Ferrero, in order to implement immediately the decision of the Court of Appeal without holding an hearing, had been filed on 19.02.2001).

On 22.02.2001 the review hearing was held.

On 23.02.2001 the defence filed an appeal against the decision taken on 14.02.01 not to admit the witnesses A and B.

On 27.02.2001 the Special Panel decided to extend the detention of Manuel Gonsalves Leto Bere for the duration of the trial.

On 3.04.2001 the President of the Court of Appeal deemed inadmissible the appeal mentioned above.

On 18.04.2001 the Public Prosecutor submitted the original statements of the accused and of the witnesses already served in copy, plus a new statement made by witness W on 9.04.2001.

The Ordinary Trial was held on 19.04.2001. Since the composition of the Panel had changed, all the proceeding of the preliminary hearing were renewed. The Public Prosecutor submitted two seized items: a shirt and a wallet. The Defence did not present any witnesses or evidence. The Public Prosecutor read the indictment in an open hearing, the Defence responded orally, and the Defendant made a statement and was questioned by the Court and by both parties. The following witnesses were questioned and gave testimony under oath: X, Y and Z. The Court closed the presentation and hearing of evidence and then postponed to allow the parties to make their closing statements.

On 20.04.2001, the Public Prosecutor submitted a written statement (in English and Bahasa Indonesia) and read it out. Then the Defence made a closing statement. Finally the Court then gave an opportunity to the Defendant to make an additional statement.

On 24.04.2001, the Court read to the public the verdict and the sentence and postponed to the 15.05.2001 to release the written judgment.

C. APPLICABLE LAW

As specified in UNTAET Regulations No. 1/1999, No.11/2000 and No. 15/2000, the Special Panel for Serious Crimes shall apply:

- UNTAET Regulations and directives;
- Applicable treaties and recognized principles and norms of international law, including the established principles of international law of armed conflict;
- Pursuant to Sect. 3 UNTAET Regulation No. 1/1999, The law applied in East Timor prior 25.10.1999, until replaced by UNTAET Regulations or subsequent legislation, insofar as they do not conflict with the internationally recognized human rights standards, the fulfillment of the mandate given to UNTAET under the UNITED

NATIONS SECURITY COUNCIL RESOLUTION 1272 (1999), or UNTAET Regulations or directives.

Therefore, the Court will apply U.R. No. 2000/15, No. 2000/11, the Penal Code of Indonesia (hereafter C.P.I.) and U.R. No.2000/30 on Transitional Rules of Criminal Procedure.

D. THE FACTS

Factual allegations of the case.

The Prosecutor's factual allegations may briefly be set out as follows. The Public Prosecutor alleged that Manuel Gonsalves Leto Bere went to Haekesak, West Timor, with his family and was the second in charge of the militia group Dadurus Merah Putih. On an undetermined day at the end of September 1999, the chief of Dadurus Merah Putih ordered to arrest Joao Gonsalves because he was known to be pro-independence and a FALINTIL supporter. After having been maltreated, Joao Gonsalves was forced by the accused Manuel Gonsalves Bere and other militia member to get into a vehicle which then was driven to Nunura bridge, close to Maliana in East Timor. Upon arrival the accused and one called Raimundo took Joao Gonsalves out of the car and pulled him towards the river. Raimundo was armed with a G 3 rifle and the accused with a samurai sword. At the riverbank, Manuel Gonsalves Leto Bere stabbed Joao Gonsalves with his samurai sword in the right side of the chest between the ribs with the intent to kill the victim. The sword came out on the other side, causing the immediate death of Joao Gonsalves.

The Defence, on the other end, did not challenge that the accused was responsible of the death of Joao Gonsalves, but stressed that her client was acting under pressure and was following an order. If he refused to kill the T.N.I. and the other militia members would have get rid of him. The true responsible for the crime should be those who gave the order.

Factual findings.

Most of the factual allegations made by the Public Prosecutor are undisputed because Manuel Goncalves Leto Bere himself acknowledged them.

While questioned in the courtroom, he said that he became a member of Dadurus Merah Putih when he went to Haekesak, West Timor. More precisely he stated he was a platoon commander, with 30 people at his orders.

He spontaneously declared: "I was in West Timor, at nighttime, around 10 P.M., somebody called us - myself and four militia member (who had guns) - and order us to pick up the victim and bring him to East Timor. The victim was tortured and left under a tree. We picked him up and brought to the Nunura river. There were 4 guns: 2 for the security and 2 with us. Myself and Raimundo were with the victim, one to the left and one to the right. I was carrying a samurai sword. Rui (T.N.I.) and Raimundo ordered me to stab the victim and I stabbed him once". "I stabbed in the chest, on the left hand side, and the blade came out on the other side". "I was invited to pick up a dead body and bring it to East Timor, but it was still alive and therefore I was ordered to kill". "I had big argument with Raimundo. If I'd refused he would have shot at me".

Questioned by the Public Prosecutor, the accused modified his previous statement saying that he was an active member of the Dadurus Merah Putih also before leaving East Timor, in Maliana. When he went to West Timor, he joined Dadurus Merah Putih again. He said he was a friend of Raimundo Bere Mau - a T.N.I. member living in his same village - and he had been working with him since 1976. As well, he was a friend of Rui Bere Tahi - another T.N.I. member from Maliana. He had been working also for Manuel Lopez - a district commander of T.N.I., intelligence service - who was still the T.N.I. commander in Haekesak, West Timor.

However, other factual allegations were disavowed by the accused.

On one hand, Manuel Leto Bere said that, when they picked up Joao Gonsalves, he seemed to be already dead and that the order was to bring to East Timor his dead body. The accused realized that the victim was alive only when he put him the car.

On the other hand, he said that he had an argument with Raimundo and that Rui ordered him to stab Joao, otherwise he would have been killed.

The Special Panel believes that the last two remarks are unreliable, since the accused gave conflicting versions:

a) the argument with Raimundo was because he said that everybody had to be silent about what happened and not because the accused refused to kill the victim;
b) then it seems that the discussion was whether the best way to kill Joao was stabbing or shooting (Raimundo said that the rifle shot could have

alert someone from INTERFET, who could have stopped them with a plane);

c) Rui and Raimundo were Bere's friend since a long time, they worked together and they were not likely to threaten him to death;
d) after the killing of Joao, the accused didn't stop working for Rui and Raimundo and was still in good relation with them;
e) the accused could not explain how he could think that Joao Gonsalves was already dead whilst he was putting him inside the car, in the front seat.

The other evidence is according to the facts alleged by the Public Prosecutor, corroborating all the statements of the accused except for those, according to which the victim seemed already dead and Bere was forced to kill.

The witness Z testified that he was with the accused the night Joao Gonsalves was killed. He recognized Manuel Leto Bere as the persons who pulled the victim out of the car, together with Raimundo, and brought him towards the riverbanks of Nunura river. He saw when the accused stabbed the victim.
He stated that Joao had been tortured but, when they put him into the car, he was able to walk. Therefore there could be no doubt he was alive.
He confirmed that Bere was one of the commanders of Dadurus Merah Putih.
The witness is from Maliana and testified that Bere had good relationship with Raimundo, since when they worked together in East Timor.
Dinis Maia denied to have heard any argument between the accused and Raimundo, the night of the killing.
The witness knew the victim, because Joao was his nephew (his parents adopted Joao's mother) and he has never seen him alive any more.

The witness X is another member of Dadurus Merah Putih who was in the car that brought Joao Gonsalves for his last ride and is Manuel Leto Bere's nephew.
He remembered that the accused was first a member of a paramilitary group called HANSIP, then he worked as a water channel maker and finally he joined the militia (Dadurus Merah Putih). The witness could not recall precisely the date the accused joined the militia, but it happened before the ballot

He stated that the order to kill the victim came from Manuel Lopez, the Dadurus Merah Putih leader - probably because his brother escaped to the mountains.
He remembered that, the night of the killing, Joao had handcuffs in front of him, that Bere and Raimundo took him out of the car.
He did not eyewitness the action of stabbing, he did not hear any shot, but he heard Joao screaming from the direction of the river and saw Bere washing blood from his sword.
After the killing, Y contacted Joao Gonsalves' family and went with the victim's father to look for the remains. They found a wallet, a pair of trousers and a shirt. Finally they went to CIVPOL to report the crime and to show them the remains which were seized.
Joao Gonsalves' father collected some bones and brought them at home.
The witness recognized the place shown in the photographs submitted by the Public Prosecutor as the crime scene and as the place where he found the victim's remains. He also recognized the shirt seized as the one worn by the victim the night he was killed.

The witness X, the father of the victim, recognized the shirt and the wallet seized as his son's belongings.
He said he found them where his son was killed. There were also shoes and trousers but, when he went back to the place with the Police he could not find them any more. Probably they had been brought away by the water.
The witness knew Manuel Leto Bere before, he knew he was a militia member, together with Raimundo.
X acknowledged that his son was bringing food to FALINTIL.

The Special Panel deems that the evidence above summarized proves, beyond reasonable doubt, that Manuel Leto Bere stabbed Joao Gonsalves and that the stab wound inflicted by the defendant was the cause of Gonsalves' death.
Together with other Dadurus Merah Putih militia and T.N.I. members, he brought the victim to Nunura River and stabbed him once in the chest with his samurai sword, the blade went through the victim's chest, from one side to the other, until it came out. It was a single and fatal sword stab wound.
The victim's body had not been found, but there is evidence that the remains seized by the Public Prosecutor belonged to the victim: both

witnesses X and Y recognized them. The
shirt and the wallet had been found by the aforementioned witnesses near Nunura River, in the place where Joao Gonsalves was killed.
It was a cold-bloodily execution of Joao Gonsalves, probably punished because he was supporting FALINTIL members by bringing food to them and because his brother fled hiding in the mountains.

The Special Panel believes that there is no evidence of duress.
Manuel Leto Bere was following an order of Manuel Lopez, but he had not been threatened. On the contrary, the evidence showed that, before and after the killing of Joao Gonsalves, the accused had good relations with Manuel Lopez, Raimundo Bere Mau and Rui Bere Tahi. He was even friend of the last two.
Maybe there was a discussion between the accused and Raimundo, right before killing Joao Gonsalves. If there was any, was not whether to kill him or not but whether to use the rifle or the sword. This means that the accused agreed on the order and executed it.
As last, the Special panel believes that the "mistake of fact" consisting in the belief that Joao Gonsalves was already dead is both unproved and groundless. In fact is undisputed that the victim was transported sitting on the front seat of the car, and all the witnesses stated that he was able to walk. How could Manuel Leto Bere think that the victim was already dead? Anyway, "a mistake of fact shall be a ground for excluding criminal responsibility only if it negates the mental element required by the crime" (pursuant to Sect. 24 of U.R. 2000/30). In this case, it could be no doubt that the accused realized that the victim was still alive and had to be executed far before arriving to Nunura River.

E. THE LAW

The Special Panel Deems that the evidence on record proves, beyond reasonable doubt, that all the essential elements of murder - as alleged in the charge made by the Public Prosecutor - are met.
Pursuant to Sect. 8 U.R. 15/2000 and Article 340 IPC, "the person who with deliberate intent and with premeditation takes the life of another person, shall, being guilty of murder, be punished ....".

- The evidence clearly shows that Manuel Leto Bere, with the aid and assistance of others Dadurus Merah Putih and T.N.I. members, stabbed Joao Gonsalves, carrying out an order of Manuel Lopez. He is not the only perpetrator, but he is certainly one of them.

- The single samurai sword stab wound passed through the victim's chest was fatal and cause his death. No other wounds were inflicted to the victim.
- There is no doubt that, when he was running the victim's chest with the sword, Manuel Goncalves Leto Bere desired the death of the victim. The intention could not be more unequivocal.
- Premeditation means that there is time between when the intent to murder arises and when the intent is actually realized for the perpetrator/accused to calmly think about how the murder is to be committed. The evidence shows that Joao Gonsalves had been maltreated and that Manuel Lopez order to bring him to East Timor and to kill him. The beginning of the plan did not belong to the accused but to the person who gave the order. Nevertheless, when Manuel Leto Bere decided to carry out such an order, he joined his commander's plan. From the time he received the order until the killing, Manuel Leto Bere (together with Raimundo) was in charge of the victim: he set on the car with him in the front seat, he pulled him out of the car, he escort him toward Nunura river and, finally, he stabbed him with his sword. All these actions are a part of the organization of the murder. Each of them was anticipated by reasoning and deciding, until the single and fatal stab. The time between when arose the decision to carry on the order to kill and the time of executing Joao Gonsalves can be assessed as the element of *premeditation*.

The Defence submitted that the actions of the defendant were at the order of and with coercion from the T.N.I. and the commander Manuel Lopez.
According to article 49 of C.P.I. "not punishable shall be the person who commits an act necessitated by the Defence of his own or another one's body". U.R 2000/15 Sect.19.1.d) provides that "the conduct which is alleged to constitute a crime within the jurisdiction of the panels has been caused by duress resulting from a threat of imminent death or of continuing or imminent serious bodily harm against that persons or another person, provided that the person does not intend to cause a greater harm than the one sought to be avoided. Such a threat may either be made by other person or constituted by other circumstances beyond that person's control".
The Special Panel deems that the aforementioned circumstance of exclusion of criminal responsibility is not applicable to the murder committed by Manuel Leto Bere.

On one hand, as said above, there is no evidence that the accused had been threatened.
On the other hand, “the fact that an accused acted pursuant to an order of a superior shall not relieve him of criminal responsibility, but may be considered in mitigation of punishment ...” (according to Sect. 21 of U.R. 2000/15).

Pursuant to the consideration of the aforementioned elements, it is found legitimately and in accordance with the law that the Defendant has committed the crime as specified in Sect. 8 U.R. 2000/15 and article 340 C.P.I.

F. VERDICT

For the aforementioned reasons, the Special Panel is satisfied that the Public Prosecutor has proved the case against the accused beyond reasonable doubt and therefore finds Manuel Goncalves Leto Bere alias Manuel Leto Bere guilty of murder, as a violation of Sect. 8 U.R. 2000/15 and article 340 C.P.I.

G. SENTENCING

Pursuant to these findings of guilt, the Special Panel will proceed to sentence Manuel Goncalves Leto Bere alias Manuel Leto Bere, in order to determine the appropriate penalty.

According to the applicable law, in particular Article 340 of the C.P.I., the penalties that the Special Panel could impose on a person convicted of murder are capital punishment, life imprisonment or a maximum of 20 years of detention. U.R. No. 1999/1, Sect. 3.3, excludes capital punishment and U.R. No. 15/2000, Sect. 10, excludes life imprisonment by providing that it has to be for a specified numbers of years, which may not exceed a maximum of 25 years.

The Public Prosecutor submitted that the accused admitted his involvement in the murder in front of the Court, however he did not plea guilty and a trial had to be celebrated. It was a brutal murder and it could be avoided simply by dropping the victim at home, seriously beaten but alive. Therefore the Public Prosecutor recommended a punishment for a minimum of 12 years.

The defence underlined that Manuel Leto Bere acted under the pressure of militia and T.N.I. and that he has a family with children.

The Special Panel has taken into account the following:

Aggravating circumstances.

The Special Panel deems that there are no aggravating circumstances in this case.

Mitigating circumstances.

The accused acted to carry on the order of commander Manuel Lopez, that was his superior. Therefore, the Special Panel deems that the attenuating circumstance provided by Sect. 21 U.R. 2000/15 is applicable to the case.
The special Panel bears in mind that the accused is married with children (however this may be said of many accused persons and cannot be given any significant weight in a case of this gravity) and has no previous convictions.

Sentencing policy

According to Sect. 10 U.R. 2000/15, for the crimes referred to in Sect. 8 of the aforementioned regulation "the penalties prescribed in the respective provisions of the applicable Penal Code in East Timor (i.e. the C.P.I.) shall apply". "In imposing the sentences, the panel shall take into account such factors as the gravity of the offence and the individual circumstances of the convicted person".
The penalties imposed on accused persons found guilty by the Special Panel must be directed, on the one hand, at retribution of the said accused, who must see their crimes punished (*punitur quia peccatur*), and over and above that, on other hand, at deterrence, namely to dissuade for ever, others who may be tempted in the future to perpetrate such atrocities by showing them that the international community shall not tolerate the serious violations of law and human rights (*punitur ne peccetur*).

Finally, the objective to prosecute and punish the perpetrators of the serious crimes committed in East Timor in 1999 is to avoid impunity and thereby to promote national reconciliation and the restoration of peace.

Manuel Leto Bere is guilty of a cold-blooded murder. He killed a young East Timorese, whose only fault was to feed FALINTIL members or, even less, to be the brother of someone who fled in the mountain.
Nevertheless the accused obeyed the order.
After the ballot result Manuel Bere could have refused to join again the militia and to follow the order to kill in order to take revenge on those who voted against autonomy.
Before dying, the victim suffered, because, although he had been heavily maltreated, was brought by car to the place of the execution and because he died of a sword wound.
During the trial, the accused admitted most of the facts and (in the very final statement) accepted to be judged and to be punished according to the law.
Taking into account the mitigating circumstances, the gravity of the crime and the aforementioned consideration, the Special Panel, deems that Manuel Leto Bere deserved a punishment of 14 years.

H. DISPOSITION

For the foregoing reasons, having considered all the evidence (statements from the witnesses and the defendant) and the arguments of the parties, the transitional rules of Criminal Procedure, the Special Panel finds and imposes sentence as follows:

With respect to the Defendant Manuel Goncalves Leto Bere *alias* Manuel Leto Bere:

GUILTY for the charge of murder, in violation of Sect. 8 of UNTAET Regulation 2000/15 and Article 340 of the Penal Code of Indonesia;
In punishment of the above-mentioned crime, sentences Manuel Goncalves Leto Bere to an imprisonment of 14 years.
Orders the Defendant to pay the costs of the criminal procedure.

Seized items

The Special Panel forgot to decide on the shirt, the wallet and the money seized by the Public Prosecutor.
That oversight can now be remedied (according to Sect. 42.10 of U.R. 2000/30): Joao Gonsalves' belongings, after his death, shall be transferred to the rightful heirs.
Since the seized objects might be used during the appeal case, this decision could be executed only after this judgment will become irrevocable.
Therefore, the court clerk shall give the seized objects to Joao Goncalves's family after the irrevocability of the present judgement.

Credit for time served

According to Sect. 10.3 U.R. 15/2000, Sect. 42.5 U.R. 30/2000 and article 33 of C.P.I. the Special Panel deducts the time spent in detention by Manuel Goncalves Leto Bere, due to an order of an East Timorese Court. The Defendant Manuel Goncalves Leto Bere was arrested on 21 July 2000. Accordingly, previous detention shall be deducted from the sentence today imposed, together with such additional time he may serve pending the determination of any final appeal.

Enforcement of sentences

Pursuant to sect. 42.5 U.R. 30/2000, the convicted shall be imprisoned and shall spend the duration of the penalty in East Timor.

Pursuant to Sect. 40.2 and Sect. 42.3 of U. R. No. 30/2000 The Special Panel informs Manuel Goncalves Leto Bere and the Public Prosecutor that the Defendant is entitled to file a Notice of Appeal to this decision within 10 days and to file the written appeal statement within the following 30 days.

The sentence shall be executed immediately.

The Special Panel informs that is the responsibility of the Public Prosecutor to notify the decision to the competent authorities.
The Special Panel orders the Court Clerk to give a copy of the written decision to each party and to the prison manager.

Done in Bahasa Indonesia and English, the English text being authoritative.

This Judgement was rendered and delivered on the 15th May 2001 in the District Court of Dili by:

Judge Marcelo Dolzani da Costa, Presiding

Judge Luca L. Ferrero, Rapporteur

Judge Maria Natercia Gusmao Pereira

Registrar: José Manuel Simoes.