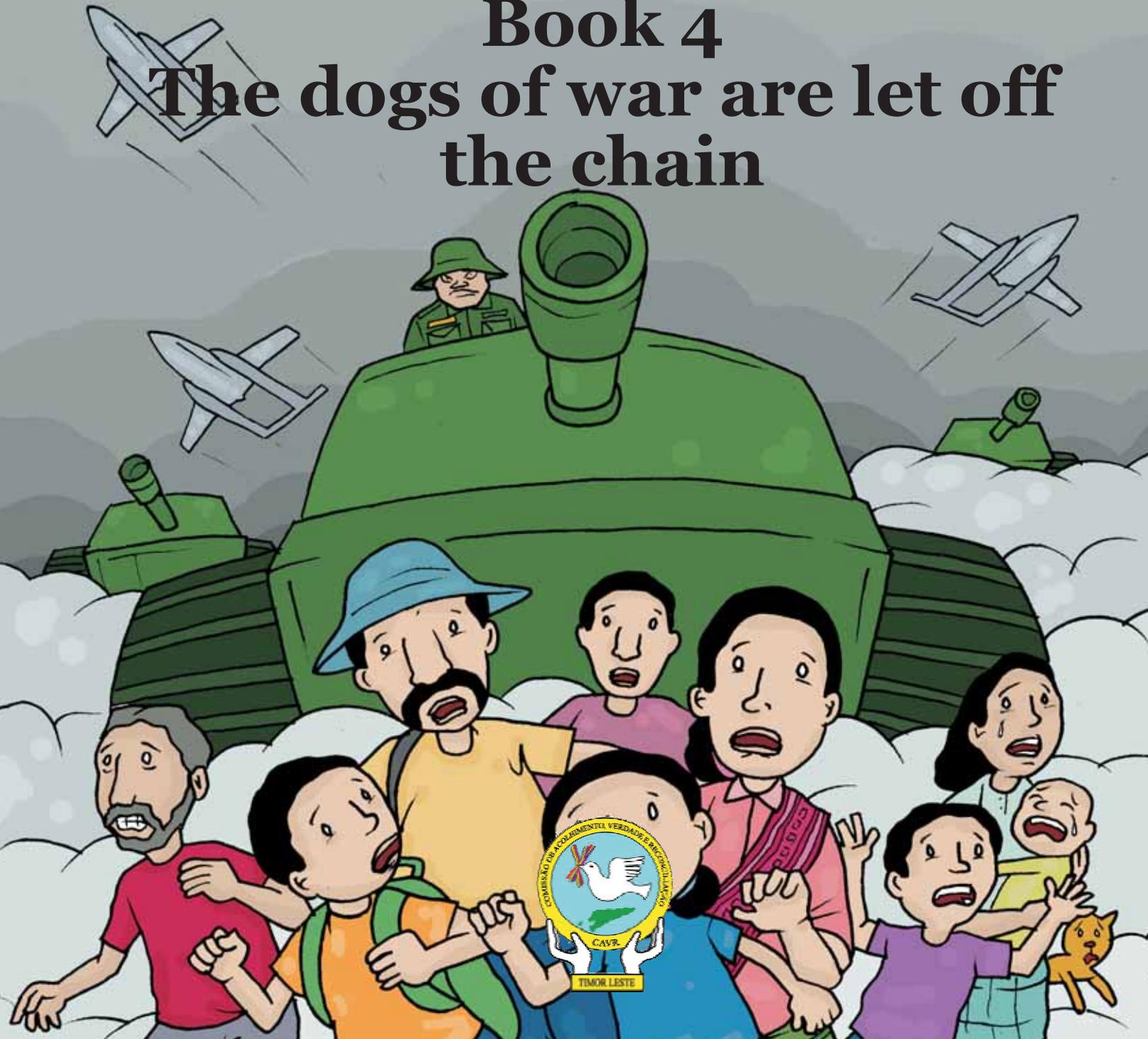


CHEGA!

Book 4

The dogs of war are let off
the chain



CHEGA!

Book 4

The dogs of war are let off the chain

CHEGA!

Book 4 The dogs of war are let off the chain



2015

Chega!

Book 4 – The dogs of war are let off the chain

© AJAR, STP-CAVR, INSISTPress,
2010

English edition 2015

Translation from Tetum to English: Mayra Walsh

Published in Cooperation with:

AJAR (Asia Justice and Rights), STP-CAVR (Secretariado Tecnico Pos-CAVR),
and INSIST Press

Authors

Galuh Wandita, Jose Luis de Oliveira, Hugo Fernandes, Sandria Komalasari, Dodi
Yuniar, Rev. Agostinho de Vasconcelos, Chiquito da Costa Guterres, Manuela
Leong Pereira, Jaimito da Costa, Geraldo Gomes, Pat Walsh, and Naomi Kinsella

Editor English edition

Pat Walsh

Illustrator:

IgnAde

Photography:

ICTJ, STP-CAVR

For further information on this book contact:

STP-CAVR

Rua Balide,

PO Box 144, Dili, Timor-Leste

Telp: (+670) 3311263 www.cavr-timorleste.org

and

Asia Justice and Rights (AJAR)

www.chegareport.net

Cataloging-in-Publication Data

Chega! Book4: Human Rights Violations I
Rekomendasaun I Galuh Wandita et.ai/ICTJ, STP CAVR,
INSISTPress: Dili, 2010

x + 70 páginas 30 em

INTRODUCTION

Priscilla Hayner, March 2015

Timor-Leste, formerly known as East Timor, today represents the success of a movement for self-determination. We are able to watch with fascination as a new country takes root, matures, and takes its rightful place in carrying out international and national affairs.

However, this independence, finally fully achieved in 2002, came at a high price, after many decades of struggle against oppressive systems. Timor-Leste is a story that we can all learn from: its history includes colonial rule, resistance, internal conflict, occupation, further resistance, concentration camps and widespread death from famine. It finally had the opportunity to vote for its independence, but even this met a violent response from its former occupier.

The United Nations and others helped in the transition to statehood after the independence vote. Part of this effort was to help respond to the national desire for a full investigation into this history. The resulting truth commission of Timor-Leste, known as the CAVR (for its acronym in Portuguese), was an impressive body, and after several years of research and speaking with thousands of victims, it produced a stellar report. It stands out as a prominent example amongst the many truth commissions around the world to date.

This accessible, popular version of the report, in its five volumes, is one further step in setting a new standard for truth commissions. Like the full report, it is available in multiple languages. This English version should be especially useful for teachers and students in many parts of the world who can now more easily access this important story, with its universal relevance. It also provides a useful glimpse into how “truth commissions” undertake their work. This illustrated version should be useful to adults and adolescents, but could also be of interest to younger children. There are many parts of Timor-Leste history, for example, that show how war and conflict directly and negatively impact children and youth.

I commend the impressive efforts of those who have made this popular version of the CAVR report available, and hope this helps to reach the broader readership that the report deserves.

Priscilla Hayner is the author of *Unspeakable Truths: Transitional Justice and the Challenge of Truth Commissions*, and an independent expert on transitional justice, based in New York.

EDITOR'S NOTE TO TEACHERS

Welcome to this comic version of the Timor-Leste Chega! report.

The 5-part comic has been developed with East Timorese colleagues and the blessing of East Timorese leaders to make the full report available for practical use in the classroom, including being easily photocopiable! It is sincerely hoped that teachers of history, international relations, human rights, religious education and other subjects will find it useful. As it is also available in Indonesian (www.chegareport.net), teachers of Bahasa Indonesia might also find it a helpful language tool.

Why should schools and young people around the world study Chega?

Of the many reasons that could be given, I think the most important is the story of Timor-Leste itself. It is so improbable and amazing, it is guaranteed to excite and motivate young people.

The Timor story is also highly educational. It is informative in terms of events and players but, more deeply, in terms of the values it teaches. No-one could study Chega! without swearing off bullying, thinking twice about war and peace, and gaining a deeper insight into human nature and human rights and the latter's global importance in today's fractured, violent world.

Lastly, a word on the nature and use of the comic book.

Teachers should understand that Chega! is essentially a report on human rights violations committed on all sides in Timor-Leste over 24 years. It takes a particular, though fundamentally important, perspective. It is not a comprehensive academic treatise.

Teachers should also appreciate that as a human rights report, Chega! identifies perpetrators and victims and assigns guilt and that it does this regardless. The Indonesian military (not the Indonesian people) are prominent in this gallery of guilt but East Timorese and big name players in the UN, such as Australia, the US, UK and France, also qualified for this dis-honour board.

As a comic, the product also simplifies and presents its message in black and white. Teachers are strongly urged, therefore, to familiarise themselves with the full report and the compelling human stories it contains and to use it and the comic version hand in hand.

Pat Walsh
padiwalsh@gmail.com
www.patwalsh.net

LIST OF ABBREVIATIONS AND ACRONYMS

ABRI	Angkatan Bersenjata Republik Indonesia (Indonesian Armed Forces)
Apodeti	Associação Popular Democrática Timorese (Timorese Popular Democratic Association)
ASDT	Associação Social Democrata Timorese (Timorese Social Democratic Association)
Asosiasaun HAK	Perkumpulan Hukum, Hak Asasi, dan Keadilan (Association for the Law, Human Rights and Justice)
CAVR	Comissão de Acolhimento, Verdade e Reconciliação de Timor-Leste (Timor-Leste Commission for Reception, Truth and Reconciliation)
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CNRT	Conselho Nacional de Resistência Timorese (National Council for Timorese Resistance, established in 1998)
CPLP	Comunidade dos Países de Língua Portuguesa (Community of Portuguese Speaking Nations)
CRC	International Convention on the Rights of the Child
CRP	Community Reconciliation Process
Fokupers	Forum Komunikasi Perempuan Timor Lorosa'e (East Timorese Women's Communication Forum)
Fretilin	Frente Revolucionária de Timor-Leste Independente (Revolutionary Front for Independent Timor-Leste)
GPK	Gerombolan Pengacau Keamanan (Security Disturbers Movement)
Hansip	Pertahanan Sipil (Civilian Security)
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICRC	International Committee of the Red Cross
KKP-HAM	Komisi Penyelidikan Pelanggaran Hak Asasi Manusia (Commission for the Investigation of Human Rights Violations)
Kodim	Komando Distrik Militer (District Military Command)
Komnas HAM	Komisi Nasional Hak Asasi Manusia (Indonesian National Human Rights Commission)
Kopassandha	Komando Pasukan Sandhi Yudha (Sandhi Yudha Special Forces)
Kopassus	Komando Pasukan Khusus (Kopassus/Special Forces)
Koramil	Komando Rayon Militer (Military Command at the Sub-district Level)
Korem	Komando Region Militer (Military Command at the Regional Level)
KOTA	Klibur Oan Timor Asuwain (The Association of Timorese Heroes)
KUHAP	Kitab Undang-Undang Hukum Acara Pidana (Penal Process Code)
KUHP	Kitab Undang-Undang Hukum Pidana (Penal Code)

LIST OF ABBREVIATIONS AND ACRONYMS

ABRI	Angkatan Bersenjata Republik Indonesia (Indonesian Armed Forces)
Apodeti	Associação Popular Democrática Timorese (Timorese Popular Democratic Association)
ASDT	Associação Social Democrata Timorese (Timorese Social Democratic Association)
Asosiasaun HAK	Perkumpulan Hukum, Hak Asasi, dan Keadilan (Association for the Law, Human Rights and Justice)
CAVR	Comissão de Acolhimento, Verdade e Reconciliação de Timor-Leste (Timor-Leste Commission for Reception, Truth and Reconciliation)
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CNRT	Conselho Nacional de Resistência Timorese (National Council for Timorese Resistance, established in 1998)
CPLP	Comunidade dos Países de Língua Portuguesa (Community of Portuguese Speaking Nations)
CRC	International Convention on the Rights of the Child
CRP	Community Reconciliation Process
Fokupers	Forum Komunikasi Perempuan Timor Lorosa'e (East Timorese Women's Communication Forum)
Fretilin	Frente Revolucionária de Timor-Leste Independente (Revolutionary Front for Independent Timor-Leste)
GPK	Gerombolan Pengacau Keamanan (Security Disturbers Movement)
Hansip	Pertahanan Sipil (Civilian Security)
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICRC	International Committee of the Red Cross
KKP-HAM	Komisi Penyelidikan Pelanggaran Hak Asasi Manusia (Commission for the Investigation of Human Rights Violations)
Kodim	Komando Distrik Militer (District Military Command)
Komnas HAM	Komisi Nasional Hak Asas Manusia (Indonesian National Human Rights Commission)
Kopassandha	Komando Pasukan Sandhi Yudha (Komando Ezersitu ba Funu Sekretu)
Kopassus	Komando Pasukan Khusus (Kopassus/Special Forces)
Koramil	Komando Rayon Militer (Military Command at the Sub-district Level)
Korem	Komando Region Militer (Military Command at the Regional Level)
KOTA	Klibur Oan Timor Asuwain (The Association of Timorese Heroes)
KUHAP	Kitab Undang-Undang Hukum Acara Pidana (Penal Process Code)
KUHP	Kitab Undang-Undang Hukum Pidana (Penal Code)

NGO	Non-Government Organisation
Pertamina	Perusahaan Tambang dan Minyak Indonesia (Indonesian Oil Company)
SGI	Satuan Gabungan Intelijen (Indonesian Intelligence Unit)
TBO	Tenaga Bantuan Operasi (Operations Assistant)
TNI	Tentara Nasional Indonesia (Indonesia National Defence Force) Tonsus Peleton Khusus (Special Platoon)
Trabalhista	Partido Trabalhista (Labour Party)
UDT	União Democrática Timorense (Timorese Democratic Union)
UN	United Nations
UNAMET	United Nations Assistance Mission in East Timor
UNHCR	United Nations High Commissioner for Refugees
UNTAET	United Nations Transitional Administration in East Timor

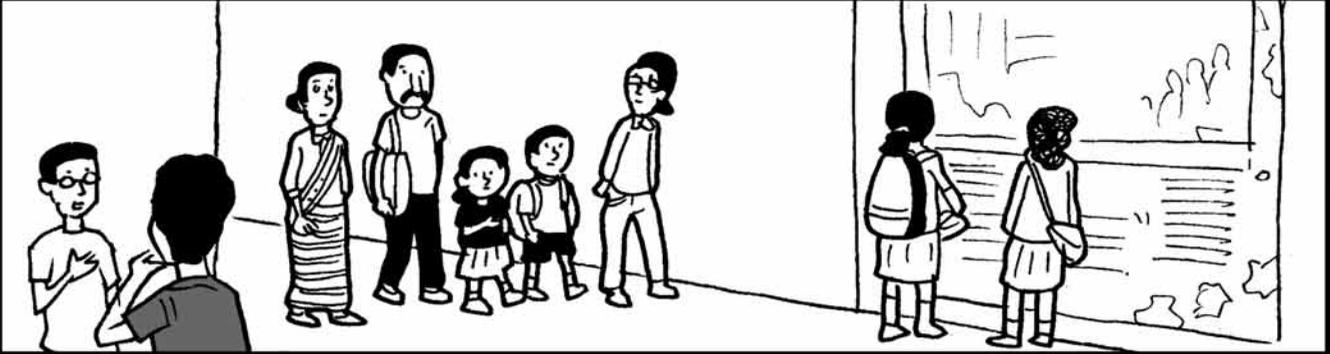
CONTENTS

Introduction	v
Editor's note	vi
List of abbreviations and acronyms	
List of human rights violations	1
Chapter 1. Killings and disappearances	3
Human rights notice board	5
Killings and disappearances committed by UDT during the internal conflict	6
Killings and disappearances committed by Fretilin during the internal conflict	9
Looking back: responsibility	12
Killings and disappearances during the Indonesian occupation 1975-1999	14
Killings and disappearances by the Resistance during the war 1975-1999	16
Killings and disappearances by the Indonesian military during the 1975 invasion	19
Killings and disappearances by the Indonesian military, 1976-1979	22
Killings and disappearances by the Indonesian military, 1980	27
Killings and disappearances by the Indonesian military in the 1990s	31
Killings and disappearances by the Indonesian military during the 1999 Popular Consultation	33
Conclusion	37
Chapter 2. Famine and forced displacement	39
Human rights notice board	41
Displacement and hunger during the internal conflict 1975	43
Displacement and hunger after the Invasion	43
Surrender and famine in the Indonesian refugee camps	48
Why was there famine?	54
Displacement and hunger in 1999	56
Conclusion	58
Chapter 3. Detention and torture	61
Applicable human rights	63
Detention and torture by UDT and Fretilin	64
Detention and torture by the Indonesian military and militia	67

MAP OF TIMOR-LESTE



TYPES OF HUMAN RIGHTS VIOLATIONS



Sadly, I have to tell you that lots of different kinds of human rights violations occurred from the time of the internal conflict in 1975 until Timor's independence in 1999.

What are human rights?

Human rights are the basic rights of all people to live well. Everyone has the same rights regardless of race, age, religion or sex. Governments are responsible for the protection of the human rights of their citizens. National and international laws define people's rights and the duties of governments to protect and promote these rights.

For example, when a government imprisons people without a fair trial or tortures people, it is violating human rights.

Correct. Now we are going to talk about different types of human rights violations such as killings, disappearances, famine, forced displacement, detention and torture.

Oh, so that's what you mean when you talk about different types of human rights violations?

There are still many more types of violations. But for now we will talk about the most grave or serious violations and those violations that caused the most suffering for civilians during the conflict.

Do these sorts of violations happen in all conflicts?



Well, they shouldn't! Even when there is armed conflict, the different groups fighting are obliged to protect human rights. There are also special rules that apply during conflict. These rules are known as 'the laws of war'.

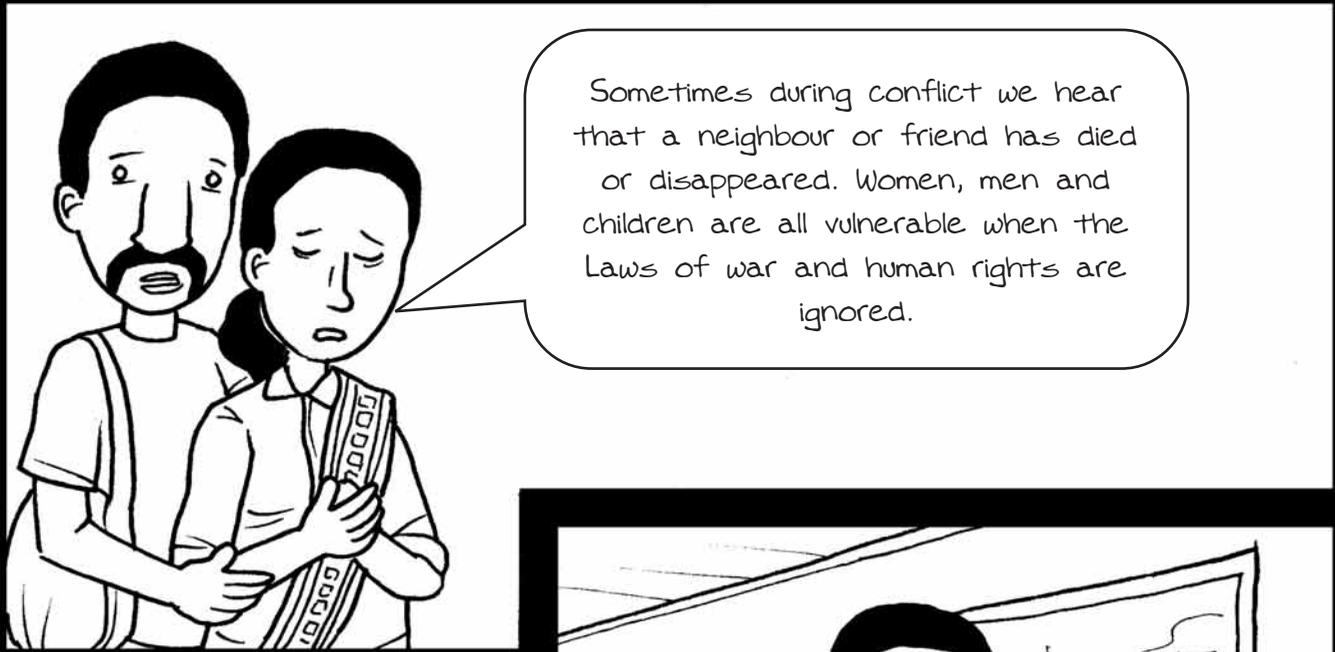
Laws of war?

Laws of war are laws that apply during armed conflict. E.g. they prescribe that civilians cannot be targeted, imprisoned or tortured.

CAVR could not investigate all the human rights violations that occurred between 1974 and 1999. CAVR only had the resources and time to investigate the most serious violations of some rights. These were: the right to self-determination; the right to life (killings, disappearances, famine); the right to freedom from torture, unjust imprisonment and unfair trials; sexual violations; violations of children; and violations of social and economic rights. Based on its research and interviews with witnesses, CAVR made findings about the nature and extent of these violations and about those responsible. 85,165 violations were reported to CAVR. 71,917 of these were perpetrated by the Indonesian security and their proxy militias.



CHAPTER 1 KILLINGS AND DISAPPEARANCES



Sometimes during conflict we hear that a neighbour or friend has died or disappeared. Women, men and children are all vulnerable when the Laws of war and human rights are ignored.



According to CAVR, how many civilians died from killings and other factors such as famine or disappeared between 1974 and 1999?

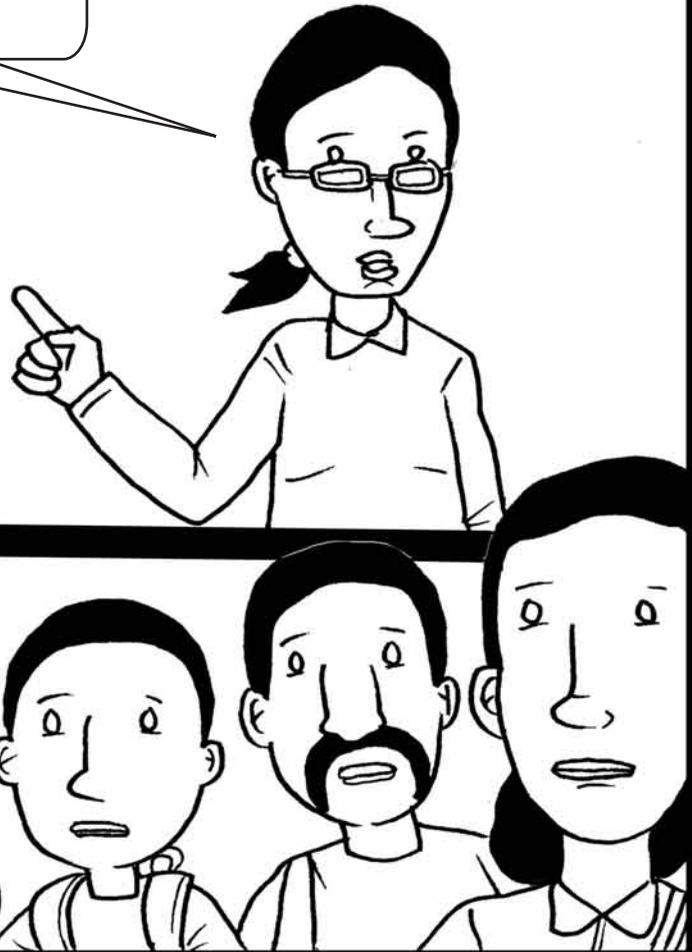
CAVR estimated that a minimum of 102,800 civilians died 1974-1999 due to conflict-related causes. Of this total about 18,600 civilians were unlawfully killed or disappeared and a minimum of about 84,200 civilians died from hunger and illness. Both sides killed and disappeared civilians during the conflict, but the Indonesian military was responsible for most of these violations.



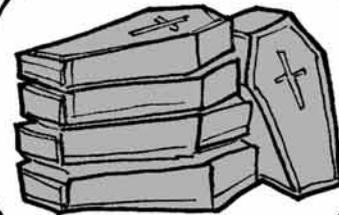
How did CAVR calculate the number of people who died?

CAVR's conducted specific research on the civilian death toll.

- CAVR counted over 319,000 graves in public cemeteries;
- Conducted a random survey of 1,300 households; and
- Analysed the data and information that was collected from 8,000 witnesses.



CAVR says that its finding is a technically defensible minimum but probably underestimates the true total number of deaths. In part this is due to 'memory-loss' because whole families and communities were wiped out leaving no witnesses to the facts.

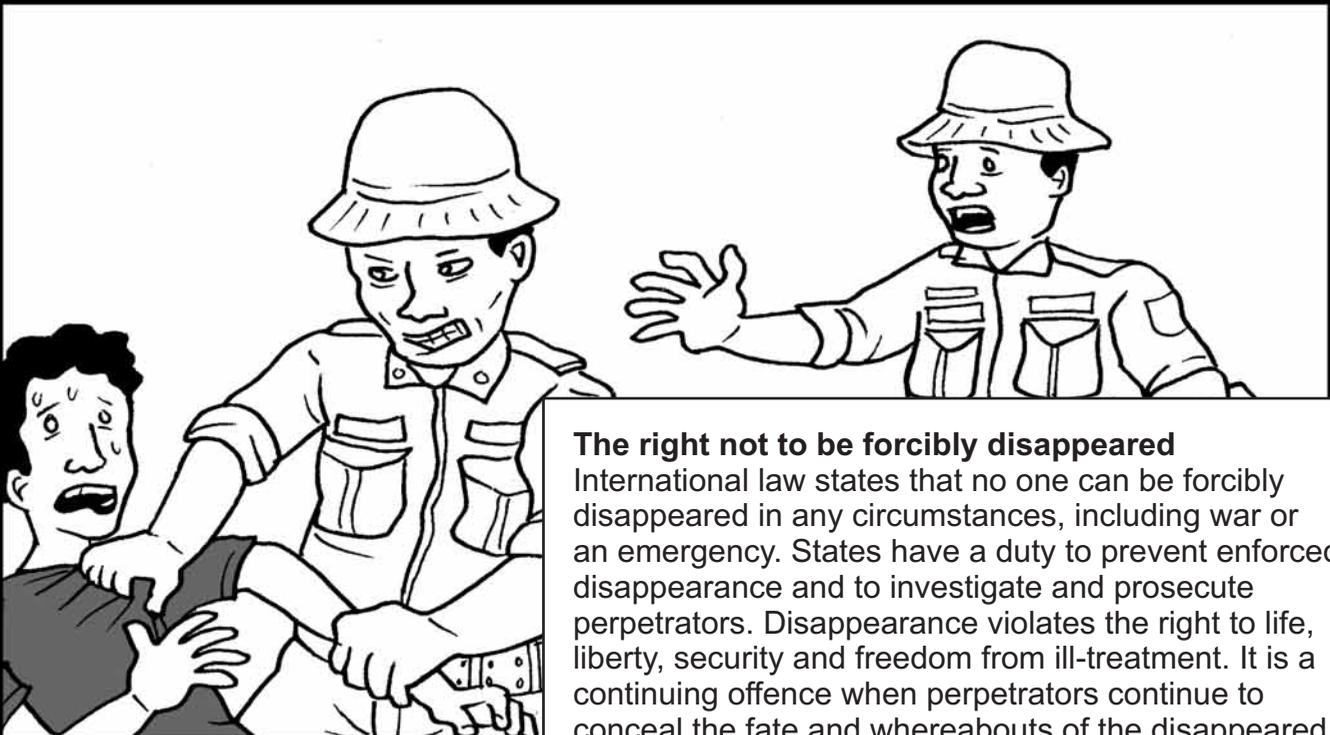
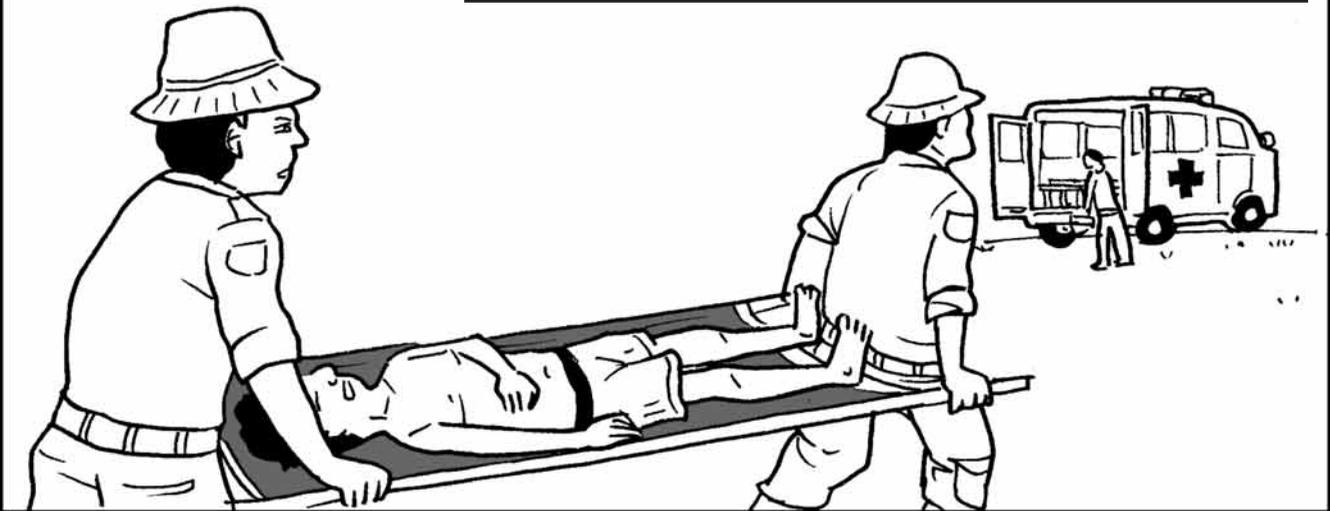


Human Rights Notice Board



On this notice board are the human rights concepts that must be upheld.

The right to life All people have the right to life. A person can only kill another person in self defence. Governments must protect peoples lives and punish people who kill. During war, civilians, prisoners of war or soldiers who are sick or wounded, cannot be killed.

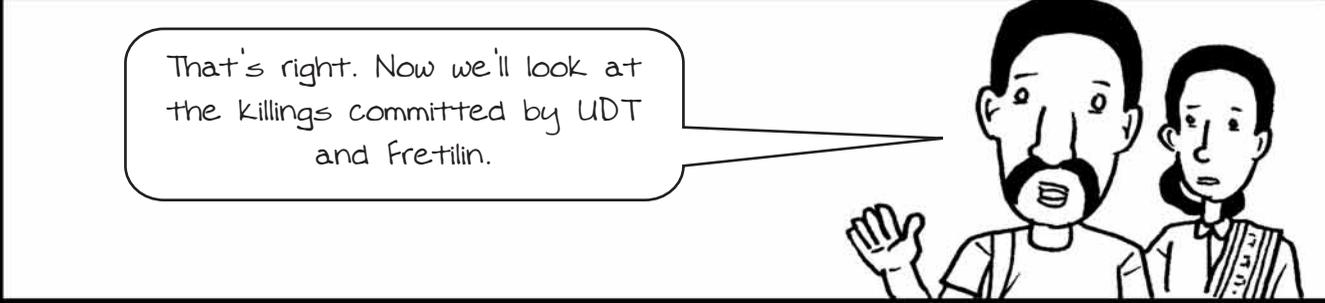


The right not to be forcibly disappeared International law states that no one can be forcibly disappeared in any circumstances, including war or an emergency. States have a duty to prevent enforced disappearance and to investigate and prosecute perpetrators. Disappearance violates the right to life, liberty, security and freedom from ill-treatment. It is a continuing offence when perpetrators continue to conceal the fate and whereabouts of the disappeared.



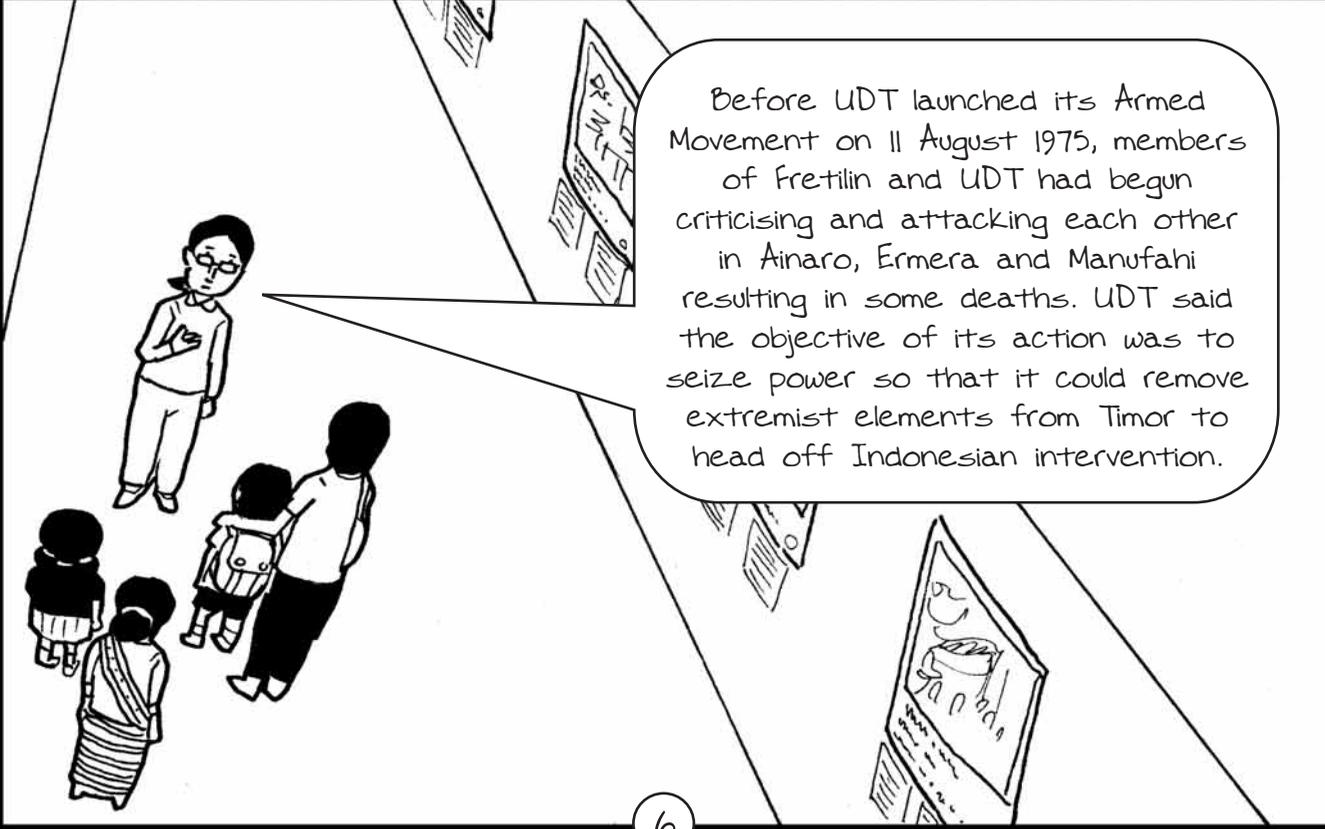
I think you remember that before Indonesia invaded there was a civil war in our country. Conflict usually results in violations of human rights.

Oh, you mean violations occurred when there was conflict between UDT and Fretilin?



That's right. Now we'll look at the killings committed by UDT and Fretilin.

Killing by UDT during the Internal Conflict

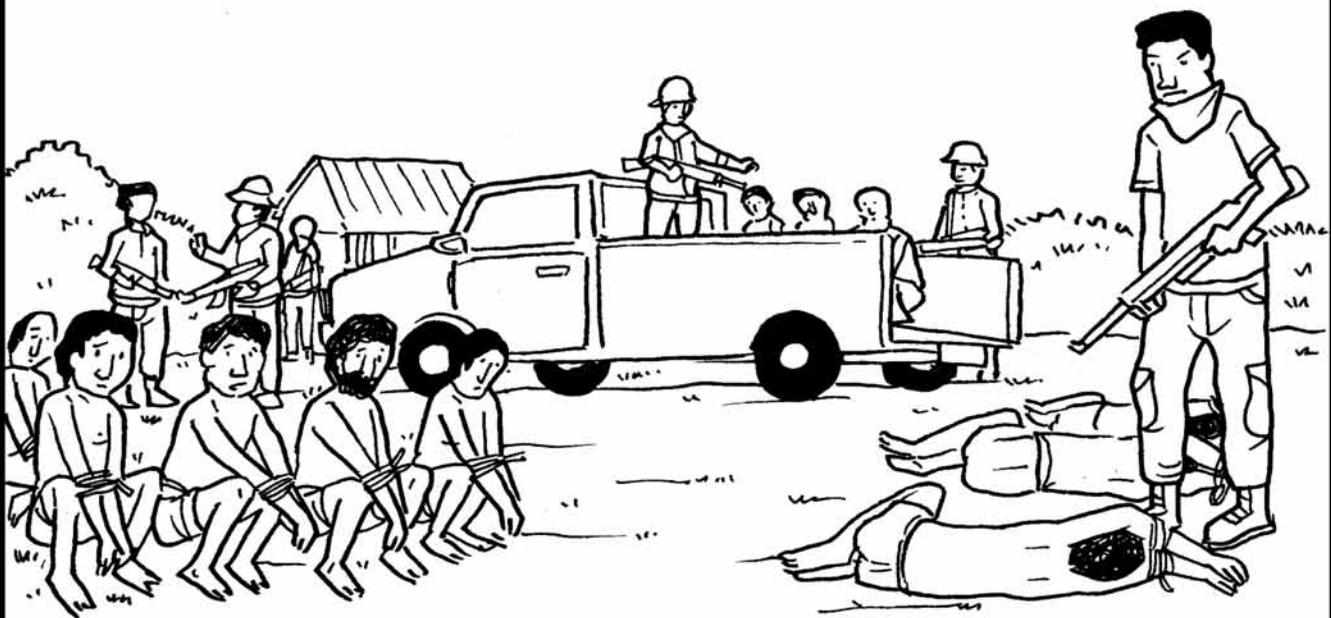


Before UDT launched its Armed Movement on 11 August 1975, members of Fretilin and UDT had begun criticising and attacking each other in Ainaro, Ermera and Manufahi resulting in some deaths. UDT said the objective of its action was to seize power so that it could remove extremist elements from Timor to head off Indonesian intervention.



CAVR found that:

Following the 11 August Armed Movement, UDT members and sympathisers killed individuals believed to be leaders and supporters of Fretilin in Dili, Ainaro, Liquica, Ermera, Manatuto, Manufahi, Bobonaro, Oecussi and other districts. The civil war was also an excuse to settle local disputes for personal reasons. Killings by UDT continued in September as Fretilin advanced towards the border.



CAVR believes that the UDT Central Committee did not give an order for people to kill civilians or prisoners.



However, CAVR found that the UDT leadership at the time of the armed movement was responsible for the violations committed by their members. This was because UDT leaders used radio broadcasts and other means to incite their members to engage in armed action without having adequate systems of command to regulate the behaviour of their members.



From this [11 August] movement the crisis arose that others have spoken about. People killed each other, many people. I regret that many people were killed. Not just Fretilin killing UDT, but UDT also killed Fretilin.... We need to slowly carry out an investigation so that we can understand where they died.

(Domingos Oliveira, former Secretary General of UDT).



The UDT coup d'état occurred and UDT started arresting people. Among those taken prisoner was my father, José Maria. He was held in Alas.... and then taken to Same. When Falintil was advancing on Same from Aileu, UDT members fled to Natarbora, Manatuto, taking 11 Fretilin prisoners with them.... On the morning of 27 August, a truck was driven past our house with the 11 prisoners in the back. The prisoners were surrounded by armed guards, but apparently they were not tied up. My father raised his arm and made a fist as they drove past....

UDT had warned us that if we didn't want to be killed we should flee to the forests, so my mother, younger brothers and sisters and I fled to a nearby hilltop. While we were there we heard gunfire coming from Meti Oan beach, Wedauberek. Four days later... Falintil troops from Same found the bodies on the beach in Meti Oan.

(Ilidio Maria Jesus, Witness)





And then did Fretilin do what UDT had done?



Yes! In response to UDT's movement, Fretilin began a 'General Insurrection' on 18 August. Although UDT continued to commit killings, from this point on Fretilin became the major perpetrator.



Killings by Fretilin during the Internal Conflict

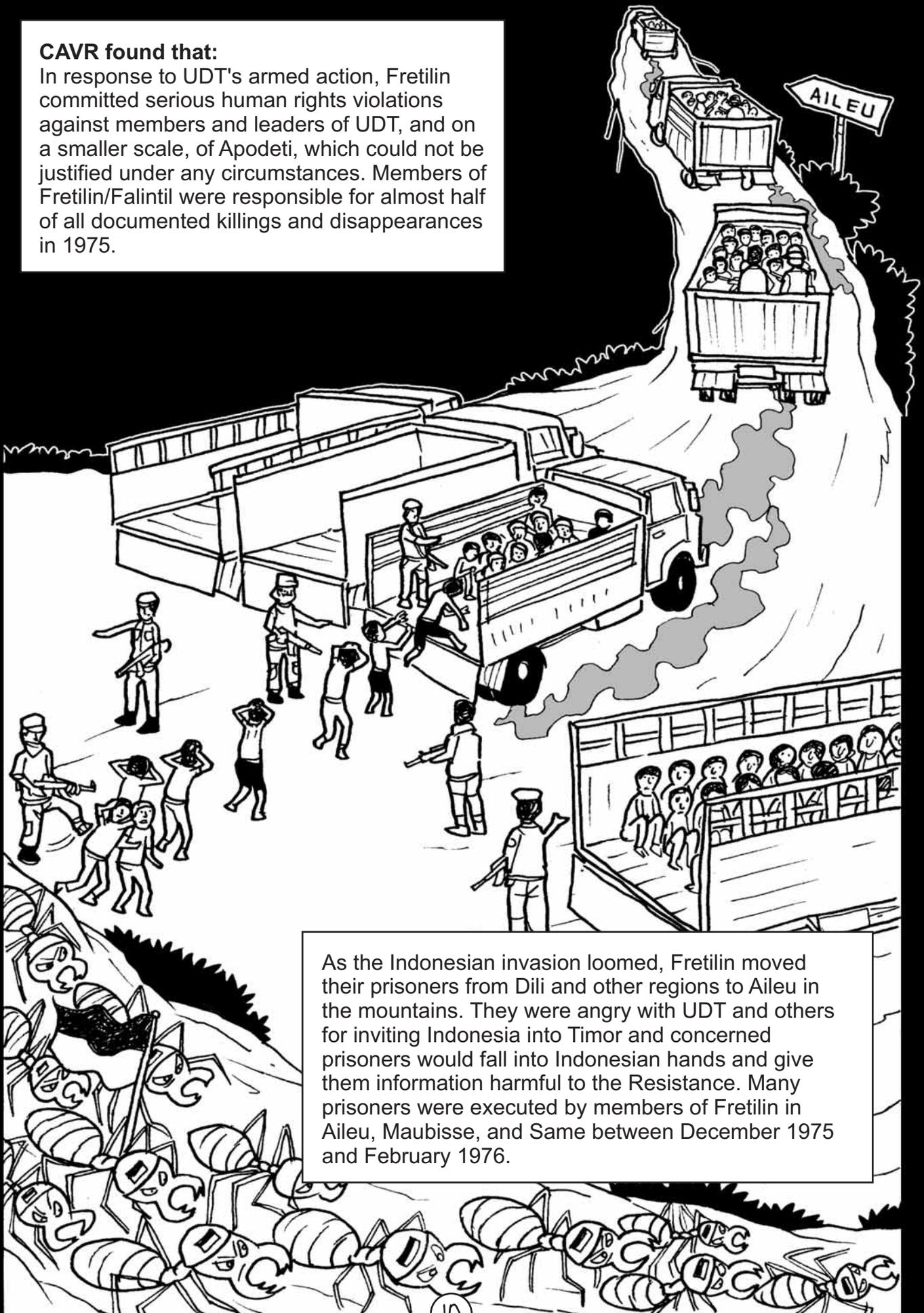
One night the people of Saboria Village heard that more than 100 prisoners were being taken from the prison in Aileu to Manifunihun, Aissirimou. Among the prisoners was my son-in-law, Felisberto dos Santos, who had been captured by Fretilin in Soibada.... Several of us went secretly to Aissirimou.... We were still some distance from them. Not long after that we heard gunfire and screaming. The gunfire lasted for about 15 minutes. We didn't see exactly what happened after that because as soon as the screaming stopped we went back to Saboria. To this day no one knows exactly how many people died in that massacre. Some say 90, others say as many as 160 people were killed.

(Alexandre da Costa Araujo, witness to massacre at Saboria, December 1975).



CAVR found that:

In response to UDT's armed action, Fretilin committed serious human rights violations against members and leaders of UDT, and on a smaller scale, of Apodeti, which could not be justified under any circumstances. Members of Fretilin/Falintil were responsible for almost half of all documented killings and disappearances in 1975.



As the Indonesian invasion loomed, Fretilin moved their prisoners from Dili and other regions to Aileu in the mountains. They were angry with UDT and others for inviting Indonesia into Timor and concerned prisoners would fall into Indonesian hands and give them information harmful to the Resistance. Many prisoners were executed by members of Fretilin in Aileu, Maubisse, and Same between December 1975 and February 1976.



Mum and Dad taught us it is not good to fight each other. That's right isn't it?



At that time many Timorese were only thinking of themselves. They were not using their hearts and minds. They did terrible things to their own friends and families.



When they did those terrible things, did they feel they were doing the wrong thing or not?



The leaders have acknowledged that what they did back then was really wrong and they have forgiven each other.

Looking back: responsibility



And from this [11 August] movement the crisis arose that others have spoken about. People killed each other, many people. I regret that many people were killed. Not just Fretilin killing UDT, but UDT also killed Fretilin. UDT killed three people in the prison in Palapaço...and Fretilin reacted to the killing in the prison. Many UDT prisoners also died, so many died. Some were killed in Aileu, some were killed in Maubisse, and others were killed in other places. We need to slowly carry out an investigation so that we can understand where they died.

(Domingos Oliveira, Former Secretary General of UDT)

I want to begin by saying to you all that I did wrong against my community. All the UDT victims that Fretilin killed, it is my fault. All the Fretilin victims killed by UDT, it is my fault. Because I initiated the 11 August movement. I accept full responsibility to establish the truth. If you look for who was to blame, you don't need to look so far. I was at fault. I will carry the weight of this...

There was no order to arrest Fretilin members and take them to prison. We were surprised to see that the prison was suddenly full. There was no order from the [UDT] Central Committee. This action was spontaneous...and many people acted for their own personal reasons, [because of what had happened in] earlier years, and they grasped this opportunity and just took people arbitrarily... Every day I went to the UDT prisons and released 50 to 60 people. So there was no control. Who is at fault? I am at fault. I accept this. You do not need to look for many people to blame. So many people killed, close to 1,200... We forgot our biggest responsibility... I did wrong, because I did not understand the Timorese people.

(João Carrascalão, leader of the Armed Movement and former Member of the UDT Central Committee)



If you want me to say who killed them, I do not know. I was not here. Now I say that the massacres by Fretilin, Fretilin as an organisation must take responsibility. It was not a Fretilin massacre, but a massacre by elements of Fretilin, but Fretilin as an organisation must take responsibility because of the context, and I do not run away from this... Who was responsible for the killing in Aileu and in Same? If we look at it from the point of view of justice we need to consider individual responsibility. Who was the person who ordered the killings? From a political perspective it becomes a matter of collective responsibility, the responsibility of the organisation.

(Mari Alkatiri, Former Member of the Fretilin Central Committee)

I want to say that in this process of war so many died. I don't want to lay blame here. I think it is important for us here to set out the facts... it is true that Fretilin killed many UDT prisoners... UDT also killed Fretilin prisoners... I want to...concentrate attention on what is the Commission's focus, human rights. At this time I was the Commander of the Armed Forces. I must take responsibility for much that happened.

(Rogerio Lobato, Former Falintil Commander)

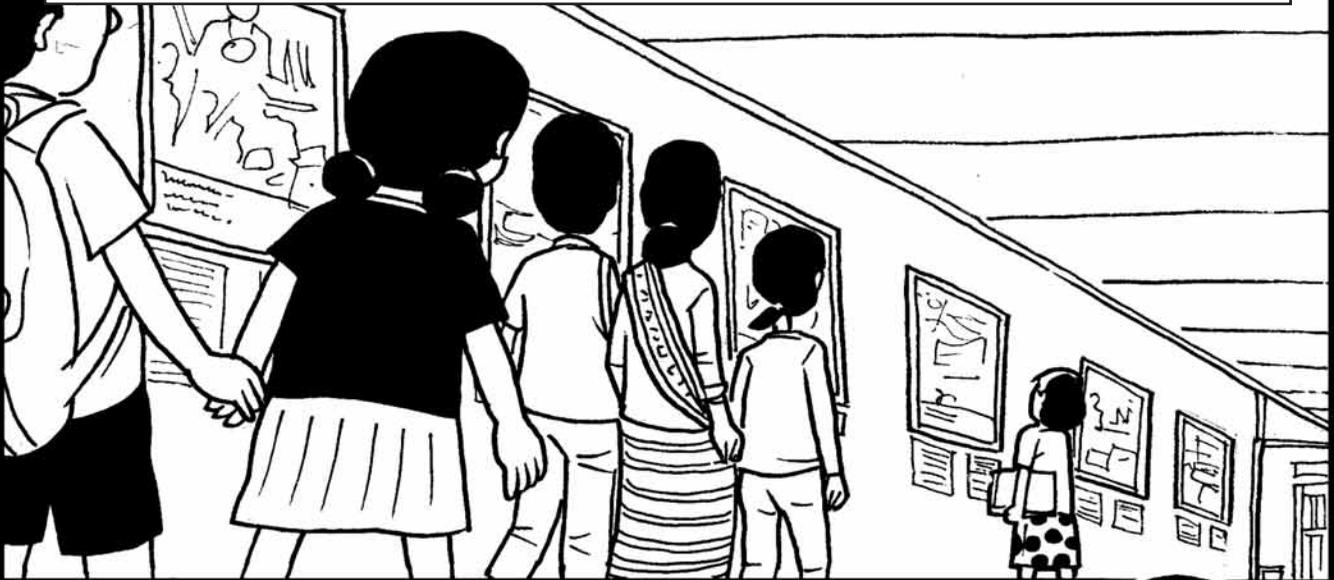
PUBLICA

There was a lot of confusion. Everybody was heated, their blood ran hot, and because of this they beat each other, violence happened. When this one won he would take vengeance on that one. When that one won he would take his vengeance on this one. This is what happened in 1975. This is a problem in our country. For example, some people who worked in a place and were fired. They took vengeance on their superiors when they had this chance.

(Francisco Xavier do Amaral, Former President of Fretilin)



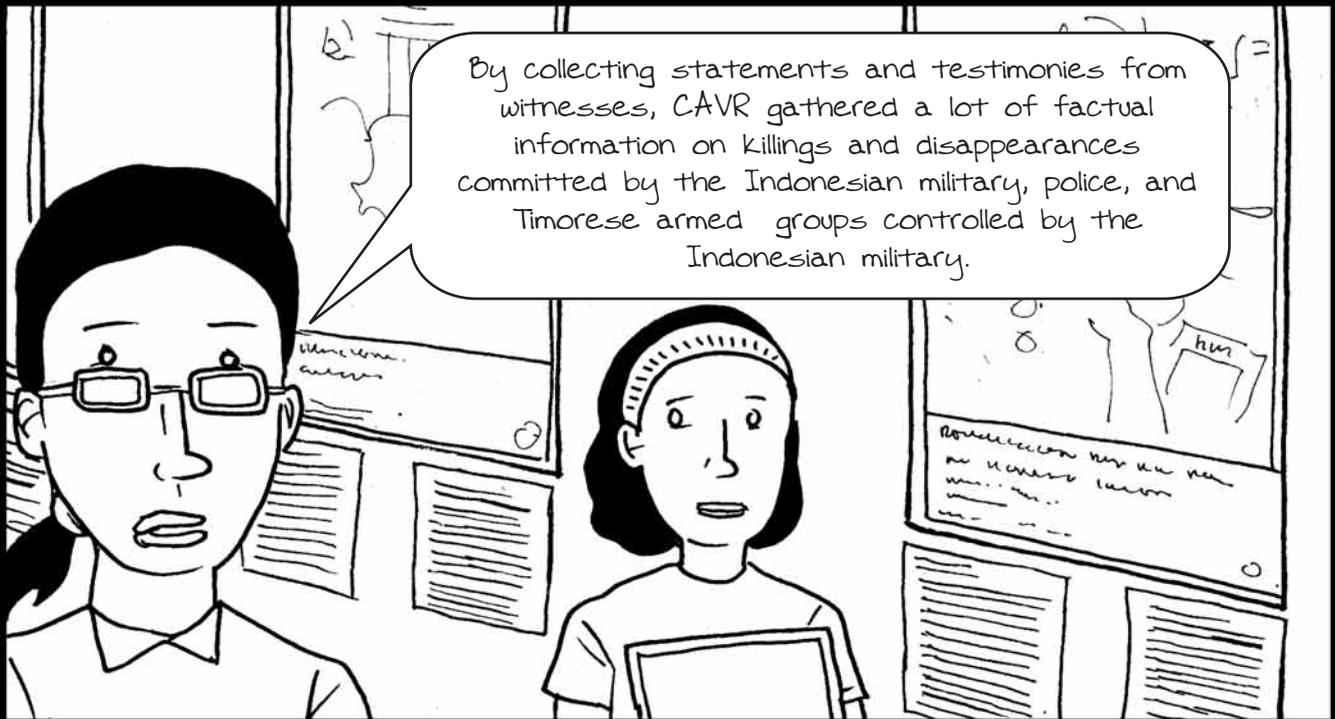
Killings and disappearances during the Indonesian occupation 1975-1999



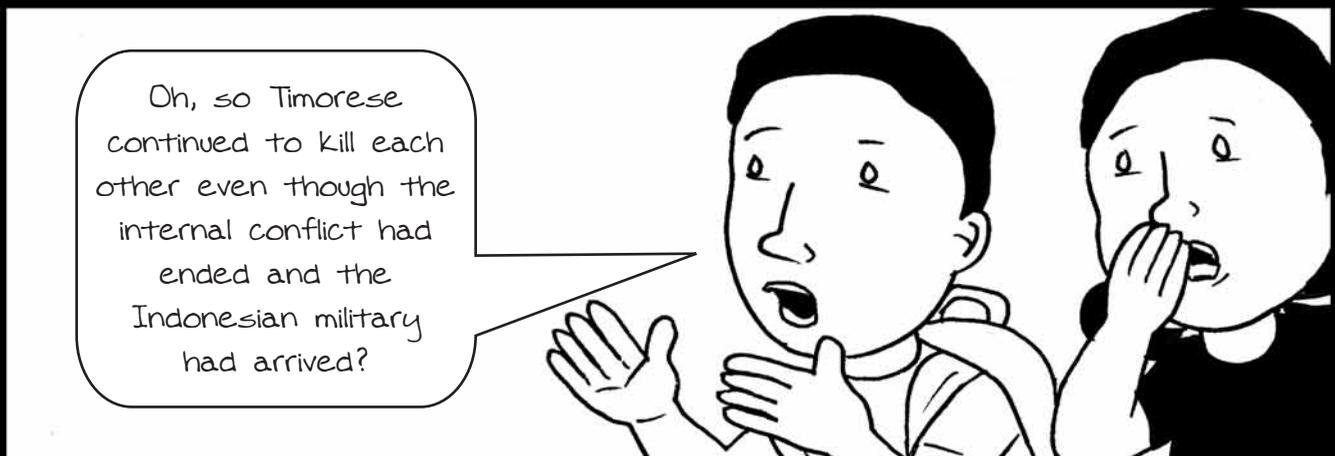
Killings continued to occur after Indonesia invaded Timor.

That's right. Soldiers in the Resistance killed and disappeared people throughout the occupation but mainly in the initial period of the conflict.

By contrast, members of ABRI and their auxiliaries engaged in systematic and widespread killings and disappearances for the whole of the occupation.



By collecting statements and testimonies from witnesses, CAVR gathered a lot of factual information on killings and disappearances committed by the Indonesian military, police, and Timorese armed groups controlled by the Indonesian military.



Oh, so Timorese continued to kill each other even though the internal conflict had ended and the Indonesian military had arrived?

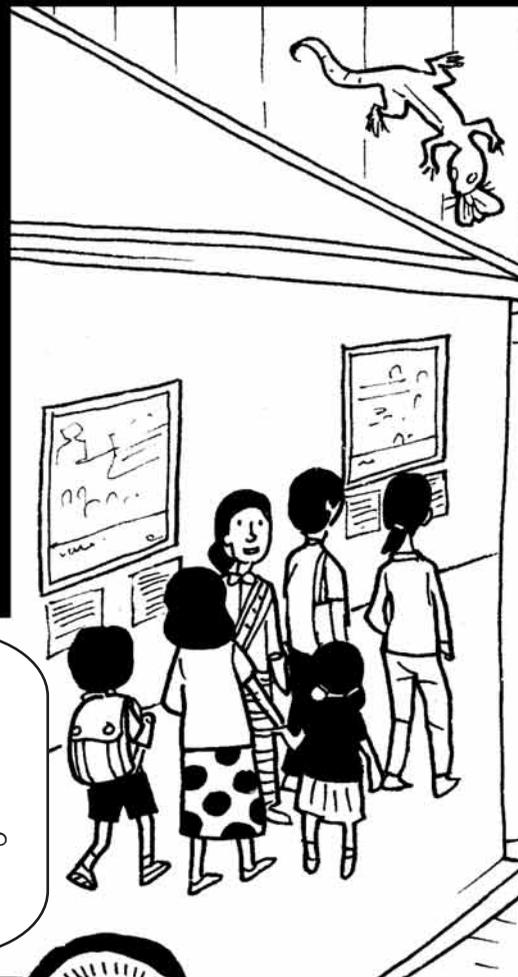


Yes, that's what happened. The Timorese community was divided between those who resisted and those who joined the Indonesian campaign.



Violence and killings shouldn't have happened. We should have worked together against the enemy.

Killings and disappearances by the Resistance 1975-1999

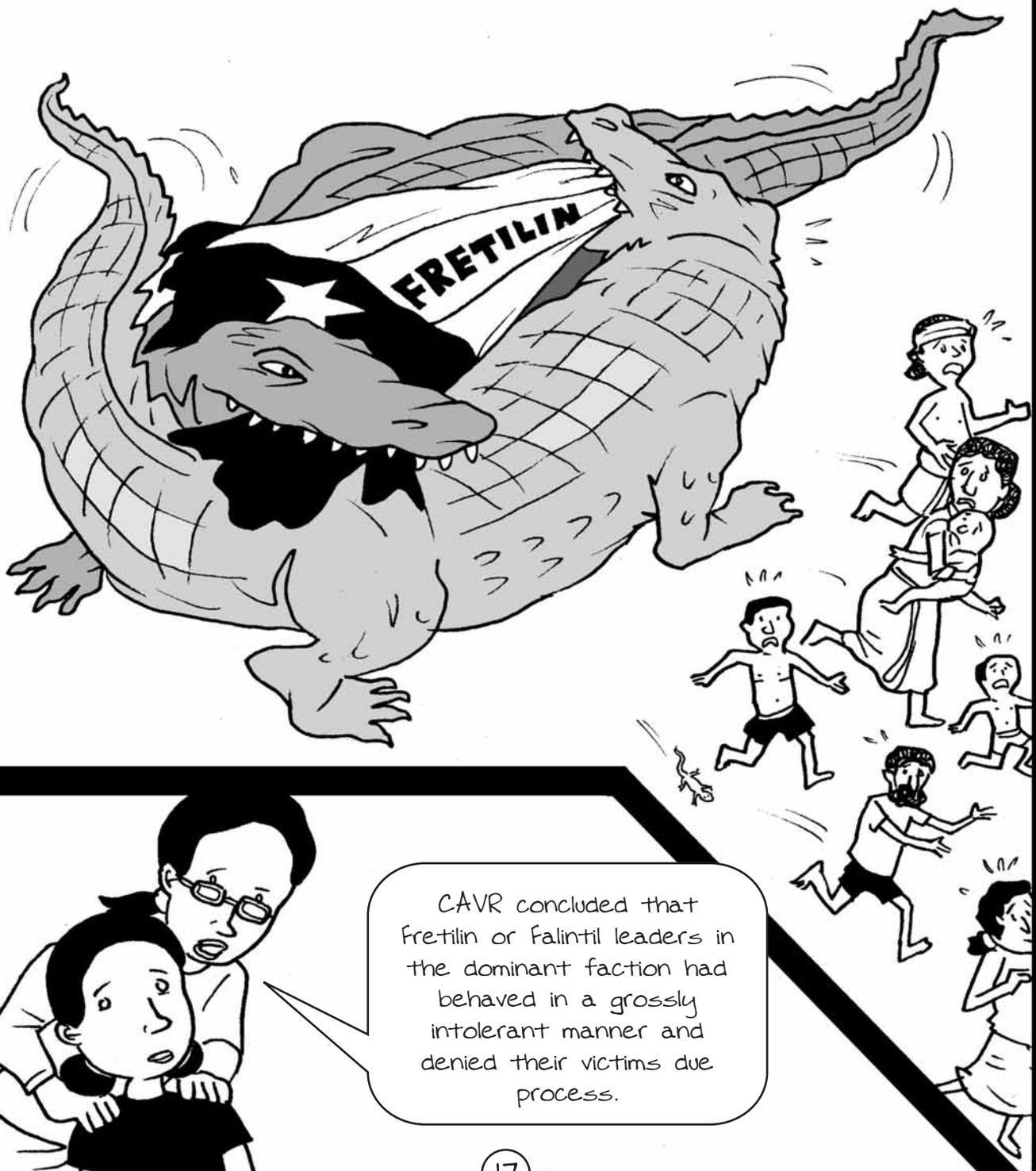


In addition to the killing of prisoners mentioned above, during the early part of the war Fretilin members continued to kill people associated with UDT and other political parties. As the crisis deepened and internal splits developed, Fretilin also killed some of their own people and Falintil and people who lived in the territories they controlled.



In 1976-77, power struggles between Fretilin military commanders and breakaway groups led by Aquiles Freitas, Francisco Ruas Hornay and Jose da Silva resulted in multiple executions of these three and their followers by Fretilin.

In 1977, Fretilin was also split when Nicolau Lobato accused Francisco Xavier do Amaral, the president of Fretilin, of being a traitor because he advocated the option of surrender to Indonesia by Timorese then under Fretilin control. Xavier do Amaral was expelled from office and the party, detained and tortured. Others accused of treason endured severe detention or were subject to mass executions.

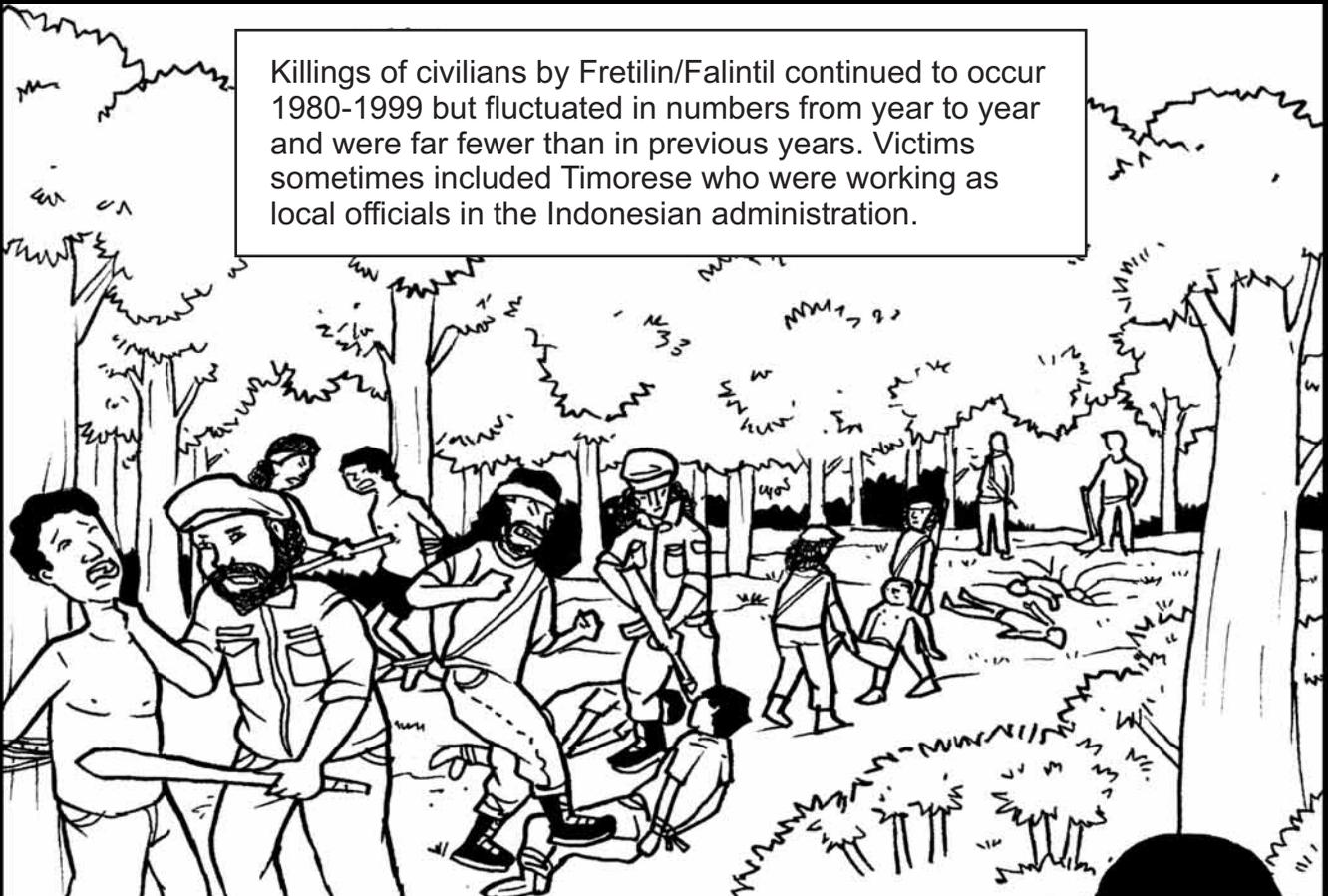


CAVR concluded that Fretilin or Falintil leaders in the dominant faction had behaved in a grossly intolerant manner and denied their victims due process.

CAVR also found that the Fretilin or Falintil leaders in question should take responsibility for the orders they gave and the grave violations of human rights that resulted from those orders.



Killings of civilians by Fretilin/Falintil continued to occur 1980-1999 but fluctuated in numbers from year to year and were far fewer than in previous years. Victims sometimes included Timorese who were working as local officials in the Indonesian administration.



Earlier, you said that the Indonesian military committed the most violations. What happened?

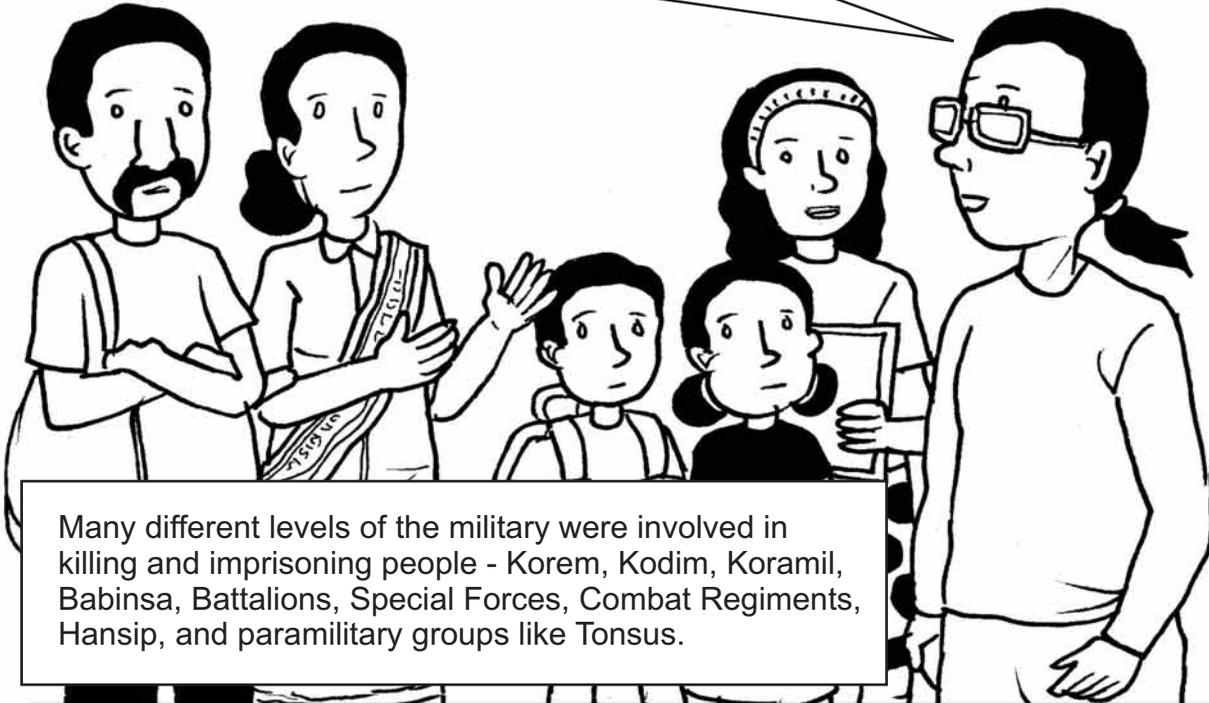


Ok, let's look at this next notice



Killings and disappearances by the Indonesian military during the 1975 invasion

The violations committed were not isolated, individual incidents by rogue soldiers. They were the product of institutions whose culture and policies encouraged or tolerated such violence.

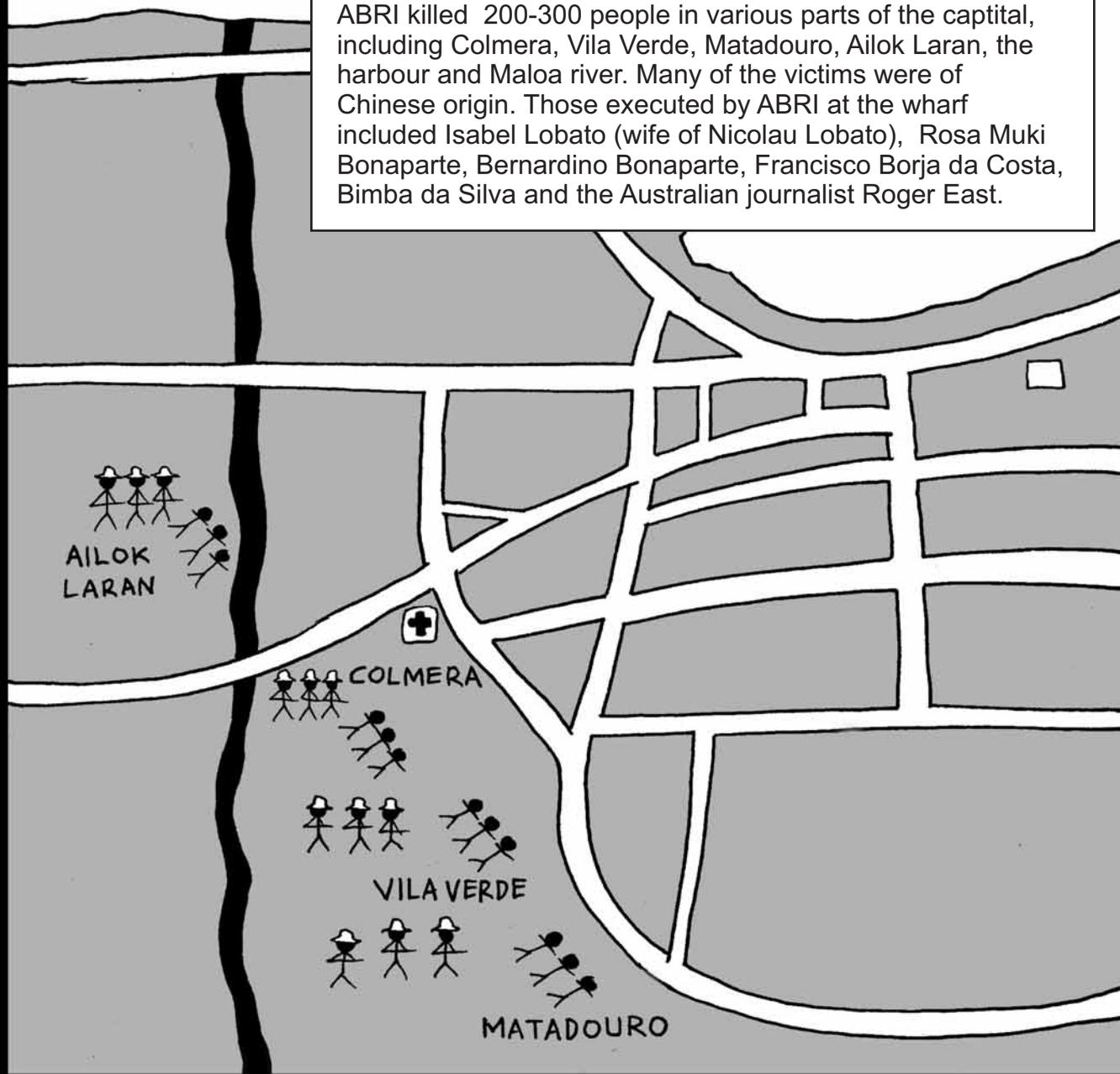


Many different levels of the military were involved in killing and imprisoning people - Korem, Kodim, Koramil, Babinsa, Battalions, Special Forces, Combat Regiments, Hansip, and paramilitary groups like Tonsus.

From August to November 1975, the Indonesian Special Forces and the Partisans conducted covert operations in the border region inside Timor-Leste. At least 20 civilians were killed during this period in the Bobonaro district. In October, five Australian based journalists were killed in Balibo.



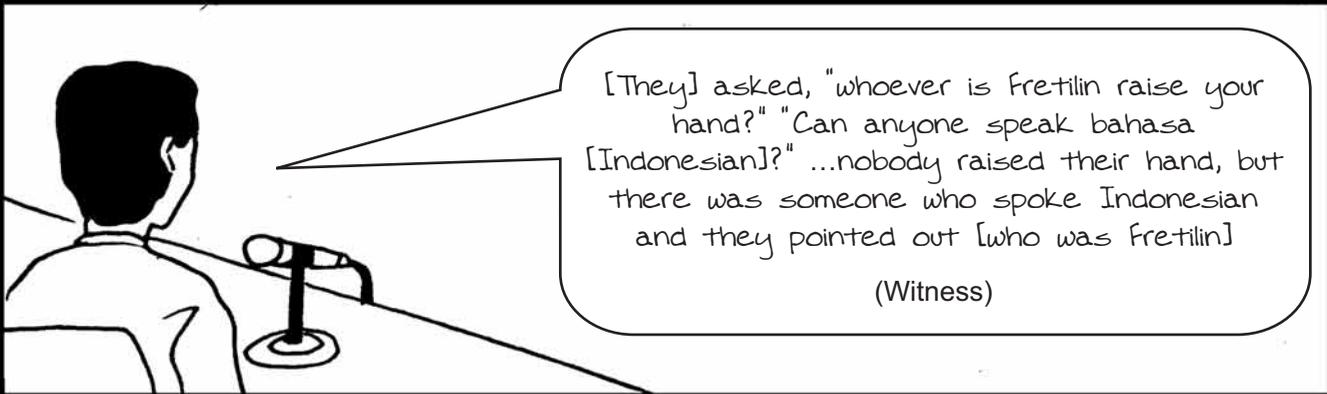
During the full-scale invasion of Dili 7-10 December 1975, ABRI killed 200-300 people in various parts of the capital, including Colmera, Vila Verde, Matadouro, Ailok Laran, the harbour and Maloa river. Many of the victims were of Chinese origin. Those executed by ABRI at the wharf included Isabel Lobato (wife of Nicolau Lobato), Rosa Muki Bonaparte, Bernardino Bonaparte, Francisco Borja da Costa, Bimba da Silva and the Australian journalist Roger East.



I was told to stand up and lean against the wall in order to watch ABRI/TNI killing people in the harbour. I was leaning against the wall, facing the sea, and saw ABRI killing people and throwing [their corpses] in the sea... They were ordered to form lines and then were shot all at once. When one group was finished, another group would come forward. Each group was of around 20 people.

(Alexandrino do Régio, witness)





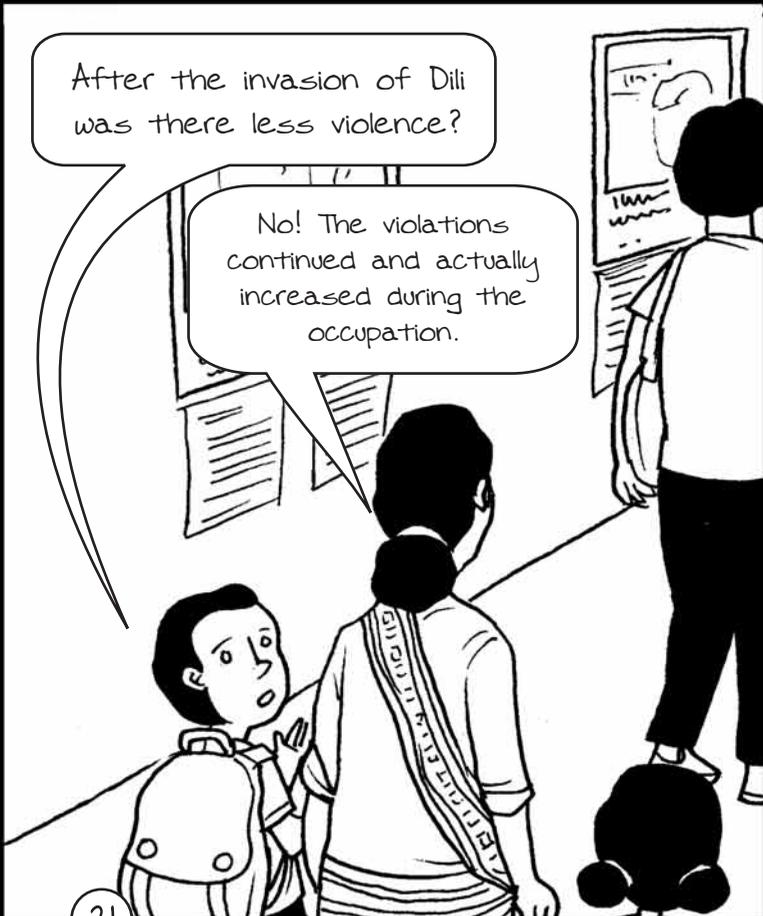
[They] asked, "whoever is Fretilin raise your hand?" "Can anyone speak bahasa [Indonesian]?" ...nobody raised their hand, but there was someone who spoke Indonesian and they pointed out [who was Fretilin]

(Witness)



ABRI came straight to our house and ordered us to get out...In Matadouro we were split into two groups, men in one group and women in the other. Then the men were all shot dead. I saw ABRI shooting them. I witnessed that with my own eyes.

(Maria Filomena Godinho, witness)



After the invasion of Dili was there less violence?

No! The violations continued and actually increased during the occupation.

Killings and disappearances by the Indonesian military, 1976-1979



Between 1976 and 1979, Indonesia began to increase its hold in Timor and seize many places from Fretilin/Falintil's control. ABRI attacked Alas (Manufahi), Natarbora (Manatuto), Ilimano (Manatuto) and Mount Matebian where many people lived together with the Resistance.

The Indonesian military bombarded their targets from the sea, air and land. Tens of thousands of people who were captured or surrendered were confined in concentration camps.



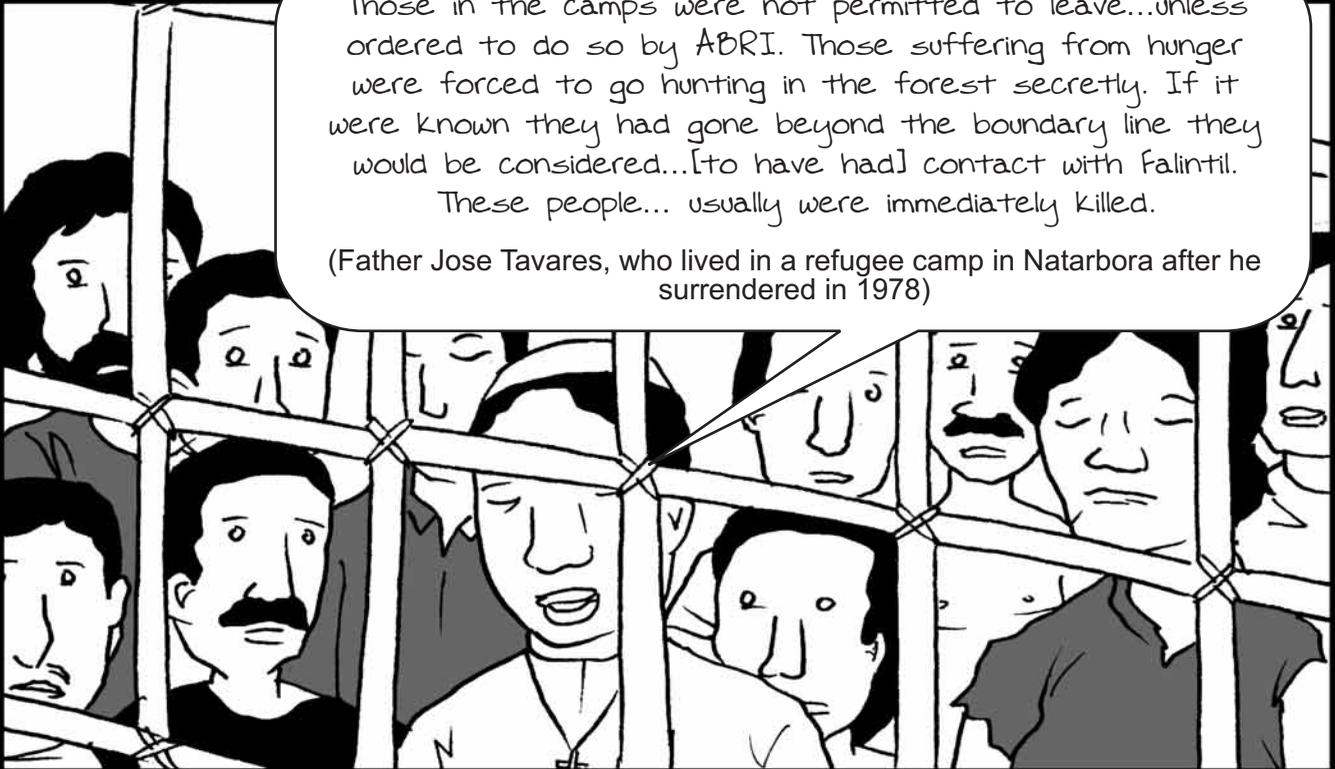




What happened to the people who surrendered or were captured?

Those in the camps were not permitted to leave...unless ordered to do so by ABRI. Those suffering from hunger were forced to go hunting in the forest secretly. If it were known they had gone beyond the boundary line they would be considered...[to have had] contact with Falintil. These people... usually were immediately killed.

(Father Jose Tavares, who lived in a refugee camp in Natarbora after he surrendered in 1978)



Resistance fighters captured by ABRI were killed every year during the period 1976-1979. In the first half of 1979, however, there was a marked increase in the killings of Fretilin leaders and Falintil commanders often months or years after they had surrendered or been captured. These killings and Indonesian military advances left the Resistance very weak.





Where is my husband?
I haven't seen him
for a long time.

He's gone to have
a bath.



Sir, do you know
where my father is?

Your father has
gone to school.

Many people were killed and disappeared during the transition between Operation Seroja and the transfer of military responsibility to ABRI's standard military command structure. In some districts ABRI made a list of people to be killed or made disappear. The practice of killings and disappearances was conducted in many places and many people knew about it, including prisoners. In many districts the practice was known as 'Having a Bath' or 'Going to School'.



Whenever I asked about my husband, the TNI would always answer: "Maybe he's gone back to the forest" ... Sometimes we want to forget, but we can't because our hearts still hurt. It is hard because we still don't know for sure where his bones are. Where did they kill and bury him? Often, when he was little, my son would ask me: "Why don't you ask the big shots where father was killed? Where was he buried?" He was just a child, but he too wanted to know and that was not easy.

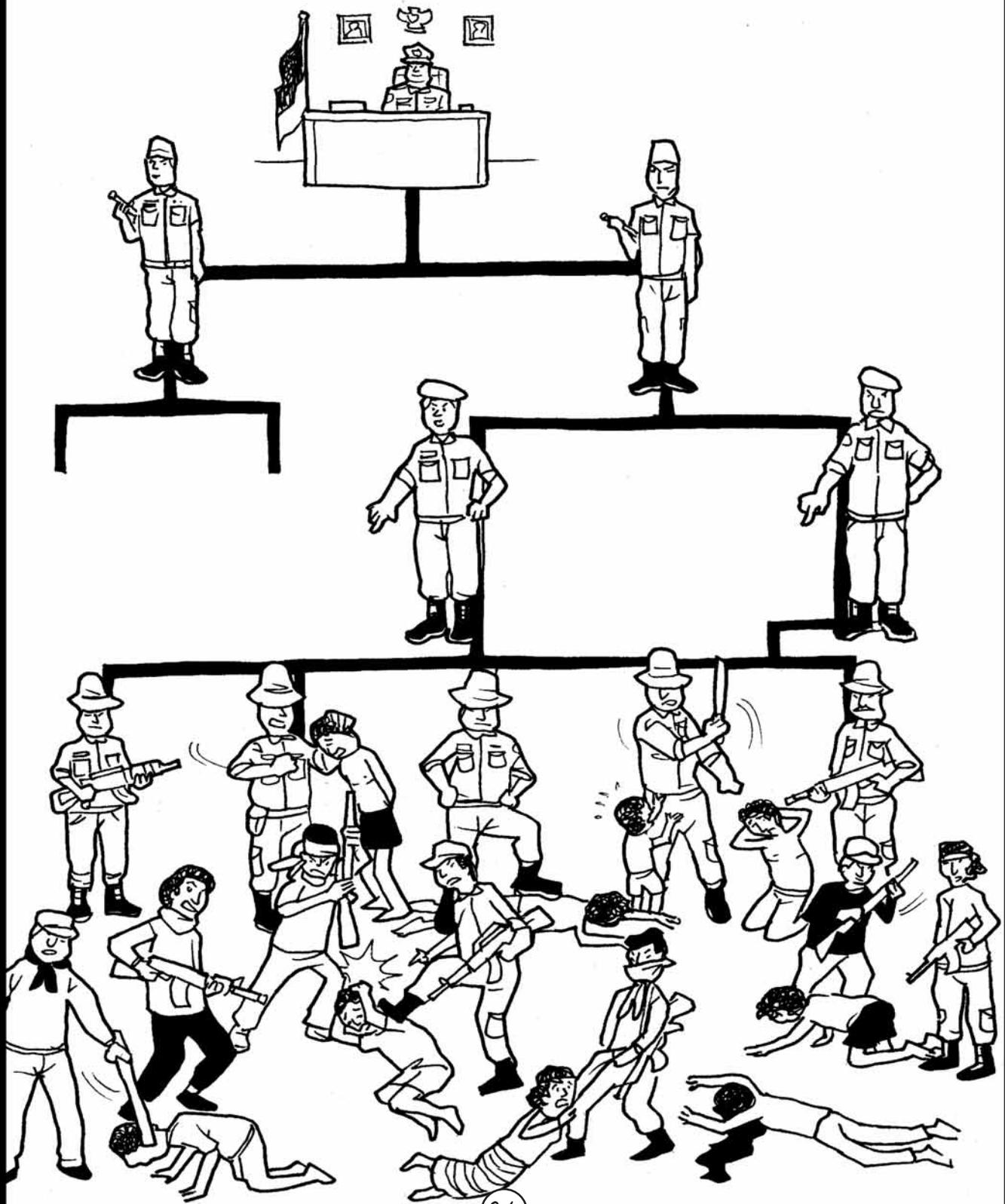
(Maria de Fatima Vaz, witness at a CAVR Public Hearing)



Among the documents was a 'red book' that contained the names of 375 people who were going to be executed.

(Testimony to a CAVR Public Hearing by Constantino de Santos, a Former Hansip who looked after documents at Koramil Quelicai)

CAVR concluded that ABRI carried out these killings and disappearances to prevent the revival of the Resistance by eliminating its surviving leadership. CAVR said the plan was systematic and coordinated at the highest levels of the military.

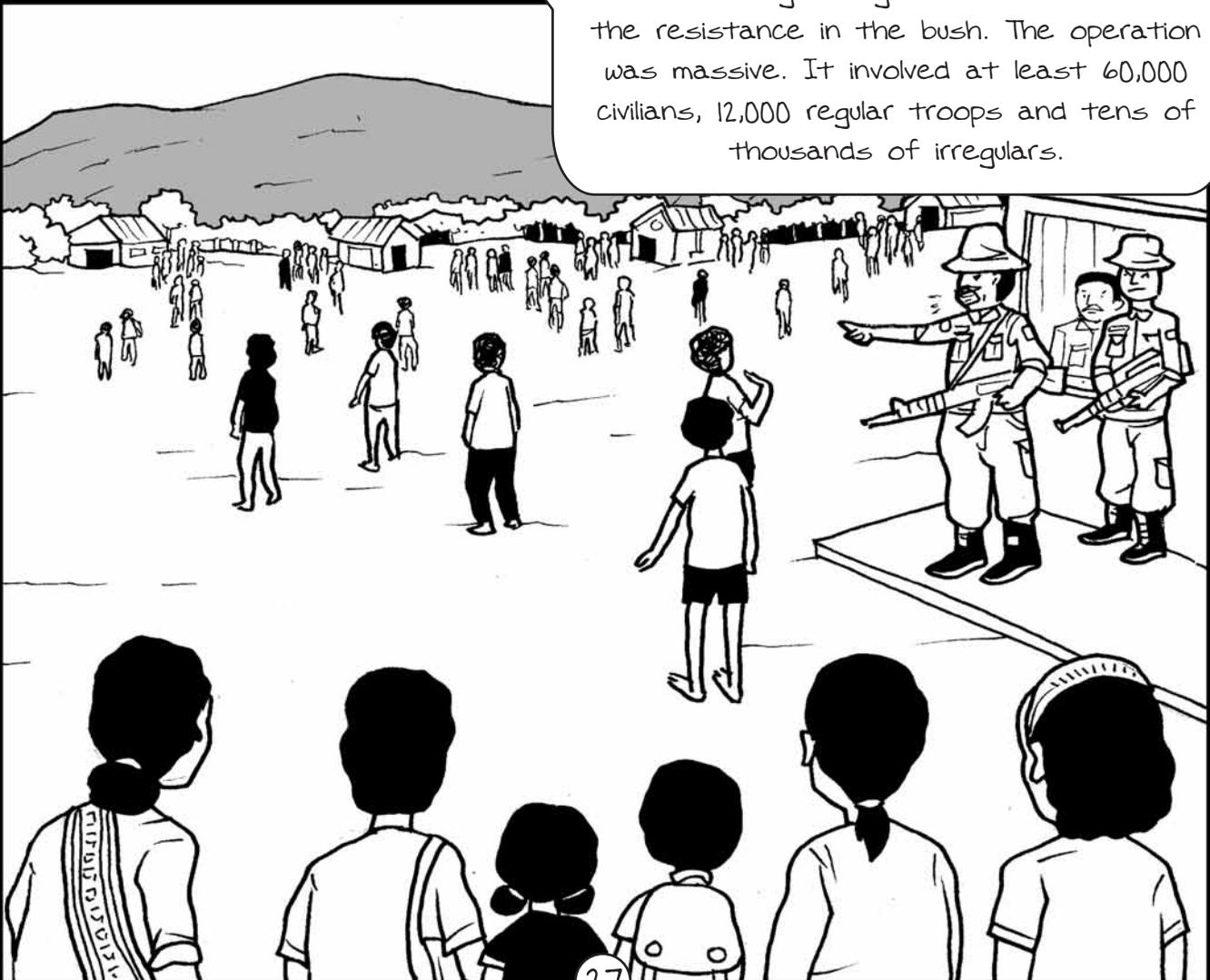


Killings and disappearances by the Indonesian military, 1980s



Led by Xanana Gusmao, the Resistance started to rebuild following its serious losses. It mounted several bold attacks to demonstrate it was still active. This invited heavy crackdowns by the Indonesian military including a large operation in mid-1981 to destroy the Resistance once and for all. This was very disruptive of normal life. When my friends and I should have been at school, we had to stay home. Many people were imprisoned, tortured, and died during this period.

The military mounted Operation Kikis and forced civilians to form a human fence or 'fence of legs' (Pagar Betis) to look for the resistance in the bush. The operation was massive. It involved at least 60,000 civilians, 12,000 regular troops and tens of thousands of irregulars.





CAVR reported that in the last days of Operation Kikis, Battalion 744 attacked Falintil in the area of Lacluta. At the time, a large massacre of civilians, including women and children, occurred near the Rock of St Anthony on Mt Aitana. By most accounts hundreds were killed.

On 10 June 1980 the Resistance attacked military posts in Marabia and Becora in Dili. The military mounted a massive operation in response. CAVR received the names of 121 people who were executed (some in public), disappeared or died in detention from torture or severe deprivation. Several hundred people, many of them women and children on their own, were exiled to Atauro island.



The actions of the military were taken to collectively punish people whom they suspected were Falintil sympathisers.



Taken in response to Fretilin attacks on military posts, the inhumane retribution was also designed to crush the spirit of the new emerging Resistance.

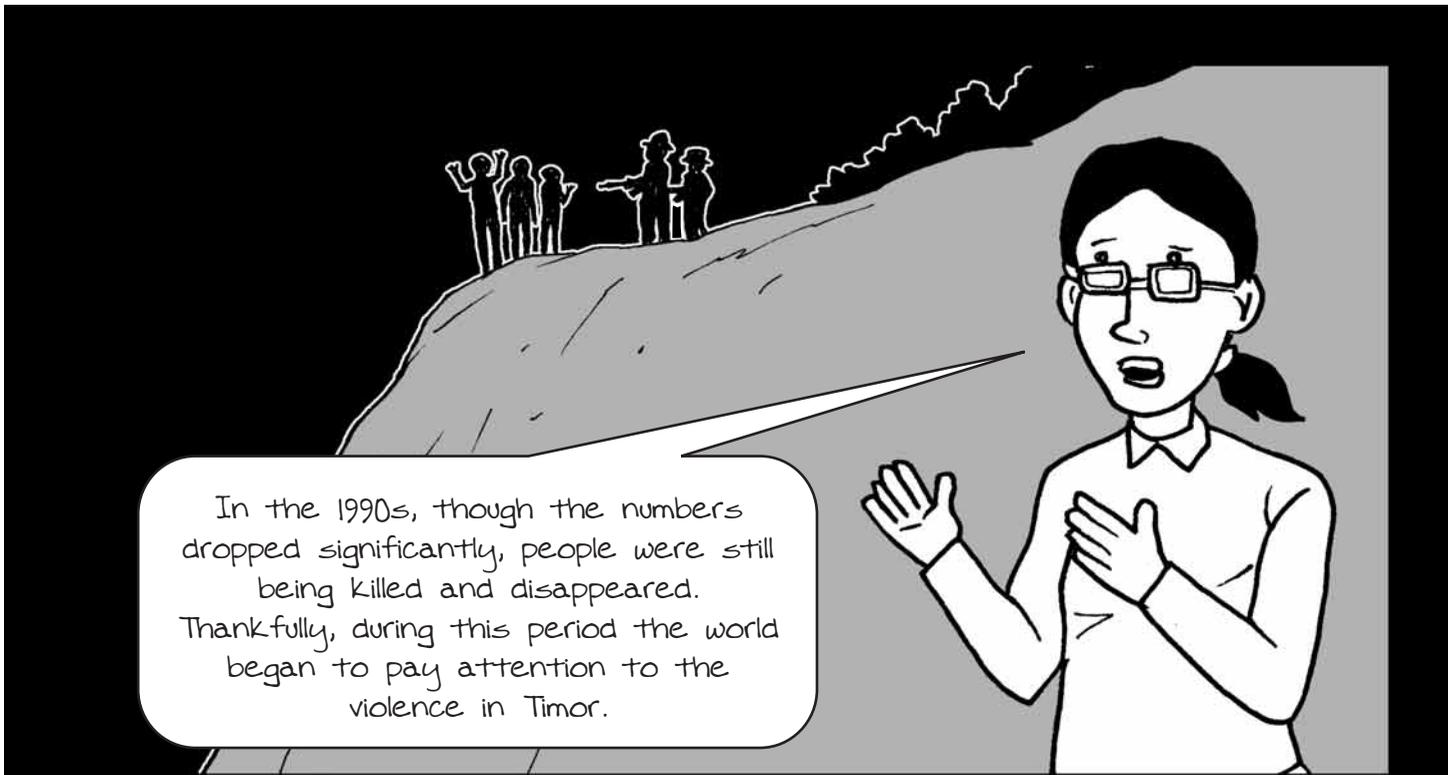
The strategy of collectively punishing the Resistance and civilians was also used in Mau Chiga in August 1982, and in Kraras (Viqueque) in August 1983.



The Mau Chiga Tragedy

In August 1982, Falintil attacked a military post in Mau Chiga, near Ainaro. The military retaliated severely. Mau Chiga was razed. Several hundred people were relocated to Atauro island, leaving the village nearly empty. And in the weeks and months after the attack, the military made many arrests, used torture and rape during interrogations, burned hundreds of houses to the ground and executed civilians, sometimes in public. Some were killed at what the military called Jakarta 2, an execution site in Bulilico where people were thrown over a 300 metre high cliff.

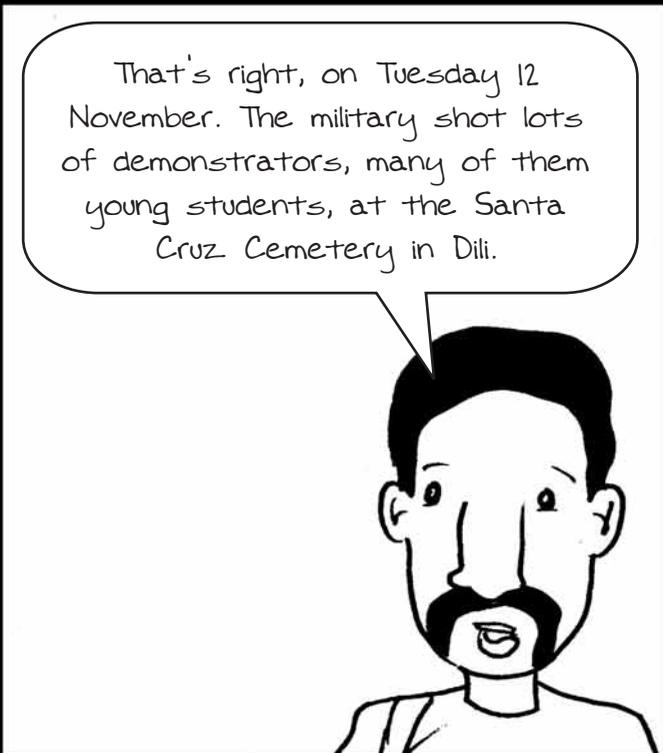




In the 1990s, though the numbers dropped significantly, people were still being killed and disappeared. Thankfully, during this period the world began to pay attention to the violence in Timor.



I remember your story about the tragedy at Santa Cruz. That happened in 1991, right?



That's right, on Tuesday 12 November. The military shot lots of demonstrators, many of them young students, at the Santa Cruz Cemetery in Dili.

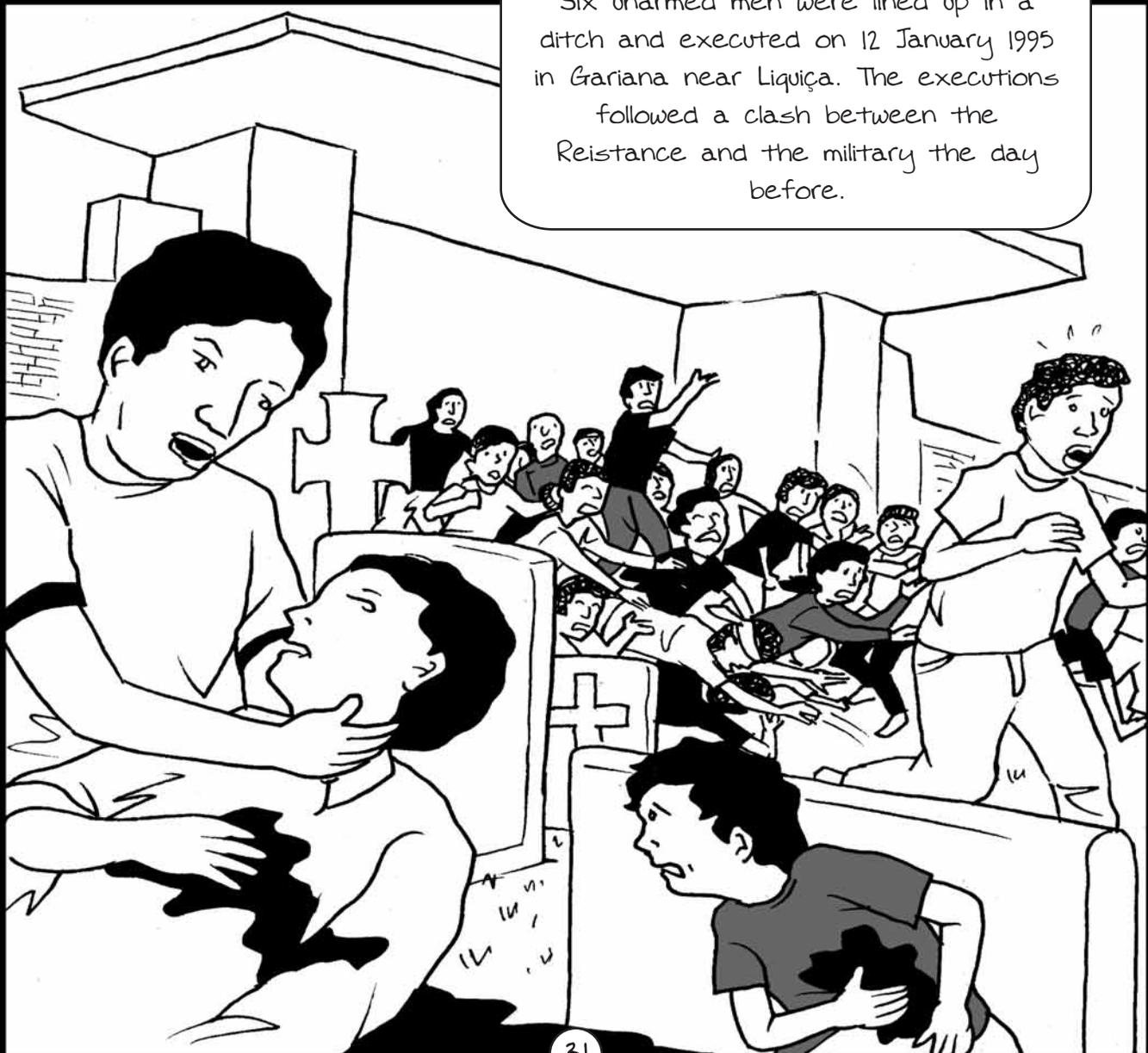


Killings and disappearances by the Indonesian military, 1990s

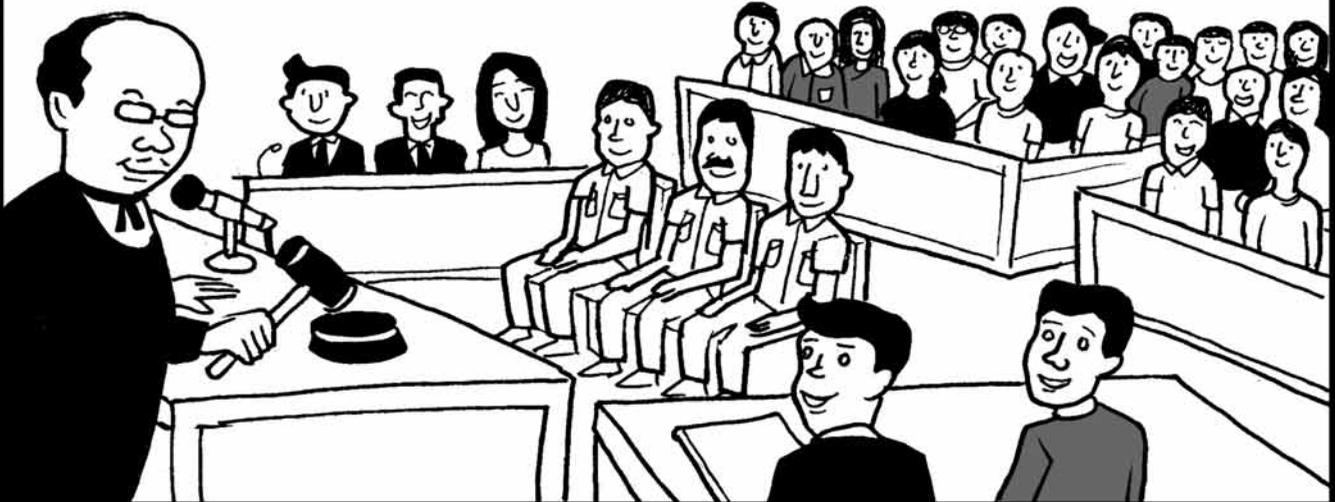
The military shot many peaceful protesters in cold blood at the Santa Cruz cemetery in Dili where they had gathered to commemorate the killing of Sebastiao Gomes Rangel, a clandestine activist, who had been killed at the Motael church two weeks before. CAVR believes it is possible that up to 270 demonstrators were killed and that some 200 are still missing.



Six unarmed men were lined up in a ditch and executed on 12 January 1995 in Gariana near Liquiça. The executions followed a clash between the Resistance and the military the day before.



Because of international and domestic pressure, the military conducted investigations and court-martials following the Santa Cruz massacre and the Gariana executions. Only 10 low-ranking members of the 72 security personnel involved at Santa Cruz were tried and convicted. They were discharged from the military and given light sentences from 8 to 18 months. Two of the military responsible for the Gariana killings were dismissed from the military and given 4 year sentences. However, it is possible they did not serve their time.



Another example is the military retaliation after attacks by Falintil in Alas in October and November 1998 and the executions by Falintil of four men suspected of being intelligence agents for the military. The military killed, disappeared and detained lots of people.

So when did the killings and disappearances finish?

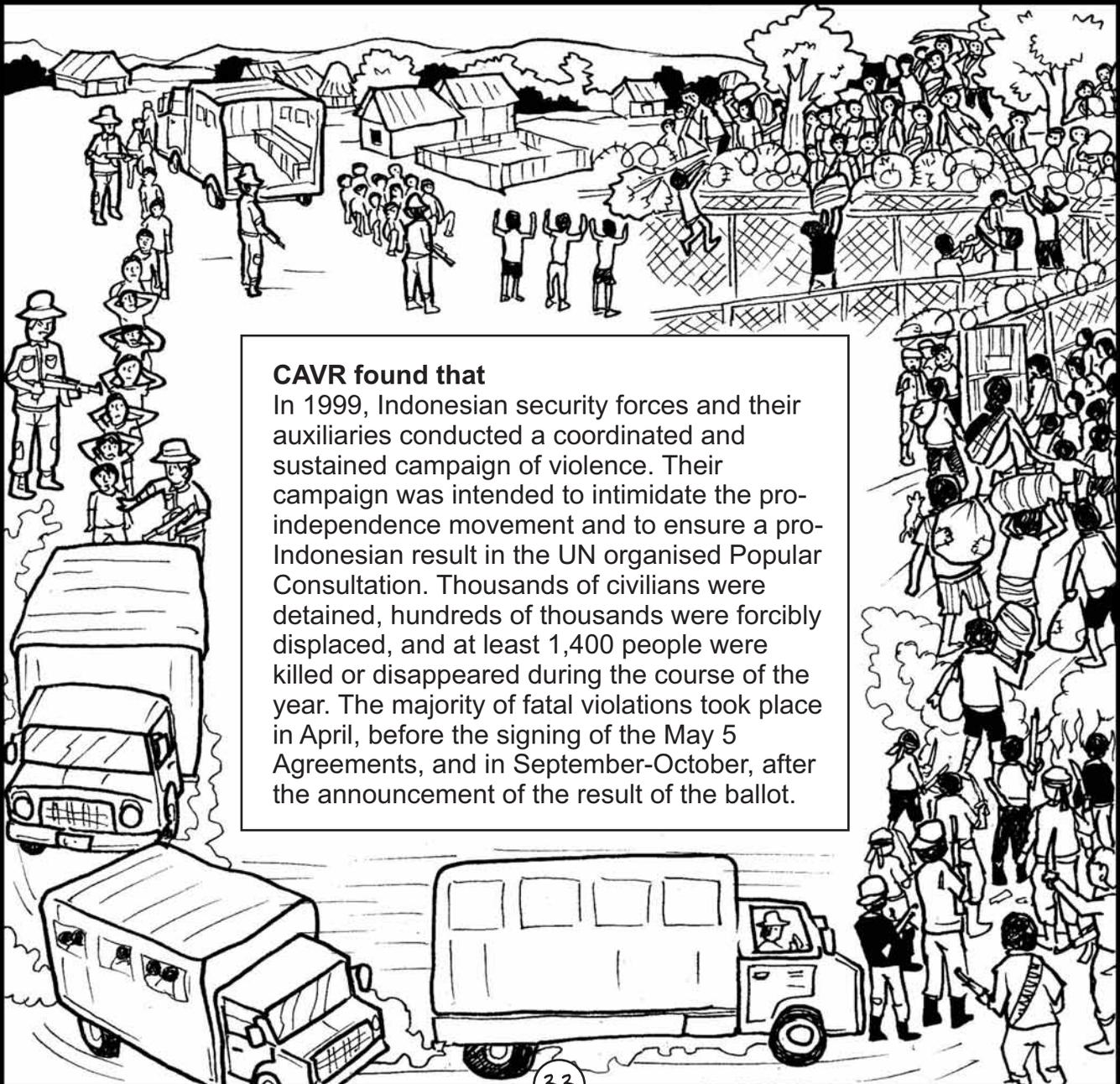


Our blood continued to be spilt right up till we decided our own destiny and even afterwards.

Killings and disappearances by the Indonesian military, 1999



That's right! 1999 saw the end of it but it was also a year of intense violence by the Indonesian military until they left.



CAVR found that

In 1999, Indonesian security forces and their auxiliaries conducted a coordinated and sustained campaign of violence. Their campaign was intended to intimidate the pro-independence movement and to ensure a pro-Indonesian result in the UN organised Popular Consultation. Thousands of civilians were detained, hundreds of thousands were forcibly displaced, and at least 1,400 people were killed or disappeared during the course of the year. The majority of fatal violations took place in April, before the signing of the May 5 Agreements, and in September-October, after the announcement of the result of the ballot.

The militia killed and disappeared people with impunity because the Indonesian authorities did not constrain them. On the contrary Indonesia gave them political and legal recognition and funding. In addition the military used them for its purposes. It mobilised, trained, equipped, bank-rolled, and sometimes led, the militia.



On 6 April 1999, about 2,000 civilians who had sought refuge in the Liquiça Church were attacked by Besi Merah Putih militia, together with soldiers and riot police known as Brimob. As many as 60 civilians were massacred and unknown numbers disappeared.



On 17 April 1999, Aitarak militia led by Eurico Guterres held a pro-autonomy rally in front of the government offices in Dili. A number of high-level government and military officials attended the rally, including the Governor of East Timor, the Mayor of Dili, and Indonesian military commanders. Worked into a rage by Eurico Guterres, the militia then went on a violent rampage around the city culminating in a targeted attack on the home of Manuel Carrascalão where some 150 displaced people had taken refuge. Mr Carrascalao's son was one of the 12 people murdered during this attack.

On 8 September 1999, Dadurus Merah Putih and other militias, led by the Indonesian military, attacked hundreds of refugees who had sought safety in the Maliana police station as the town erupted in violence after the 30 August vote. At least 71 people were killed during this period.



Over the two day period 20-21 September 1999, soldiers from Battalion 745 randomly shot a number of civilians as they retreated from Lospalos through Dili and on to Kupang. One of those murdered was the Dutch journalist Sander Thoenes.





The Indonesian government directly financed the militia and supported their activities. Indonesia failed to protect the people.



This contributed to massacres happening in 1999.



On 6 September 1999, Laksaur militia, supported by local high-ranking military, attacked hundreds of refugees taking refuge in the Ave Maria Church in Suai. At least 40 people but possibly as many as 200 were killed, including three priests.

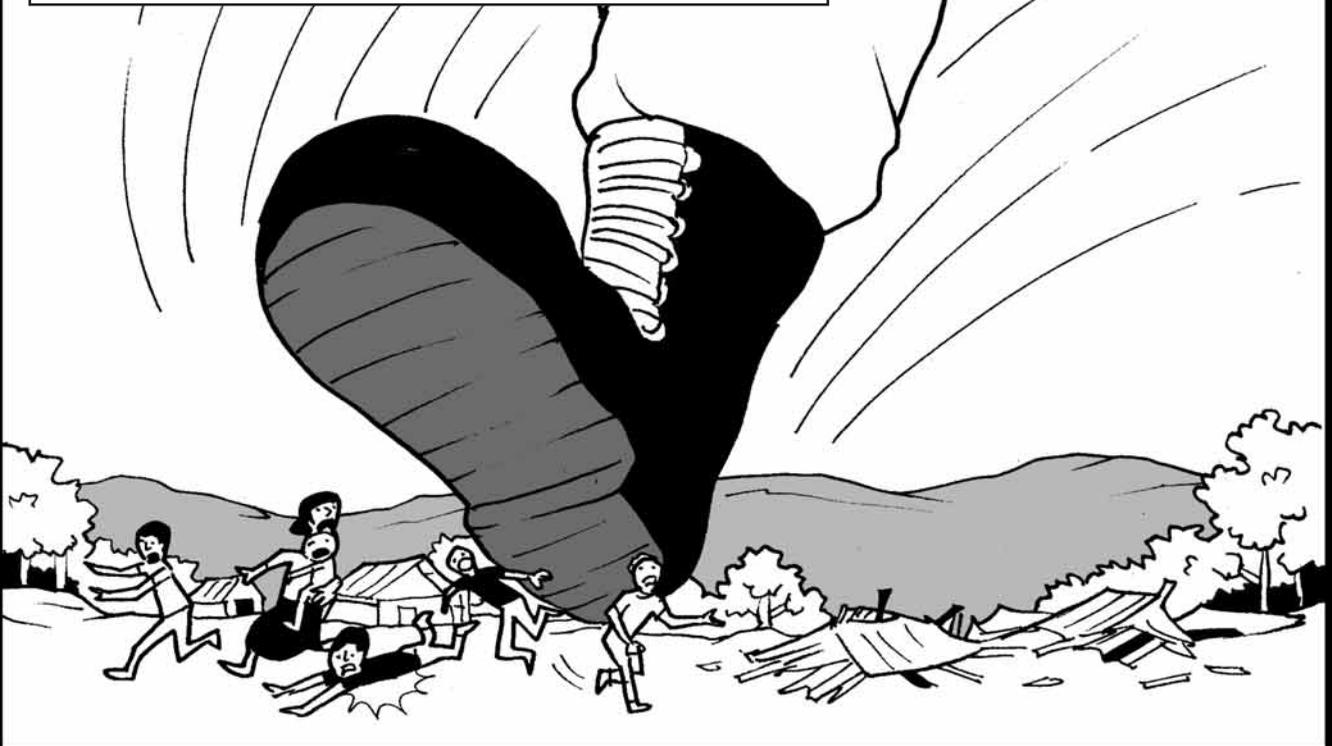


I want to give you a message. If the pro-independence supporters win, it is not only the Indonesian government who must accept the consequences of this. The UN and Australia must also resolve this problem. If this happens, no-one wins. Everything will be destroyed. Timor will be extinguished. It will become worse than it was 23 years ago.

(Colonel Tono Suratman, Military Commander in Timor-Leste, in an interview with Australian television in 1999).



In 1999, victims of killings and disappearances were predominantly men of military age with a real or suspected association to pro-independence groups such as CNRT and student and youth organisations. However, since the objective of the military and its allies was to intimidate the general population into voting for "integration" with Indonesia, their target was broad and their methods indiscriminate. Thus, women and children seeking refuge with their families were also killed during massacres.



We are grateful to God because in 1999 the Timorese people got their independence and the colonial occupiers left our country.

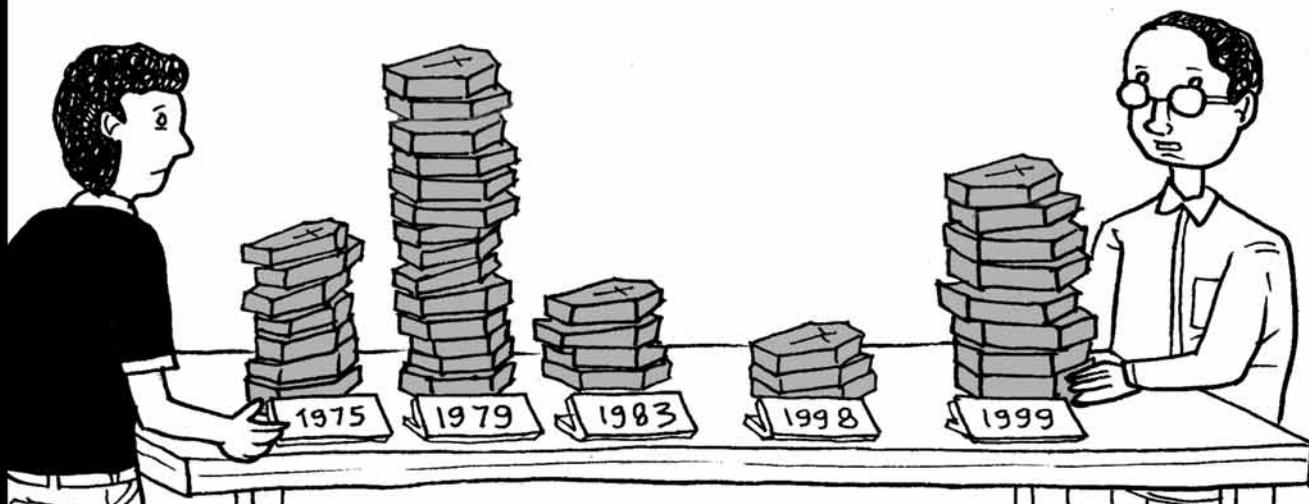
But, don't forget the importance of properly recording the oppression that was experienced and learning the lessons of that time to help build our future. We also need to demand that the perpetrators take responsibility for their crimes.



Conclusion



It was for those reasons that CAVR recorded all the information they gathered about human rights violations between 1974 and 1999. Men, women and children were victims of violations committed by political parties, the Resistance, the Indonesian military and the militia. People died from killings, executions, massacres, and torture. People's basic right to life was not respected.



But CAVR concluded that the Indonesian military were responsible for most of the killings of civilians during the occupation. On a far smaller scale, the Resistance also killed and disappeared people and in 1975 UDT and Fretilin killed people.



Because there was no accountability, law or justice, the tragic loss of lives continued to occur and even receive support.



During the conflict nearly every family in Timor lost a family member who they loved.

I don't want a tragedy like that!



That's why it's really important to remember those who died and to value and protect the right to life.



We must also ensure that those responsible for protecting peoples' rights like the police and the military follow the law and are held accountable for their actions.



CHAPTER 2

FAMINE AND FORCED DISPLACEMENT

The killings that occurred are one type of serious human rights violation. The people also suffered in other ways during the conflict such as having to live with constant insecurity and often being displaced. But famine caused the most deaths.

That's right! As a part of its mandate to establish the truth regarding past human rights violations, CAVR conducted an inquiry into displacement and famine in Timor-Leste during 1974-1999.

This inquiry was critical to understanding how much suffering the conflict caused. Being forcibly displaced and suffering the consequences was a defining feature of the long conflict in Timor-Leste.

Just imagine what it would be like to be regularly displaced from your home and community, having to live in the bush away from services - where to live, where to get food and medicine, go to school, exposure to the elements, being separated from your friends!

Does this mean that many Timorese people died of starvation?

CAVR calculated that at least 84,200 people died from hunger and illness because of the war. That's the same as 842 city buses with each bus carrying 100 people.

Wow! So many victims! I can't possibly imagine how many that is!

This is the sort of inhumanity that occurs when human rights are ignored and laws are replaced with a dog-eats-dog mentality.

Which rights were violated?



Human Rights Notice Board

The following rights must be upheld even during a time of conflict.



The right to food

All people have a right to live free from hunger. Even during war, all sides to the conflict must ensure that the people have access to food. They must also not prevent aid organisations from providing food.

The right to shelter

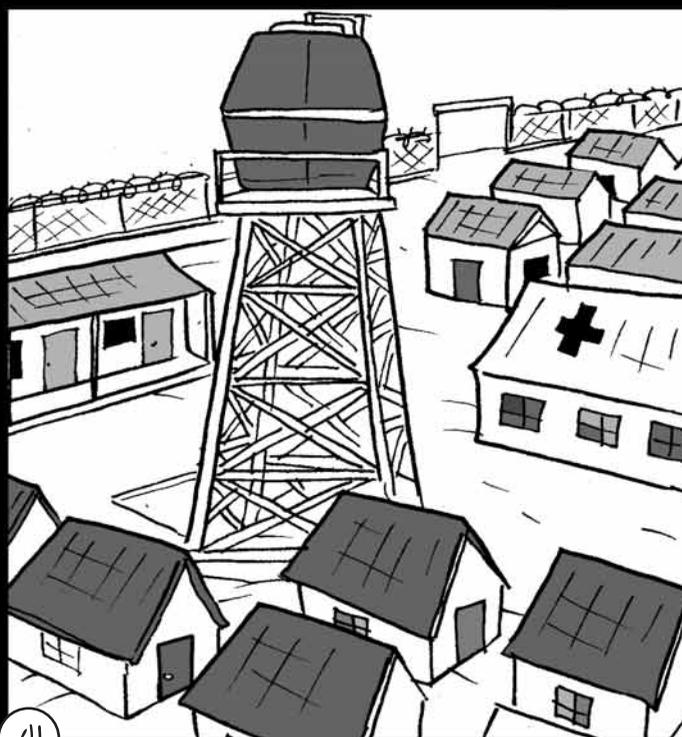
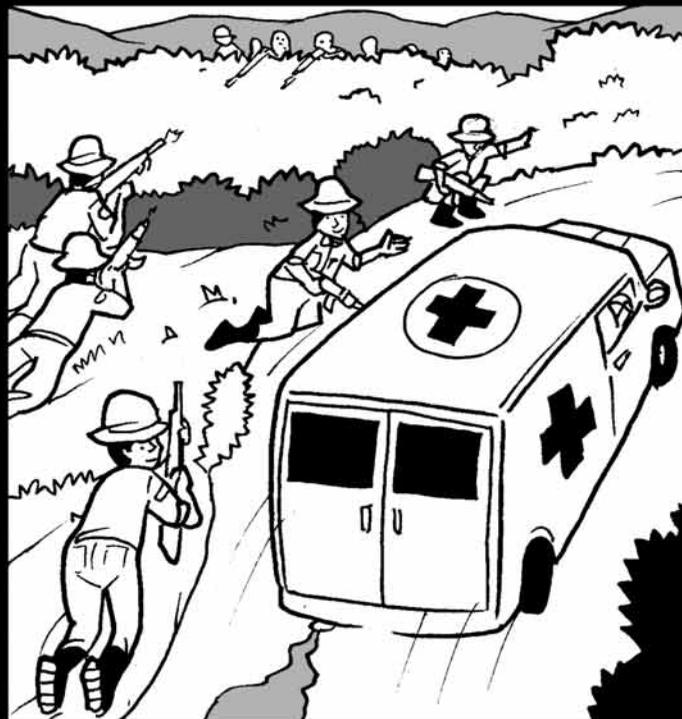
All people have a right to a safe and dignified place to live. Governments must provide housing and cannot forcefully evict people from their homes except for their own health or safety.

Rights during conflict

According to the international Laws of War, civilians who are not involved in the conflict must be protected. Parties to a conflict are not allowed to use famine as a war strategy.

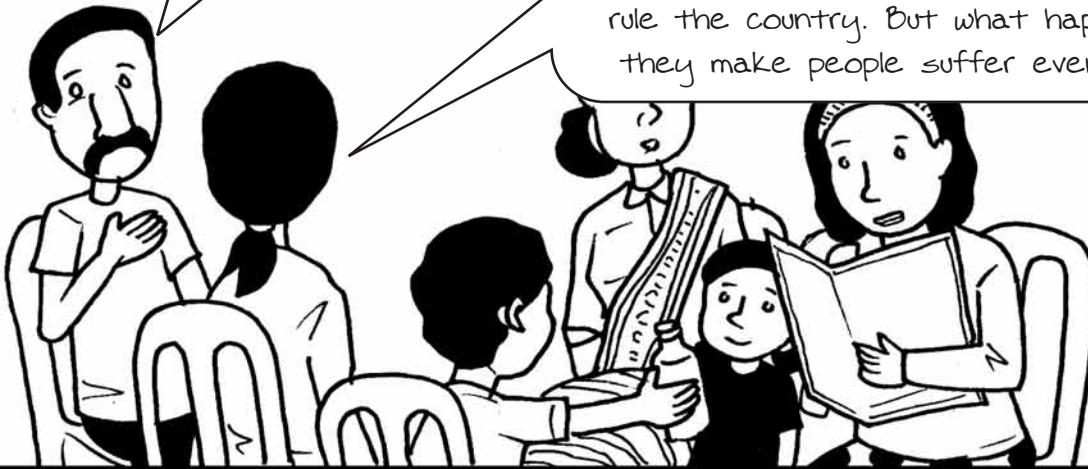
The right to freedom of movement

Even though there is war, everyone has the right to freedom of movement, to choose where they will live, and to be protected from forced displacement. Citizens who move must be able to prosper, including having access to food, clean water, shelter, and health care.



People suffered even more during the conflict because their rights were violated.

When internal conflict breaks out everyone involved feels they are right. They fight each other and compete to rule the country. But what happens is they make people suffer even more.



I know how to cook this food best!

You don't know the correct recipe!

Look! I have a secret recipe.



Displacement and hunger during the Internal Conflict, 1975

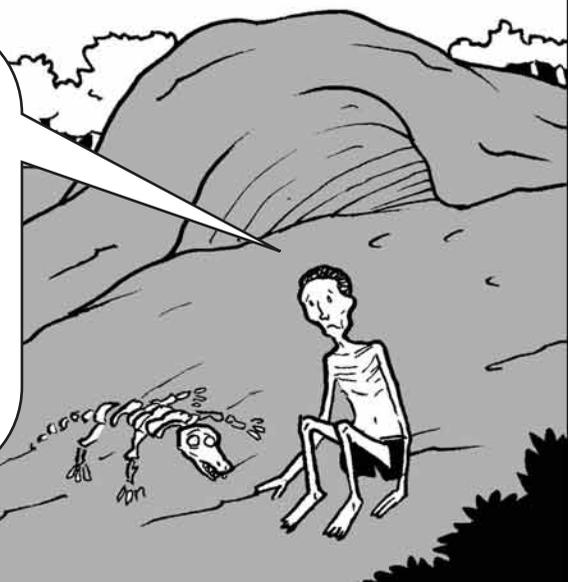
Tensions between political parties got worse. Many people were displaced and, according to the International Red Cross, between 25,000 and 50,000 people fled to West Timor.



In 1975 the situation became heated. People began to throw stones at each other, to fight each other using spears and machetes. Some people dug cellars as a place to hide...

Everyone left their homes and hid in neighbouring areas. Some fled to hide in caves for three months. The food situation was difficult, and many grew hungry, but nobody died of starvation.

(Witness from Bemori, Dili)



Displacement and famine after the

When Indonesia invaded there was a massive and often chaotic displacement of people to the mountains with Fretilin. Some people fled spontaneously. Others were organised by Fretilin.



In the interior, Fretilin set up bases de apoio or support centres for civilians and the Resistance. These lasted for nearly three years until the last one was destroyed in November 1978. Women's groups, youth and others provided logistical support and medical assistance and ran education and social activities.



A Young Woman's Perspective on Life in a base de apoio

I was 13 years old when the Indonesian military invaded Dili. I ran with the people of my suku, Manlala, to Lehutala, and then to Fatuberliu. Together we built huts and a school, we taught the children to write using charcoal and their fingers in the sand. We made a communal garden to help all the families, but people still died from hunger and disease. The school only ran for two months because the Indonesian military attacked. We built another barrack in Lakudadur, near Fatuberliu, but we weren't able to harvest our fields. In 1978 there were about 400 to 500 people taking refuge in Fatuberliu.

People helped but they also didn't have enough food. We organised the Solidarity and Support Committee (Comissao de Apoio e Solidaridade, CAS) to share food with the refugees in Sarin, Fukiran and Fatuberliu. CAS also taught people how to boil drinking water, build toilets and others aspects of hygiene. With help from a nurse, we made traditional medicine from roots and vegetation. Even though the situation was difficult, we could gather together at night, put on plays, sing, dance, tell stories and create music for the struggle. We didn't just passively accept our situation.

Maria José da Costa



At first, the people who lived there were safe from the Indonesian military. But as the Indonesian troops got closer people had to keep moving and there was no opportunity to plant food crops.

So they had to relocate to another place?

Right, because Indonesia continued to attack.



Between 1977 and 1978, the Indonesian military attacked Fretilin in the interior where people were living and destroyed all the food sources.

Tens of thousands of people had to flee so they were not able to plant gardens. The results were catastrophic. Thousands died from hunger and disease.



Fretilin retreated to Mount Matebian near Baucau which had been prepared as a location for refugees. But when Indonesia began an all-out attack on the mountain, life there became intolerable.



When we evacuated from Uamori, people began to die. From starvation or from illness. As we walked, death stalked us... Not only old people, but children, through lack of food. The old people walked, their strength all gone, carrying just one tuber or sweet yam and a little water in a bamboo container on their backs. This is how many of us died. The dead were scattered all along the way. Others died from the mortars, 80 to 100 a day... Those we could, we buried. Otherwise they were left behind. How can we now find their bones? They rotted just as they were. We saw 7 or 8 people were sitting while leaning against a tree. They leaned against the tree and died like that. Flies and dogs were around them. In our hearts we were terrified.

(Cosme Freitas, testimony to a CAVR Public Hearing)



Cholera killed more than ten people. Children were dying like flies. Mothers were crying and moaning for their dead children's spirits. There were several mothers who wanted to kill themselves or became crazy.

(Maria do Ceu Lopes da Silva Federer, former International Red Cross volunteer, Atauro)

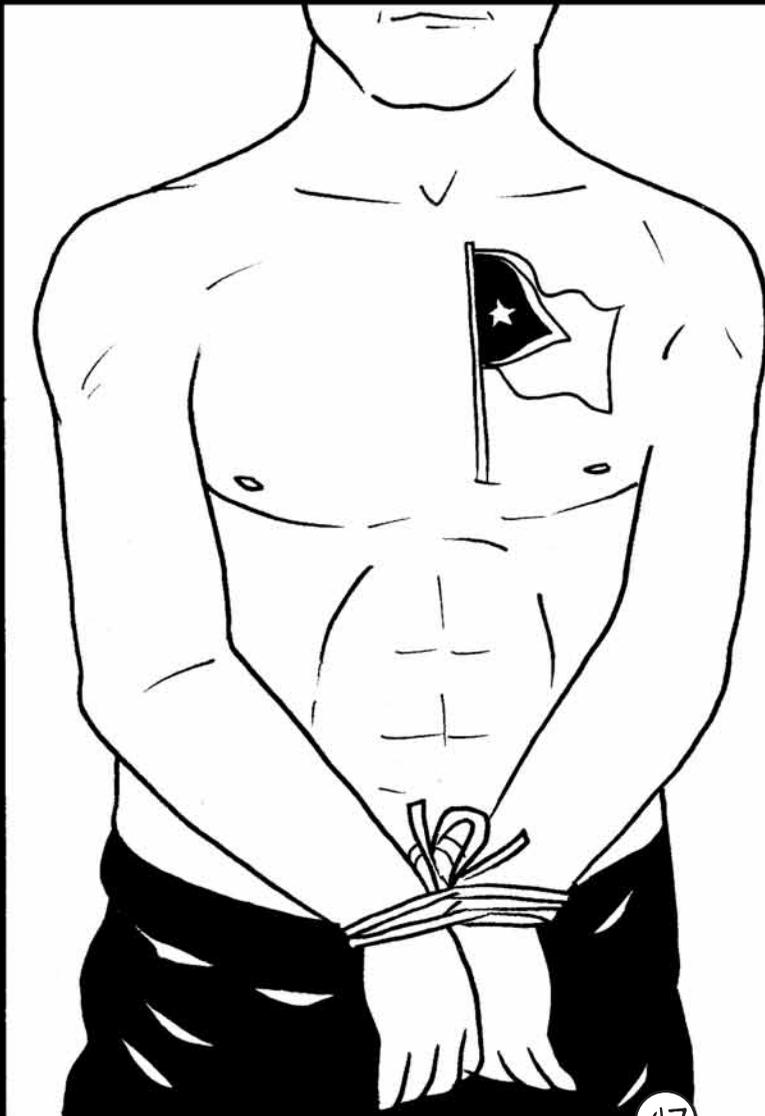
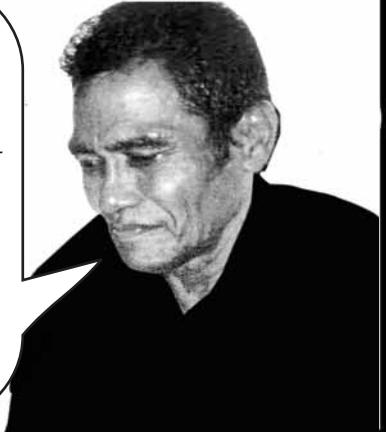




Because the situation was so tight some Fretilin thought it best to tell the people to surrender, but others didn't agree.

There was a discussion among members of the Fretilin Central Committee. Some said, "if possible, we should follow the example of other countries: children and the elderly shouldn't have to go to the forest, we must pay attention to [their] economic and health needs. We don't have the means to support everyone". But others said: "If we don't prepare the people politically, morally and mentally, then we will not be able to maintain our legitimacy and fulfil our duty as the main party in Timor." Fretilin decided that everyone [must] evacuate. After everything was prepared, then they could come down [to surrender].

(Marito Nicolau dos Reis, Political Assistant at the Uaimori Base. Testimony to a CAVR Public Hearing)



At the end of 1978 Fretilin made changes to their strategy and let people surrender with the idea that the people would 'continue to fight for independence'. Their hands and feet could surrender to the enemy, but their hearts were still patriotic.



Surrender and famine in Indonesian concentration camps



Aid agencies knew from the Church in early 1977 that Timor was in crisis and had asked permission to visit. In September 1978, ambassadors from eleven countries visited Timor and spoke about humanitarian assistance. However another twelve months passed before the military allowed international agencies to deliver aid in September and October 1979.



The situation observed by Mr Carlin (Program Director for US Catholic Relief Services, CRS), a seasoned veteran of 14 years relief work in Asia, was, in many locations, one of intense human suffering due to illness, hunger and starvation. Death rates were high. Those critically ill and dying were not limited to the very young and the very old - normally the first to succumb to sickness and starvation. Many persons in their prime years were dying.

(CRS Submission to CAVR)



For the three months I was there, we weren't allowed to go further than one to two kilometres [from the camp]. If we did, they would suspect us of making contact with Fretilin. In Uma Metan there was no drinking water. The water source was far, about 500 metres from the camp. If we wanted to get water we had to be escorted by Hansip or soldiers, and only the strong could do the round trip. The weak ones would die along the way and were just left there on the slopes. We were given food, but only one small can of corn per person per week. We could cook only a handful every two days. Because of that, many couldn't endure the hunger and eventually between five and six people died each day due to hunger ... The soldiers intentionally punished people day and night.

(Tome da Costa Magalhaes, camp survivor)



The presence of international organisations in 1979 was due to the terrible situation of famine across all of Timor-Leste. This assistance came one year after the reports from the ambassadors' visit. Imagine, one year later! But still it helped.

(Gilman dos Santos, CRS worker, 1979)





The biggest and most notorious prison camp was the island of Atauro near Dili. 4,000-6,000 people from the main island were forcibly transferred to Atauro by the military.

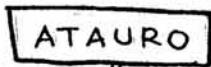
The majority of people brought to Atauro were not political detainees or armed resistance fighters. Most were ordinary villagers from areas where the Resistance was active. The military used the strategy to 'separate the fish from the water'.

Many women and children lived in that camp.

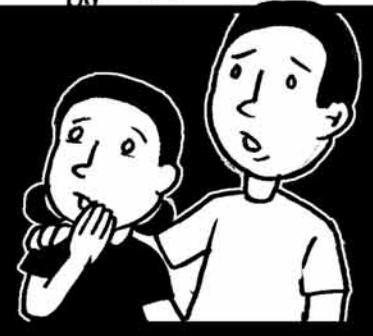




Yes. The military took many of our friends to Atauro. Life there was very harsh. Local people helped but over 300 people died before the International Red Cross was permitted to come in 1982.



ATAURO



How long did they live at the camp?



The military began to return them in 1983. Everyone was returned by 1987 except 17 families who chose to stay on Atauro. Those who returned were still controlled by the military and some were put in new internment camps.



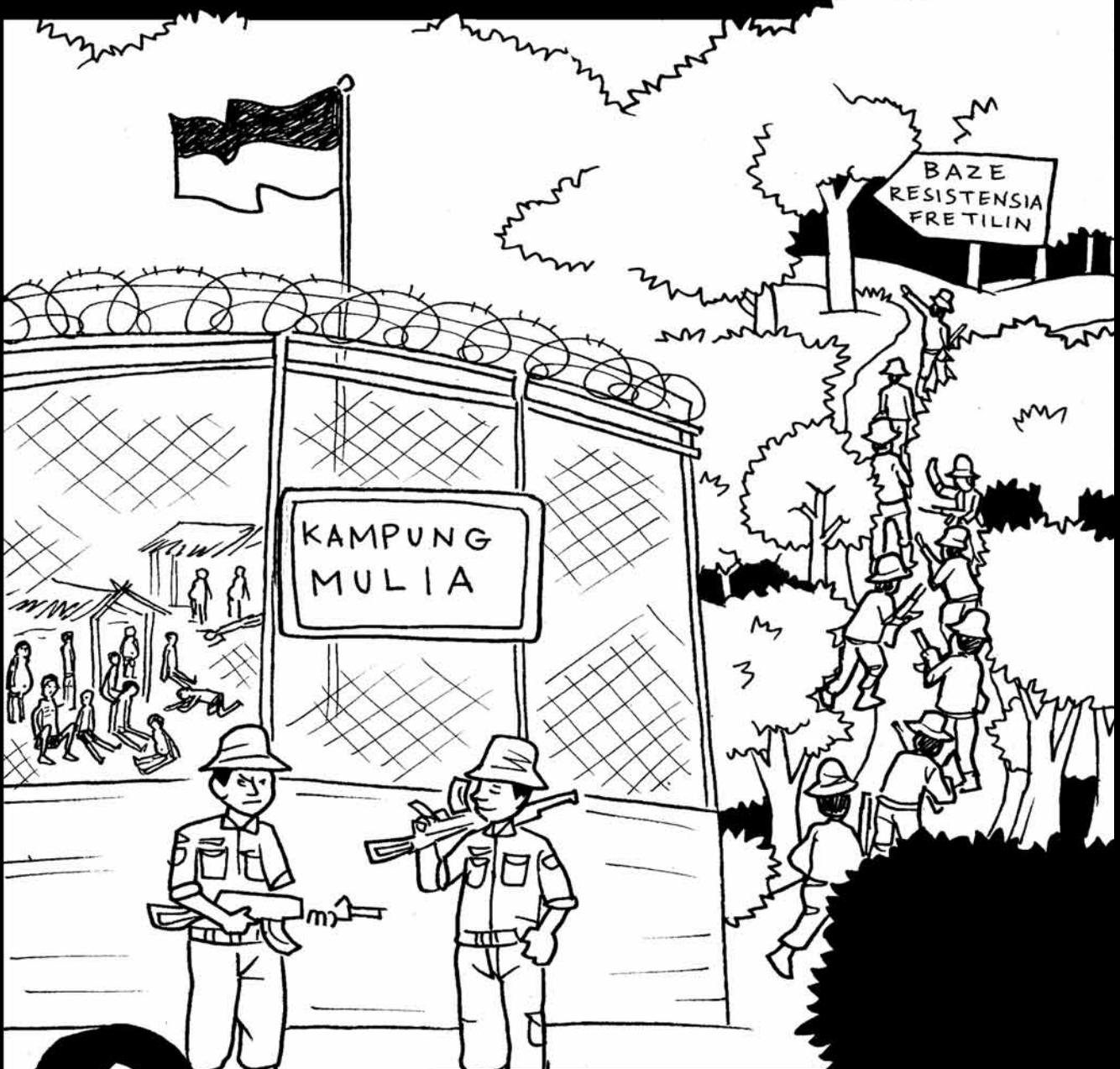
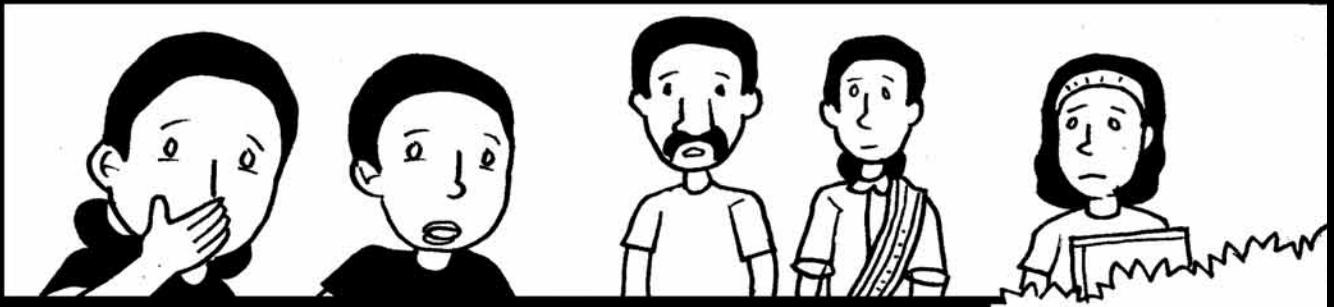
These new centres continued as part of the military's strategy against the Resistance.



Kampung Mulia was a new site on the coast near Laga. Between 1979 and 1981, about 205 families were forced to move there away from the forest where the military thought they might support the Resistance. When some people refused to go there, their houses were burned and crops and livestock destroyed.



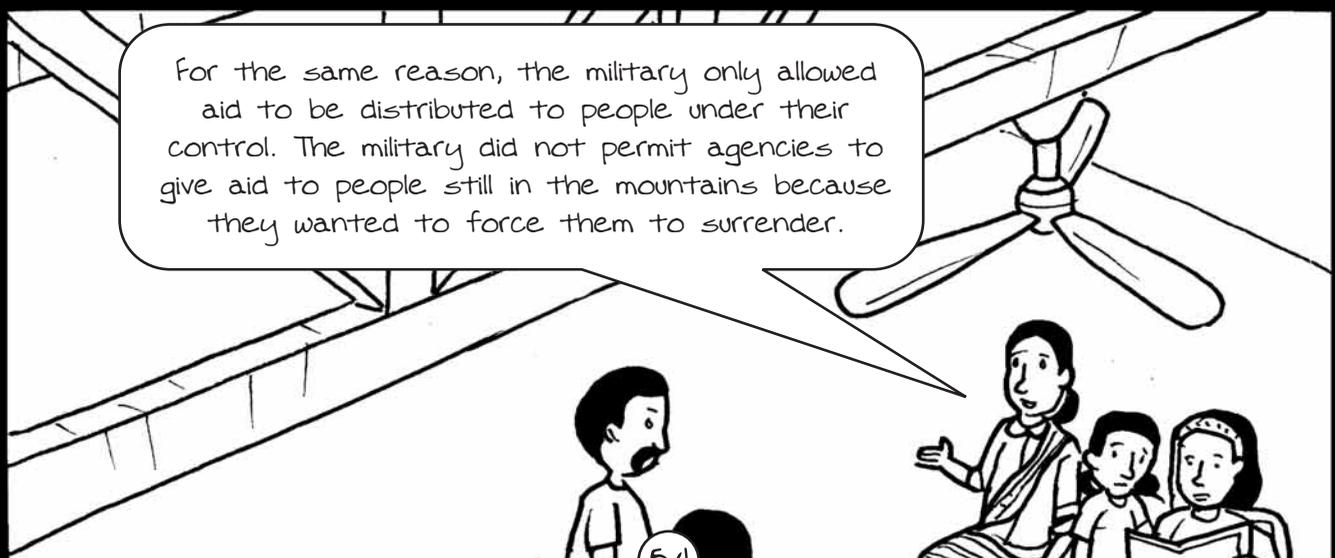
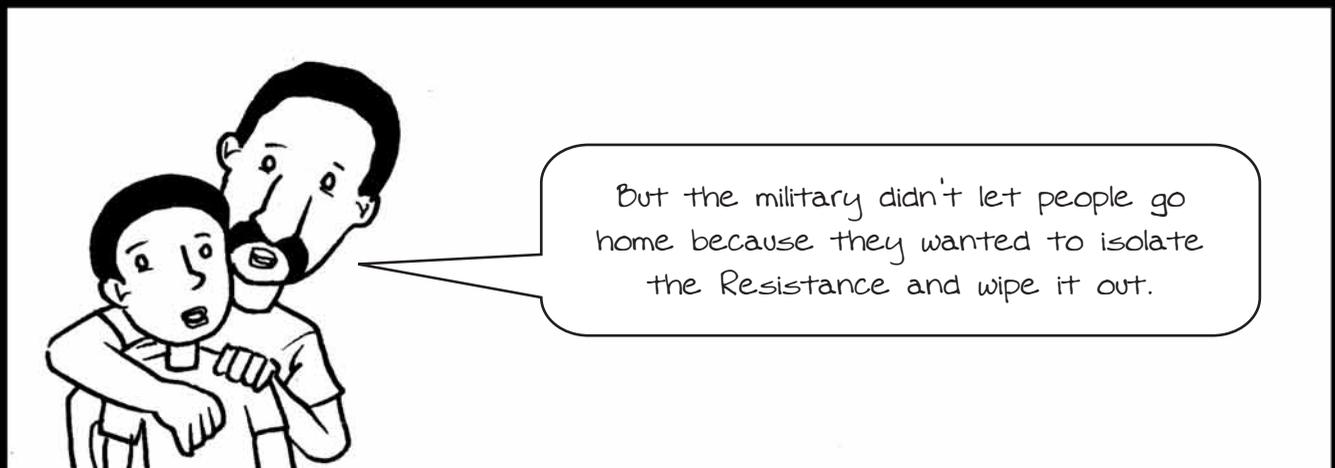
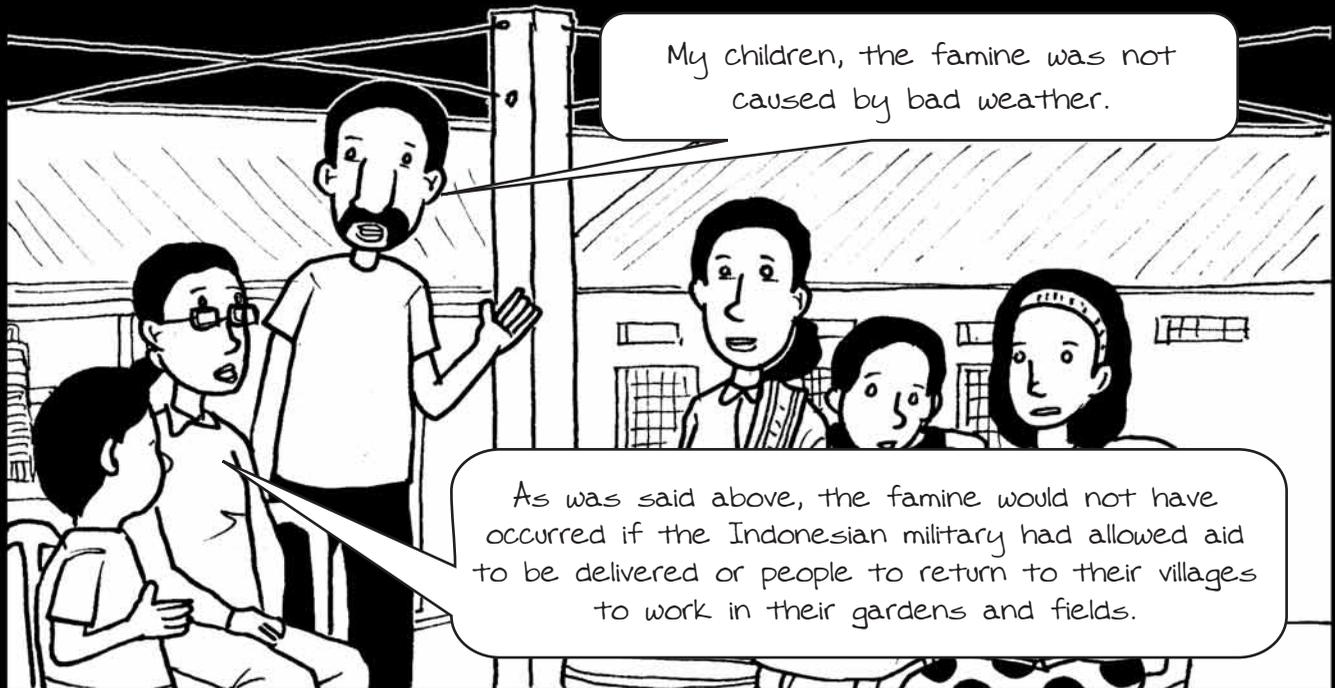
Kampung Mulia? What were the conditions like there?



The people living in Mulia did not have houses, beds, cooking equipment, food or clothes. As a consequence about 250 people died of hunger and disease. At that time those who died were buried naked and without coffins. Between 8 and 10 people were dying every day.

(Witness testimony to CAVR)

Why was there famine?





To come to the point, it is clear that Indonesia must take responsibility for the big famine of 1978-79 because its military policies and practices were the cause of that catastrophe.



Did famine only happen in 1978-79?

Food shortages and some localised famines occurred throughout the war. But the great famine was in 1978-1979 when the military deliberately starved masses of people into surrender as part of its strategy to destroy the resistance.

Forced displacement and its humanitarian impact continued until 1999.

Forced displacement and deprivation in 1999

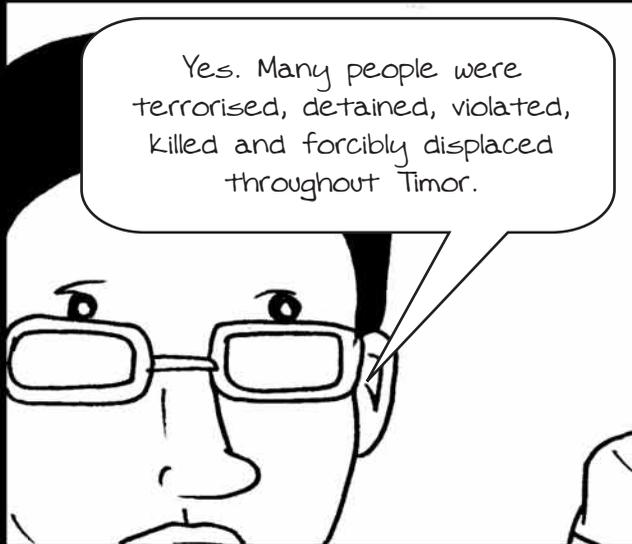
The militia engaged in a lot of violence before and after the Popular Consultation in August 1999. Many people fled and sought protection in remote villages and with the church.



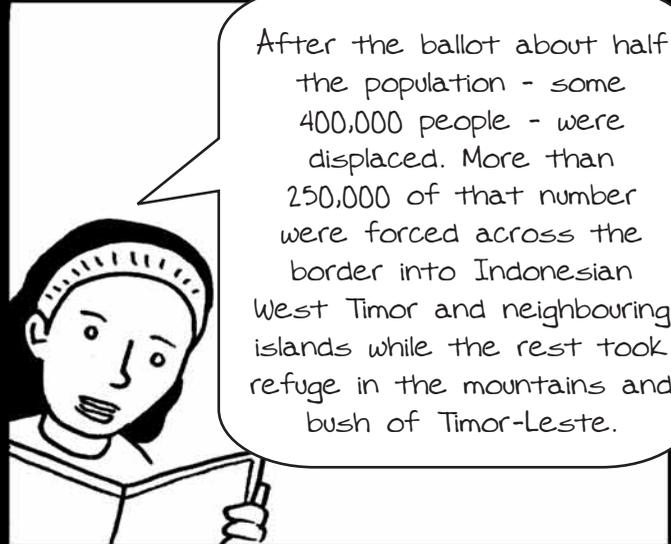
Before the ballot, as many as 60,000 people, particularly in the border area, fled their homes to other parts of Timor-Leste. They returned home only to register and to vote, then went back to their hiding places.



After the Popular Consultation the military and their militia launched a 'scorched earth' policy.



Yes. Many people were terrorised, detained, violated, killed and forcibly displaced throughout Timor.



After the ballot about half the population - some 400,000 people - were displaced. More than 250,000 of that number were forced across the border into Indonesian West Timor and neighbouring islands while the rest took refuge in the mountains and bush of Timor-Leste.

The Indonesian military and the militia picked up people from their homes and hiding places like animals and put them on trucks and boats to West Timor. Official documents strongly suggest that the Indonesian government planned this mass forced displacement before the vote.



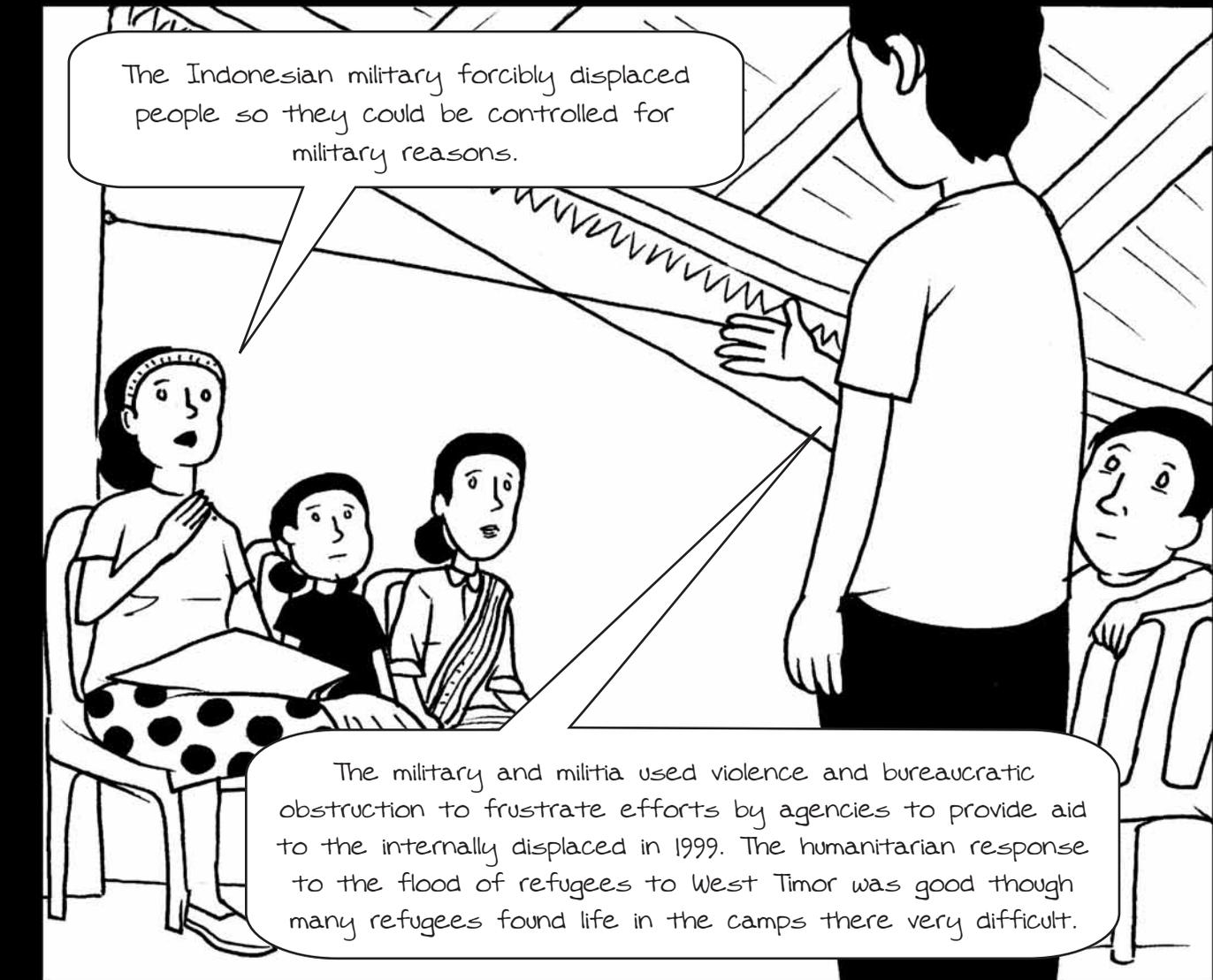
Because the militias carried sharp weapons the people were afraid and just obeyed. Otherwise we would be shot dead, our lives taken... People followed the militia on foot... The militia forced me onto a truck... and went straight to Betun. In Betun we suffered a lot... We only stayed there for two months. On 26 November we heard information that refugees could return. We registered and went back home right away.
(Regina Beanto. Testimony to CAVR Public Hearing)



Conclusion

From what we have explained, it is clear that forced displacement led to illness, famine and death. Forced displacement caused more deaths than any other form of violence during the war.

CAVR found that Timor-Leste experienced repeated periods of displacement often in massive numbers between 1975 and 1999. The consequences were far-reaching. Besides hunger, disease and death, periods of forced displacement often made possible violations of other civil, political, economic and cultural rights such as imprisonment, torture and sexual violence. The experience also destroyed peoples will to live because their animals, house, land and food were all taken or destroyed, or people were moved to places where it was difficult to grow a garden or plant rice fields.



The Indonesian military forcibly displaced people so they could be controlled for military reasons.

The military and militia used violence and bureaucratic obstruction to frustrate efforts by agencies to provide aid to the internally displaced in 1999. The humanitarian response to the flood of refugees to West Timor was good though many refugees found life in the camps there very difficult.



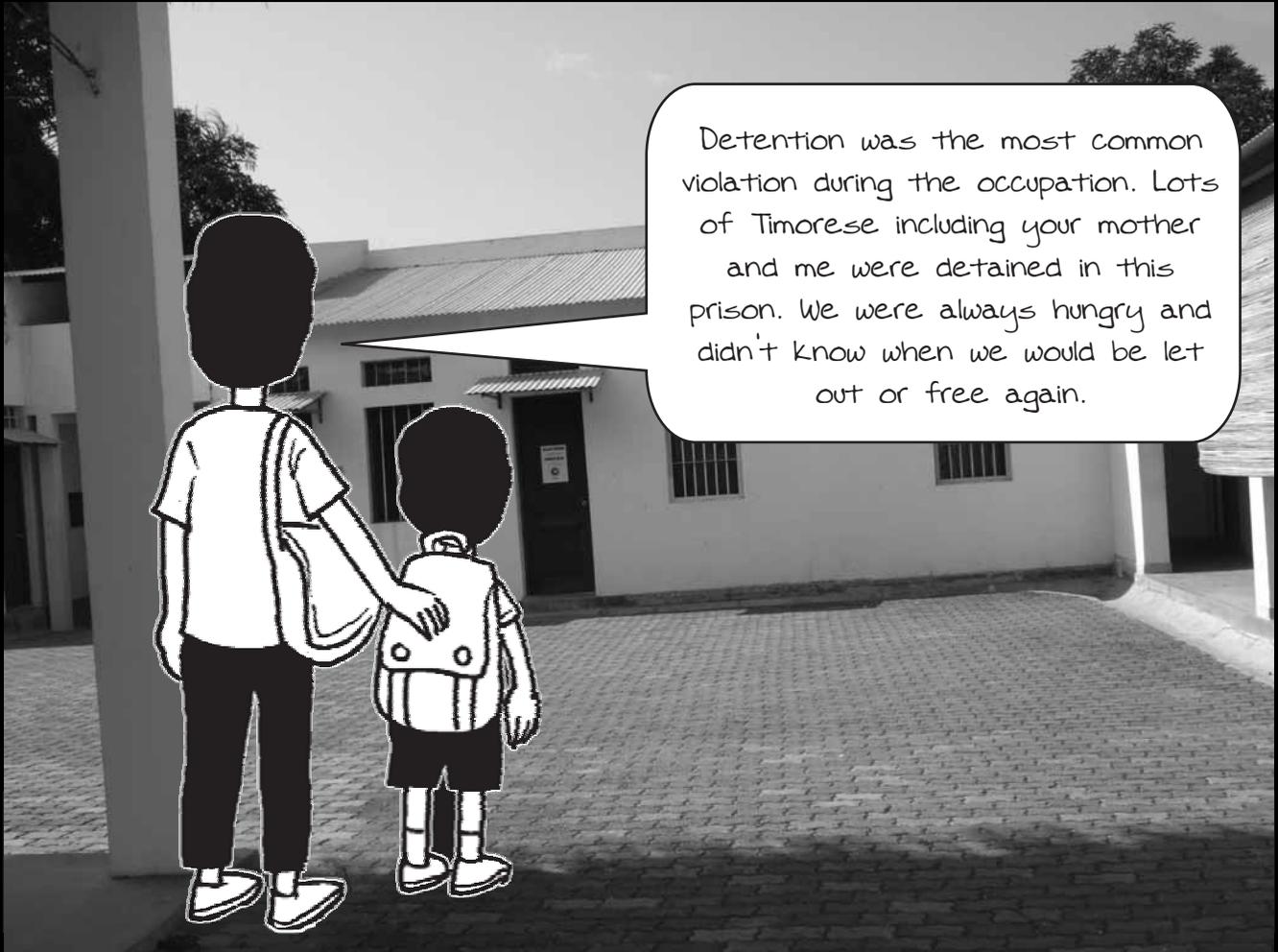
It's very sad that so many people died of hunger.



Come on, let's go to see where Dad was imprisoned here.



CHAPTER 3 DETENTION AND TORTURE

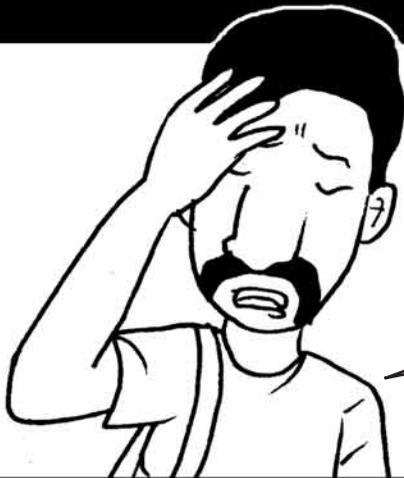




CAVR received reports of 25,347 detentions.
Those responsible were:

- 82% : Indonesian security forces
- 11.8%: Fretilin/Falintil
- 3.3% : UDT
- 0.4% : Apodeti
- 2.5% : Other entities

Relevant human rights norms



We were detained without knowing what we had done wrong. We only wanted independence. Many prisoners weren't given a trial, they were just put into prison, tortured, and treated like animals.

The relevant human rights rules are:

1. Everyone has the right to liberty of the person and the legitimate exercise of fundamental rights such as freedom of opinion and expression, and to freedom from arbitrary arrest or detention. If somebody is detained, this must be done through a fair and just legal process.
2. Torture and cruel, inhuman and degrading treatment is a grave violation of human rights and is prohibited absolutely in all circumstances.



Torture is the infliction of severe pain or suffering, for the purpose of punishment, intimidation, coercion, obtaining information or a confession. Torture degrades a person's dignity and includes acts such as sleep deprivation, restraining a person in painful positions such as standing up for a long time, keeping a person's head hooded, and death threats.

Detention and torture by UDT and Fretilin

During the internal conflict in 1975, UDT detained Fretilin leaders and members in every district except Oecussi, and mostly in the districts of Dili, Ermera and Bobonaro. In retaliation, Fretilin detained many hundreds of UDT and Apodeti leaders and supporters. After it established its administration, Fretilin gave ICRC access to prisoners.



Together with my family and neighbours, UDT detained us in Palapaço. For two days they interrogated me and beat me with a belt until I bled. After that we were released by the UDT leaders at Palapaço, João Carrascalão and Manuel Carrascalão.

(Luis de Jesus Guterres, Fretilin)

They yelled "Communist!" as they beat and kicked Sahe's body until he staggered... A UDT guard told us that we were in detention because we were all communists. Sahe asked him whether he knew what communism was. He said: "Communism, yeah, ah, I am not sure" and he left.

(Xanana Gusmão, on his and Vicente Reis' detention by UDT)

In the truck on the way to Corluli they kicked and slapped us... If we asked for water, they would bring dirty water and spill it on the ground so we would have to lick it up. Some friends could no longer stand the thirst and [they] drank their own sweat and urine. There were 70 of us detained in Corluli.

(Jose Guterres, Fretilin)





After the Indonesian invasion, Fretilin continued to hold several thousand people in detention.

Most prisoners held by UDT were released after 2 weeks because the UDT action was short-lived but, while being held, many detainees reported being ill-treated, poor sanitary conditions, a lack of food and water and being used as forced labour.



Fretilin were armed with spears and arrows when they came to Seloi-Malere. They arrested me, my parents and my siblings. They accused us of hiding weapons. They dragged us along the street, then tied us up and beat us.

(Amelia Mesquita, UDT)

On the way from Same to Aileu they beat us at all the posts we passed on the way. In Maubisse Commander Soares said: "We are all sinners in this world. God who is innocent will forgive us. Why don't we, human beings, forgive each other?" The beating stopped. But then they continued to Aileu and beat us on the way. They beat us every night but none of us died.

(Joao da Costa, UDT)



Between 1976 and 1979 when it still controlled parts of Timor, Fretilin established a Popular Justice system and camps called Renals to re-educate members or civilians who differed from the leadership in their political views or whose loyalty was in doubt.

Was the process of popular justice fair?



No, not always. CAVR found that 'Popular Justice' trials were often based on political grounds, were grossly unfair and had outcomes that included the defendant's execution.



Detention and torture by the military and militia



Arbitrary arrests, detention and torture occurred in all districts of Timor-Leste and in every year from 1975 to 1999. CAVR documented 20,779 reports of arbitrary detention by the Indonesian security forces. In 19,559 cases, victims and witnesses reported torture or ill-treatment by the military.

I was only 4 when ABRI arrested me and my mother ... because my older brother was a member of Fretilin. They took us to Sang Tai Hoo... that very night they interrogated my mother. They slapped her, hit her, spat on her, gave her electric shocks, burnt her with cigarettes and threatened her with a pistol. I just watched ... after that, ABRI said that small children don't lie.

They started to torture me. One soldier twisted my ear and sat me up on the edge of the window on the second level so that I could see down to the road below.

(Testimony by Maria Jose da Costa to a CAVR Public Hearing)



They took us to the command headquarters, then they took us in one of ABRI's tanks to the port. When we got there, they stripped us down to our underwear for 15 days. After that they took us to the detention centre at Tropical, then to the Balide prison. When we got to the prison, they interrogated us, beat us with iron bars, burnt us with cigarettes, gave us electric shocks and used chairs to crush our feet.

(Testimony by Marcelo da Costa Pereira to a CAVR Public Hearing)





Timorese Hansip officers who were part of the military apparatus were also involved in detaining and torturing people whom they suspected of association with the Resistance.



The largest detentions occurred when the Indonesian military moved whole families or a whole community to places like Atauro island or to new camps they had set up.





Why are you standing over here Dad?



It was in this cell that your mum, other Timorese, and I were imprisoned and tortured. They forced us to admit to things that we never did.

Why did they imprison you?



At that time our parents were involved in the Resistance. The military imprisoned lots of people including those who didn't know a thing about what was going on.

What year did they let you go?

They let us go not long after the Santa Cruz Massacre. They started to ease up on detentions around that time.

Your mum and dad were released when Indonesia began what it called the 'normalisation' of Timor. However the security apparatus shifted its focus to the clandestine movement. After the Santa Cruz Massacre on 12 November 1991, many members of the clandestine movement were imprisoned. Xanana Gusmão, the leader of the Resistance, was captured in Dili in 1992.



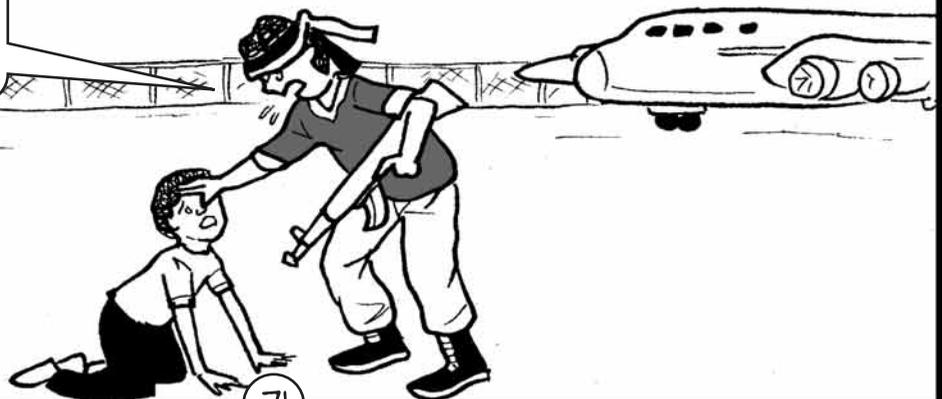
Detention and torture spiked again in 1997 when the military cracked down on the Resistance after it carried out a spate of attacks around the time of the Indonesian national elections in May. Around this time, Kopassus established militia groups in each district and recruited many young Timorese. A rise in the number of detentions followed.



Detention and ill-treatment increased again in 1999 after the decision was made to hold a Popular Consultation. The military and militia used every means of violence, including imprisonment and torture, to influence the vote in Indonesia's favour.



Do you love the Red and White?



It's hard to imagine that these terrible things happened in our country.



When you think about it, kids like us must have gone through these ordeals too.



That's true. No one was spared. But I'm afraid to say we haven't finished yet. There were still more violations.





What other violations could the poor Timorese possibly have suffered?



Come with me and I will tell you.

