

Chapter 7.4: Arbitrary detention, torture and ill-treatment

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Chapter 7.4: Arbitrary detention, torture and ill-treatment

7.4.1 Introduction

1. Arbitrary detention, otherwise known as the arbitrary deprivation of liberty, was suffered by East Timorese people more than any other violation recorded by the Commission. It occurred throughout the entire period of conflict in Timor-Leste, during both the internal armed conflict and the conflict with Indonesia, and it occurred in all districts. Although all sides to the conflict arbitrarily detained people, members of the Indonesian security forces were responsible for the vast majority of cases documented by the Commission.

2. Arbitrary detention is important to consider not only because it is a violation in itself but also because it exposed victims to many other violations. Ill-treatment and torture (the third and fourth most frequent violations respectively) occurred overwhelmingly while victims were in detention. Other chapters in this report also find that sexual violence, executions and disappearances, forced recruitment, forced labour, looting of belongings, deprivation of food and forced displacement all often occurred while victims were in detention and therefore in the power of the perpetrators.

3. The extent to which the people of Timor-Leste suffered being locked up and physically abused reveals a 24-year period of brutality and the repeated use of violence to crush political opposition, which eventually culminated in the violence and destruction of 1999. The UN Special Rapporteur on Torture concluded in his January 1992 report that torture was commonplace in East Timor.^{*} As this chapter sets out the occurrence of these violations was too often condoned, ignored or even perpetrated by those in command in each stage of the conflict. Impunity for the perpetration of arbitrary detention, torture and ill-treatment was standard.

4. This chapter looks at the nature and extent of arbitrary detention, torture and ill-treatment over the period 1975-1999.[†] There were very few cases reported in 1974, the start of the mandate period. It is hoped by examining these patterns and the structures and strategies behind them, that the people of Timor-Leste can understand how these violations were able to occur and what can be done to prevent them occurring again.

7.4.2 Definitions and legal principles

Arbitrary detention

5. International human rights law guarantees every person the right to liberty of the person and freedom from arbitrary arrest or detention by the state.¹

Arrest:

6. In this Report the Commission has used the word “arrest” broadly to describe the process whereby a person is taken into detention, regardless of whether that process is carried out by proper authorities acting within the law or not.

^{*} The UN Special Rapporteur put forward 11 recommendations to be implemented by the Indonesian authorities to put a stop to torture. Only two of those recommendations were implemented, namely the establishment of a National Human Rights Commission and accession to the Convention Against Torture and Cruel, Inhuman or Degrading Treatment or Punishment. The latter was not carried out until 1998.

[†] Chapter 7.2: Unlawful Killings and Enforced Disappearances, reports on killings and disappearances in detention.

Detention and imprisonment

7. The words “detention” or “imprisonment” have been used to refer to any enforced deprivation of liberty, whether in a formal prison environment or elsewhere. That is, detention is any situation in which a person is held within a confined area against his or her will.

8. Under international law, detention is arbitrary where any of the following occurs:

- There is no legal basis justifying the detention
- The detention arises from the legitimate exercise of fundamental rights (for example freedom of expression or opinion)
- The situation involves human rights violations of such severity that the detention may be regarded as arbitrary (for example, where due process or a fair trial is lacking).²

9. In an armed conflict it is permitted to capture enemy combatants and detain them as prisoners of war. However, under domestic criminal law civilians must not be detained without there being a legitimate reason for doing so.

10. Where a civilian or an unlawful combatant is detained on a criminal charge that person must be brought promptly (within a few days)³ before a judge, and must either be tried within a reasonable time or released.⁴ If this does not occur, the detention may be considered arbitrary.

11. The Commission notes that these standards have been used only as guides to the Commission’s research and has not made a finding of whether the detention was arbitrary in each case.

12. Under Indonesian law, kidnapping or depriving a person of his or her liberty were prohibited.^{*} These offences applied equally to officials including members of the Indonesian Armed Forces, and sentences were specified as higher in cases where an official used his power to commit an offence.[†] Portuguese criminal law prohibited illegally detaining, arresting or restraining a person.[‡]

Torture

13. Torture is considered a grave violation of human rights and is prohibited absolutely in all circumstances.⁵

14. Under international law, “torture” involves the intentional infliction of severe pain or suffering, usually for the purpose of punishment, intimidation, coercion, obtaining information or a confession or for any reason based on discrimination of any kind.⁶ Although this definition also requires the involvement of the state in perpetrating the act of torture, the Commission is of the view that, in the light of authorities from other international bodies, under customary law acts carried out by non-state actors without the acquiescence of the State may also constitute torture.⁷

Cruel, inhuman or degrading treatment (ill-treatment)

15. Where an act falls short of torture, either because it is not severe enough or because it is not clearly carried out for one of the required reasons, it may still be cruel, inhuman or degrading treatment (referred to generally as ill-treatment). This covers, for example, solitary confinement,⁸

^{*} Article 328 and 333 KUHP (Kitab undang-undang Hukum Pidana. – Indonesian penal code).

[†] Articles 42152 KUHP.

[‡] Article 330 Portuguese Criminal Code.

sleep deprivation,⁹ restraining a person in painful positions,¹⁰ keeping a person's head hooded,¹¹ and subjecting a person to death threats.¹² Ill-treatment is also prohibited in all circumstances by international law.¹³

16. Where the conditions in which a person is detained fail to meet minimum standards set by international law, it may amount to cruel, inhuman or degrading treatment or punishment.¹⁴ International law requires that all detainees must be treated humanely.¹⁵ They must not be subjected to hardships or constraints other than those resulting from the deprivation of liberty and must be allowed to enjoy all human rights subject to the restrictions that are unavoidable in a closed environment.¹⁶ In particular, prolonged periods of solitary confinement or incommunicado detention may violate these standards.¹⁷

17. More specific standards are contained in international instruments such as the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment; the Basic Principles for the Treatment of Prisoners, and the Standard Minimum Rules for the Treatment of Prisoners. These standards include requirements that prisoners be provided with the following:

- Accommodation meeting all requirements for health, taking into account climatic conditions, cubic content of air, minimum floor space, lighting, and ventilation
- Sufficient windows and artificial light to enable sufficient ventilation and lighting
- Toilet facilities allowing use in a clean and decent manner
- Adequate bathing facilities
- A separate and clean bed for each prisoner
- Food of sufficient quality and quantity adequate for health and strength
- Drinking water whenever it is needed
- Regular opportunities to exercise
- Access to medical treatment
- Opportunities to communicate with friends and family by correspondence and receiving visits
- Access to books, newspapers and other sources of information
- The ability to satisfy the needs of religious life so far as practicable.

18. Not all of these requirements are binding in themselves, but they provide standards that help in determining when the general obligation to treat prisoners with humanity and respect for the inherent dignity of the person has been breached.

Distinguishing between ill-treatment and torture

19. The Commission notes that drawing a distinction between torture and ill-treatment is often difficult, involving questions of fact and degree. Especially in the light of linguistic considerations – the word in Indonesian for “torture” is commonly used to cover a wide range of forms of mistreatment from light ill-treatment to severe torture – it has not always been easy for the Commission to determine which violation has occurred in a particular case of physical or emotional abuse. Further, as victims are not often aware of such fine legal distinctions they do not always describe what they suffered in sufficient detail for their experience to be classified under international law.

20. As the Commission is not a court, it was not essential for the Commission to make a finding on the legal nature of the victim's experience. Unless the treatment was clearly in one category or another, the Commission has not classified the treatment under either category but rather has set out the specific acts of physical or emotional abuse suffered by the victim. In cases where the victim did not specify the particular forms of abuse and simply described his or her experience as "torture", this description was accepted for statistical purposes.

Prohibitions under domestic law on assault and mistreatment

21. In addition to international standards dealing with torture and ill-treatment, domestic laws prohibiting the commission of various forms of assault and mistreatment also applied so as to criminalise this type of conduct. Under Indonesian criminal law "maltreatment" of a person was criminalised, and a higher penalty prescribed in cases where it had the effect of causing serious physical injury or death or was done with premeditation.^{*} It was a crime to deliberately cause serious physical injury to another person.[†] These offences applied equally to officials including members of the Indonesian Armed forces, and sentences were specified as higher in cases where an official used his power to commit an offence.[‡] In addition, certain specific conduct by officials was prohibited, including the misuse of power by an official to force someone to do, not to do, or to tolerate something,[§] and the use of coercion by an official to procure a confession or statement in a criminal case.^{**} Portuguese criminal law also prohibited assault, especially in cases where an illness, injury, psychological harm or death resulted.^{††}

Patterns of detention, ill-treatment and torture over the mandate period

22. As mentioned above, detention, torture and ill-treatment were among the most frequently reported violations across the entire mandate period. Of all the non-fatal violations reported to the Commission, 42.3% (25,347/59,972) were detentions, 18.5% (11,123/59,972) were acts of torture and 14.1% (8,436/59,972) were acts of ill-treatment.^{‡‡} Nearly 67%, or two-thirds, of victims of non-fatal violations reported being detained at some point. Most torture and ill-treatment occurred while in detention.

Patterns over time

23. The incidence of arbitrary detentions was not uniform over the period. The graph below shows the pattern of reported detentions, torture and ill-treatment over time.

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24. It reveals that all three violations followed similar patterns and that there were two peaks in the levels of such violations: in 1975 during the period of the internal armed conflict and the Indonesian invasion of the territory, and in 1999 when the population of Timor-Leste voted for independence and the Indonesian military departed. During the entire period 1976-84, however, when large-scale Indonesian military operations to conquer Timor-Leste and destroy the Resistance were conducted, there were high levels of detention, torture and ill-treatment. During

^{*} Articles 351-353 KUHP.

[†] Articles 354-355 KUHP.

[‡] Articles 421-422 KUHP.

[§] Article 421 KUHP.

^{**} Article 422 KUHP.

^{††} Articles 359, 360, and 361 Portuguese Criminal Code.

^{‡‡} These numbers do not by any means represent the total number of cases of arbitrary detention, torture and ill-treatment to have occurred in Timor-Leste over this period. They are the result of statements from only around 1% of the population, and have not all been statistically "matched" so that two statements may refer to the same incident of detention, torture or ill-treatment [see Part 6: Profile of Human Rights Violations].

the 14-year period 1985-98, when Timor-Leste was supposedly a normal province of Indonesia, arbitrary detention and torture was still reported to have occurred every year and took the form of sporadic low-level violence.

25. This pattern is consistent with the pattern of fatal violations: at times when more people were being arbitrarily detained and physically abused, larger numbers of people were also being killed (see Chapter 7.2: Unlawful Killings and Enforced Disappearances).

Patterns over space

26. Patterns over space also were not consistent throughout the conflicts. In the first years of the mandate period, the highest numbers of detentions and cases of ill-treatment and torture were in the western districts. By 1980 this had swung sharply to the eastern districts, where the Resistance was based and most resistance activity occurred, and this continued until 1984. Between 1985 and 1998, there was sporadic violence at similar levels in all regions of the territory but not in all districts in all years. In 1999, districts close to the border, Bobonaro, Covalima and Liquiça, again saw most of the violence.

27. Overall, the highest number of people detained over the mandate period (18% of total reports) were detained in Dili, followed by Lautém, Viqueque and Baucau (the eastern region). The least number of documented cases came from Oecusse (0.8%), followed by Covalima and Liquiça Districts. Torture and ill-treatment, however, while highest in Dili (12% and 13% of total reported cases respectively), occurred most frequently in Ermera and Manufahi Districts.

[Insert graph gVtypeDisthrvd4006001000]

The victims

28. The Commission's statement-taking process identified 17,169 victims of arbitrary detention, 8,508 victims of torture and 6,872 victims of ill-treatment. From these cases it is clear that young men of military age involved in Fretilin/Falintil or other groups resistant to the Indonesian occupation suffered the majority of violations.

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[Insert graph g11210600]

Gender

29. Overall, women comprised 13.9% of victims in cases of arbitrary detention, 12.3% in cases of torture and 7.7% in cases of ill-treatment. This strong gender bias reflects both that men were at the forefront of the conflict, fighting in the internal armed conflict and taking part in the armed resistance or the clandestine networks during the occupation, and also that less women came forward to give statements than men. Only 21% of statements in the Commission's statement-taking process were given by women.

Affiliation

30. Victims of detentions and torture and ill-treatment were mainly members of the Resistance and the clandestine movement, as well as students and other real or suspected supporters of independence. Many people only indirectly involved in the struggle were also

^{*} Until 1999, there were almost no cases of detention, torture and ill-treatment in the enclave of Oecusse, apart from in 1975. This changed in 1999 when militia violence targeted the area.

detained and tortured. Family members and friends of alleged insurgents and clandestine members were detained, often in an effort to isolate alleged members of the armed or clandestine Resistance from their support networks and so force them to surrender. Relatives and associates were also detained, tortured and ill-treated to extract information from them on the whereabouts and activities of their suspected family member or associate. An example of this is the hundreds of families that the Indonesian authorities sent to Ataúro in the early 1980s because they had family members in the Resistance or were from areas where the resistance was strong. That is to say, very few of the detentions or cases of torture and ill-treatment, reported to the Commission were random attacks on civilians with no political motivation. Only a very small number of victims were East Timorese who collaborated with Indonesia.

Group size

31. Most victims were detained individually, suggesting that they were specifically targeted by the perpetrator. Close behind this though were victims who reported being detained as part of groups of 98 people or more. The detention of individuals and groups is closely correlated; when more individuals arrests are being made, more mass arrests are also being made. The patterns changed over time. In every year between 1975 and 1984, except 1983, more people were arrested in large groups than as individuals. Between 1985 and 1998, more people were being detained individually than in large groups. This suggests that detention by Indonesian security forces became more targeted and strategic towards individuals in later years of the occupation.

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32. Torture and ill-treatment were obviously more often experienced by victims on an individual basis than as part of a group. Nevertheless, the category “groups of 98 people or more” was the second highest category in which people reported suffering ill-treatment or torture and in two years, 1975 and 1982, more people reported being tortured in a group than individually. Examples of torture and ill-treatment of groups include where large groups of people were detained and then beaten by their captors or were kept in terrible conditions amounting to inhumane treatment.

Institutional perpetrators

33. By far the most frequent perpetrators of arbitrary detention, ill-treatment and torture were the Indonesian military and police together with their auxiliaries. Together they were named as directly involved in 82.2% (20,867/25383) of arbitrary detentions and 82.4% (16,135/19,578) cases of torture and ill-treatment.

34. If this figure is broken down, it is clear that members of the Indonesian military and police acting on their own were still the largest perpetrators. Victims attributed 48.1% (12,212/25,383) arbitrary detentions and 45.5% (8,890/19,578) of incidents of torture and ill-treatment to members of the Indonesian armed forces acting alone. Different agencies of the Indonesian armed forces were attributed responsibility at different times. In the early years battalions and their commanders were named in most detention, ill-treatment and torture because they were carried out during military operations. By the late 1970s, units which formed part of the territorial structure such as District and Sub-district military commands (Kodims and Koramil) were most frequently named. Police became more active in the latter part of the occupation, when the detention procedures in the province were normalised. Reflecting the fact that the chief target of the security apparatus during the occupation was members of the armed and clandestine Resistance, throughout the occupation the various intelligence agencies and the Special Forces (Kopasandha/Kopassus) frequently perpetrated arrests, detention, torture and ill-treatment. They

perpetrated these violations both directly and indirectly, for example by ordering or encouraging East Timorese auxiliaries such as Hansip or militia groups to perpetrate violations.

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35. East Timorese who worked with the Indonesian security forces (such as civil defence, local administrators, “village guidance” officers, and paramilitary and militia groups) acting alone were named in only 12.3% (3,126/25,383) of cases of detention and 22.4% (4,380/19,578) of cases. The following table shows the involvement of the military relative to East Timorese who worked in these auxiliary roles in detention cases alone. It is clear that the Indonesian military is the chief institutional perpetrator in all years except for 1999.

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36. The Resistance movement was identified as the institutional perpetrator in 13% of detention cases, 11% of torture cases and 13% of ill-treatment cases. Most of these cases occurred in 1975 during the period of the internal armed conflict, and between 1976 and 1979 when internal divisions within Fretilin were at their height.

Table 1 - Violations by institutional perpetrator group*

Violation-type	ABRI/TNI alone	East Timorese Auxiliaries Alone	ABRI/TNI with East Timorese Auxiliary	Fretilin/Resistance	UDT	Civilian Population	Pro-Autonomy	Not reported [†]	Violation Count
Detention	12,212 (48.1%)	3,126 (12.3%)	5,557 (21.9%)	3,309 (13%)	984 (3.9%)	772 (3%)	222 (0.9%)	14 (0.1%)	25,383
Torture and ill-treatment	8,890 (45.4%)	4,380 (22.4%)	2,880 (14.7%)	2,250 (11.5%)	747 (3.8%)	509 (2.6%)	157 (0.8%)	27 (0.1%)	19,578

Where people were detained

37. The Commission’s data analysis process did not analyse the type of places used to detain victims. However qualitative review of victim statements and information obtained through interviews and Community Profiles have revealed a number of patterns.

38. First, a huge variety of places were used to hold prisoners. During the internal armed conflict and the period of Fretilin administration, both UDT and Fretilin used whatever places were at hand. In some instances this was large buildings such as warehouses, military barracks or school halls; in others it was pens which resembled chicken coops, bamboo huts or holes in the ground. The Indonesian military continued this pattern after it invaded in 1975 and before it had built its own military structures. By mid-1976 the military had established military commands and police stations and it began to use these and other military buildings, such as barracks and mess halls, to detain and torture victims. Many victims were moved between detention centres numerous times and thousands were sent far from their friends and family to other parts of Timor-Leste, including the island of Ataúro or parts of Indonesia. The Annexes to this report contain a list of all of the detention centres in all districts reported by statement givers. It is not comprehensive but provides a sense of the number and variety of places used.

39. Second, throughout the mandate period but particularly in the early years and in 1999, conditions of detention were routinely far below internationally accepted minimum standards. Victims held by both political parties (UDT and Fretilin), and by Indonesian security forces and their agencies frequently reported suffering food deprivation, inadequate sanitation and

* Note that the violation count is not a total of the figures in the table as in many cases more than one institutional perpetrator was identified by the statement-giver [see Part 6: Profile of Human Rights Violations].

† Where the statement-giver did not identify the institutional affiliation of the perpetrator in his or her statement.

ventilation, overcrowding and long periods of solitary confinement. Beatings and other forms of physical abuse were routine. Many people died in detention or were injured so seriously that they were never able to live normally again. Indonesian authorities are plainly the most culpable, as indicated by the number of people who suffered, the systematic nature of abuse and the length of time over which it occurred.

7.4.3 Structure of the chapter and key findings

40. This chapter is arranged both according to periods of time and perpetrators. Given the sheer number of reported cases of arbitrary detention, torture and ill-treatment, it was impossible to enter every deponent's testimony into this chapter. This should not be taken to imply that one deponent's testimony was more or less valuable than another's, merely that owing to constraints of space it was necessary to cite cases which exemplify general patterns.

41. The Commission has looked at patterns of who suffered these violations, who perpetrated the violations, and what strategies or policies (or lack thereof) led to these violations occurring. This was not always a straightforward process. Deponents described what happened to them in the way that they experienced it. Many victims did not even know who was committing the violation, let alone who had ordered it or of the policy behind it. Nevertheless, from reviewing many thousands of such testimonies, certain clear patterns can be gleaned and responsibility attributed.

42. Victims' experiences were drawn not only from statements but also from extensive interviews conducted by the Commission's research team between 2002 and 2004. The experiences of communities as a whole, as set out in Community Profiles, were also a valuable research tool.

Detention, torture and ill-treatment by UDT, 1975

43. The first section looks at the nature and extent of arbitrary detention, torture and ill-treatment perpetrated by UDT in its August 1975 armed movement, carried out between 11 and 20 August 1975. It looks at the reasons for the detentions and then the patterns of detention, ill-treatment and torture on a district-by-district basis. The Commission has found that a key strategy of the UDT armed movement was the detention of leaders and ordinary members of the main opposition party, Fretilin. The Commission received testimony about people being arbitrarily detained in all districts of Timor-Leste apart from the enclave of Oecusse, but the largest concentrations of prisoners were in the districts of Dili, Ermera and Manufahi. Most of those detained by UDT were held in such poor conditions, often without any food or water, that some died in detention. Beatings and other forms of physical abuse occurred widely but incidents of torture were isolated and torture was not perpetrated systematically. As the UDT armed movement was short-lived, so were most of the detentions.

Detention, torture and ill-treatment by Fretilin, 1975

44. Fretilin forces declared an armed general insurrection, or "armed action", on 15 August 1975. It responded to the violations perpetrated by UDT with ferocity, detaining many hundreds of UDT leaders and supporters. As the threat of Indonesian invasion became more real, Apodeti leaders and members were also targeted for detention. Many former detainees of Fretilin report being heavily beaten, in some cases tortured. Fretilin also differed from UDT by actively engaging the civilian population in the punishment of UDT members. Many detainees died or were killed while in detention. After the Indonesian invasion, Fretilin continued to hold several thousand people in detention, depriving them of food and water but making them perform forced labour such as carrying heavy goods. Some prisoners died in these conditions and some others were executed.

Detention, torture and ill-treatment by Fretilin/Falintil, 1977-79

45. Indonesia did not have complete control of the territory until early 1979. Until then, Fretilin had control of a large part of the civilian population. In Fretilin-controlled zones it set up a rudimentary justice process. This section outlines the justice process, the reasons that people were detained through this system, as well as the treatment of prisoners in several districts. The Commission finds that arbitrary detention was widespread and was not mitigated by the Fretilin practices of meting out justice. Ill-treatment and torture were also widespread and in some areas were systematic. They occurred during both interrogation and in the punishment of the prisoner. This treatment can be partly explained by the chronic food shortages in the Fretilin zones due to the need to continually move from the invading Indonesian forces and that crops were being burned by the Indonesian military.

Detention, torture and ill-treatment by the Indonesian security forces and collaborators, 1975-79

46. The Commission's data show that the peak years for arbitrary detentions, torture and ill-treatment were the early years after the Indonesian invasion of Timor-Leste. This section looks at these violations: at the time of the Indonesian incursions along the border; during and immediately after the invasion of Dili and other major population centres; when people surrendered; or were when they were captured in large numbers during military operations aimed at destroying the Resistance and bringing the whole population under Indonesian control. The Commission finds that targeted detention of East Timorese that the Indonesian security forces identified as members of Fretilin occurred from the day of the invasion of Dili. As well as targeted detentions, mass detentions of communities who surrendered or were captured occurred frequently throughout this period.

Detention, torture and ill-treatment by the Indonesian security forces and East Timorese auxiliaries, 1980-84

47. Between 1980 and 1984 large military operations were again conducted to destroy what remained of the Resistance and its new support base in towns and villages. This section is chronological and examines the military's tactical response to the reformed Resistance. It begins with the first major attack by the Resistance after its apparent defeat, on the Marabia broadcasting station, followed by Operation Security and the transfer of thousands of people to the island of Ataúro, the crackdown following the Mount Kablaki *levantamentos*, the ceasefire and its tragic aftermath in 1983, the peak year for detentions and torture in this period, and finally the decline in detentions in 1984. Although the military still played a leading role in this period, East Timorese auxiliary forces, such as civilian defence (Hansip), became heavily involved in detaining and torturing suspects. This period is also notable for the number of mass arrests following events that demonstrated that the Resistance was still active. Entire families were detained for several years on Ataúro or in resettlement villages. The number of people tortured relative to the number detained increased after 1983 and this trend continued throughout the remainder of the occupation.

Detention, torture and ill-treatment by the Indonesian security forces and East Timorese auxiliaries, 1985-98

48. This section looks at the nature and extent of detention, torture and ill-treatment during the long period of "normalisation" in Timor-Leste. Indonesia's decision to "open up" Timor-Leste, from the end of 1988, together with the increased international scrutiny that followed the Santa Cruz Massacre and the growing importance of clandestine and diplomatic activity to the

Resistance struggle resulted in new patterns of arrests and detentions in the late 1980s and the 1990s. There were fewer arrests and detentions during this period but they were more targeted. There were also preventive arrests made, for example, before visits by international delegations. The increasing mobilisation of youth by both sides led to numerous spontaneous clashes and violent outbursts around religious, economic and political issues. The number of incidents of detention, torture and ill-treatment began to increase substantially from 1997.

Detention, torture and ill-treatment by the Indonesian security forces and East Timorese auxiliaries, 1999

49. 1999 is dealt with separately because of the unique circumstances of that year. The announcement of and preparation for the Popular Consultation led the military to take drastic measures to influence the outcome. This chapter looks at the main perpetrators and the main victims of non-fatal violence, the reasons for detention, torture and ill-treatment, the patterns over time and space and the forms of detention and torture that emerged in 1999 and that were unique to this period.

7.4.2 Detention and torture by UDT 1975

Introduction

50. The first major wave of detentions, torture and ill-treatment was carried out by the União Democrática Timorese (UDT) political party when it launched an armed movement in August 1975. This act is commonly known as the UDT 11 August 1975 armed movement or anti-communist movement (see Part 3: The History of the Conflict).

51. In the first days of the armed movement, UDT supporters attacked and burned villages where there was strong support for Fretilin. They arrested members of Fretilin and members of the Fretilin Central Committee (CCF). Radio broadcasts from Dili on the morning of 11 August urged UDT supporters in the districts to take up arms against Fretilin “communists”, encouraging violence and inter-party conflict in all areas except the district of Oecusse.* The UDT armed action lasted until 20 August 1975 when Fretilin launched its general armed insurrection.

52. Detainees were released after Fretilin gained control of the territory in September 1975. The periods of detention were therefore no more than a month; in most cases, they were for less than two weeks.¹⁸ Although the UDT armed movement was led from Dili, it was coordinated by district level leaders in each district. The overall statistical patterns of and reasons for detention by UDT and the treatment prisoners in detention in seven districts of Timor-Leste is considered below.

Statistical patterns

53. The Commission’s research found that the level of violence related to the UDT armed movement varied between districts. The graph below shows the numbers of reports of arbitrary detention by UDT in each district.[†] It is clear that the violence was concentrated in the district of Ermera, followed by Dili, which was the UDT headquarters, Bobonaro and Manufahi. No detentions were reported in Oecusse and the numbers in the districts of Lautém, Viqueque and Covalima were low.

[Insert graph g2025004001 about here]

54. A popular notion in Timor-Leste is that the UDT movement was not especially violent and that prisoners were treated well, particularly compared to the way that Fretilin treated its prisoners. For example José Ramos-Horta once wrote:

The leaders of UDT acted more sensitively and humanely compared to the leaders of Fretilin...no leader of Fretilin who was detained by UDT stated that he was tortured by UDT. The same could not be said about the conduct of some Fretilin leaders.¹⁹

* In Oecusse, according to the *Relatório da Comissão de Análise e Esclarecimento do Processo de Descolonização de Timor* [Report to the Commission of Analysis and Explanation on the Process of Decolonisation in Timor], the situation was unchanged on 11 August. Oecusse remained quiet on 12 and 13 August. On the night of 13-14 August, when the Governor briefed representatives of Dili units on the latest situation and asked them to come up with a solution, the Oecusse Mounted Company said that it would abide by any decisions made by the Dili units’ representatives. The town of Aileu was under the remaining Metropolitan (Portuguese metropolitan police) unit, and most of Fretilin’s Central Committee members were based in Aisirimou (Aileu) until 15 August. UDT therefore reportedly did not enter the area. Detentions in other parts of Aileu were reported however, such as a joint UDT and Apodeti arrest of two members of Fretilin on 11 August in Selo Malere. [HRVD Statement 3256].

[†] Although the time period on the graph is 1975-79, the first phase of the conflicts, it should be noted that the vast majority of these cases occurred in 1975.

55. However, the Commission's research has found that many detainees reported experiencing torture and ill-treatment at the hands of UDT members and supporters.

56. Qualitative analysis of the statements reveals that in most cases violations that detainees reported having experienced were closer to ill-treatment than to torture. Common violations were beating, kicking and slapping. Detainees were kept in detention for long periods without food or water and in poor sanitary conditions. They were also used as forced labour. In many cases these actions amounted to cruel and inhumane treatment. These violations were often perpetrated by the UDT leaders themselves. An analysis of the deaths in detention by UDT is found in Chapter 7.2: Unlawful Killings and Enforced Disappearances.

Victims

57. Almost all the victims of arbitrary detention by UDT reported to the Commission were of Fretilin leaders, members and sympathisers, either real or suspected. Indeed, 81.1% (673/830) of detentions attributed to UDT reported to the Commission were committed against victims affiliated with Fretilin. Another 7.7% (64/830) of victims were reportedly civilians and 3.7% (31/830) were "other". UDT members themselves constituted 7.6% (64/830) of victims. These figures support the qualitative research findings of the Commission that UDT targeted Fretilin members when it conducted its 11 August movement.

58. Apodeti maintained a neutral position during the UDT movement, and its members were not targeted by UDT.²⁰ Only 0.2% (2/830) of victims in cases of detentions attributed to UDT were Apodeti members. Some Fretilin members reportedly hid in the homes of Apodeti supporters while the armed action was taking place.²¹ Other Fretilin members fled from the fighting and many sought refuge in Dili, for example at the Office of the Department of Social Services (Assistencia).

59. Paul Freitas, President of the Trabalhista party at the time, said that the party had verbally "collaborated with UDT's anti-communist movement" but did not join the party when it launched its UDT armed movement. He was however placed under house-arrest by UDT in Ossu (Viqueque) during the UDT movement:

UDT made the coup and imprisoned me...what had I done wrong for them to come and imprison me? They took me and our liurai Gaspar...held a pistol and threatened the two of us: "You two, from now on you keep away, you must not get close to the people, I now control the people...You go to your homes and stay there [and be] silent. You will have to put up with this like a prison." So the two of us were just dumbfounded and stayed in our houses.²²

Arbitrary arrest

60. The Commission heard testimony that the orders for the detention of Fretilin members in the districts came from the UDT leadership in Dili. Francisco Xavier do Amaral, the first President of Fretilin, described how he heard UDT giving orders over the radio:

²⁰ The Office of the Department of Social Services was in Caicoli (Dili). This building is now used by the National University of Timor-Leste (UNTL).

Radio Dili sent UDT to attack Bucoli. They said: "Arrest Fretilin! Go and arrest them in Cairui, go and arrest the communists." I thought, "What communists? Don't tell me that Fretilin are all communists". They were saying that all Fretilin was communist...I listened to the radio all the time; there wasn't an hour when I didn't have it on. I heard that they attacked in Aileu, attacked in Ermera, attacked in Letefoho and those from Atsabe [Ermera] came and attacked the Central Committee in Aileu. From Turisca [Manufahi], Funar, Fatumakerek, Laclubar [Viqueque], Soibada [Manatuto], Barique, they all came together and formed a crusade. They said: "This war is a crusade, a war against communism". This had the blessing of the priests. The priests prayed with them in a big mass and gave them their blessing.²³

61. João Carrascalão, the military leader of the UDT party at the time of the armed movement, denied that the UDT leadership in Dili ordered the arrests. He told the Commission:

There was no order to arrest Fretilin members and take them to prison. Suddenly we were surprised to see the prison full. There was no order from the Central Committee. The action taken was spontaneous...and many people acted for their own personal reasons, from earlier years, and they took the opportunity and just took people arbitrarily...Every day I went to the UDT prisons and released 50 to 60 people.²⁴

62. The evidence suggests that local leaders at the district and sub-district level identified the Fretilin members and supporters in the area and either apprehended them personally or sent other UDT members to make the arrests. Victims were taken wherever they were found. In some cases this was at home, on the street or at work. Two nurses were arrested while on duty and were still wearing their uniforms in the detention centre.

63. Others were caught as they tried to flee their villages from UDT armed supporters who were burning down their houses and looting their belongings. For example, UDT captured Fretilin leader Vicente Reis (Sahe), his brother Marito Reis and 11 other Fretilin supporters in Laleia (Manatuto) after they fled from the UDT attack on the village of Bucóli (Baucau). Marito Reis described how UDT supporters yelled abuse at them when they stopped in Manatuto:

They surrounded our car and screamed at us things like: "Kill communist sympathisers!...Like you Vicente Reis! Can you rule Timor?"²⁵ We just stayed silent because in that situation we were unable to speak.

64. Others were arrested when they were found to possess a Fretilin membership card. João Lopes of Memo Village (Maliana, Bobonaro) told the Commission that a UDT leader arrested him in the village of Asumali because he was found with a Fretilin membership card, and then he was tied, beaten and detained.²⁶ In another case from the sub-district of Maliana, Antonio da Costa Guterres told the Commission he was arrested on 2 September 1975 in the village of Odomau (Maliana) with a person called Carlos because they held Fretilin membership cards. Their captors

²³ Enfermeiro José Espírito Santo was arrested at Lahane Hospital in Dili. Agostinho Freitas said that Guido Valadares and José Espírito Santo were still wearing their hospital uniforms when they were arrested and detained in Palapaço. [CAVR interviews with Maria José Fatima Ximenes, Enfermeiro José Espírito Santo's former wife, Baucau Town, Baucau, 2003; Agostinho Freitas, Carabau Village, Bobonaro, 12 June 2003].

were a Bobonaro UDT leader T1 and his men T2, T3 and T4. Both men were tied, beaten and threatened with death.²⁷

65. The Commission also heard of cases in which the victims were detained when they were caught up in the general chaos and violence of the time, not specifically for their party affiliation. For example, Lucio Dinis Marques described his arrest with eight of his friends in Dili:

On 11 August, we were living in Rosa Lay [a shop in Bairro dos Grillhos, East Dili]. I was 19 years old and working at the Dili Diocese at the time. My younger brothers and sisters...and I were watching UDT men marching with their weapons. Then the men began shooting sporadically in our direction. We ran inside the house and no one dared go out because gunfire could be heard all over Dili. Around 3.00pm the same UDT men came back by car carrying Mausers and G-3s. They broke into our house and told us to go out into the street. They took the nine of us to Palapaço [location of the Portuguese military police headquarters] in a pick-up truck. A lot of people were already being held there. We did not know for sure if we had become prisoners, they just told us to join the other detainees in [the barracks]...While we were in detention we weren't beaten.²⁸

Detention centres and cases of human rights violations

Detention centres

66. UDT set up detention centres in various districts in Timor-Leste. In general, these facilities were temporary, to meet the immediate need of holding large groups of people. The Commission heard of schools, military compounds, warehouses and other large buildings used as UDT detention centres.

67. In most districts one or two main detention centres were established, and then smaller places were used on an ad-hoc basis in other parts of the district. The main centres in each district were as follows:

District	Main Detention Centres
Dili	Palapaço, Portuguese military police barracks
Ermera	Ermera Prison Aifu, a coffee warehouse
Manufahi	Former Portuguese Prison in Same A "Chicken Coop" in Wedauberek, Alas
Liquiça	Liquiça Primary School Maubara Primary School
Maliana, Bobonaro	Corluli, a rice-storage warehouse
Lautém	Military barracks at Companhia dos Caçadores 14 (14 th Rifle Company)
Baucau	Pousada Baucau, a former hotel Descascadeira, a rice mill in Bahu, Baucau

68. Many prisoners told the Commission of suffering human rights violations including torture and ill-treatment while being held by UDT. Many also told of being held in poor conditions with little food or water.

Dili

69. On the morning of 11 August, UDT seized key points around Dili including the Portuguese Military Police barracks called *Caserna Palapaço* (Palapaço). As well as providing the UDT forces with a considerable arms cache, this became the UDT headquarters and the main UDT detention centre in Dili.²⁹ As well as detainees from Dili, the Commission also heard of people arrested in the districts of Manatuto and Baucau who were brought and detained in Palapaço. Fretilin leaders such as Vicente Reis, Guido Valadares and José Siqueira were detained in Palapaço. Other detainees included Fretilin members and sympathisers, and civilians suspected of supporting Fretilin.

70. Mário Carrascalão described visiting Palapaço around 14 August 1975, after being in the districts of Timor-Leste:

*In Palapaço I found old men, young boys and young men...12-year-olds carrying guns. I saw the son of a friend of mine, 12 or 13 years old, carrying a G-3.*³⁰

71. From victim testimonies and interviews, the Commission has heard estimates ranging from 100 to 200 Fretilin members and supporters detained by UDT in Palapaço.[†] The room in which people were held was so full that the guards had to stand outside.³¹ Female guards brought the food and fed the detainees with plastic spoons. Each detainee was entitled to one spoonful of porridge twice a day.³² The guard used the same spoon for all detainees.³³

72. Witnesses told the Commission that prisoners in Palapaço suffered ill-treatment at the hands of UDT members and guards. At the prison door, the guards beat detainees who had to go to the toilet so that many detainees chose to urinate in their cells. Several detainees were reportedly shot dead by prison guards, one accidentally.[‡] Some detainees also experienced torture, as illustrated by the following statement of Luis de Jesus Guterres to the Commission:

*On 11 August 1975 in Ailok Laran, Dili, my wife, my child and I, with some of our neighbours [there were 12 of us altogether] were taken away by force by ten people from the UDT party whom I didn't recognise. They made us walk to the prison at Palapaço. When we arrived we were separated from our children and wives. They were taken to Liquiça and the men were held together in Palapaço. We [the men] were interrogated by two members of UDT, T5 and T6. Then they beat us with a leather belt until we were bleeding all over and the torture went on for two days...We were made to cook for the other detainees for eight days. After that we were released by the UDT leaders at Palapaço, João Carrascalão and Manuel Carrascalão and we went to Liquiça to find our families.*³⁴

73. Members of the CCF did not escape ill-treatment in detention. Vicente Reis (Sahe) suffered beatings and verbal abuse after he was taken to Palapaço and interrogated by a UDT

[†] Vicente Reis and several other members of Fretilin from Bucoli (Baucau) were arrested and taken to Palapaço in Dili to be detained. Domingos Gusmão, a member of Fretilin, was apprehended by UDT soldiers in Gariuai (Baucau) and was also brought to Dili to be detained in Palapaço. [CAVR Interview with Agostinho Boavida Ximenes (Sera Malik), Soe, West Timor (Indonesia) 28 August 2004].

[‡] According to Vicente Araújo there were around 200 members of Fretilin detained in Palapaço,

[‡] Marito Reis told the Commission that a guard accidentally killed José Espírito Santo in Palapaço when his gun went off unintentionally and that José Sequeira was shot by a guard when he was sick and cried out [see CAVR Interview with Marito Nicolau dos Reis, Dili, 27 July 2003].

member, T7.^{*} Vicente Reis's brother, Marito Nicolau dos Reis, gave the following account of their detention in Palapaço:

First we came in...then [T7] called Sahe: "You brought communism from Portugal. Come here!" He slapped, kicked and beat his face. [Sahe] fell and knelt with his hands on the ground. T7 reached for the bayonet from his Mauser and aimed it at Sahe but a police officer, T8, who collaborated with UDT, quickly slapped the bayonet away and said to him in Portuguese: "Não faz isso" [Do not do that]. When the beating stopped, Sahe was told to sit. I remember when they beat and kicked us, maybe only the two of us. Then, they ordered us to sit near the door, and said: "You are from Unetim,[†] you are those communists in Baucau".³⁵

74. Xanana Gusmão, who was arrested and detained by UDT in Palapaço, also recalled the detention and torture of Vicente Reis:

They yelled "Communist!" as they beat and kicked Sahe's body until he staggered. But he never complained. 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.³⁶

75. The Commission also received testimonies suggesting that some detainees experienced physical abuse before they arrived in Palapaço.

^{*} T7 was a member of UDT. He was killed by T9 and T69 of Fretilin in Hola Rua (Same, Manufahi) on 28 January 1976, one day after he had escaped from the massacre of José Osorio's group in Hat Nipah, Hola Rua Village (Same, Manufahi) [see chapter 7.2: Unlawful Killings and Enforced Disappearances].

[†] União dos Estudantes de Timor (Unetim) was a student organisation affiliated with Fretilin.

Manuel Agostinho Freitas, detention in Palapaço

Manuel Freitas was a Fretilin delegate from Lepo Village in Zumalai, Covalima District. UDT arrested him in Mota Maloa, Dili, on 11 August 1975. He described his arrest and detention in Palapaço:

On Monday morning, 11 August 1975, UDT arrested me in Mota Maloa, Dili. The four of us were arrested and taken to Aitarak Laran (Dili) in a jeep. At the bridge, UDT supporters beat us with wood. Then they said: "Take them to the port and throw them into the sea."

Somehow, they decided not to take us to the port. Instead, they took us to Mandarin. There, I saw people marching on the street. They stopped our car. They started beating us...Then they took us to Palapaço. As we got out of the car, UDT supporters beat us and threw rocks at us. We were put into a military compound at 6.00am. There, I saw nurses like Guido [Valadares] and José Espírito Santo from Baucau who were still in their hospital uniforms.*

On 14 August, I tried to talk to UDT leader T10 and I said: "Why not just capture the leaders, why [capture] us small people?" We asked whether he could facilitate our release. He refused and said that he could not sleep until UDT captured Francisco do Amaral and Nicolau Lobato. So we had to die. They dragged us back to the cell. On the night of 15 August, Senhor Arthur came. I did not know him, I only heard people address him as Senhor Arthur. He entered our cell and wanted to free us that night...but nurse José Espírito Santo raised his hands and advised him not to let us go that night. He was afraid that other UDT members would think that we were escaping. He suggested that we be freed in the morning. The next morning at 7.00, the police chief, T11 entered the prison and screamed angrily: "You wait until you die. You communists cannot leave." We were tied up and stomped into the ground.

On 17 August, a Malae†, T12, and a police officer T13, the in-law of Lucio Marques who was detained with us in our cell, came. With a Mauser in his hand, he stood at the prison door and said, "Raise your hands if you are a blood relation of Albano." I pinched Lucio to also include me. We raised our hands, and made a "V" sign‡ and we were released.³⁷

76. Reports obtained by the Commission show that while the political violence was widespread at the start of the UDT armed movement, UDT continued to arrest people until Fretilin launched an armed reaction in Dili on 20 August 1975. The following reports obtained by the Commission describe the arrests and detention of Fretilin supporters in Dili:

Deponent	Date and place of arrest	Detention	Torture
Matias de Jesus Soares ³⁸	11 August 1975 Arrested by ten UDT members.	Detained for six days in Palapaço	Not mentioned by the deponent. On 16 August, Matias and Felix Fatima, a UDT driver, fled Palapaço by car. T7, a UDT member, shot at them but missed.
Vicente Arauúo ³⁹	11 August in Camea (Dili)	Taken to Palapaço.	When he arrived at the prison door he was hit by a rifle butt on his back, beaten and kicked.
Domingos Carvalho ⁴⁰	11 August arrested by UDT members in Becora (Dili).	Put in a car with eight others and taken to Palapaço	Slapped twice on arrest. Beaten for three days in detention and closely guarded by UDT members from Ermera armed with swords, knives, and arrows.
Alexandrino da Silva ⁴¹	11 August, UDT members T14 and T15 attacked the deponent's house in	Deponent tied-up with other victims, Suriano and José. They were taken	João Carrascalão was standing at the door; they were untied and detained with Guido Valadares, José Alexandre Gusmão (Xanana Gusmão), Cornelio, Pontelião,

* Mandarin is an area in Dili near Farol and Palapaço.

† A term used in Timor-Leste to describe an outsider or foreigner, in this case a Portuguese person.

‡ Their fingers formed a V sign, a sign of UDT.

	Bairo Pite airfield, West Dili, and arrested deponent.	in a jeep to Palapaço.	José Siqueira, José Espirito Santo, Domingos Conceição, Alberto da Costa and Manuel Freitas. They were given dirty food, once a day; other detainees from Ermera and Maubisse (Ainaro) who went to the toilet received beatings.
Moises Soares Pereira ⁴²	18 August, by UDT troops in Audian, Dili.	Tied up and taken to Palapaço by car.	Was put into a cell that already had around 250 people inside. While in detention he was forced to clean the cell.
Manuel do Rêgo ⁴³	18 August, deponent was stopped by an armed UDT member who asking for his UDT card, but he did not have one.	Soon after, a jeep came by and took the deponent to Palapaço.	Upon arrival, UDT members T7 and T16 hit the deponent, Mário Sousa, Acaçio Carvalho and Moises, with G-3 rifles until the weapons broke. The deponent was ordered to fix the water pipes and the other victims were ordered to clean the toilet.

Ermera

77. Ermera was also a UDT stronghold and the Commission received the highest number of reports of arbitrary detention by UDT in the district of Ermera, numbering 626. Ermera was a coffee-growing area, and an owner of the plantations in Aifu, Ermera, T17, was the head of the UDT regional committee in Ermera.⁴⁴ He was named to the Commission as being directly involved in numerous cases of arrest and detention in Ermera District. †

78. UDT set up two major detention centres in Ermera District, in Aifu and the Ermera Prison. Other smaller detention centres were set up throughout the district. Once Fretilin's armed reaction was underway, UDT transferred all prisoners in Aifu to the Ermera Prison. UDT forced around 70-75 Fretilin prisoners into one small cell with poor ventilation, making it difficult for the prisoners to breath. Conditions in this prison were poor. Prisoners were deprived of food. There was no toilet in the cell; the guards provided a drum for prisoners to use instead. On 1 September 1975, UDT guards began to take the prisoners out of the prison. Some were executed and others were released⁴⁵ (see Chapter 7.2: Unlawful Killings and Enforced Disappearances).

79. Two women from Ermera described detention and torture in Aifu and Ermera Prison. Eufrasia de Jesus Soares from Poetete (Ermera, Ermera) was married to Daniel Carvalho, the Apodeti Regional Secretary for Ermera District. She told the Commission:

After their coup d'etat, UDT began to become violent in various areas from Ermera to Railaco...I followed all the developments in Ermera...In the beginning they did not kill, they just beat, captured, and engaged in various inhumane activities, so that many sought our protection. At that time we were living in Railaco. But acts of violence occurred in many places. People were captured, beaten and killed in Aifu.⁴⁶

80. Maria Cecelia de Jesus told the Commission that UDT troops arrested her husband Virgilio Agustino Exposto Monteiro and his friend Luis da Costa at the Humboe intersection (Ermera Sub-district, Ermera) on 11 August. The arrest was ordered by UDT leaders T18 and T19. Both victims were detained in the Ermera Prison for two days and on 13 August Antonio Casimero released them. But, on 20 August, Virgilio was re-arrested at Humboe by UDT with Cecilia's father and detained in Ermera Prison. Because Cecilia was not yet legally married to Virgilio, she went with Father José Maria Barbosa to Ermera Prison and married Virgilio. Father

⁴² Note that this figure does not represent 626 separate detentions; some deponents may have described the same incident.

[†] HRVD Statements: 1061; 4540; 6156; 8341; 6203; 8304 and 6421.

Barbosa was threatened and expelled from the prison by T18. She said that she saw 72 people detained in the Ermera Prison.⁴⁷

81. Adelino Soares described his arrest in Sakoko (Ermera) and his detention in Aifu:

On 11 August, UDT armed supporters arrived in Sakoko, Ermera. They came to Sakoko first because they thought it was a Fretilin stronghold. They came with a major and guns like Mausers and G-3s. The villagers panicked when the armed supporters opened fire, shooting randomly. People ran in all directions. The supporters arrested ten of us who did not manage to escape and took us to Aifu. T20, a UDT commander, and T17 were waiting for us.

[T20] asked: "Are you the [Fretilin] delegate in Sakoko?" I answered: "Yes, I am", although I was just a regular member. Then [T130] said: "You can go home now, but tomorrow you must come here with your spears, arrows, machetes and any other sharp weapons you can find." At 6.00am we returned to Aifu [and] they took our weapons. They said: "Now go and find your Fretilin friends!" We obeyed and went to look for our friends but when we returned at 10.00am they tied our hands and feet. We were left tied up for a week. They beat other prisoners but they didn't beat people from Sakoko...

They starved us for a week. They tied our hands and feet from morning until night. Many friends cried because of the unbearable suffering. Some died of starvation.⁴⁸

82. Adriano Ximenes's older brother was one of those detained in Aifu. Adriano reported that a UDT commander, T21, went to Lekesi in Poetete Village (Ermera, Ermera) and threatened to shoot Adriano's older brother, Alexandrino Mau Soko. Because Alexandrino knelt at T21's feet, he was not shot but was instead imprisoned in Aifu. When they arrived Alexandrino was slashed across the back with a machete and was then forced to clean and cook for members of UDT.⁴⁹

⁴⁷ T17 was a UDT leader and the owner of a coffee plantation in Aifu. He owned a house in Aifu. On 1 September, UDT guards took prisoners from Ermera to his house and executed them [see Chapter 7.2: Unlawful Killings and Enforced Disappearances].

Manuel Duarte – imprisoned in Aifu

Manuel Duarte managed to escape from a group whose members were eventually killed by UDT in early September. He gave a description of his imprisonment by UDT in Ermera and in Aifu to the CAVR National Public Hearing on the Internal Political Conflict of 1974-76, held in Dili from 15 to 18 December 2003:

On 9 August I arrived in Dili from my home in Ermera. On 11 August I was at Zeca Bras's house when T22 from UDT captured me and took me to Uma Kleuk. At Uma Kleuk they exchanged my Fretilin card for a UDT card and then released me.

The next day on 12 August, T22 with four others recaptured me and took me to Aifu where there were many prisoners. They tied us up and made us lie on the ground like pigs. We were held there for over two weeks. On 20 August in response to the counter coup in Dili, UDT fled to Ermera. T18 moved us from the prison in Aifu to the prison in Ermera. We were kept there for five days. The toilet was just a drum in the middle of the cell.

On 1 September T69 ordered the UDT armed supporters to take Lorenzo dos Santos, Armando Barros, Miguel Salsina, Vicente and myself to Aifu to be killed. Before we arrived in Aifu we met UDT forces and a commander coming from the direction of Aifu and we were ordered to go to Claetremán [a place in the aldeia of Duhoho, Catrai-Leten Village (Letefoho Ermera)]. There, they took our wristwatches and money and we thought we were going to be killed. We met a second group of prisoners there but we didn't speak to each other, we just prayed.⁵⁰

83. Prisoners affiliated with Fretilin were also kept in smaller detention centres throughout Ermera. The Commission heard testimony about UDT prisoners held in the sub-district of Hatulia in Nunsloet, Lemia Sorin Balu, Boatu, Koliata (all in Hatulia, Ermera) Leotela;⁵¹ in the sub-district of Letefoho,⁵² in the Lihu Primary School; and other locations in the sub-district of Railaco;⁵³ a private house in the village of Poetete and an improvised prison in Maudiu Village in the sub-district of Ermera.⁵⁴ Detainees in these smaller detention centres also suffered torture and ill-treatment. The following cases occurred on the day of the armed movement, 11 August 1975:

- Dinis da Costa Pereira of Gomhei, in Riheu Village (Ermera, Ermera) told the Commission that on 11 August 1975, he was arrested in his home by 12 UDT armed supporters led by T25 and acting on the orders of T18 and T19. They took Dinis Pereira to a makeshift prison in Maudiu Village, Riheu (Ermera, Ermera) where he saw five other people who had been detained that day, namely Nicolau, Mau-Hatu, Viegas, Mau-Usi and Francisco. The prisoners were stripped naked, beaten heavily, kicked and punched. They were given no food or drink during their time in detention. On 20 August, as Fretilin launched its armed response, they escaped.⁵⁵
- Also on 11 August, a UDT local representative, T26, asked the head of Dukurai Village (Letefoho, Ermera), T27, and T28 to arrest five Fretilin members. The victims were arrested in Haufu Village (Letefoho, Ermera) and taken to the *Companhia* (Portuguese military headquarters) in Dinhati (Letefoho). While in detention, they were tortured and subject to inhumane treatment⁵⁶
- Luciano Salsinha Ximenes described how in Railaco Kraik Village (Railaco) on 11 August, UDT forces, including UDT members T29 and T30, arrested him. They tied his hands, beat him with an iron bar and wood until blood streamed all over his body and then took him to Railaco Town to the head of UDT in the area, T31. There, he was put into a cell with four other people including the *liurai* Napoleão from Taraso (Railaco, Ermera) Mau Tero and Mau Lere from Lihu and José Tilman from Aileu.⁵⁷ On 13 August they were beaten again and then taken to Aifu (Ermera).
- Abel de Oliveira Pinto told the Commission that UDT leader T17 arrested him on 11 August in Eratoi (Letefoho, Ermera) because he was a Fretilin supporter. T17 tied Abel Pinto's hands and then beat him, before taking him to Letefoho where he was held with 25 other Fretilin prisoners. UDT supporters also burned down his house. He described how on 20 August UDT leaders, including T18, T19, T32 and T33 came to Letefoho to see the prisoners. They threatened to kill Abel Pinto but instead, they slashed him with a knife.⁵⁸

84. Detentions continued on 12 August: Paulino de Deus Araújo described how on 12 August 1975 in Lauana (Letefoho, Ermera) UDT members forced him to join UDT. The same day he was arrested him and taken to Letefoho. The following day, he and another detainee named Victor were tied and beaten by three UDT supporters named T34, T19 and T32.⁵⁹

85. Serafin de Jesus Martins testified about his detention and that of his father during the UDT armed movement. In his statement he recounted that as a 16-year-old Fretilin supporter, UDT members T35, T36 and T37 came to capture him at his home in Manusae (Hatulia, Ermera) on 12 August. Failing to find Serafin, they took his father Besi Leto and detained him in the UDT Hatulia Headquarters in Nunsloet in Ailelo Village (Hatulia, Ermera) for two days.

86. On 13 August the three UDT members returned and, still failing to find Serafin, verbally abused his mother and sister. On 15 August Serafin and his brother Cipriano Guterres went to Nunsloet, Aileo (Hatulia, Ermera) to speak to UDT leaders about their father's detention:

When we arrived the UDT members arrested me straight away. They hit me all over with an iron bar and a piece of wood. Some of them hit me with a rock until my head was wounded, my right hand was broken and my knee was bleeding. Someone used a machete and cut my legs, both right and left. Then they burned me with fire and kicked and punched the rest of me. There were many people [beating me] but I only knew T38, T39, T40, T41 and T42.⁶⁰

87. Serafin shared a cell with four other Fretilin prisoners, namely Rui Fernandes, Manuel da Silva, Damião de Oliveira and Gaspar de Oliveira, all arrested in Urahau (Hatulia, Ermera) After a few days, the four were taken out and executed. Serafin was detained for eight days altogether and then moved to Hatulia Prison and then released by a member of the Public Security Police (Policia Segurança Publica).

88. On 25 August, UDT members arrested Serafin again and took him back to Nunsloet. This time he was not put in a cell but was forced to sleep on gravel for four days. A Segunda Linha captain, T43, planned to kill Serafin when the UDT flag was lowered. Two other UDT supporters, Augusto Marcal Lemos and Hilario Soares, found out and alerted Serafin. He escaped and hid until Fretilin soldiers entered Raimerhei (Ermera, Ermera).⁶¹

Bobonaro

89. UDT arrests in Bobonaro District also began on 11 August 1975, mainly in Maliana and led by UDT commanders T1 and T44. The main UDT detention centre for people from Maliana Sub-district was a rice barn in Corluli, Ritabou village (Maliana, Bobonaro).⁶² The Commission heard that 70 Fretilin members were detained there, although several had been moved there from other detention locations around the sub-district of Maliana.⁶³ T45 was the warden and he carried a Mauser rifle. His treatment of prisoners was extremely harsh. Martino Lopes and João Godinho both told the Commission that prisoners received neither food nor drink and one or two prisoners died of starvation.⁶⁴

90. João Godinho was one of the 70 Fretilin members detained in Corluli. He told the Commission that on 11 August UDT militants arrested a number of Fretilin supporters in Maliana. He was apprehended on his way to work and taken to the UDT secretariat. In the afternoon UDT transferred the people it had captured to the public works camp (*Acampamento Obras Publicas*) in Maliana. There, UDT guards gave prisoners a radio to listen to the UDT broadcast. They said to the prisoners: "Listen to that! Fretilin has surrendered!" But after a few days the guards took the radio away. At every opportunity, the guards threatened to "bathe" the prisoners but the prisoners did not understand what they meant.[†] The prisoners were then transferred to Corluli. João Godinho told the Commission:

One afternoon, they told us to stand in a line and not to bring clothes and blankets. They said: "Get in the car!" Some were just thrown onto the truck. We didn't know where they were taking us [until] we got to Corluli...[UDT forces] stood in two rows armed with spears, machetes and arrows. They pushed us through them to enter the prison. From then on we no longer ate...We just stayed there until 2 September 1975.

⁶¹ Segunda Linha was the Portuguese second line or reserve military forces. They were usually traditional forces that had been allied to particular local kings (*liurai*) and which were then co-opted into the Portuguese military structure and given Portuguese military ranks.

[†] 'To bathe' was a euphemism for "to kill". The same term was used during the Indonesian occupation, i.e. 'to bathe at sea' (*mandi laut*) meant 'to kill'.

When the gunfire started we thought UDT was shooting. But soon the daughter of Felisberto, one of the detainees, stood up to the window and said: "Father, father, let's get away. Bobonaro is attacking!"...One detainee, Antonio Valente, was already weak and João had died in the other cell. Soon six women - Ernestina Moniz, Florença Maia, Flora de Jesus Moniz, Anita Amaral, Luisa da Gama and Leonita - came to look for us...They opened the prison door...We took Antonio Valente out too, but he was already too feeble to stand up and just lay there. So we put him back inside the room and closed the door and we just left. We heard that later troops from Bobonaro came and found him and they buried him.⁶⁵

91. José Guterres was also one of the detainees in Corluli and spoke to the Commission about his experience. He was captured with other Fretilin supporters on 11 August 1975 on the orders of UDT leaders in Maliana, including T3, T47, T48, T49 and T50 from Odomau (Maliana, Bobonaro). They were taken to Corluli:

In the truck on the way to Corluli they kicked and slapped us. They beat us in the prison and they didn't give us food. Our wives brought food to the prison but they would soil it first before giving it to us. We did not eat or drink for nine days in the Corluli prison. 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.⁶⁶

92. Statements provided to the Commission confirm the inhumane treatment of prisoners in Corluli. Several statements describe how the guards starved the prisoners of food and water, leading to the deaths of two or three detainees. Further, they stated that guards beat prisoners who dared to ask for permission to go to the toilet.⁶⁷ José Pinto Guterres described how the ear of his nephew, Anus Alesu, was cut off in Corluli by a UDT member.⁶⁸ Antonio da Costa Guterres, held in Corluli for having a Fretilin card (see case above), told the Commission that he and some prisoners were forced to flee to Turiskai (a village in West Timor bordering sub-districts Suai and Maliana) with UDT on 12 September. From there he was taken with UDT to a refugee camp in Atambua in West Timor, Indonesia.⁶⁹

93. Arrests in Bobonaro continued for several weeks. Other smaller detention centres were set up in the sub-district of Maliana including in Santa Cruz in Maliana Town, the UDT headquarters in Ritabou Village, "Secção" Maliana detention centre or the *quartel* Maliana, Maumali and the house of local *liurai* Guilherme dos Santos, in Memo Leten. In other sub-districts, detainees were taken to the sub-district capital and detained. The Commission heard of prisoners from the sub-district of Cailaco being held in the town of Cailaco and from the sub-district of Lolotoe being detained in Lolotoe Town.⁷⁰ Below are testimonies of the torture and inhumane treatment that prisoners experienced at a number of detention centres in district of Bobonaro.

- Hermenegildo Fernandes described how on 11 August UDT leader T1 and his men T51 and T52 arrested Fretilin leaders, delegates and members of OPMT in Maliana. The victims were detained in the UDT office in Maliana then moved to Maumali in Ritabou Village (Maliana, Bobonaro). One detainee died of starvation.⁷¹
- Florindo Gonçalves, a Fretilin member at the time, told of how in August 1975 (day not recalled) he and ten friends, named José Gouveia, Antonio Valente, Antonio Nascimento, Daniel Caldas, Avelino Moniz, João Gonçalves, Filomeno da Costa, Rosario, Moises Nunes and Guilherme Moniz, were arrested in the aldeia of Oeceli in Lolotoe Sub-district by a group of UDT soldiers led by T53 and T54. The victims were put in a room and held for three days, during which they received no food or water. The detainees were then moved by truck to a house in Lolotoe and held there for about one week.⁷²
- Adriano João told the Commission that in 1975 he was the Fretilin representative in the sub-district of Cailaco. At around 4.30pm on Wednesday, 13 August 1975 UDT members led by T55 came and arrested him and then tied him up and beat him heavily. Adriano was detained in Cailaco for one week with other Fretilin members including, José Martins, José Barros and Marcelino Borges.⁷³ During the period of the UDT armed movement, Adriano also suffered abuse from an Apodeti member, T56. T56 attacked Adriano after he came home with his wife from seeing the doctor in Cailaco Town. Adriano was beaten heavily, stomped on and then his ears were slashed with a machete. As well as the physical abuse, Adriano told the Commission that he also suffered trauma after his livestock including his goats, pigs and cows were confiscated by UDT.

94. In Guda Village in Lolotoe, the Commission heard of two group arrests. Sebastião Amaral told the Commission that three young Fretilin members (himself, Amaro Moniz and Candido Daniel da Silva) were detained by UDT members on 14 August. He said that they were taken to the home of UDT leader T1 where they were beaten heavily. The UDT members threatened to kill them with arrows. After five hours, the detainees were taken to the *quartel* Maliana (the Maliana radio transmission station) and held for one week. The victims received no food while in detention.⁷⁴

95. The community of Guda described how nearly two weeks later, on 28 August 1975, four UDT militants ranked first lieutenant (*Alferes* in the Segunda Linha) arrested the Fretilin delegates and 14 other young men in the village. They were taken to Lolotoe and handed over to T54 on the charge of being communists. T54 tried to force them to accept UDT membership cards but they refused. He kept them in a toilet overnight and the next day ordered that they be tied up and taken to Maliana. The UDT soldiers then beat, kicked and stomped on the youths until their faces were almost unrecognisable.⁷⁵

Manufahi

96. The third greatest number of detentions by UDT reported to the Commission were from the district of Manufahi. The main detention centre in Manufahi was a prison in Same Sub-district built by the Portuguese administration. Statements provided to the Commission estimate between 100 and 300 Fretilin detainees were held there during the UDT armed movement.⁷⁶ They also reveal that Fretilin prisoners in UDT detention centres in the district of Manufahi experienced torture and other forms of inhumane treatment.

97. Leonardo Paicheco, a former Fretilin delegate, was one of those held in the Same Prison. He told the Commission that on 11 August he was arrested by the Segunda Linha major, T57, and T58, the UDT leaders in Same, accompanied by a number of UDT soldiers. He was first

⁷¹ T56 was a member of Apodeti. He was the son of the *liurai* of Atsabe, one of Apodeti leaders. He was the younger brother of a former Apodeti Partisan. It was not clear what motivated this torture by T56. [see CAVR Interview with Erminio da Costa da Silva, Jakarta, Indonesia, 9 August 2004].

taken to the Orema region in Hola Rua (Same, Manufahi) where Major T57 hit and slapped him and then beat him with his rifle butt. Major T57 then ordered his men to tie up Leonardo and take him to the Same Prison. There, Major T57 and T59 repeatedly hit Leonardo and others with a rifle butt. The prisoners were not allowed out of their cells for 14 days so that they had to go to the toilet in the cell and live in their own urine and faeces.⁷⁷

98. Mateus Alves described in his statement about his arrest by UDT leader T58 and his men T68, T69 and T70 in the aldeia of Deunai in Hola Rua Village (Same). At the time of arrest, T72 and another UDT member punched and kicked Mateus Alves. Then T73 tied him up and took him to see UDT leaders Major T57 and T74. Major T57 lashed Mateus with a whip until he collapsed. Then they threw him into a truck with other detainees and took the group to the house of T75, another UDT leader in Faraiudo Village (Same). After that Mateus Alves was taken to the Same Prison where he and other detainees were held for one week without food.⁷⁸

99. Reports suggested that UDT also detained Fretilin prisoners in smaller detention centres in the district of Manufahi, where they also experienced inhumane treatment. For example, two men from a village in the sub-district of Alas were arrested by UDT and taken to Wedauberek Village in Alas. There, they were subjected to forced labour, and inhumane living conditions by the UDT Commander in Alas, T60.⁷⁹

Baucau

100. In Baucau UDT operated two detention centres, the Pousada Baucau* and the *Descascadeira*† in Bairro Central Bahu, Baucau. In most cases, prisoners were held for the first few days in the Hotel Pousada, where they were interrogated by the UDT leader in Baucau, and the party's vice-president, T62, before being transferred to the *Descascadeira*. The Commission heard that around 30 Fretilin members were held in the *Descascadeira*, from the districts of Baucau, Lautém and Viqueque. Former prisoners reported experiencing ill-treatment and torture including being lashed with a whip, kicked and punched.⁸⁰

101. Liborio Maria told the Commission that on 11 August 1975, he and Faustino dos Santos, both young Fretilin members, were arrested by T61 of UDT in Bahu (Baucau, Baucau). The victims were taken to the Pousada Baucau where they were interrogated by T62, the head of UDT in Baucau. Another UDT member, T63, then took Liborio, Faustino and 30 other detainees to the *Descascadeira*.⁸¹

102. Domingos de Sousa Freitas told the Commission that he was arrested by two UDT members in the house of the aldeia head, T64, in Bacaiwa, aldeia of Adagoa in Uailili Village (Baucau, Baucau). He did not provide the date of his arrest. Another UDT member then tied him up and beat him, and then took him to the wash house in Gariuai Village (Baucau, Baucau), where he was held for five days. The Uailili village head, T47, along with 20 other UDT members, then moved Domingos de Sousa Freitas to the Pousada Baucau. While in the Pousada, T62 beat him. He escaped after Fretilin launched its armed reaction.⁸²

103. At 9.00am on 11 August, according to the statement of Diamantino da Costa, he and four other Fretilin members who had been charged with organising the community in Ostico Village (Vemasse, Baucau) were arrested in Ostico by UDT leader T46, his men T48 and T79 and ten other UDT members. They were taken to the Pousada Baucau. At 10.00am T62 interrogated the detainees. During the interrogation, T62 accused them of being enslaved by Vicente Reis (Sahe). They were held in the Pousada for four days and on 16 August 1975 they were moved to the *Descascadeira*. They were released on 29 August after Fretilin launched its armed reaction in the area.⁸³

* Hotel Pousada Baucau became known as the Flamboyan Hotel during the Indonesian occupation.

† The *Descascadeira* was a building used for milling rice, husking coconuts and similar processes.

Liquiça

104. The district of Liquiça was the home of the third UDT base, in the sub-district of Maubara. UDT operated two detention centres in Liquiça District: one in the Liquiça primary school and the other in the Maubara primary school buildings. The Commission heard that around 75 Fretilin members were held in the Liquiça Primary School. These detainees were moved to the Maubara Primary School on around 1 September.⁸⁴ They were held in Maubara for almost one month. No estimate of detainee numbers in Maubara was provided. The Commission heard that when Fretilin launched its armed insurrection, the first town it captured in the district was Liquiça Town. This caused tensions to rise in Maubara and detainees took the opportunity to break down the prison door and escape.

105. There was no reported maltreatment of detainees in either centres and no deaths occurred in the detention centres. The Commission did find evidence, however, of detainees suffering ill-treatment outside, before they reached a detention centre. Albino da Costa Mouzinho, a former Fretilin vice-delegate in Leotela Village (Liquiça, Liquiça), testified:

On 12 August 1975, UDT delegate T65 and his men came and arrested me in the rice fields of Pabo in the aldeia of Kaimegoluli, Leotela Village. Straight away I was beaten; they punched me with their fists six times across the ears until my ears were bleeding and I could not hear. After that I was ordered by another UDT delegate, T66, to go and find Maubroke and Asuloe (Fretilin members) in the aldeia of Paulara [Leotela Village]...so I went with T66 and his men to arrest Maubroke and Asuloe and took them to Nunloi in Fatumasi Village, to the house of the Village Chief T65. There I saw [a Fretilin member called] Maudasi lying on the ground seriously wounded and he screaming. I was sent home.⁸⁵

106. Marcelino Soares described how in Vatuvou (Maubara, Liquiça) on 13 August 1975, UDT supporters arrested him and five members of his family and beat them heavily. The victims' heads were also shaved and then they were tied and taken to Maubara. They were held there for 27 days until Fretilin attacked Maubara and they managed to escape.⁸⁶

107. Daniel Pereira Martins testified in his statement that he was arrested by a UDT member in the aldeia of Kota Lara in Loidahar Village (Liquiça, Liquica) on 14 August 1975 and taken to the Liquiça Council building (*Conselho*). When they arrived, another UDT member threatened to kill Daniel Martins. He was taken instead to the Liquiça Primary School where he was held for over two weeks. On 1 September 1975 Daniel and 67 other detainees were moved to the Maubara Primary School where they were held for nearly a month. Daniel told the Commission that in Maubara a UDT member called T66 slapped detainees whenever he gave them their food.⁸⁷

Lautém

108. When the UDT armed movement broke out in the district of Lautém, Captain Lino da Silva, a Portuguese officer and commander of 14th Rifle Company (Companhia de Caçadores 14) came to sub-district of Moro and placed the Segunda Linha commander, Edmundo da Conceição Silva, under house arrest. He also confiscated 150 firearms belonging to Segunda Linha, which he took to Dili and handed over to UDT.⁸⁸

109. In addition, UDT supporters arrested a number of Fretilin members and detained them in the military barracks at 14th Rifle Company.[†] Prisoners held there did not suffer ill-treatment and were fed. The Commission heard of people detained at the Company headquarters for two weeks or less. Other Fretilin supporters were called to come to the headquarters for questioning by UDT and were then sent home.

110. According to José Conceição, a number of Fretilin leaders in the district of Lautém, such as Afonso Savio, Felipe Dias Quintas and others, were taken to Baucau and detained at the Pousada.⁸⁹

Forced labour

111. As well as the physical abuse and the ill-treatment of UDT detainees, the Commission heard that many were also forced to work for UDT. The Commission received statements describing how prisoners were forced to build roads, to lift rocks and to dig gravel and to cook for the UDT forces and the detainees without compensation. For example, the Commission heard that on 15 August 1975 around 500 people were detained in Same and forced to work building roads all day without being given food.⁹⁰ Adriano João stated that prisoners in Cailaco (Bobonaro) were forced to build a road for one week, linking the town of Cailaco to Bilimau Village, on the border with Hatulia (Ermera). UDT released the prisoners on 4 September 1975 when the road was finished.⁹¹ Similarly, in Maubara (Liquiça) Marcelino Soares and his family (see above) were forced to carry rocks and sand to repair the road from Maubara to Mauboke.⁹²

112. Women were also used as forced labour. For example, the Commission heard that when the UDT armed movement began the male Fretilin supporters in Mauchiga (Hatu Bulico, Ainaro) left their families behind and fled to hide in the forest. UDT supporters captured Antoneta Cortereal and other women and took them to Lesuata (Ainaro). There they were forced to cook for UDT soldiers for one week. When Fretilin attacked the UDT base in Lesuata, Antoneta and the other women escaped.⁹³

113. In the village of Ossu de Cima (Ossu, Viqueque), Seferina Freitas, her elder brother Adelino da Silva and the Fretilin delegate in Ossu, João da Rocha, were arrested by UDT. T71 and his men held the three prisoners for one week. During this time they forced them to carry rocks and wood to build a road as well as beating, slapping and kicking them.

7.4.3 Detention and torture by Fretilin, August 1975-February 1976

Introduction

114. On 15 August 1975, four days after the beginning of the UDT 11 August armed movement, the Fretilin Central Committee (CCF) declared a General Armed Insurrection (Insurreiçao Geral Armada) from the Fretilin base in Aisirimou (Aileu). The declaration urged people to resist the armed movement and in a matter of days internal conflict broke out between UDT and Fretilin.[†]

115. During the internal armed conflict Fretilin replicated UDT's practice of arbitrary detention of its political opponents. Some of those detained were UDT combatants but many others were

[†] The Indonesian occupation forces came to use C-Casa 14 as a military (TNI) base. They named it "Headquarters of Battalion 745 Company A".

[†] CAVR Interview with Lucas da Costa, Dili, 21 June 2004. Fretilin's declaration in Aileu was first made public in its statement on 13 September 1975 that "at 3.45pm on 15 August, the Fretilin Central Committee became aware that there was going to be no peaceful solution, so it urged armed resistance nation-wide." [See Helen Hill, *Stirrings of Nationalism in East Timor: Fretilin 1974-1978*, Oxford Press, Sydney, 2002, p. 142].

ordinary members or supporters of UDT or members of other political parties, or their families, who were civilians due all of the protections of civilians accorded under international humanitarian law. The Commission has not differentiated in this Report between combatants and civilians, because all detainees have a right to be treated humanely and to not be subject to torture or other cruel or degrading treatment. Further, in many of the statements received by the Commission, people who identified themselves as combatants were often arrested in their homes or villages, not during combat.

116. The Commission has found that Fretilin conducted widespread detention, including the arbitrary detention of civilians. The International Committee of the Red Cross (ICRC) estimated that around 2,000 prisoners were in Fretilin detention centres after its armed reaction to the UDT movement.⁹⁴ The Commission, through its narrative statement-taking process, documented 1,369 cases of arbitrary detention by Fretilin in 1975. Of the 64.3% (880/1369) of these cases that reported the exact month in which the violation took place, 95.2% (838/880) occurred between August and December, as can be seen in Figure <gFret4001975.pdf>. Furthermore, 58.8% (517/880) of the victims were reported to be affiliated with UDT. The arbitrary detentions attributed to Fretilin which involved UDT members were overwhelmingly concentrated in August and September of 1975.

[Insert figure <gFret4001975.pdf>]

117. Qualitative evidence received by the Commission suggests that people detained by Fretilin generally received adequate food but were held in overcrowded and unsanitary conditions. Physical abuse and sometimes torture of detainees were widely reported.

118. The Commission's statistical research reveals that in 1975 the overwhelming majority of Fretilin detentions occurred in the central districts, in particular in Dili and Aileu, Manufahi and Ermera, as is shown in Figure <t400Fret1975.rtf>. The Commission's qualitative research, through interviews and Community Profiles, suggests that Dili was also one of the main detention places during the internal armed conflict. This is consistent with the Commission's view that arbitrary detention was used as a tool of the conflict and was concentrated where the conflict was most intense.

[Insert Figure <t400Fret1975.rtf> about here]

119. Fretilin continued to detain people after the Indonesian invasion in the early months of 1976 but at a much lower level – 150 cases were reported in January-February 1976. In contrast to previous months, these cases occurred mainly in the eastern districts: 64.7% (97/150), as is shown in Figure <t400Fret1976JanFeb.rtf>.

[Insert Figure <t400Fret1975.rtf> about here]

The Fretilin armed reaction

The General Armed Insurrection

120. Rogério Lobato received a coded message from Fretilin in Aileu in Dili on the night of 15 August,[†] signalling the start of the Insurrection.⁹⁵ He told the Commission:

⁹⁴ 58.9% (806/1369) of detentions were reported in the central districts compared with 23.5% (321/1369) in the western districts and 16.4% (225/1369) in the eastern districts.

[†] Rogério Lobato and other CCF members in Aileu agreed to use the code when Rogério came to Aisirimou, on behalf of Lemon Pires, to negotiate with CCF members in Aileu on 15 August 1975. The message read "A *minha muelher ja esta à Aileu, chegou bem*" ("My wife arrived safely in Aileu"). Rogério Lobato devised this message as he was about to leave for

*On the night of 15 August, the transmission unit called me [and I heard the coded message]. I knew they had started the “counter-coup” in Aileu. Then I prepared the “counter-coup” in Dili. I called Commander João Branco, Adão Cristovão and the others. Then we made a plan at the soldiers’ mess hall.**

121. On 17 August Fretilin took over the Portuguese military barracks in Aileu and detained Portuguese officers and soldiers. On the night of 17 August, 44 Fretilin members moved to encircle the Portuguese troops in Aileu. Lucas da Costa told the Commission:

[A]ll the troops were gathering for a meeting. We started to surround their position and hid in the drains. Nicolau Lobato, Abel Larisina and Alarico Fernandes were the first to approach the gate. When the meeting ended, the commander left through the gate and Nicolau jumped out from the drain, pointed his pistol at the commander and asked him to remain quiet. Nicolau told the captain to surrender his Aileu troops to Sergeant José da Silva.† There were 11 Portuguese soldiers, five officers and some sergeants and corporals. These soldiers became prisoners.⁹⁶

122. The launch of Fretilin’s armed reaction in Dili also began with the detention of members of the Portuguese military. At 1.00am on 20 August, Rogério Lobato and Sergeant Hermenegildo Alves, East Timorese soldiers who had already aligned themselves with Fretilin, arrested the Portuguese deputy chief of staff who headed the QG where he also lived. That same morning, East Timorese soldiers disarmed 50 to 60 Portuguese soldiers.⁹⁷

Reasons for arbitrary detention

123. A number of the leaders of the UDT 11 August movement were arrested and held by Fretilin, including its vice-president César Mouzinho from Baucau, Francisco Oliveira and Mário Jaorez from Dili, and a number of other UDT leaders from the districts. They also detained the Portuguese chief of police, Lieutenant Colonel Maggiolo Gouveia,‡ The Commission was told that some Fretilin members who detained UDT members were motivated by revenge for the violence committed by UDT members during the armed movement.[§]

124. As Indonesian incursions in the western districts intensified, Fretilin also turned its attention to the pro-integration Apodeti party. Filomeno Cabral explained that Apodeti members were arrested because of the escalating attacks in the border region by the Indonesian military

Dili by helicopter. He conceived the coded message when he thought about his wife in Dili, and revealed the message to Commander Gill Antonio Gonçalves and José da Silva. [CAVR Interview with Rogério Lobato, Dili, 26 August 2003].

* According to Rogério Lobato, the *sala dos soldados* was a bar set up for Portuguese soldiers where they could order food and drink. [CAVR Interview with Rogério Lobato, 26 August 2003].

† The Captain’s name was Horta. “My brother [Nicolau Lobato] disarmed Horta” [CAVR Interview with Rogério Lobato, Dili, 26 August 2003]

‡ Mário Carrascalão told the Commission that Maggiolo Gouveia was released from UDT custody shortly after the armed action of 11 August 1975 “because he had made a political declaration that he adhered to the UDT movement”. Mário Carrascalão said that Maggiolo Gouveia went to talk with Fretilin members after this release, but that he was arrested by Fretilin and subsequently disappeared. [Testimony to CAVR National Public Hearing on The Internal Political Conflict 1974-76, 15-18 December 2003. See also: Mário Lemos Pires, *Descolonização de Timor. Chapter: The UDT Coup: “O Golpe da UDT”*].

§ Xanana Gusmão, testimony to the CAVR National Public Hearing on The Internal Political Conflict 1974-76, 15-18 December 2003.

and East Timorese exiles who had been formed into a force known as the “Partisans”.⁹⁸ Lucas da Costa stated:

It was a simple logic; in this war (in Timor-Leste) some people conspired with the enemy to wage war. The conspirators were of course UDT and Apodeti people...Fretilin had to resist border incursions. Our soldiers started to die [and] the Australian journalists [were also killed]...And so leading figures in UDT and Apodeti were all arrested.⁹⁹

125. Mari Alkatiri testified to the Commission that the Apodeti leaders were arrested on his orders on 4 or 5 October 1975, after he received intelligence that they were planning an attempted coup against Fretilin. He said that when he was told that Apodeti members were planning to begin the “attempted coup” by throwing a grenade into a Fretilin Central Committee meeting:

I called Sergeant Carmo. I said: “You carry out this operation. Go catch them all.” We caught a lot of Apodeti people, nearly all of them. The sergeant put the police into what is now Undil [Dili University building].

126. The leaders of the KOTA and Trabalhista parties were also detained, but not their ordinary membership.¹⁰⁰

127. On an individual level, victims reported being detained if they were known UDT or Apodeti leaders or supporters, were from UDT- or Apodeti-affiliated villages, if they held UDT membership cards or if they were suspected of spying for UDT or Apodeti.¹⁰¹

Places of detention

Dili

128. The *Quartel Geral* (QG), the Portuguese army headquarters in Taibessi, Dili, was the first building occupied by Fretilin on 20 August. Most of the UDT leaders and members captured during the armed action were detained there, including César Mouzinho, Francisco Oliveira and the former Portuguese police chief, Lieutenant Colonel Maggiolo Gouveia. João Oliveira was the Fretilin warden at the QG.¹⁰² Rogério Lobato, the commander of the Fretilin armed forces at the time, told the Commission that about 1,000 Fretilin supporters gathered at the QG to see the arrested UDT leaders, many with guns. He said that they beat the UDT leader, César Mouzinho, and as they lost control another prisoner being led to the cells, Mateus Ferreira from Same, was crushed to death by the mob.¹⁰³

129. Testimony and statements to the Commission indicate that prisoners at the QG experienced various forms of abuse, torture and other forms of cruel or inhumane treatment. Fretilin acknowledged that there were cases of unrestrained physical violence against prisoners. Rogério Lobato said that members of Fretilin began to abuse their power and commit violations against prisoners. He said that Fretilin as an organisation “never gave a direct instruction to do bad things to people, but members of Fretilin as individuals sometimes abused their power and committed violations of human rights.” He told the Commission:

⁹⁸ Mari Alkatiri, testimony to the C AVR National Public Hearing on Internal Political Conflict 1974-76 , 15-18 December 2003.

Sometimes they entered the prison, called out for prisoners and beat them. Sometimes this wasn't because they had a problem with them about the [political] situation, but from an old problem. I know that sometimes it was because someone had taken their girlfriend and so now they used this as a chance to beat him. I know this. People took advantage of the war to beat others and to take justice into their own hands. But some did beat them because they were angry because of the war.

They beat Maggiolo and others...I want to say something about Maggiolo Gouveia. Many Fretilin and Falintil colleagues entered his cell and beat him. The prison warden, Sergeant João Oliveira, came to me and told me about their unrestrained behaviour. They came just to beat Maggiolo Gouveia. [I said]: "Why don't you bring Maggiolo here?" and I met him in my office, which used to be his. I said: "My dear Lieutenant Colonel, I heard about what happened to you in this prison. I will release you from this prison and take you to hospital." So I took him to the hospital and handed him over to the International Red Cross.¹⁰⁴

130. José Ramos-Horta was one Fretilin member unimpressed with the treatment of UDT members at the QG. He was also displeased with the treatment of prisoners at the Lahane Military Hospital in Dili. Some prisoners were transferred to Lahane Hospital after suffering severe torture at the QG.

*I visited the military hospital in Lahane. The UDT vice-president Mouzinho and other UDT members had already been transferred there, including Agapito Mariz, Fernando Luz, and Chico Oliveira. Mouzinho almost died of the severe beating [he received] when he surrendered to Fretilin soldiers in Baucau...Chico Oliveira...lost most of his vision through severe beatings.**

131. The Commission received a number of reports from victims of such treatment. Francisco Gonçalves told the Commission that a Fretilin member, T80, ordered his men to torture him while he was a prisoner at QG. Francisco was aged 17 at the time and was in grade ten at Dr Francisco Machado Liceu in Dili. He had studied in Mozambique and on his return to Timor-Leste in 1974, became a member of the UDT youth group, Lesval. He was not involved in the UDT armed movement, but Fretilin arrested him at the Motael Church on 27 August and took him to its headquarters. On 28 or 29 August T80 came to the prison and found Francisco's name on the list of detainees. When Francisco was called out of his cell, he heard T80 say to a guard: "This is a playboy...from Mozambique...whip him 150 times." Gonçalves collapsed after being whipped 17 or 18 times and was put back in his cell.¹⁰⁵

132. Felix Fatima Ximenes reported that on 12 September 1975 two Fretilin members, T81 and T82, arrested him and Antonio Soares in Maubara (Liquiça) because of their UDT membership. They were taken to Dili and detained at the QG for two months. Throughout their

¹⁰⁴ José Ramos-Horta, *Timor Leste Amanha En Dili*, pp. 107-113. In the same book and at the same pages, Ramos-Horta wrote that when he came for lunch at Nicolau Lobato's house, he told Lobato what happened in prisons. He told Nicolau Lobato that the practice had to end. If not, he would invite ICRC delegates as well as foreign journalists to expose the practice. Earlier, Ramos-Horta heard that a second Sergeant and Fretilin deputy commander had whipped Maggiolo Gouveia and Victor Santa.

detention they were beaten by Fretilin member and former sergeant in the Portuguese army, T83, who acted on the orders of T84, the person responsible for beating prisoners. On 19 November Fretilin moved them to Balide Prison.¹⁰⁶

133. A member of UDT reported that in September 1975 he was arrested by commander T85 of Fretilin in Dili, and taken to the QG. He said he and two others including a police chief were whipped by Fretilin guard T84. They were then ordered to lie in the sun and beat each other.¹⁰⁷

134. The Commission's research indicates that unlike UDT, Fretilin did not deprive detainees of food (see section on Detention and Torture by UDT 1975 above). Mari Alkatiri told the Commission that Fretilin members and prisoners ate the same food:

*As for food, I remember I ate whatever the prisoners ate. We ate the same food. After all, the food came from the same kitchen.*¹⁰⁸

135. Mari Alkatiri testified to the Commission that Fretilin also held Fretilin members at the QG from about October. He said that they were detained due to the excesses that they had committed in the internal conflict and its aftermath.¹⁰⁹

Comarca Balide

136. From mid-September Fretilin began to use the main Portuguese prison, in Balide (Dili), known as the Comarca.¹¹⁰ Fretilin detained around 390 prisoners there, including both members of UDT and Apodeti.

137. Statements received by the Commission indicate that prisoners detained in the Comarca were brought in from a number of districts, including Dili, Liquiça, Aileu and Ermera.* Lamberto Ximenes told the Commission that he and other civilians were detained by Fretilin forces in Leimea Leten (Atsabe, Ermera). They were forced to work building a road for three days and were then sent to the Comarca in Dili where they remained until the Indonesian invasion of Dili on 7 December.¹¹¹

138. A statement received by the Commission states that two prisoners were held for two months in the QG before they were moved to the Comarca on 19 November. There they joined senior Apodeti members who had previously been detained in Aileu, including Arnaldo dos Reis Araújo, Antonio da Silva, Mahrus Alkatiri, José Antonio dos Reis, José Gastão Melo Araújo, Herminio da Costa Silva, Ernesto and Frederico Almeida Santos.¹¹² Frederico Almeida dos Santos told the Commission that he was detained first in the Museum, near the Government Office (now the Palácio do Governo) on the waterfront, before he was moved to Aileu with 12 others, and was finally sent to the Comarca in Balide on 20 October 1975 on the orders of T86.¹¹³

139. The Commission did not find evidence of abuse, torture or other cruel treatment directed at UDT or Apodeti prisoners at the Comarca. Anselmo dos Santos, a former prisoner in the Comarca, described the conditions:

* CAVR Interview with Anselmo dos Santos, at the village of Vaviquina-Maubara, Liquiça, 9 March 2004. Anselmo dos Santos was arrested in Maubara, detained first at QG and then moved to Balide. Anselmo dos Santos estimated that 64 of the 390 detainees at Balide were from Maubara. All of them survived and returned to Liquiça after the Indonesian military defeated Fretilin there.

At the Balide Prison we were guarded by four Fretilin guards and a commander named [Filomeno] Gomes from Atsabe. He was a good man. We were held in the Balide Prison from September to December [1975]. Each morning after breakfast we worked. We swept or did other jobs such as hoeing the land or cutting grass in Caicoli [an area of Dili behind the prison].

In the beginning, we had breakfast of sweet potatoes, bread and coffee. We were also given lunch and dinner. But as we went into November the situation became desperate. Food supplies brought from the east dried up and the sweet potatoes from Ermera ran out. We just waited to die. In the morning we could still have as much coffee as we wanted but without food. At lunch we ate only green vegetables, the same for dinner. The food supplies had run out and this situation lasted until the end of November.¹¹⁴

Aileu

140. Aileu was the main Fretilin base. It had two main detention centres, the Companhia in Aisirimou (the military barracks taken over by Fretilin), and a large coffee warehouse. Fretilin detained leaders of opposition parties at the Companhia, and sent ordinary party members to the warehouse.¹¹⁵ The two detention centres held prisoners from the district of Aileu and also from other regions. The Commission received reports of abuse and ill-treatment of detainees at these centres.

141. Amelia Mesquita told the Commission that she and eight members of her family were among the first detainees to be held in the Aileu coffee warehouse. Amelia and her family were farmers from the village of Selo-Malere in Aileu. In August 1975 a group of Fretilin men armed with arrows and spears came to her village and arrested her, her mother Lourença da Costa and her father Carlos de Araújo, while they were in their coffee grove. They also arrested six of Amelia's relatives, two of whom were women. Fretilin arrested them on suspicion of hiding guns, which Amelia's father denied. They were dragged along the street and then tied up and beaten. They tied Amelia's uncle to a flag-pole and beat him until he bled. *

142. Rafael Nascimento told the Commission that Fretilin arrested him in his village in Aileu. He said that they tied him up with another detainee, Martinho, and kept them in the warehouse in Aileu. He claimed that T87 beat him in the head with a helmet causing severe injury.[†] He said he received no medical treatment even though his head was severely injured.¹¹⁶

143. Other places were used as smaller ad hoc detention centres in Aileu. In the sub-district of Laulara, the Commission heard of several people detained in the village of Unmenlau. Domingos da Silva Soares told of how his friend Afonso Mesquita (a Fretilin member) was arrested in the village of Boklelo on 19 August by a Fretilin commander, T88, and his men and taken to the village of Unmenlau. He managed to escape but his father, who came looking for him, was detained and killed. According to Domingos, the whole community of Boklelo was then tied up and walked to Unmenlau because they were suspected of hiding an escaped detainee named Marcal. The community members were released after questioning.¹¹⁷

* Amelia Mesquita said the six relatives were: Domingas Mendonça, Sarah de Araújo, Aleixo, Serkoli, Romaldo and Antonio.

[†] Other former detainees, for example João da Costa and Assis dos Santos confirmed that T87 often beat and tortured detainees in Aileu.

Manufahi

144. Manufahi was another district that saw intense clashes during UDT's armed movement and again during the Fretilin armed reaction. On 27 August 1975 Fretilin troops attacked and captured Same (Manufahi), forcing UDT troops to retreat to the eastern region.¹¹⁸ Fretilin captured and detained several UDT and Apodeti members who failed to escape. It held them temporarily at the Same Primary School, before moving them to the Same Prison.¹¹⁹ More people were arrested in Same during September 1975.

145. The Commission obtained victims' testimonies claiming that Fretilin physically abused, tortured and treated prisoners cruelly at the Sub-district prison in Same.

146. Monis da Maia, was one of the detainees at this prison. He told the Commission that Fretilin arrested and detained him temporarily at the primary school when it captured Same. He said that Fretilin soldiers abused him when he was arrested, and that this continued at the prison, causing him to lose consciousness twice. He testified to the Commission:

*When we went to the town to watch the arrival of Fretilin troops, they [the troops] said: "Look at him." Then, everyone came and beat me until I fainted. I knew one of the troops, T34, when we were in Dili. He lifted me up and took me to the school. Then other detainees started to come, including Celestino Soares.**

One day T90, a Fretilin minister, visited the prison and ordered the prisoners to come out, and he hit them one by one with a branch. We were all injured and I fainted. The next day T91, a member of the CCF, entered with a G-3 gun in his hands and told the prisoners to step outside to be beaten. I refused to come out because I still felt the pain from the previous beating. I told T91: "Why don't you shoot me? I won't come out."

The other prisoners were then taken outside and beaten and then ordered to return to their cells. Then T91's friend, T92, came into my cell and hit me with a rice pestle and I fainted. T92 thought I was dead, so he ordered the guards to dump my body in a coffee plantation. Then he left. With God's help, I survived.

At a flag-raising ceremony the guards took 11 of us and told us to march to our death. But then Mauhunu changed his mind and said: "If we kill them all, who are we going to rule once we become independent? Are we going to rule trees and stones?" So they did not kill us. Instead, they put us back in our cell...

* Celestino Soares was Apodeti Regional Secretary in Same. A Fretilin soldier shot and killed him [see Murder of Celestino da Silva by Fretilin in Chapter 7.2: Unlawful Killings and Enforced Disappearances].

Fretilin asked everyone in the local community to come to the Sub-district prison for a Popular Justice (Justiça Popular) hearing. Then they ordered the prisoners to step out of their cells one by one. Fretilin took prisoners accused of serious crimes to Aileu. Antonio Cepeda was the Fretilin leader then. It was my turn to face popular justice. I was innocent, so the people were silent. But another man provoked them by saying: "Tell us that he beat you!" But people refused, except one who said: "He swore at my grandfather." I raised my hands but kept silent. So they took me to Aileu just because I swore at his grandfather.¹²⁰

147. The Commission received testimonies describing Fretilin arrests of UDT members who had escaped to the eastern region from Same. They were taken back to Same and detained at the Sub-district prison. On their arrest, they suffered physical abuse and torture. One victim, João da Costa, told the Commission that Fretilin troops abused him and treated him and other UDT members cruelly on the way from Venilale (Baucau), where he had been captured. João da Costa told the Commission of the prisoners treatment by Fretilin at the Sub-district prison:¹²¹

At the Sub-district prison, they [Fretilin] took us out in the afternoon and told us to beat each other. Prisoners beat other prisoners. First they took my two older brothers, cut branches from a coffee tree and told them to beat each other. It was like a cockfight and everyone stood around watching them. The branches broke into pieces, and the guards beat us before they returned us to our cells. I had to fight my own cousin, José Tilman. I hit him until he fell to the ground. Then the guards beat us again. They beat us every day. We spent one month in Same before they took us to Aileu.

148. Those held at the Sub-district prison were taken to Aisirimou in Aileu in early October 1975.

Ermera

149. The highest number of detentions by UDT in 1975 occurred in the district of Ermera. When its forces entered Ermera, Fretilin responded in kind. The Commission received many reports of detention in the period August to September 1975, especially in the sub-districts of Railaco and Ermera. Fretilin detained members of UDT and Apodeti in buildings previously used by UDT to hold Fretilin prisoners, such as the warehouse in Aifu (see section "Detention and torture by UDT 1975" on detention centres in Ermera District, above) Many prisoners were transferred directly to the neighbouring district of Aileu.¹²² Various sources reported to the Commission that UDT and Apodeti prisoners in Ermera suffered ill-treatment by the Fretilin soldiers who arrested and detained them. The following are examples of the physical abuse and other cruel and inhumane treatment of detainees reported to the Commission:

- Pedro Madeira, a UDT member in Matata (Railaco, Ermera), said that he was detained on 20 August by Fretilin member T94 and taken to Railaco where he was held for about three months. He said that while he was in detention, he was kicked and beaten with a rifle butt. He was then moved to Aileu and held there for three days before he was released.¹²³
- The Commission was told that Adão Exposto was captured by Fretilin members T95, T96 and T97 who beat him heavily, and took him to Aileu where he was interrogated by the Fretilin president before being returned to Railaco and detained.¹²⁴
- Lamberto Ximenes told the Commission that he had been involved in the UDT armed movement in Dili and then fled to his village of Leimea Leten (Atsabe, Ermera). He said that on 20 August Fretilin arrested him with many civilians, who were UDT members, and forced them to build a road for three days. Lamberto himself was later moved to the Comarca in Dili.¹²⁵
- Domingos da Silva, a UDT member, told of the arrest of three UDT members in Loro Hou, the village of Lisipat (Letefoho, Ermera) by Fretilin. They were taken to Tali Koto where one was killed and two, Lino and Maubere Kohe, were held in detention.¹²⁶
- José Dofan testified that in September 1975 T99, a Fretilin sympathiser, arrested his brother-in-law Feliciano (no last name provided) and Feliciano's mother Soe Leki in Bernukera, (Railaco, Ermera) They were held for one night in the Fretilin headquarters where Feliciano was beaten and then tied up and dragged along the ground until he bled. His mother's back was injured. The next day they were taken to Maumeta in the village of Selo (Aileu) where they were shot and killed.¹²⁷
- A UDT soldier was arrested and detained by Fretilin forces on the orders of the Ermera Regional Committee. While imprisoned in Ermera he was beaten by T100 and T101.¹²⁸
- Felisberta de Jesus told the Commission that in early September 1975 her husband, Antonio Ximenes, who was a UDT member, surrendered to the secretary of the Ermera Regional Committee, Florentino de Jesus Martins. He surrendered in Erusa, the village of Talimoro, (Ermera, Ermera) and Fretilin then took him to the village of Humboe (Ermera, Ermera) and held him there for six days. During this time, she said, her husband was beaten, kicked and then thrown to the ground and dragged until he was bleeding by three Fretilin members T102, T103 and T104. On 17 September Antonio Ximenes was arrested again by Fretilin along with four other UDT members in the village and disappeared.¹²⁹

150. Antonio da Silva Barreto, a UDT member at the time, told the Commission of his arrest in early September 1975:

In 1975 I was a militant in the UDT party. When the counter-coup occurred on 20 August, UDT couldn't withstand it and the leaders all ran to Atambua...along with most of the population of Poerema, who were UDT. I didn't run. In September the Ermera Fretilin leader Pedro Gonçalves Lemos ordered me to go to Fatubolu [Hatulia, Ermera] to pick up a weapon from Napoleão.

When I reached the steps of the Ermera Church I was captured by T105 and Fretilin forces from Aileu and Maubisse. They tied my hands behind my back and then used a bayonet but I didn't fall. Then they punched, kicked and beat me but I didn't fall. So they took out a machete and hit me across my skull and I was bleeding heavily. They were going to take me away to kill me but then the Ermera Fretilin leaders Manuel Barreto and Commander Teky came and saved me. They took me to the hospital to treat my head. When I had recovered, I brought the population of Fatubolu to surrender in Ermera.¹³⁰

151. This did not protect Antonio Barreto from further suspicion and ill-treatment however. In September 1975, when Indonesian forces infiltrated Aifu (Ermera, Ermera), Antonio and his friends Mau Talo, Alberto da Silva and Mau Sama were arrested by Fretilin on suspicion of assisting the Indonesians. The four were taken to Fatubesi where they were interrogated by the Fretilin leaders T106, T107 and T108. During the interrogation they were beaten heavily with a short whip (chicote) and then held in Fatubesi for six months.¹³¹ The Commission was told about several other places used for detention in the district of Ermera, including prisons in Raimerhei, in Talimoro and Raimea (Ermera, Ermera). People formerly detained in these locations also reported receiving cruel treatment by their Fretilin captors.¹³²

Ainaro

152. UDT and Apodeti members detained in the district of Ainaro were held in a number of locations and also reported ill-treatment, during arrest and while in detention. Detention centres included in the village of Aituto (Hatu –Builico) the Fretilin headquarters in Maubisse and in Aimegudo (Hatu –Builico).¹³³ Several former detainees from the district of Ainaro report torture and ill-treatment.

153. A former UDT member told the Commission that he was captured in Ainaro Town in 1975 (month unknown), by a Fretilin member T109 and his men, on the orders of a Fretilin delegate named T110. He said that he was arrested and tortured because they suspected him of killing a Fretilin member.¹³⁴

Baucau

154. In Baucau Fretilin also used the buildings previously used by UDT for detention. The main prison was the *Descascadeira* (a building used to hull grains such as coconuts, coffee and rice) in Bahu, in the central area of Baucau Town.¹³⁵ The Commission was also told that prisoners were detained by Fretilin at its headquarters in the sub-district of Vemassee.¹³⁶

155. The Commission was told that members of Fretilin in Baucau responded to the UDT armed movement with vengeance. Fretilin attacked the Pousada, which UDT had used to detain and torture Fretilin members. Fretilin then detained the leaders of UDT and Apodeti in the *Descascadeira*, including UDT members Manuel Belo, Laurentino Gusmão and José Viana Freitas, Apodeti leader Mauricio de Andrade Freitas, Clementino dos Reis Amaral and village head José Piter. The detainees were slapped and kicked heavily.¹³⁷

156. Clementino dos Reis Amaral said that once Fretilin had taken control, they imprisoned nearly all of the village chiefs and heads of sub-districts, who, in the Baucau area, were mostly UDT supporters. He told the Commission that Fretilin imprisoned him with about 170 people:

*I was imprisoned for more than 100 days. In the Baucau Prison there were more than 170 people, all imprisoned together. There were important Baucau people: the liurai, the village heads. The important people were all put in prison there because in those times the village heads in Baucau were all UDT people. Because of that we were all imprisoned. You could say that some people swore, some beat people up, all of that happened.*¹³⁸

157. José Viana Freitas testified to the Commission about his ill-treatment by Fretilin in detention:

On 20 August 1975 in Naulale in Uatu-Lari Village [Vemasse, Baucau] I was with my father, Pedro Viana Freitas, my mother Ana Maria da Costa, my wife Helena and my younger brothers Domingos Viana and Abel Viana [all Apodeti members]. Fretilin came and arrested us at 6.00pm. There were seven people from Fretilin...[with rifles] but I only knew one of them, T113. They came into our house with their guns, called us out and then took us to the Fretilin headquarters in Baucau.

They didn't do anything on the journey, we just walked to the Flamboyant Hotel [the Pousada] Baucau, which we reached at 11.00pm. There, a Fretilin leader just ordered us to sleep. The next morning we were taken to the Descascadeira. There were many people detained there, 160, all men. I only knew Clementino dos Reis Amaral. The leaders did not hit us but when they left, other Fretilin members beat us with wooden batons and weapons on my back. They beat us all the same, whether we were Apodeti or UDT.

*We were held for [four] months and during this time we were beaten the whole time. But we had enough to drink and we ate three times a day, including buffalo meat and red beans.*¹³⁹

158. The Commission also heard of prisoners from the district of Viqueque being brought to Baucau and held in “a small toilet room” (see section on Viqueque below).¹⁴⁰

Lautém

159. There were relatively few detentions in the district of Lautém. Communities in the district told of varying levels of violence. For example, in the village of Mehara (Tutuala, Lautém),¹ which was a Fretilin-affiliated village, the situation returned to normal when Fretilin took control. Other villages reported that their people who had supported UDT were arrested, but in Dili, where they had gone to take part in the fighting.¹⁴¹

¹ CAVR, Community Profile of Mehara Village, Tutuala Sub-district, Lautém District, 27 November 2002. The community of Barikafa also reported that their village was peaceful in 1975, CAVR, Community Profile of Barikafa Village, Luro Sub-district, Lautém District, 9 September 2003.

160. Fretilin took over the Companhia Caçadores 14 headquarters, which UDT had used to hold Fretilin prisoners, and held both UDT and Apodeti members there. Edmundo da Conceição Silva, the Apodeti leader in the sub-district of Moro, told the Commission that some prisoners spent six months in the Companhia headquarters.¹⁴² Other prisoners were taken to Dili by Fretilin, including Sergeant Carçeres, Sinanis, Marão and others.¹⁴³

161. Some detainees in Lautém were reported to have been ill-treated. The community of Bauro reported that its villagers linked to UDT, including Pedro Amaral and Serafin dos Santos Pinto, were arrested by Fretilin. They were beaten heavily and forced to work in the rice fields.¹⁴⁴

162. The detainees in Lospalos escaped after the Indonesian military offensive in early 1976.

Liquiça

163. Fretilin detention centres in the district of Liquiça included ones in the village of Leotela, in the village of Leorema (Bazartete, Liquiça) the Fretilin main headquarters in Fatumetafu (Maubara), and in Belavista, the village of Gugleur (Maubara).¹⁴⁵ Several former detainees from these locations said that they suffered cruel treatment, including heavy beatings, being stripped naked and forced to sleep on the sand for five nights until they were cut and bruised.

164. Other examples include Cosme da Silva Afonso from the village of Gugleur (Maubara), who testified that he was arrested in August 1975 by a Fretilin commander and his men because he was a UDT commander. He said that they confiscated 30 of his cows as well as sacks of rice, and then took him to Nunupourubu in the village of Gugleur where he was interrogated and then released. Soon after, two Fretilin commanders and their men arrested him again, took him to Base 2 in Kakaegoa in the village of Leotela (Liquiça, Liquiça) and held him for seven days. He was detained in a hole that was four metres deep, and each day received only one piece of cassava to eat. During the day he was forced to work carrying wood and collecting water. He said that after one week, he was moved to a detention centre in Cailaco (Bobonaro) and held for a further three months. Finally, he was taken to Nunulisa in the village of Gugleur and kept overnight in a hole. He did not report any physical abuse during his time in detention.¹⁴⁶

165. Marcos Borges, who was a UDT member and had been fighting Fretilin in Dili, told the Commission of his detention in September 1975. He had fled from Dili to the district of Ermera with a group of UDT members, including leaders João Carrascalão and João Bosco. He said that after he was captured by Fretilin he was beaten heavily and then his captors attempted to kill him with a machete and a spear. He was held in Leorema for two nights.¹⁴⁷

166. Cecilio dos Santos told the Commission that he guarded the radio at the Fretilin base, but the commanders suspected him of being a spy. They took him to the Fretilin headquarters in Fatumetafu where he was beaten heavily with a buffalo leather whip.¹⁴⁸

Viqueque

167. Augusto Ximenes described how Fretilin commander Nicolau Lobato led the Fretilin armed reaction in the district of Viqueque. In Carau-Balu (Viqueque, Viqueque) he said that a Fretilin Commander T115 arrested UDT leaders including Mateus Soares, Antonio Pinto, Domingos Sousa, Domingos Lekiloik and others as well as around 20 other members of UDT.¹⁴⁹

168. Some prisoners from Viqueque may have been taken to Manatuto and many prisoners were taken to the prison in Baucau. They included leaders of the Apodeti and Trabalhista parties.

¹⁴⁹ HRVD Statement 6502 mentions Domingos Soares in Manatuto.

Paul Freitas, the president of the Trabalhista party, was arrested in his home in Ossu. He told the Commission:

Suddenly we heard that there had been a counter-coup...The Fretilin forces came and grabbed us and threw us into prison...Chiquito Osório, and Jaime who is dead now, who used to be the administrator of Viqueque. Their (Apodeti) troops were from Laclubar...The two of them ran to Ossu and came to hide in my house...and then Fretilin came and arrested us. They took the three of us. They took us at night to prison.

169. Paul Freitas explained how the three were taken to Baucau by Fretilin troops and held five or six prisoners each in a small toilet room. He said that prisoners held in this room in Baucau were brought from Ossu (Viqueque), Baucau, Quelicai and Laga (all sub-districts of Baucau).¹⁵⁰

Manatuto

170. The Commission received evidence that Fretilin detained members of UDT and Apodeti throughout the district of Manatuto during its armed response to the UDT armed movement, including in the Fretilin headquarters in Manatuto, in the village of Leikala (Laclo, Manatuto), and in Welihumetan (Laclo, Manatuto), the Fretilin headquarters in Soibada, and in Konte Tatoli (Manatuto, Manatuto).¹⁵¹

171. Statements from Manatuto indicated that most detainees held in the district were not physically abused, but that they were commonly used for forced labour. The Fretilin headquarters were in Manatuto Town. Sebastião Almeida told the Commission that he was detained there in 1975 because he was suspected of being a member of UDT. He said that he saw many detainees there but only recognised João Batista Braz, Luis Pereira and Domingos Sousa. They were held until the Indonesian military invaded Manatuto in early 1976 and he fled with Falintil. He testified that he was not mistreated but had to work each day tilling the land.¹⁵²

172. The sub-district of Laclo was the site of violent clashes between Fretilin and UDT in early September 1975, leading to more killings than detentions. Manuel Nunes Soares, a UDT member in Laclo, told the Commission that in late August he heard that Fretilin forces in Remexio (Aileu) were coming to capture him and Pascoal Bernardo, another member of UDT. The two ran away and while they were gone, all of their possessions including livestock were stolen by members of Fretilin. Manuel Nunes Soares said that on 5 September, after a number of killings in the area, Pascoal Bernardo reported to the Fretilin command post in Fatu Butik (Laclo, Manatuto) and was then detained. He said that two days later he was killed. Manuel Nunes Soares was captured with a Fretilin commander on 12 October and held in the wash house in Laclo until 28 October by Fretilin commander T117. He was beaten and kicked while in detention.¹⁵³

Bobonaro

173. In some areas of Bobonaro, such as in the village of Lourba (Bobonaro, Bobonaro), the communities reported that there was no party conflict. By September Fretilin was preoccupied defending the villages from Indonesian military attacks.¹⁵⁴

174. The Commission was told however of a detention centre in the town of Bobonaro, where several people were detained after they were captured in various places around the district. One member of UDT reported that he was arrested by a Fretilin member, T121, in Ritabou (Maliana, Bobonaro). He said that T121 beat him with a Mauser rifle, tied him with rope and then took him

to the sub-district of Bobonaro where he was held for two months. He said that he was released after the Indonesian military invaded.¹⁵⁵

175. A Captain in the Segunda Linha, who was also a UDT soldier, was captured by Fretilin in the sub-district of Cailaco as he tried to flee from Ermera into West Timor during September. He was taken to Bobonaro and detained for two nights, before he was returned to the district of Ermera.¹⁵⁶

176. There were also a number of arrests in the sub-district of Lolotoe. Joana Afonso reported the capture of her husband, João Pereira, when Fretilin attacked Lolotoe Town. She said that members of Fretilin took him to the village office in Lontas (Lolotoe) and that he did not return.¹⁵⁷ Mariano Leite gave testimony that in 1975 (month unknown) his uncle, Rafael Maria, and two of his uncle's friends, Geraldo Pereira and Mariano from Lolotoe, were arrested by Fretilin on suspicion of spying for UDT. He said that the soldiers took them to Mapeo in the village of Sibuni (Lolotoe), where they were tied up and beaten. Two Fretilin soldiers cut Rafael Maria's right ear off. He said that Fretilin kept the three detainees in the Manil Molop command post (Lolotoe, Bobonaro) and forced them to cook and serve food to Fretilin soldiers for nearly one year.¹⁵⁸

177. Armania Borges told the Commission how her brother Santano Berlelo and her son Angelino Botu-Mail were arrested in their home and taken to the village of Genulai. Only Angelino returned, after he escaped from detention.¹⁵⁹

178. Other Fretilin detention centres in the district of Bobonaro included the Maliana Prison, in the village office in the village of Lontas (Lolotoe), Tapp-Dirihun (Atabae) and the command post in Manil Molop (Lolotoe, Bobonaro).¹⁶⁰

The period of Fretilin administration

179. From late September 1975 Fretilin had control of the territory of Timor-Leste and began to establish an administration, while seeking the return of the Portuguese colonial administration from the island of Ataúro. Many UDT leaders and supporters fled to Indonesia. Fretilin detained those UDT members it had captured in the fighting, and continued arresting opponents. By early October members of Apodeti also became a target of Fretilin arrests in Dili. Human rights abuses, including ill-treatment and torture, continued. Members of Fretilin who were arrested for suspected of spying or other transgressions were also detained.

180. Mari Alkatiri, however, told the Commission that Fretilin was concerned about the welfare of its prisoners. He told the Commission that the Central Committee formed a special committee to consider the situation of those detained in Fretilin prisons. He emphasised that Fretilin gave the International Committee of the Red Cross full access to its prisons, and that Fretilin had begun to release people from prison by early October.¹⁶¹

Continuing detention of UDT supporters

181. Once in control of the territory, Fretilin continued to arrest and detain political opponents. Some examples of from this period include:

- Anacleto do Nascimento told of his capture in the village of Matai (Maukatar, Covalima) on 14 October 1975 by Fretilin members T801, T802, T803, T804 and T805, because he was a member of UDT. He was tied to a piece of wood for one night and then the next morning was taken to the Fretilin office in Matai where he was pummelled in the chest with a rifle butt and stabbed. He suffered broken bones and he vomited blood. He was detained for three months.¹⁶²
- Some former detainees of Fretilin in the district of Manatuto reported ill-treatment. For example, Saturnino Sarmiento, who described himself as a (unaffiliated) civilian, told of how he and his children Cristiano, Oscar and Armindo were detained in Leikala (Laclo, Manatuto) in 1975 (month unknown), by a member of Fretilin named T806 on the orders of Fretilin commander T807. They were taken to Leikala immediately after their arrest and interrogated. Their hands were tied and they were beaten with a branch from a tamarind tree. Fretilin held the family for two months and during this time their hands were tied each night, and during the day they were forced to cut sago palms and carry them back to Leikala.¹⁶³
- The Commission heard from Rubi Metan that in October 1975 he and his wife, Biliba, their son Antonio and his younger brothers, Masanak and Mahare (who described themselves as unaffiliated civilians), were captured and taken to Konte Tatoli in Iliheu (Manatuto, Manatuto). During their detention Rubi Metan was beaten with wood by T808, T809, T810, T811 and T812 in turns for one hour. Eventually, Biliba, Antonio and Masanak were sent to Remexio in Aileu and never returned. Mahare was stabbed with a knife to the solar plexus by T812, and he died. Rubi Metan was held for a further two years with other detainees who were members of Fretilin, including Sico Loi and João Manrui. They were forced to work each day, for example in rice fields or cutting sago palm.¹⁶⁴

182. The Commission heard from one member of UDT who was arrested after he returned from West Timor, where he had fled during the fighting in the internal conflict. Rafael de Araújo testified that he returned to his home in the village of Ritabou (Maliana, Bobonaro) in late 1975. He was arrested by Fretilin soldiers, including T121, and was beaten with a rifle then tied up and taken to Bobonaro Town (Bobonaro, Bobonaro) where he was held for two months. He was released when Indonesian forces entered Bobonaro.¹⁶⁵

The detention of Apodeti supporters and members

183. During the period of internal armed conflict Fretilin leaders in some areas targeted members and sympathisers of the Apodeti party as well as UDT. For example, groups of Apodeti members were arrested in Baucau on 20 August,¹⁶⁶ in Manufahi on 27 August¹⁶⁷ and in Lautém in September 1975.¹⁶⁸

184. On 4 October Indonesian operations in the western region increased. Fretilin launched mass arrests of Apodeti members and sympathisers around the territory.¹⁶⁹ Detainees included the party president, Arnaldo de Araújo, and Secretary-General José Osorio Soares.¹⁷⁰ Mari Alkatiri testified to the Commission that he ordered these arrests after learning of a planned coup by Apodeti to overthrow Fretilin.¹⁷¹

185. The district of Oecusse had remained relatively calm during the UDT armed movement, although witnesses describe tensions between political parties emerging in early 1975.¹⁷² After Fretilin's armed reaction and with escalating incursions by Indonesia in the western regions, clashes began to occur between Fretilin and Apodeti. For example, in Tumin in the village of Bobometo (Oesilo) in 1975 (month unknown) Francisco Enas Tebbes, an Apodeti supporter, was arrested by a Fretilin force led by T118. He was tied up and beaten heavily, then taken to Oesilo where he was held temporarily until he was moved to Oecusse Town and detained for three days. Francisco Enas Tebbes testified that while he was in detention he was threatened by T119, a

Fretilin soldier, that he was tied up at all times and not given any food and that he suffered continual physical abuse by two members of Fretilin. He managed to escape briefly but was caught and detained for several more days before he was released.

186. Arnaldo Sombiko described similar tensions in the sub-district of Pante Makassar in Oecusse in 1975 (month unknown). He told of four Apodeti members named Antonio Lalus Sila, Oki Neno, Lelan Coi and Cobo Coi who were captured in the village of Costa by Fretilin and taken to the village of Naimeko. They were held for one month, and were forced to cut grass each day.¹⁷³

187. Other detentions of Apodeti supporters reported to the Commission include:

- Carolino Bere of Samara (Hatulia, Ermera) told of how he joined Apodeti in August 1975, and was eventually detained by Fretilin in November 1975 and held for seven months with about 70 others in the Hatulia prison. He was released after his family promised to bring pigs, eggs and goats.¹⁷⁴
- José Soares testified that in December 1975, when he was a member of Apodeti, he was in Maubisse (Hatu Bulico, Ainaro) when Fretilin forces led by T120 attacked and detained 150 people. They were put in an empty coffee warehouse in the village of Aitula, (Maubessi, Ainaro) where they were beaten with wood and weapons and forced to build a road. He reported that they were not given food or water.¹⁷⁵

188. In Dili, a small number of the Apodeti detainees were held in the QG in Taibessi.[†] Many others were held in the Comarca, and Fretilin also took over the Museum on 4 October 1975, specifically to hold Apodeti prisoners. According to Luis Antonio de Aquino Caldas, prisoners at the Museum included Fernando José Osório Soares, the secretary general of Apodeti, who was captured with seven of his men near the Areia Branca beach as he returned from a picnic.¹⁷⁶ Frederico Almeida Santos, also a member of Apodeti detained by Fretilin, recalled:

First, they took us to the Museum. The door was still locked and T83 opened it. He ordered us to go inside and then Fretilin arrested other people.¹⁷⁷

189. The Commission received testimony naming four others detained at the Museum by Fretilin, Armando Suriano, Antonio dos Santos, José dos Santos and Assis dos Santos. The four were detained until the Indonesian invasion except for José dos Santos who became ill and was released.[‡]

Movement of detainees between detention centres

190. Detainees were also moved around between detention centres in this period or were released. These movements occurred either as Fretilin brought senior UDT leaders to major

[†] HRVD Statement 9058. Bobometo was the site of a massacre of Apodeti supporters by Fretilin in 1975 [see Chapter 7.2: Unlawful Killings and Enforced Disappearances].

[‡] For example, Abilio Amaral testified that he was a member of Apodeti and was arrested in Dili on 6 October 1975 by a Military Police van (*Unimog*) in Alfandega (Dili). He was taken to the QG and on the way one of the soldiers kicked and beat him in the stomach with a rifle, until he was covered in blood. When they arrived at the prison, Rogério Lobato ordered the soldiers to stop the beatings. [HRVD statement 3361].

[‡] HRVD Statement 5073 testifies that after José dos Santos was released to go home by Fretilin on 8 December, one day after the Indonesian military invasion of Dili, José and two others - Manuel Febu and Duarte dos Santos - were killed by ABRI in Matadouro (Dili). Liberatu dos Reis witnessed the killing.

detention centres in Dili or Aileu, or later, as Fretilin retreated from the invading Indonesian forces. Fretilin moved detainees from Ermera, Viqueque and Maubisse to Aileu.

191. The Commission heard that detainees held in the Sub-district prison in Same were transferred to Aileu in early October, although the reason for this move was unclear.¹⁷⁸ Bento Reis was a prisoner from Same who was transferred to Aileu. He told the Commission:

We were transferred from Same to Aileu, and as we arrived in Aileu Fretilin troops and the civilians were waiting for us. We got out of the van one by one. To the left and right, people carried pieces of wood and other weapons. They beat us as we got out of the van. Some of us fell to the ground with broken skulls, wounds or other injuries. They beat us all the way from the van to the prison...We were brought directly to the warehouse. There were many people. They beat us all, but Major Lourenço [Tilman] and Senhor Monis da Maia suffered the most severe injuries. I saw it with my own eyes. The next morning, they took the injured to the hospital for treatment.¹⁷⁹

192. The Commission received testimony that UDT and Apodeti detainees from Same (Manufahi) experienced physical abuse while being transferred to the Aileu detention centres. Abuses continued in Aileu. Monis da Maia, a UDT supporter from Same, testified to the Commission:

On 9 October we left for Aileu. When we arrived in Maubisse [Ainara], we were lined up in a field and beaten one by one with a wooden stick. When everyone had been beaten we went on to Aileu. When we arrived in Aileu, we were beaten there by the local citizens.¹⁸⁰

193. João da Costa was also moved from Same to Aileu and told the Commission that he suffered similar treatment on the journey:

[After] one month [in detention] in Same, [Fretilin] ordered us to go to Aileu. As we left Same, the van stopped at every Fretilin post so the guards could beat us. Arriving in Maubisse they drove into the military barracks...They climbed into the van and beat us. Some prisoners were beaten unconscious. Then someone said: "Don't beat them in the van. Take them out and beat them." They ordered the detainees to stand in three rows. One by one we entered the prison. The guards hit each detainee with a piece of wood.

¹⁷⁸ HRVD Statement 2222, in which Eduard Mau Leto described how Fretilin forces from Maubisse arrested civilians from Tokoluli, Labudo and Raegoa Villages in Ermera. The prisoners were tied up in pairs but then released except for seven individuals, both UDT and Apodeti members, who were detained in Aileu. The seven were eventually taken to Same with Fretilin and four never returned.

Then Commander Soares arrived. He was kind. He said to us: "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. On the way they ordered us to lie and not to lift our heads, because children along the way aimed their arrows at us. The guards still stopped the van at every post and beat us. In Aileu the car stopped in front of the warehouse next to the hospital. They beat us one by one as we got down from the car. I could not remember how many times they beat us either with a piece of wood or an iron bar. The most excruciating [method of beating] was when they beat us with car brake cords. I did not feel the pain anymore when they beat us with an iron bar or nails. But it was so painful when they beat us with car brake cords.

It was not just one or two people beating us. I collapsed, and after another beating I fell to the ground. Then Carlos Ferreira fell right top of me and fainted. My oldest brother lifted us up but we gasped for air. Two people ran towards me and beat me. I just sat motionless because I had almost lost my breath. There were more than 30 of us [from Same]. That night we stayed in our prison, but every night after that they took us out. However none of us from Same died in Aileu.¹⁸¹

Life in Aisirimou

Aisirimou, in the mountainous Aileu District of central Timor-Leste, was where Fretilin set up its headquarters after UDT launched the 11 August movement and from where it put its armed insurrection in motion on 19 August 1975. It was also the location of Fretilin's largest detention centres. At first the buildings were used only to hold detainees from the Aileu area but soon other detainees, from Manufahi and Ainaro, were brought to Aisirimou. Leaders were held in former Portuguese military barracks and other detainees were held in a coffee warehouse. In early December, when Indonesia invaded Dili, Fretilin's prisoners from the QG in Taibessi were also brought to Aisirimou.

Conditions in Aisirimou

When prisoners from outside areas were brought to Aileu the detention centres started to fill up. The number of people detained in Aisirimou is hard to estimate. Clementino Araújo, a former guard at the Fretilin headquarters, said that there were 200 prisoners in August 1975.¹⁸² A former prisoner told the Commission that by December there were around 3,000 people detained there.¹⁸³ Eufrazia de Jesus Soares visited her husband, Daniel Carvalho, the Apodeti regional secretary in Ermera, at the warehouse prison. She told the Commission:

*The detention centre was a warehouse. The place was so overcrowded that prisoners could not sit. It was like sardines in a can, and everyone had to stand up. I arrived there and was not allowed to enter. The guard tried to find a way for me to speak to my husband and I managed to speak to him through a window.*¹⁸⁴

The warehouse was not constructed to house large numbers of people. The absence of sanitary facilities forced the guards to provide large containers for use as toilets. One former detainee, José Maukabae, spoke of the detention centre:

*There were several containers in the middle of us. Prisoners defecated or urinated in them. In the morning prisoners vied to take them out so they could go out and feel the warm sun and rinse their hands or wash their faces with water.*¹⁸⁵

Some former detainees said that the guards gave them breakfast and lunch but not dinner. For breakfast prisoners ate rice, and for lunch they ate corn.¹⁸⁶ Others testified that the guards beat prisoners every time they came to get their food. One former detainee, João da Costa, told the Commission:

Every day they beat us when we wanted our food. Many did not bother to eat because they were too afraid. We had to be careful so that the food did not spill as they beat us. Many starved because they were too afraid to eat.

"Forced labour": To provide food for the detainees, Fretilin forced prisoners to work in the rice fields or coffee plantations as part of a Campo de Trabalho (Labour Camp).¹⁸⁷ Men tended the fields and women pounded rice and cooked for Falintil soldiers.¹⁸⁸ Fretilin seemed to be aware that this kind of work constituted forced labour but believed that this was necessary in order to provide food for detainees. The Fretilin President, Francisco Xavier do Amaral, explained to the Commission:¹⁸⁹

¹⁸² CAVR Interview with João da Costa, Letefoho-Same, Manufahi, 24 June 2003. João da Costa was a detainee at the Same Sub-district prison. In October 1975, he and other prisoners were transferred to Aileu. On 27 December 1975, when ABRI approached Aileu, Fretilin moved João and the other prisoners to Maubisse and then to Same. On 27 January 1976, as ABRI entered Betano, Fretilin moved João and the other prisoners to Holarua. Fretilin executed some prisoners in Holarua and then moved João and around 40 other prisoners to Same and kept them at the primary school, where many prisoners were massacred. João and three other prisoners survived the massacre [see Chapter 7.2: Unlawful Killings and Enforced Disappearances].

I think there was an element of force but we had to feed them. How else could we get food? We had to look at the situation confronting us: no logistics, no assistance. How else could we feed them? In the end they were prisoners and they worked for themselves and for us. That was the rule and it was justified...Campo de Trabalho was a policy, or an emergency measure, implemented by Fretilin to feed people.

Food was still scarce however. Antonio Serpa, who had been brought by Fretilin to Aileu after the 7 December invasion of Dili, told the Commission:

Because of the situation we suffered a lot in terms of food. When we would go to get food we could be taken away and killed. In the end those who were really hungry went to get food but we were scared...On 15 December I was selected to be taken and killed. I was placed with the Aileu group. There were more than 60 people in one small room...They didn't give us any food. While we were kept in the warehouse they fed us but in this room they didn't give us anything to eat.¹⁹⁰

He was eventually let out of the storeroom and survived.

Torture and ill-treatment in Aisirimou

The Commission also heard of people being tortured and suffering other forms of cruel and inhumane treatment in Aisirimou. João da Costa described the torture of Major Lourenço Tilman, a former major in the Seghunda Linha and the UDT commander in Same (Manufahi):

Major Lourenço was the most severely beaten in Aileu because he was a commander. They put him on the roof of a van and drove him around Aileu and screamed: "Viva Fretilin". Someone stabbed him and he bled. His face was swollen and he could no longer speak.¹⁹¹

Fretilin members and citizens of Aileu participated in this ill-treatment of prisoners. Monis da Maia told the Commission that *"it was not the soldiers but the community who beat us."*¹⁹²

Trials of Fretilin detainees*

194. As Fretilin leaders became aware of the arbitrary nature of the detention and the overcrowding in the Fretilin detention centres they acted to create a way to acquit and release innocent people. The Portuguese colonial administration showed no signs of returning from Ataúro and so was not in a position to deal with the situation. On 30 September Fretilin announced a commission to investigate detainees' backgrounds. In many areas this commission began its work too late, well after human rights abuses against detainees had begun to be committed. It was not active in all areas of the territory. Indeed, statements received by the Commission indicate that numbers of detainees continued to rise and that individual members of Fretilin in the districts began to make decisions and take action against detainees on their own initiative.

195. One example of such action was the emergence of "trials" of detainees in some areas. These trials were a form of people's justice called popular justice. It involved bringing a prisoner before the assembled community, who would decide by popular verdict whether he should be punished.

196. Popular justice neither followed procedural norms nor respected the human rights of the accused. Decisions were arbitrary and often based on sentiment and anger. The danger of violation of the rights of the accused in this process was heightened in the climate of ongoing

* The Commission notes that the justice processes described in this Report was not a formal justice system, but a number of practices used by Fretilin members in this period to achieve some level of justice for detainees and perpetrators.

tension and widespread anger among victims of the civil war. People innocent of any involvement in the armed movement were punished and sentenced to beatings and imprisonment.

197. Luis Godinho, a UDT member from Lospalos (Lautém), was condemned after a popular justice hearing to be publicly beaten to death with a whip fitted with sharp spikes.¹⁹³ A fellow detainee of Luis Godinho, Edmundo da Conceição, told the Commission about the “trial” which led to Luis Godinho’s death:

The popular justice (ceremony) took place in two locations. First, they held it at Companhia Caçadores 14 headquarters, and after beating [the prisoners], they took them to the Lospalos administrative office. They took us there. After a flag-raising ceremony, they beat us so severely that Luis Godinho died near the flagpole. They beat him to death. In front of the Secretariat office, they held the popular justice hearing and beat him to death. They beat him with a barbed whip (rusan pahano¹⁹⁴) until he dropped dead in front of our eyes.

So many people beat Luis Godinho that it was difficult to identify him. Fretilin member T122 started it, followed by Fretilin member T123 and then the rest of them. So I could not tell who was involved. Everyone beat him.

Satisfied that Luis was dead, they loaded his body into a tractor, drove off and buried it. Everything happened right in front of our eyes.¹⁹⁴

198. Two statements given to the Commission described a popular justice “trial” in Poetete (Ermera) on 25 September 1975. According to Filomena dos Santos, two Fretilin soldiers went to the Ermera prison and called out her father, Captain Miguel Martins of the Segunda Linha and a UDT soldier, who had been held in the prison for one week. Miguel Martins was taken out to face the public and be tried. T124 said to the assembled people of the village: “If you answer go to Aileu, it means he lives, if you say stay in Ermera it means he dies.” The majority of the people cried: “Stay in Ermera!”. Filomena noted that in the crowd were women whose husbands had been killed six weeks earlier by UDT. Miguel Martins was shot and killed.¹⁹⁵

199. Another example of popular justice in Ermera was described to the Commission. Angelina Barros told the Commission how Fatubesi (Hatulia, Ermera), in September 1975, a Fretilin commander from Aileu, José Soares, and his men chased a group of UDT members to Bobonaro. There they captured the UDT commander, Serafin dos Santos, and 11 of his men and took them back to Fatubesi. The 12 UDT members were brought before a people’s court. The people were asked whether the 12 UDT members should live or die. The answer from the people was that the 12 members should die. The 12 were then taken to the Fretilin command in Fatubesi and detained. She did not tell the Commission the fate of the 12 men.¹⁹⁶

Following the full-scale Indonesian invasion

200. The Commission heard that in most districts of Timor-Leste, including Bobonaro, Covalima, Baucau, Lautém and Manatuto, Fretilin prisoners were released after the Indonesian military entered those areas. João Viena Freitas told the Commission that in Baucau the 160

¹⁹⁴ *Rusan pahano* is a word from the Fataluko language of the region around the district of Lautém. It is difficult to find an equivalent word either in Tetum or Indonesian, but the instrument has spikes.

prisoners held at the *Descascadeira* in Baucau Town were evacuated to Venilale (Baucau) when Indonesia invaded. They spent one night in the Venilale school and were then told to look after themselves. Many surrendered to the Indonesian marines in Baucau.¹⁹⁷

201. Some of the prisoners in Baucau had already been taken back to their home sub-districts by Fretilin before Indonesian forces attacked Baucau, and were released from there. Paul Freitas, the president of Trabalhista at the time and a Fretilin prisoner, had been taken from Baucau to Uatu-Lari (Viqueque):

When Indonesia invaded, I thought they [Fretilin] were really going to kill me, that now we were in big trouble and the situation would be worse. The invasion was broadcast by radio and the children who brought our food told us that Indonesia was about to attack. It happened very quickly. Then they [Fretilin] said to us: "Now you can go because we are fleeing into the forest. They said that the people in the town will be killed [by ABRI] but the people in the forest would be fine. So it was better for me to flee to the forest."¹⁹⁸

202. Prisoners in Dili and Aileu, the major centres for detention, were moved with the Fretilin leadership as it fled south.

203. In mid-October ABRI and its East Timorese auxiliaries occupied Maliana and the frontlines moved further east. On 3 or 4 December Fretilin moved Apodeti members detained in the Museum in Dili to the QG in Taibessi to join the UDT prisoners.^{*} When the Indonesian military invaded Dili on 7 December, Fretilin took its prisoners held at the QG in Dili to Aileu.¹⁹⁹ Xanana Gusmão explained in his testimony:

The UDT and Apodeti prisoners were taken up into the hills not with the intention to kill them...but the paratroops were already landing...The Indonesian troops were occupying Dili, [they were] coming up, coming up.²⁰⁰

204. Fretilin forced the prisoners to carry boxes of ammunition with them on the march. A member of UDT, José Maukabaé, told the Commission:

On 7 December we ate nothing. Only those who had food could eat. At noon Nicolau Lobato came to the QG. He stood in front [of the room we were detained in] and told us in Portuguese: "Comrades, do you want to live or die? So we said: "We, commander, want to live."

^{*} CAVR Interview with Luis Antonio de Aquino Caldas, Palapaço, Dili, 21 May 2004. Filomeno Pedro Cabral Fernandes testified that on 4 or 5 December, Fretilin moved prisoners at the Museum to QG, Taibessi, and detained them until 7 December.

[He replied] “[If] it is a fact that you want to live, you have three minutes to line up and help carry this equipment to the mountains and then you must return here. Do not carry your belongings. Your belongings stay here. You will only go to the ammunitions’ depot and help take the equipment to the mountains and then return. If you do not help, everyone will die. The law of war dictates this. While the forces are facing difficulties, prisoners have to assist the forces. If you do not help the forces, everyone dies.”

And we said: “Commander, we want to help...until we die.” Then, in three minutes we all went out to help take the equipment to the mountains.²⁰¹

205. Others recounted that as the Indonesian military attacked Dili Fretilin leaders had a heated debate about the fate of prisoners at QG. Antonio Ximenes told the Commission:

On 7 December birds [paratroopers] descended from the sky. We were in serious trouble. There was a big debate among the leaders about whether the prisoners were to be killed, left alive, or released and left to save themselves. They had a serious discussion. Then Nicolau Lobato said: “If you want to kill them, you will have to carry the ammunition boxes in the arsenal yourselves.” His words finally dampened their emotions. They took us out at one o’clock to get the boxes of ammunition and go to Aileu.²⁰²

206. The prisoners in the Comarca managed to escape and walk to the Indonesian Consulate in Lecidere, Dili.

Escaping the Balide Comarca, 7 December 1975: Anselmo dos Santos and Frederico Almeida Santos²⁰³

Anselmo dos Santos One day we approached Arnaldo [Araújo, the President of Apodeti], and he whispered to us: “Comrades, don’t despair. It will not be long before we get out of here.” On Sunday morning around 4.00am, 7 December, we heard the sound of airplanes and saw that Indonesia had landed soldiers by parachute. They had not yet reached the ground when guns started firing from below. The prison doors were all shut and nobody went out.

Frederico Almeida Santos We saw parachutes. We were watching closely for what would happen. We did not know whether to run out or just stay inside. I called Filomeno Gomes [the prison warden] and said: “Comrade, usually when war rages and houses are burned down, people in cells can’t get out. You must free us so that we can find a way out.”

Anselmo dos Santos At first, [the guards] were still on the roof firing their guns, but President Arnaldo advised them: “Comrades, it would be better that you take off your military uniforms and hide your weapons. If someone comes and asks, we will say that all of us are prisoners.” So the five Fretilin people followed his advice, hid their weapons and took off their uniforms.

Frederico Almeida Santos People were shooting at each other and we piled up the mattresses so that we could reach the window and see outside. João Branco [a Falintil commander] and three others passed in front of us as they were in a shoot-out with ABRI. By the middle of the day they passed back again and saw us all at the window. João said: “What are you waiting for? Now it’s a big war. We don’t care about you anymore.” Then he left.

Anselmo dos Santos After Fretilin troops [next to Balide prison] had begun to retreat to the QG, we began to get ready to leave. Just as we were about to go out of the prison, Arnaldo took out a white pillowcase and tied it to an iron pole and placed it in front of the prison. Not one of us was hit by a bullet. We all went out.

As we were about to leave, an ABRI soldier and his parachute fell right in front of the prison kitchen. He was already dead. Arnaldo told us to lift the body of the soldier and put it on a table. Arnaldo examined the body and took an ID card and a rosary out of the soldier’s pocket - maybe he was Catholic. The ID card and the rosary were then placed beside the body. His gun and mortar were leant against the wall near the head of the soldier. After that we left. President Arnaldo, the *malae* Albano and an Arab—the three of them led the way waving a white cloth...We followed behind them to the Indonesian Consulate in Lecidere.

The movement of prisoners from Dili to Aileu and then Same

207. As the Indonesian military advanced on Aileu and planes attacked the town on 27 December 1975,²⁰⁴ Fretilin again evacuated prisoners, first to Maubisse (Maubisse, Ainaro) and then to Same (Manufahi). The Commission has found that massacres of prisoners occurred in both Aileu before the forced march began, and in Maubisse on the way (see Chapter 7.2: Unlawful Killings and Enforced Disappearances). The remaining prisoners reached Same on 31 December. The former President of Fretilin, Francisco Xavier do Amaral, described the reason for the move:

We were in the middle of war, in this war, when we ran from our enemies...We took those we had imprisoned, our enemies whom we had imprisoned, with us. Before we even had a chance to catch our breath, we said: "What do we do now? We must keep running. We don't have too many choices. There's no transport, no food, not much medicine, none of this." Some of those we imprisoned were already seriously sick, many were very weak.

So we had to look at this. Do we leave them here alive? Do we run alone and leave them? Or do we kill them and then run? I see danger in all these...If we abandon them, for example a member of UDT or Apodeti, [they could] fall into the Indonesian enemy's hands. The Indonesian military can come and he can fall into their hands. Indonesia can put pressure on him and they could find us. They could trick him or he might confess.²⁰⁵

208. José Maukabe recalled the move from Aileu:

The planes started dropping bombs over Aileu very early in the morning. ABRI may have known where the prisoners were held so they dropped bombs around them. We heard gun shots outside the prison. We did not know what to do because the prison doors were shut and we could not escape. Then one of the planes dropped a bomb right on the house across the street. Water splashed. They took us out and evacuated us.

209. Antonio Serpa, another prisoner from Aisirimou, described the difficult journey to Same through Maubisse:

When we left Aileu for Maubisse it was raining. We hadn't eaten for three or four days. Our arms were tired. We were unsteady on our legs. We walked slowly to Daisoli where we spent the night. Those who were planning to escape couldn't escape because they didn't have enough energy.

Then on the morning of 28 December we continued on our way to Maubisse. On the evening of 28 December we slept in Maubisse. On the morning of 29 December we left Maubisse to get more ammunition and take it to Same. There was one person who couldn't carry it. He just threw it away. Then the late Nicolau Lobato said: "Now I'm losing my patience. Who threw away the ammunition? You all have to stay here."

²⁰⁵ CAVR Interview with José Maukabae, Maubara, Liquiça, 9 March 2004. José Maukabae mentioned two groups of prisoners in Same, the first group or *primeiro grupos* and second group or *segundo grupos*. He was in the second group known as the Maubere group. Other reports referred to three groups in Same: *Grupos de Maubere*, *Grupos de Semi Perigoso*, and *Grupos de Perigosissimo* [CAVR Interviews with Filomeno Pedro Cabral Fernandes, Dili, 5 May 2004 and Assis dos Santos, Dili, 17 July 2003, Monis da Maia, Dili, 5 December 2003; Bento Reis, Same, 2004].

We felt embarrassed. Those who had the most strength picked up the ammunition and carried it. As we left Maubisse it was also raining. Before we got to Fleixa my friend João Damas, who was exhausted, collapsed. To this day I don't know if he died then or not. We walked slowly carrying the ammunition to Fleixa. We all stopped there. It was raining hard.

And so we went on. We were hungry. We sat under a house on stilts. I asked the comrades "Who is ready to die?" I felt I couldn't go on anymore. I suggested we wait for the Prime Minister [Nicolau Lobato] to ask if we could stop and stay there. They could kill us there. I couldn't bear it anymore. So we all waited...The Prime Minister arrived with his bodyguards. I said to him that we had come from Aileu and hadn't eaten all this time and had no strength left to carry the ammunition. I said we just cannot do it and if he didn't believe us he could just kill us.

And so all the ammunition was stored in Fleixa. Three cars came to take the ammunition to Maubisse and those three cars came back bringing sweet potatoes. We slept in a place called Fahi Teen. Then in the morning of 30 December we left that place and went to Same.²⁰⁶

210. The prisoners arrived in Same around 31 December 1975 and spent New Years Eve there. According to Antonio Serpa, on 10 January they saw lights out to sea and Fretilin suspected the prisoners signalling to the Indonesian military. Fretilin ordered the prisoners to gather in three large rooms in the Same Primary School. José Maukabae described what happened:

The primary school had three halls. José Osório and I went to the middle room. He sat in the middle. He said: "I can no longer speak because I am in an impossible position. Arnaldo is in Dili. I do not know what he is doing. My party does not want war. I want integration with Indonesia but without war. Now, Indonesia came for war. Let them find their enemy wherever they are, but my men will not collaborate with them. I can no longer speak. I do not know what Arnaldo says to the Indonesians."²⁰⁷

211. On 12 January 1976 Fretilin divided prisoners into three groups: *Grupo de Maubere* (Maubere Group), *Grupo de Semi Perigoso* (Less Dangerous Group), and *Grupo Perigosisimo* (Dangerous Group).²⁰⁸ *Grupo de Maubere* comprised sympathisers of opposition parties who had no political clout. Fretilin held them in Mateus Ferreira's house. *Grupo de Semi Perigoso* was for opposition party members and supporters who had minor influence. Fretilin put them in the Same Primary School. *Grupos de Perigosisimo* comprised opposition party leaders and administrators whom Fretilin considered dangerous. Fretilin held them in the Sub-district prison.²⁰⁹

[†] Mateus Ferreira was a UDT leader in Same.

Hola Rua (Same, Manufahi)

212. When ABRI entered the village of Betano (Same Sub-district, on the south coast of Manufahi) Fretilin was struggling to maintain control. It was difficult for the party leadership to manage the prisoners. On 27 January 1976 it evacuated prisoners from the town of Same to the village of Hola Rua (Same, Manufahi).²¹⁰ There Fretilin held most prisoners in another primary school building but some, including José Fernando Osório Soares, the Apodeti Secretary General, were detained in the Segunda Linha Major Lourenço's house.²¹¹ Prisoners in Hola Rua included those from the *Perigosissimo* (Dangerous Group) and *Semi-Perigoso* (Less Dangerous Group). The Commission heard testimony about two groups of prisoners who were executed by Fretilin. Monis da Maia told the Commission of the first group, which included Apodeti Secretary General José Osorio Soares, at Hat Nipah near Hola Rua on 27 January 1976.²¹²

213. The Commission was told of a second, larger group execution of prisoners at the Same Primary School, where Fretilin executed 44 UDT prisoners on 29 January 1976 (see Chapter 7.2: Unlawful Killings and Enforced Disappearances).

214. Most of the prisoners from the *Grupo de Maubere* (Maubere Group), except for members of Apodeti, were released on 31 January 1976. José Maukabae described what happened to the prisoners:

Fretilin released most of the prisoners except for a few, whom it executed. About 20 Apodeti and UDT prisoners were freed by the Fretilin commanders Paulino Gama and Guido Soares in Hola Rua at the end of January 1976.²¹³ Also at the end of January 1976, César Maulaka released the second group of prisoners, which included UDT, Fretilin and non-political prisoners in Hola Rua, but held Apodeti prisoners. The Apodeti members were separated and put into an elementary school building in Hola Rua. They were then brought at night to Mota Karau Ulun, Hola Rua, and executed with spears.²¹⁴

215. Filomeno Pedro Cabral Fernandes and Assis dos Santos confirmed the first release by Fretilin of 20 UDT and Apodeti prisoners.²¹⁵ Filomeno Cabral stated that Fretilin commanders Guido Soares, Paulino Gama (Mauk Moruk), António Pinto (Kalohan) and Moises Quina requested that the prisoners be taken out of Hola Rua. They signed an agreement with them and were taken towards the east by Falintil troops and were released from there. Assis dos Santos told of an agreement signed with the 20 prisoners in Kiras (Same, Manufahi) before their release:

We signed an agreement with Fretilin. Many survived. The agreement insisted that we had to draw blood and promise to join and strengthen Fretilin forces. Failure to keep the agreement meant death.²¹⁶

216. José Maukabae described in detail what occurred when César Maulaka decided the fate of the second group of detainees in Hola Rua:

[César Maulaka] said: "You are prisoners here. Many are UDT people. Fretilin people are also detained for brawls and theft. Apodeti people and even civilians who are not involved in politics are detained. I will count in one minute who belongs to UDT, Apodeti or Fretilin and who did not belong to any party. Form lines here according to your group." We prisoners looked at each other. Soon there were four groups...I joined UDT. Four other friends [colleagues from Maubara] went to other groups. Then the commander, César Maulaka, said: "You militia take these Apodeti comrades to the school building down there, and tomorrow after their trial, they can go home." As they took the Apodeti prisoners, Cesar Maulaka said: "You UDT and Fretilin people, and all of you who do not belong to any party, whoever has a friend in Same can stay with them, and when this country is safe, you can go home. Those who do not have friends here can go home." All were happy and cried out. That happened at 6.00 or 7.00pm.²¹⁷

7.4.4 Detention, torture and ill-treatment by Fretilin, 1976-79

217. After the Indonesian invasion and before the destruction of the Resistance bases in late 1978, Fretilin/Falintil continued to hold people in detention in the areas it controlled (liberated zones, or *zonas libertadas*), based on its own form of justice. Unlike in 1975 however, the victims of detention, torture and ill-treatment were the party's own members or civilians living in these areas.

218. For serious offences or repeat offenders, prisoners were placed either in ordinary detention centres or in National Rehabilitation Camps (Campo de Recuperação Nacional, or Renals). The difference between a Renal and an ordinary Fretilin detention centre was very clear in theory. Renals were for the discipline of Fretilin members or civilians "who need to be brought back to the right path" through the teaching of the principles of Fretilin ideology. As well as involving people in the process of production through farmwork on cooperative farms, they also provided political education and sometimes literacy training. In practice the difference was not always that clear. Renals became synonymous with detention in the minds of civilians and indeed many Renals effectively became prisons. Further, the Commission has heard of widespread torture and ill-treatment of detainees in Renals.

219. During the Soibada Conference, held between 15 May and 2 June 1976, Fretilin organisers decided that territories controlled by Fretilin would be divided into six sectors controlled by the military command, as well as political administration territories under the control of Fretilin administrators. They were: East Point (Ponta Leste), which included Lautém District; Central East (Centro Leste), which included Baucau and Viqueque Districts; Central North (Central Norte), which included Manatuto, Aileu and Dili Districts; Central South (Centro Sul) which included Manufahi and Ainaro; North Frontier (Fronteira Norte) which included Liquiça, Ermera and parts of Bobonaro; and South Frontier (Fronteira Sul), which included Covalima and parts of Bobonaro. The Commission heard that detention centres including Renals were opened in every Fretilin sector of the territory. The Commission's statistical data record however that detentions occurred with by far the greatest frequency in the district of Ermera, from which the largest number of reports came by a significant margin, followed by Manufahi, Aileu and Viqueque. The districts of Bobonaro, Oecusse and Ainaro reported no such detentions and in Dili, Lautém and Covalima Districts the numbers were low. These results do not reflect in all respects the findings of the Commission's qualitative research, which, for example, suggests that the number of detentions in Lautém was among the highest.

[Insert graphs g2021104001 about here]

220. Significantly the correlation between torture and detention is extremely high. For the 49 cases of detention of Fretilin/Falintil members by Fretilin/Falintil reported to have occurred in Ermera District, for example, there are also 49 reported counts of torture, indicating that torture may have been a routine aspect of detention of members by Fretilin/Falintil in this period.

221. This section looks at practices that Fretilin adopted to achieve some level of justice and the reasons for detention of civilians and Fretilin/Falintil members between 1976 and 1978, and the treatment of Fretilin detainees in general. All types of detention centre are described in the statements and testimonies set out below, but particular attention is given to the Renals because they were unique to this period and were an essential part of Fretilin's strategy of social and political revolution. The Commission notes that the treatment of detainees differed from place to place.

Justice under the Fretilin administration:

222. The justice practices adopted by Fretilin are set out in detail in Part 5: Resistance: Structure and Strategy. In summary, they created a distinction between what was regarded as minor offences, such as a commander's mistake that caused the deaths of his men,²¹⁸ the harassment of women (*book fetó*) or the theft of chickens, and serious offences, such as being a traitor to the "political line", the nation or the revolution.²¹⁹

223. For the less serious offences, the accused would be called by the Political Commissar* to undergo criticism and self-criticism in a public meeting. This involved a Fretilin leader pointing out the person's mistakes (criticism) and then the person expressing understanding and remorse, and promising not to reoffend (self-criticism). Sometimes the person would also be required to undertake an appropriate "corrective act" (*justo correctivo*), such as collecting water or firewood for a certain period of time. This was considered a form of rehabilitation of the offender.²²⁰

224. For more serious offences the accused went through a process of popular justice (*justiça popular*) where the people decided on the accused's fate. In *justiça popular* there were no judges or prosecutors. The commander who was making the accusation would bring the accused before the public and put the accusations and the reasons for the charges to the people. The political commissar alone or with the sector commander would decide on a sentence.²²¹ João Vianas explained:

The justice section was like a judge who decided cases based on Fretilin rules. Through the process, the accused would answer questions about why he was arrested and who reported him. It also called leaders such as the [political] commissar. I was asked: "Do you know what the wrong you committed?" I answered: "I have no idea". They said: "We are telling you that what you did wrong was that your younger brother, José dos Santos, was a traitor. And the one who us gave this information is a friend of yours."²²²

225. Not all serious cases were investigated and there was no presumption of innocence or even, in many cases, right of reply. There were cases where people suspected of having planned to surrender were simply accused by the local commander, and a decision was made. Although the people had the right to decide, they usually followed the commander's line. For these reasons, the Commission finds that even where practices were applied correctly the resulting detention was arbitrary. A former Fretilin political assistant to the commissariat (*assistente*) told the Commission:

* The political commissar (*Comissário Política*) was the highest leader in the sector for all political administration or military matters [see Part 5: Resistance: Structure and Strategy].

Popular justice was formal. The form it took was: say that I was a person who was accused and I was taken before the public. When I came before them, many people would say that I was guilty; nobody would challenge that decision, even if I had done the right thing. There was no judge to defend us and it was not a judge or a prosecutor that brought the accused person before the public. I witnessed around three cases, which were of people who had been suspected and captured in the guerrilla [war] zone and the commander had arrested him on a charge of spying. [At the justiça popular] the commander said: "This man we captured in the guerrilla zone is a spy." Then people said, "If he is a spy, he must die." A Falintil commander usually handled cases like these and people just went along with what he said.²²³

226. If a person had already undergone criticism and self-criticism and completed *justo correctivo* but then reoffended, he or she was detained in a Renal or other prison. Alternatively, the *adjunto*^{*} could decide to send an offender to a Renal through a *justiça popular* hearing. In other cases, as the quote above suggests, offenders were killed.

227. Like guilt, the length of the sentence of imprisonment was decided by the political commissar or other person with authority. Several criteria were used to decide if a person should be released including the detainee's conduct while in detention. In some cases, a quasi-judicial process was used, run by the Fretilin justice section.

Reasons for detention

228. Renals were established to hold Fretilin and Falintil members and civilians who had violated (or were accused of violating) the principles and ideology of Fretilin and betrayed the struggle. Some of the most common reasons for detention were:

- Treason by planning to surrender to ABRI or making contact with people in ABRI-controlled areas, evidenced by going beyond the boundaries delineated by Fretilin²²⁴
- As a result of internal political divisions
- To enforce discipline.

Treason by planning to surrender or contacting people in ABRI areas

229. The most common reason for being detained in a Renal or Fretilin detention centre was for treason by being in contact with or working with the enemy, the Indonesian military (or people "in the towns"), or for planning to surrender to the enemy. Both civilians and members of Fretilin/Falintil were arrested for committing, or being suspected of committing, these offences. When caught they were taken to a Fretilin base for interrogation, detention and trial.

230. A finding that a person had ventured beyond the boundaries of the Zona or of crossing the *linha de fogo* (the outer line of the Fretilin resistance base), where armed troops were stationed, was enough to support a charge of making contact with the enemy.²²⁵ A commander could also be accused of cooperating with the enemy if enemy soldiers succeeded in entering a Fretilin area and killing people. In these circumstances, the commander was considered to have

^{*} The *Commissario Política* provided political leadership in the Fretilin structure at the sector level. An *adjunto* represented the *Commissario Política* at the zona level. (see Part 5: Resistance: Structure and Strategy).

committed a grave mistake,²²⁶ and when a commander was found to have committed a mistake his men were also arrested for the same offence.²²⁷

231. Pedro Faria, commander of the Fretilin militia in 1975 and secretary of the Sakalu Zone, told the Commission that he was detained in a Renal called Belta Três in Irara (Fuiloro, Lospalos, Lautém):

*I was detained in the Renal because I was planning to surrender and the political commissar heard of my plan. I was arrested and interrogated, and I confessed to the plan. I was detained for one and a half months. I was not alone in detention, there were many people detained with me.*²²⁸

232. Sometimes being in contact with someone who was suspected of being a traitor was reason enough to be detained by Fretilin. This happened to João Vianas in November 1977. He was arrested, bound and detained for a week. In this time he was abused, denied regular food and urinated on, although he was not told why he was arrested. After a week he was called to see the head of the Zona Secretariat.

*Then it was my turn to be called and interrogated. I was asked: "What is your relationship with José dos Santos?" José dos Santos was my younger brother and the Fretilin commander of the region and he had been killed by Fretilin. I did not do anything wrong but I was arrested because of the death of my younger brother José dos Santos. They suspected that I might react by running away to the town and report to ABRI. I was sure that I had not done anything wrong.*²²⁹

233. As João Vianas's statement demonstrates, if one or more members of a family were arrested on suspicion of collaborating with Indonesia or for seeking to surrender, other members of the family were liable to be arrested as well. This was particularly so if one or more members of the family were Fretilin leaders.

234. Domingos Soares Martins told the Commission that even though he was an active member of Falintil he was accused of being a spy in 1978 by Fretilin Commander T131 in Leubasa (Ermera), because his mother had just surrendered to ABRI.²³⁰

235. Modesto de Jesus Almeida Sanches told the Commission:

In November 1977 my father Salvador Almeida, Adelino Freitas and I were arrested by a platoon of Falintil soldiers at the aldeia Haksolok in Iliomar [Lautém], because we were relatives of Pedro Sanches, Gil Sanches, Bendito Savio, and Adão Amaral who had been arrested recently and imprisoned in central Ponte Leste sector.

After we had been arrested we were put in a pig-pen for three days and three nights.²³¹ My arms were tied behind my back and I was forced to walk from Iliomar to the Besi Manas [Hot Iron] prison in Luro. At Luro, [Fretilin] adjunto T125 said to the 49 detainees, including myself, that we were traitors to the country. Then, with our arms still tied behind our backs at our fingers and elbows [and our legs tied at the] knees and toes, we were put in a house that had a floor of small sharp stones. We were tied up day and night...

Only after three months was I interrogated by T126, the secretary of Luro Zone. He accused me of planning to surrender, but I answered that I was only arrested because he had arrested all of my brothers. I did not think that I had done anything wrong.²³¹

236. When the Indonesian military attacked an area and the leaders of that area decided to retreat, detainees were not released because it was considered that they would certainly surrender and thus enable the enemy to control that area. Orlando Silva Correia Belo (Fernando So), the former village secretary of the Sakalu Zone and later the person in charge of the Marabia Renal in Iliomar (Lautém) described his detention in a pig-pen in 1976:

In October 1976 Pedro Nunes (Sabalae), Julio Alegria, Vitor Gandara, Caetano Vilanova, Manuel Gandara and I, together with civilians, attended a large gathering in Paição. In the meeting, Fretilin leaders including T127, T128 and T129 explained the Indonesian military infiltration into Sacalu, Tutuala. We were told that we were irresponsible and we were ordered to put down all of our things and hold up our arms. Then our waists were tied with ropes linking one another and we were taken to a pig-pen...

Only after we had been held in the pig-pen for nine months were we interrogated by adjunto T125 about the infiltration of ABRI and the capture of the Tutuala area. I answered that I knew nothing about these things. After that 27 of us were released and I was appointed the person in charge of the Renal at Marabia, Iliomar, to replace Tito Cristovão da Costa (Lere Anan Timor).²³²

237. Having a relationship, in whatever form, with people in the towns was regarded with suspicion by Fretilin. Miguel da Silva told the Commission that in 1976 he was arrested because he was accused of bringing food to his family in the village of Laritame (Ossu, Viqueque).²³³

238. Luis da Costa was a parish priest when Fretilin arrested him in May 1976 and again in November 1976. He was accused of contacting people in towns, and also of not supporting Fretilin ideology because of his role as a Catholic priest.

²³¹ The "pig-pen" prisons were not structures formerly used to hold pigs. Rather they were usually improvised detention structures, sometimes similar in shape and size to a pig-pen, to hold detainees. The name "pig-pen" was adopted to refer to the fact that the detainees ate, slept and toileted in the cell like a pig in a pen.

Detention of Father Luis da Costa

Luis da Costa became a priest in April 1974 and was stationed in Ossu (Viqueque). As a priest he was not a member of any political party. In 1976 when ABRI entered the Ossu region, Father Luis fled to the forest but kept up his pastoral work. He performed mass every Sunday, gave baptismal sacraments and taught the people about Catholicism. Father Locatelli in Quelicai was his contact for obtaining materials needed for the mass. However, his religious work was criticised by some in Fretilin and he was first arrested in April 1976:

Around Easter in April 1976...they took me to the Sagadate Command in a village in Laga. The Commander then was Paulino Gama (Mauk Moruk)...Abel Ximenes Larisina conducted the interrogation...He asked why we didn't sing revolutionary songs? I said: "When do we sing revolutionary songs and when do we sing church songs, because we shouldn't mix them?"...Then after five days they left me alone.

Father Luis da Costa continued his pastoral work in Uatu-Lari (Viqueque) and then Ossu (Viqueque). In May 1976 he was approached after the Easter mass by the secretary of Laga Zone (Baucau), João Maubere, who accused him of contacting Catholics in the town and of only teaching religion, not political ideology. It was not until December 1976 however that Father Luis was arrested a second time, as part of the internal conflict between the Fretilin Central Committee and Aquiles Freitas.* :

On 1 November 1976 we left our work because ABRI had entered the area from Quelicai [Baucau]. We ran with the community to Mount Kaebukaekami. We lived there and I performed mass as usual...Then they said there was to be a meeting between [Nicolau] Lobato and Aquiles Freitas on 2 December but it never happened. Instead they arrested everyone in Uabitae on the peak of Mount Matebian including me [and Aquiles Freitas, as part of an internal conflict in the eastern region]. We were arrested on the orders of the CCF [Comite Central da Fretilin, Fretilin Central Committee]. They took us first to Baguia where we were forced to work, cutting grass by hand for one week. Then they took us to Nahareka where they split us into two groups. Some went to Mount Girai, but my group of 14 people went to Cascol.†

There I saw violations connected to the politics, to the war that was going on around us. I saw that most of the people there were not leaders like Nicolau Lobato and Vicente Reis but little people. They, most of whom did not understand politics, demanded that people do things that weren't outlined by the political education. People were also often too scared to speak out because the soldiers with their weapons had the power...They didn't give us food because at that time there was no food. From a political point of view, their actions were called political rehabilitation for people who did not follow Fretilin's ideology...I often saw violations of human rights. Towards me they conducted interrogations but they didn't beat me, they just asked questions. They accused me of teaching people that Fretilin was communist.

* Aquiles Freitas was arrested by Fretilin with Ponciano in December 1976 and reportedly executed in January 1977 (see box of Luis da Costa above). According to Xanana Gusmão, Aquiles Freitas was a former Portuguese soldier and Fretilin commander who had his own loyal company in the border region of Timor-Leste. Although he was a supporter of independence, he did not support all of Fretilin's ideology. The CCF saw him as a threat and had him arrested and killed for being a reactionary. [Xanana Gusmão, *To Resist is to Win*, at p. 45].

† According to Xanana Gusmão, Cascol (Centre East Sector Commissariat) *Naroman* was the command set up by Vicente dos Reis (Sahe) the Political Commissar of Centre East Sector, west of Venilale (Baucau). [*To Resist is to Win*, pp. 29 and 44].

On 23 December 1976 T132 read the detainees' sentences. Father Luis was not accused of any serious violation and was allowed to leave but with "conditional freedom". Others were accused of being traitors to the nation and were sentenced to death. Aquiles Freitas was sentenced to death for being a traitor and Father Luis heard that he was executed in January 1977. Following his release, Luis continued to perform his duties as a parish priest until he surrendered to ABRI in November 1977.²³⁴

239. Cooperating with the Indonesian military was considered a more serious violation by Fretilin leaders than contacting the military or planning to surrender. It therefore attracted a more severe punishment. Torture during interrogation and lengthy periods of detention were common when a person was accused of this offence.

240. Antonio da Silva told the Commission about his arrest early in the Fretilin administration period. He was not tortured but was held in difficult conditions and for a long time:

In April 1976 my colleagues and I were captured in Ailemi Lohono in Uatu-Lari Sub-district [Viqueque]. The names of my colleagues were Jeca Mausela, Mário Nascimento, Ernesto da Cruz, Alfredo da Cruz, João da Silva, Teotonio Sarmiento da Silva, José de Araújo and Raguiel da Silva. We were arrested because...we were suspected of collaborating with the government and the Indonesian military. The CCF ordered the armed forces (Falintil) to come to my house and arrest me and my son Teotonio Sarmiento da Silva. My son was about 14 or 15 years old then.

My son, our friends and I were arrested, tied up individually and then tied together in pairs. Then we were told to walk to the Zona [Sub-district] town, guarded closely until we arrived. I didn't recognise the Falintil soldiers...

The arrest was made on the orders of the Political Commissar T133...When we arrived at the Zona we were interrogated one by one. Not all of us were interrogated in the same way; there were those who were tortured during interrogation, there were those who were interrogated but not tortured, and there were some who were interrogated and then killed, namely Francisco Xavier from Uatu-Lari [Viqueque] and another from Mondelo, the village of Uaibobo [Ossu, Viqueque]. Both were civilians.²³⁵

241. Conduct on the battlefield could also be a test of loyalty to Fretilin. Gaspar Luis was wounded in the chest during a shoot-out with ABRI in August 1976, so he left the battlefield and went back to the headquarters. He was denounced as a traitor and put in a hole for two months in Nundamar Renal on the orders of the senior member of the CCF T135 and T136. The political commissar, Mau Lear, ordered his release.²³⁶

Internal armed conflicts

242. Under increasing pressure from the encroaching Indonesian military, a number of splits developed in the Fretilin leadership. As a result many people were arrested and tortured for criticising one or other of the leaders. The Commission also heard of people being branded as reactionaries or traitors for criticising the leadership or for supporting a leader who was

considered a reactionary or traitor. In several cases these people were executed (see Chapter 7.2: Unlawful Killings and Enforced Disappearances).

Conflict between Helio Pina and José da Silva, October 1976

243. An early internal dispute with the Fretilin leadership occurred between the political commissar of the Northern Front Sector, Helio Pina, and the Falintil chief of staff José da Silva in 1976 in Fatubesi (Ermera). Celestino de Carvalho Alves was detained as part of the dispute. He told the Commission that the conflict arose because Helio Pina and Commander Sebastião Sarmiento sought to demote José da Silva to deputy chief of staff. According to Celestino, on 6 October 1976 company commander, José Soares, on the orders of José da Silva, brought Helio Pina by force to Fatubesi where they could resolve the dispute. However that night a group of men led by Commander Pedro Lemos from Leorema (Bazartete, Liquiça) who supported Helio Pina, attacked Fatubesi. They succeeded in rescuing Helio Pina but several people died in the attack.²³⁷ Celestino Alves, who was a Fretilin security officer in Fatubesi, ran with José Soares and 60 of his men to hide in Leorema. Before they reached their hiding place, they were captured by T137, a Falintil commander. They were held briefly in Leorema, and were then taken to Poerema (Emera, Ermea) and imprisoned in an empty house:

In Poerema we really experienced torture that was unusual. We were beaten, burned, tied so tightly that we could feel our blood stop flowing. And there were some who were taken out and killed. Also, some of us were tortured like Jesus Christ on a wooden cross. We were ordered to sleep in a place full of mud, or our bed was splashed with water to make it wet. They beat us with wood, a whip, bamboo and...they beat our bodies with pipes and iron. Until eventually we weren't aware of what was happening to us in detention...The sadism was extraordinary...We received no food during this time.²³⁸

244. Over the next year they were moved between several different detention centres including Cailaco (Bobonaro) and Saugata (Maubara, Liquiça). They moved as the Indonesian forces advanced. Some were killed, others died from the terrible conditions in which they were kept, including severe food shortages and lack of medicines. After one year only three people out of the 62 who had been captured were still alive. They were Celestino, José da Silva and another man named Jeronimo Albino da Silva. Then, one day in November 1977 they were called to Fatubesi to be interrogated by the commissar of the Northern Front Sector, T139. Celestino Alves told the Commission that during the interrogation T139 threatened him with a pistol, another weapon and a rope (for hanging him). They were detained in an Estufa (see below: Fretilin detention centres, Ermera) and from there, T139 at last released him.²³⁹

245. Jeronimo Albino da Silva also spoke to the Commission about his arrest in relation to the conflict between José da Silva and Helio Pina in the Northern Front Sector. He said there were many others detained with him, including: Celestino Alves (Sei Moris), José Soares, José da Silva, José Carvalho, Cornelio Soares, Alberto Babo, Afonso Araújo, Manuel Alves, Aparicio, Belarmino Alves, Bosco Araújo and Domingas Madeira. He described how he was arrested in Asulau/Sare (Hatulia, Ermera) for his association with José da Silva. Jeronimo da Silva confirmed that the detainees were heavily beaten, kicked and punched both at the time of arrest and Poerema.²⁴⁰ He was finally sent to the Saugata Renal where he stayed until ABRI attacked in February 1979.

246. Eduardo de Jesus Barreto told the Commission that about 40 detainees were executed as a result of the internal conflict between José da Silva and Helio Pina in October 1976.²⁴¹

Disputes in Iliomar, Lautém, November 1976

247. The Commission was also told of the conflict between Francisco Hornay, who was a Falintil commander and an associate of Aquiles Freitas, and the Fretilin leaders in Iliomar Sub-district. According to Francisco Hornay's adopted son, Constantino, Francisco formed a group that was deemed "reactionary" in Iliomar because he did not agree with Fretilin's political ideology. The community of the village of Tirilolo (Iliomar, Lautém) told the story of these events (see box below).

Fretilin internal conflict in Iliomar, November 1976

In 1976 there was an internal conflict within Fretilin in Iliomar. The secretary of Iliomar Zone, Tomás Pinto (Lesamau), and the Falintil leader, Afonso Henrique, issued an order to arrest Francisco Ruas Hornay because one of his men, Mateus Oliveira, displayed indiscipline by shooting a coconut in Cacaven (Lospalos, Lautém) while coming back from Lospalos. Francisco Hornay made a self-criticism before the political commissar, Juvenal Inácio (Sera Key), in Akara (Iliomar, Lautém) and then followed Sera Key to Belta Trés to undergo *justo correctivo* for 14 days, while at the same time cleansing his mind of thoughts contrary to Fretilin ideology.

When he returned from Belta Trés, Francisco Hornay gave military training to the former Segunda Linha forces and youths at Larisoru-mumu. Members of the CCF decided that the training had negative effects so it closed it down. Then members of the CCF announced that all civilians must gather in one place to receive political education, which Hornay in turn disagreed with. Hornay was invited by the CCF to attend a meeting in Istasi, Fuat. He didn't go because he heard rumours that he was going to be arrested at the meeting. He also stopped people from two villages, Iliomar II and Tiriloro, from going. He sent 45 people to represent him led by Celestino Barreto and Bernardo Soares. Feeling unsafe, Hornay went to Uaibitae (Quelicaí, Baucau) to ask for help from Aquiles Freitas. When he came back he had G-3 rifles, grenades and ammunition but, needing more ammunition, he told 12 of his men to take some from Uaritin, an ammunition depot in Iliomar.

Then Hornay sent two of his men, Celestino Barreto and Afonso Barreto, to meet with leaders from Iliomar such as Jeremias dos Reis and Gregório Pinto to try to resolve the conflict. The leaders were not there and Celestino and Afonso were arrested and Celestino was taken to Borutau (Iliomar). Hornay then sent his younger brothers Afonso Pinto and Silvino Ximenes to try to resolve the conflict. Both returned because the situation had become tenser and they had not been able to meet the leaders in Iliomar. Finally, Hornay himself went with his men to meet the leaders of Iliomar to discuss the misunderstanding that had developed. As the group reached Larisoru-mumu (Lospalos, Lautém), Serafin Jeronimo shot at Hornay and Hornay returned fire. Hornay captured two of Serafin's men.

One week later Hornay led an attack on both Sera Key's group and Fernando Txay, wounding a Falintil member and a civilian. Sera Key and Fernando Txay organised Falintil soldiers and civilians to form a barrier and pursue Hornay and his men on Mount Paitah (Iliomar). Hornay and 49 men with one G-3 weapon had escaped to Uatu-Carbau. Some of the civilians on Mount Paitah surrendered to the Sera Key and Fernando Txay groups. Nine people were detained and tortured by Sera Key's men. Another civilian, Orlando da Costa, was distressed at the treatment of the detainees and went to see Fernando Txay to tell the commander that he must go as soon as possible or all the detainees would be killed.

About a week after meeting Orlando, Fernando Txay led people from four villages to Uatu-Carbau to capture Hornay and his men. Before reaching the Hornay group, they heard that Paulo Hornay had been captured and killed by T155, commander of Fade (*Força da Defesa*, also known as *Armas Brancas* [see Part 5: Resistance: Structure and Strategy]). Then commanders including Fernando Txay, Tito Cristovão da Costa (Lere Anan Timor), Tomás Pinto (Lesamau) and others entered Kulaldere (Uatu-Carbau) and captured 75 people from the Hornay group. All were bound and taken to Tailoi-Caentau (Iliomar).

In Iliomar the detainees were tortured and hung from house poles. They screamed out in pain until the Fretilin leaders T813, T143 and T814, and their Falintil counterparts T815, T144, T816 and T817 decided that if the detainees were not going to be interrogated they might as well be killed. However, if they were to go through some kind of interrogation process they should not be tortured.

On 17 November 1976 it was decided that eight people would be executed in Kakinatar, Lore (Lautém): among these were Antonio Oliveira, Oscar Ferreira, Angelo Pinto, Antonio Soares, Silvino Ximenes, Julio Ximenes, Libertino Bastos, and Bernardo Soares. Those accused of less serious violations were required to undergo *justo correctivo* for two months in Cacaven. There they had to make salt, cut sago trees and make sago flour. Children who had not done anything wrong were told to go home but their freedom was restricted.

Then Francisco Hornay, together with Duarte Ximenes Pinto, José Nunes, Dinis de Castro, Manuel Sarmiento and Marcos Pinto, were captured in Quelicai and taken to Iliomar. The six prisoners were not interrogated but were executed immediately in Muapepeh (Iliomar, Lautém).²⁴²

248. Francisco Hornay's son Constantino was around 11 years old when he and other members of his family were among those arrested by a Fretilin commander T142 and Fretilin member T143 in Uatu-Carbau in November 1976. He told the Commission:

*We were captured at dawn. We were taken back to Iliomar and tied up in a place called Sailari and then put into a pig-pen...after that we were investigated. First the leaders and then the little people. So they interrogated me at the end, after about four or five days. They kept us tied up and each day we received one meal. They tied us with black rope and ordinary rope, in three layers and then put us in bamboo stocks. Then in turn we were interrogated by a Falintil member called T144, the operational commander. He interrogated me that morning. Senior Falintil commanders T145 and T146 also interrogated me. After that I was released on the condition that I work in the kitchen, draw water...look for firewood and look after the buffalo.*²⁴³

Dispute between Francisco Xavier do Amaral and the CCF, September 1977

249. The most well-known and serious dispute within the Fretilin leadership occurred when the founding president of Fretilin, Francisco Xavier do Amaral, was accused of treason towards the Resistance struggle and deposed. The conflict occurred in the context of a mounting food, health and security crisis, which was causing increasing civilian deaths in the Resistance bases, and with the Indonesian military drawing nearer. Francisco Xavier do Amaral was of the opinion that the people should be allowed to surrender and continue the struggle from the towns and villages, but the majority of the members of the CCF opposed this course.²⁴⁴ The conflict created an atmosphere of mutual distrust within the Fretilin leadership and resulted in the arbitrary detention, torture and ill-treatment of many of Amaral's associates and supporters.

The detention and torture of Francisco Xavier do Amaral

Francisco Xavier do Amaral spoke to the Commission about his arrest and detention for his views on the future of the struggle:

There began to be divergence within Fretilin. We had begun to divide between ourselves. Some said that the doctrine [of Fretilin] was not right. Some said that the doctrine was right but people weren't following it properly. Some said it was good. We began to lose our trust in each other...From this they arrested me, put me in prison and accused me...that I had sent the people to surrender so that in the future when I surrendered to Indonesia they would give me a position as a general or a minister. This was the argument of those who were against me.²⁴⁵

Xavier do Amaral described his arrest in September 1977 and his subsequent detention to the Commission:

All the members of the CCF decided on the arrest. I was asleep in Mindelo near Orsanako [Turiscai, Manufahi]. I woke up to Alarico [Fernandes] yelling and holding a pistol to my ear. He was saying: "Traitor, you are arrested!" It was Alarico's idea, he was the one who reported me as having anti-revolutionary ideas. This had been a problem since I had returned from Mozambique [in 1975]...I had offered to hand the position to Alarico...[but] they [the members of the CCF] knew that if I stood down they would lose the trust of the masses in the bases. Maybe that problem had gone on until finally I was arrested...

Apart from pointing a pistol at me, no other physical abuse was done to me then. They took me to Aikurus [Remexio, Aileu], but first we went around through Soibada [Manatuto], the village of Fatu Makerek in the village of Laclubar [Manatuto] and then back to Turiscai [Manufahi]...I wasn't tortured on the journey, just abused with words such as "Speak, you traitor to the nation, reactionary!" The journey took about a month.

When I arrived at Aikurus, I was tried by the CCF. They accused me of being a traitor to the nation and surrendering the people. Alarico was the one who accused me...[But] everyone was there, like Nicolau [Lobato], Vicente Reis [Sahe], Juvenal Inácio [Sera Key]. They all accused me, but through Alarico because he was the minister of the interior and security. Their decision was that I be sent to the Central-East Sector. I was sent with 20 others, including Diego Moniz.

As to the torture I experienced while I was in detention, I was burned with hot metal by T90. All of the CCF...were there watching.

No one paid attention to [things like food, water and clothing]. If you were going to die, you were hungry, it was your business. I got food from the guards but it was because they pitied me, not because the CCF ordered them to. Many prisoners died, maybe 75%. When I was detained about 50 people were detained with me but every day four or five people died. If they couldn't walk they were killed. In the end only about five survived.

Amaral was moved continually to escape the Indonesian military:

In Uaimori [Viqueque] I was held in a hole. When we arrived in a place, the prisoners would be ordered to dig their own holes...Sometimes we'd stay one week, sometimes two weeks in one place, because we were always being chased by ABRI.

In October 1978, when the group was on the south coast of Viqueque, the camp was surrounded by ABRI and although he tried to escape, Amaral was captured by Infantry Battalion 744.²⁴⁶

250. As well as the torture suffered by Xavier do Amaral, many of his friends and supporters were arrested and tortured for their association with him. In his autobiography Xanana Gusmão

describes the torture suffered by Adão Amaral, José dos Santos, Pedro Sanches, Gil Fernandes, Raul dos Santos, Victor Gandara, José da Conceição, Dinis Carvalho and Andrade Sarmento, and how he intervened to put an end to it. He described the effect of the torture on Pedro Sanches: "His body had been burnt, and his breath smelt nauseating. We feared for his life."²⁴⁷

251. Several witness statements were received by the Commission about the arrests of suspected supporters of Xavier do Amaral. Domingos Maria de Andrade gave a statement to the Commission describing his arrest and ill-treatment, when he was beaten, kicked and threatened with a bayonet by Fretilin soldiers, T151 and T152 in 1978 in Mindelo (Turiscai, Manufahi). He said that he was humiliated in front of many people and accused of being a traitor. He was detained for one month and during that time received only sweet potato skins and food-scrap to eat.²⁴⁸

252. Domingas Araújo Sarmento told the Commission about the arrest and torture of her husband, Alberto Viteho, in the village of Fatasi (Laulara, Aileu):

*I met my husband Alberto who was a courier for Xavier [do Amaral]. Not long after, Fretilin forces appeared and immediately arrested my husband and took his clothes off. Then they ordered him to wear a sarong and they took us to Trassu where they hung him from a coconut tree and hit him and tortured him until he was bleeding. They [Falintil] threatened me that if I told people about this they would kill me.*²⁴⁹

253. Thomás Araújo, a senior commander of the Turiscai Zone between 1975 and 1977, was arrested in a meeting of the CCF in Tutuluru (Same, Manufahi) in September 1977 in connection with the case of Francisco Xavier do Amaral. He was arrested with several others and was detained for 27 days in Aikurus (Remexio, Aileu) and for three months in Fatubesi (Hatulia, Ermera) together with eight of his friends. Of the nine people detained in Fatubesi, two were executed, Domingos and Mário Bonifacio.²⁵⁰

254. Feliciano Soares, a former Fretilin member, told the Commission that he was arrested in December 1977 on suspicion of meeting the Northern Front commander, Martinho Soares, who was loyal to Xavier do Amaral, and telling people to surrender. He was taken to Abat (Fatubesi, Ermera) on the orders of the Northern Front Commissariat. There he was interrogated by T153 and Assistant T154 but was not tortured. He was detained for two months.²⁵¹

255. Januario Faria told the Commission that he was arrested in Caicassa (Fatuberliu, Manufahi) by Fretilin and interrogated about having contacted Xavier do Amaral with a view to surrendering. He was not tortured but was detained in Caicassa (Fatuberliu, Manufahi) with other prisoners including Father Mariano (see below).²⁵²

256. Grasindo Mariano was arrested by Fretilin commander T155 and Fretilin member T157 in Tutuluru (Same, Manufahi) on 11 September 1976 and accused of being a supporter of Xavier do Amaral. He was detained in the Bubulau Church, Tutuluro (Same, Manufahi) for two months, and then moved to Fahinehan (Fatuberliu, Manufahi) where he worked in the gardens for eight months.²⁵³

²⁴⁷ The Fretilin commander Martinho Soares was detained at the same time as Feliciano Soares and also held in Abat. He disappeared [see CAVR, Case Summary 902: Martinho Soares, 2003].

Enforcing discipline

257. Fretilin detained people to discipline or to punish breaches of Fretilin rules within the Fretilin Resistance bases. The Commission also heard of torture and ill-treatment of those detainees, particularly later in the period.

258. Ijais da Costa told the Commission that he was forcibly recruited to Falintil. One night in 1976 in Remexio (Aileu) he was assigned night duty but because he was not used to operating a weapon he accidentally fired his gun. He was punished by being detained for two days without food by Samarusa Company.²⁵⁴

259. In 1977 Natalino de Andrade, a Fretilin soldier, did not report for work in Remexio (Aileu) for two days. The platoon commander ordered the zone secretary, T147 and two other Fretilin members, T148 and another person, to arrest him. They tied him up and then beat and kicked him for about one hour. He was detained for four months.²⁵⁵

260. Other people were detained if they looked for food outside the Fretilin delineated zones. Henrique Pinto stated that in Dilor (Viqueque) Fretilin allowed civilians to live and work the land in certain zones, while other zones were marked with red lines to denote war zones. Civilians who wanted to enter those zones had to get permission. However, many civilians were caught in the forbidden zones when they were looking for food. The Fretilin troops tolerated these violations once or twice, but if civilians were caught repeatedly they could be arrested and detained. Because of the critical condition of food supplies and the prevalence of sickness and disease at that time many detainees died in Dilor. Pinto stated there was no logistical section to look after the basic needs of the detainees.²⁵⁶

261. Mariano Meneses was arrested three times because he did not want to be a member of Falintil. He told the Commission that he was interrogated and made to work in the gardens but was not tortured.²⁵⁷ Horacio Mendonça told the Commission that he was detained for ten days in 1977 by a senior CCF member, T40, in a horse stable because he criticised Falintil troops who were taking cassava belonging to civilians. He said that he was not tortured while in detention.²⁵⁸

262. On 19 June 1977 a regional commander, T149, assigned Jaime da Costa, a section commander, to guard detainees in Lacro (Manatuto). One night Jaime da Costa fell asleep and a prisoner escaped. The regional commander ordered that he be taken to Aikurus (Remexio, Aileu). At night he was put in a hole and in the morning he was taken out and given food. He was detained for one year and four months. Jaime da Costa told the Commission that he was not tortured in detention, but that he was forced to work the land, planting cassava and vegetables; with the produce given to the Fretilin command.²⁵⁹

263. Not following the order of a commander was also grounds for punishment. For example, Silveiro Trindade told the Commission that in April 1978 he and his friend Alarico Trindade, both Fretilin members in the village of Matata (Railaco, Ermera), were called to the hiding place of Falintil commanders Mau Brani and Mau Buti. When they did not attend the meeting, a platoon of Falintil soldiers was sent for them. T141, one of the soldiers in the platoon, tied the victims with bamboo ropes, submerged them under water and then detained them in a "chicken coop". While they were in detention, T155 beat them with a log.²⁶⁰

Renals and other Fretilin detention centres

264. Statements provided to the Commission describe detention in both ordinary detention centres and in Renals, although in many cases the line between the two is unclear. There were several types of detention places in Renals. The Commission identified at least two types. First, a hole in the ground covered with wooden bars or by a wooden plank with a large rock on top of it,

or covered over with dirt. These holes varied in size. Some were only 80 centimetres in height, forcing prisoners to sit on the floor, and some four metres deep, such as the holes in Nundamar Renal in Remexio.²⁶¹ Third, a detention centre above the ground surrounded by a wall of stones stacked two to three metres high.²⁶²

265. Marito Reis told the Commission that during 1976-77, Vicente Reis (Sahe) travelled through sub-districts in the Centro-Leste sector to explain to Falintil commanders that prisoners were not to be killed but should be rehabilitated. Detainees were at that time being held in extreme conditions. In Laleia (Manatuto) for example, Marito Reis said that he saw people detained in a hole in the ground covered in bamboo and soil with only a tiny bamboo pipe for people to breathe through. He said that Renals were established around July-August 1977.^{*} The first Renal was built in Centro-Leste Sector in a place called Ai-Manas Rai near Lacluta (Viqueque). The land was fertile there and Fretilin did not have to flee, for the time being, from the Indonesian forces.²⁶³ The Commission was told that the Renals were established in Fretilin Resistance bases in each sector as part of the revolutionary strategy:

*The principles behind the establishment of the Renals were that education should continue even in time of revolution and that people who did not follow the party line or breached disciplinary rules could be "rehabilitated".*²⁶⁴

266. The stated principles behind Renals were "Lutar, aprender e produzir" or "Struggle, Study and Produce". Detainees were formed into farming cooperatives, supposedly operated in an ethos of equality, social support and cooperation. As well as providing education on literacy and political ideology, it was thought that detainees with thoughts or opinions that were not in accord with the concepts and strategy of Fretilin and its ideology or the ideology of struggle would be "rehabilitated" to support the revolution.

267. During the day detainees would work in the fields and in the evenings they heard lectures on politics. The produce from Renals was divided between Falintil and civilians. A typical timetable in a Renal was work between 8.00am and 4.00pm with a one-hour break for lunch; then at 4.00pm detainees would bathe and listen to political education given by the assistant or the political commissar.²⁶⁵

268. In theory, therefore, Renals were quite different to ordinary prisons, but in practice the difference was not so great. People were deprived of their liberty and often for an indefinite period, until they were deemed "rehabilitated" and supportive of Fretilin and the revolution.²⁶⁶ The Commission also heard numerous reports of torture and ill-treatment of detainees in Renals, as well as of executions. In addition, the encroachment of Indonesian forces meant that the population could not grow crops, and food was scarce. Many people died in Fretilin detention, both in Renals and in ordinary prisons, of hunger and illness. Antonio Amado de Jesus Ramos Guterres, who attended the Soibada Conference in 1976, explained:

^{*} Compare António Amado de Jesus Ramos Guterres, who said that Renals were established in 1976 after the Soibada Conference in May of that year. The first Renal, according to Antonio Guterres, was the Nundamar Renal in Remexio, Aileu (see box below). [CAVR Interview with António Amado de Jesus Ramos Guterres, Lacló, Manatuto, 11 December 2003].

When a person came under suspicion, he had to go to a Renal to undergo rehabilitation. They received political education on revolutionary politics. Many people did not like revolutionary politics with its communist ideology [but] Fretilin...implemented it by force. Fretilin leaders often said that reactionaries were taken to a Renal to be educated. But many were tortured or killed in the Renals. Some who were detained in a Renal were released. Some died of hunger.²⁶⁷

269. Also, because Renals were overseen by the political commissars in charge of the particular sector, and the military situation was different in different sectors, conditions varied between Renals.²⁶⁸ In some Renals conditions were quite good, whereas in others the Commission heard of regular torture and ill-treatment of prisoners and of many deaths due to hunger and disease.

270. The Commission identified several reasons for the release of detainees from Renals or from other Fretilin/Falintil detention centres. Detainees could escape, or be freed following intervention from a leader. It could also happen that when the Indonesian military attacked a Fretilin/Falintil stronghold, which also housed detainees, the detainees could free themselves when their gaolers fled. Sometimes detainees were captured by ABRI during such an attack and then freed.

271. The following are witness statements received by the Commission about detention in both detention centres and Renals in the districts of Lautém, Viqueque, Manufahi, Aileu and Ermera.

Ermera

272. The Commission received 49 reports of Fretilin/Falintil members detained by Fretilin in the district of Ermera, the highest number in the territory. It also heard of civilians detained by Fretilin/Falintil. Not all of these detentions were in detention centres or Renals, some people were simply deprived of their liberty and held in any convenient place. Antonio Malibere, for example, told the Commission that he was held in a cave in Lauana (Letefoho, Ermera) for four days by a Falintil commander, T121.²⁶⁹

273. In 1977 there was a Renal constructed in Fatubesi. Adriano João, former Fretilin political assistant in Cailaco (Bobonaro) told the Commission about the treatment of detainees:

Some were beaten, both hands tied then put in the underground prison, given food once a day, sometimes no food for a day. Some died of sickness and hunger.²⁷⁰

274. One of the prisons in Ermera was unique, the Estufa in Abat (Fatubesi, Ermera). The Estufa, according to Celestino Alves, was built by the Portuguese to burn rubber sap. It was very dark, narrow and had no holes for fresh air to enter. Only three people could be held in the Estufa at one time and even then they had to sit with their legs "interleaved like crosses". They could not stretch their legs out, stand up or move. Celestino was held in the Estufa with Commander José Soares and Jeronimo Albino by Political Commissar T139 in November 1977 (see section on Conflict between Helio Pina and José da Silva, October 1976, above).

275. The three men were held in the Estufa day and night and were allowed out only once a day at most. They received food only once a day and in very small amounts, such as a small piece of cassava each or a plate of boiled corn between three people. Celestino told the

Commission that they did not know if they were going to live or die. They were held in the Estufa for about one month when Helio Pina released them.²⁷¹

Viqueque

276. The headquarters of the Central East Sector was in Viqueque. Fretilin's Political Commissariat, Cascol, was the most ideologically innovative of all of the sectoral commissariats. The Commission heard of a number of prisons and Renals in the district.

277. Clementino da Silva told the Commission that he was arrested, tied and taken to Nahareka (Ossu, Viqueque) because he was accused of making contact with his family in the town. He was held in Nahareka for six weeks and then Uailaba for six weeks. While in detention he was given instruction in Fretilin ideology in the Centro de Formação Política (Ceforpol).²⁷²

278. Antonio da Silva told the Commission that he was accused of collaborating with the Indonesian military in order to surrender. He was arrested in April 1976 and taken to Zona 15 de Augusto at Ailemimi (Lohono, Uatu-Lari, Viqueque) and placed in a pig-pen. He said that it was made of stones piled two to three metres high, and that ten people were held in each pen. He also said that prisoners received only one meal a day, but that he was forced to cook and take food to Falintil on the battlefield. Antonio also told of how he was forced to attend political education classes at the Centro de Formação Política. Antonio was detained until November 1978, and surrendered when the Resistance base was destroyed.²⁷³

279. Paulo da Costa told the Commission that there was a large Fretilin prison in Uaimori (Viqueque) which was operated between 1976 and mid-1979, before ABRI attacked and occupied the area. Large holes were dug in the ground and the space divided into a number of holding cells. "Three-month" cells were for people accused of being "two-faced" (pretending to be loyal to Fretilin but actually working for the Indonesians). In these cells detainees received only one meal a day but were released after three months. Paulo da Costa told the Commission that a third group, whose violations were "too serious", were killed, either by being fed salty water or by being shot. The Commission has not been able to confirm this practice of a tiered system of cells.²⁷⁴ According to other sources, Uaimori was a Renal that was known for successfully rehabilitating people. For that reason, Francisco Xavier do Amaral was held there.²⁷⁵

280. The community of Baulale in Irabin de Baixo Village (Uatu-Carbau, Viqueque) said that Fretilin/Falintil frequently arrested people on suspicion of being Indonesian spies and held them in pig-pens. Detainees were then interrogated while tied with horse ropes. Informants told the Commission that one detainee named Paulo Fernandes died because he was tied too tightly, that three others were executed, but that Xanana Gusmão freed the remaining detainees when he visited Bautate.²⁷⁶

281. Xanana Gusmão told the Commission that the Renal in Ulusu (Uatu-Lari, Viqueque) operated on the principle that it should provide education in literacy and politics and allow detainees to grow food crops. Xanana Gusmão said that the Renal under his charge even produced abundant crops, but when the enemy attacked the area, they destroyed them all. People accused of being reactionaries or traitors were arrested and put in the Ulusu Renal. Detainees had relative freedom and could get permission to visit their homes or have their families visit them in the Renal.²⁷⁷

282. Cipriano da Cruz described being arrested and tied-up by Fretilin with seven members of his family in 1977 and taken to a Renal in Uatu-Lari (Viqueque), probably the Ulusu Renal. They were kept in a hole for six months before Xanana ordered the release of all 280 people held in the Renal.²⁷⁸

Lautém

283. Fretilin also maintained several detention centres in the district of Lautém, used for holding people suspected of treason, of being reactionary, of associating with leaders who were under suspicion or of other offences. They include Belta Trés in Irara, Fuloro in the sub-district of Lospalos, a pig-pen prison in the sub-district of Lore, Besi Manas (Hot Iron) Prison in the sub-district of Luro, and another pig-pen prison that became the Marabia Renal in sub-district of Iliomar. Statements from former detainees in these prisons and Renals provide a detailed description of life as a Fretilin prisoner in this period.

284. Orlando Silva Correia Belo (Fernando So) told the Commission about conditions in three different pig-pen prisons in the district of Lautém in 1976, before the establishment of the Renals:

We were not beaten, but we had to...keep our arms up because the rope was still around our waists and necks. After one month of imprisonment in the pig-pen at Belta Trés, Irara, we were moved to a pig-pen at Lore. While we were detained we were given food once a day...Sometimes we washed once in two weeks. After two months we were moved to Iliomar.

In Iliomar detainees were divided into three groups. Each pig-pen had nine people. Our food was similar to Belta Trés and Lore. We ate sago, tips of palm leaves, maize and cassava.²⁷⁹

285. Gaspar Seixas, the former zone vice-secretary of Iliomar from 1975 to 1977 told the Commission that he saw many people detained in Renals. He said:

Activities in the Renal usually involved working in the rice-fields or gardens during the day and being taken back to the prison at night under heavy guard by Falintil soldiers. The produce was given to Falintil...and also to people who did not have enough food. As well as work, detainees were given political education on Fretilin ideology and the principles of the struggle. Adjunto Lere Anan Timor gave these lessons in the Iliomar camp.²⁸⁰

286. Modesto de Jesus Sanches told the Commission about his time in the Besi Manas Prison in 1978:

If we were lucky, we had between nine and 12 corn kernels per day per person and we drank only water. Because we [received so little] we were very happy when it was our turn to fetch firewood because we could eat leaves that we found on the way. Usually five people were sent to fetch firewood at a time, with a rope connecting their waists one to another...two metres apart, and the Falintil soldier who guarded us held the end of the rope. If...one of us saw a candlenut in the river, he ran to get [it], forcing everyone tied to him to be dragged along and fall on top of each other. We secretly wanted to laugh but, because we were hungry, we just did everything we could to eat.

One day our place was bombed by the enemy's warplanes. Adjunto T125 came to us and said that all of us were traitors. He ordered one of his men to get a big stick and then he approached Cristovão Lopes and hit Cristovão across the head several times, killing him on the spot. I saw with my own eyes how the guard hit him [until he was] dead then dragged him off to be buried. Another victim was Julião, who dropped dead next to me of starvation. He was given no food because he was suspected of being a spy.

In June 1978, when Adjunto Xanana visited Luro he ordered his members to undo the ties that bound our hands and legs. We were told to sit outside in the sun. Then we were told to have a wash and a haircut. Our bodies were infested with dog fleas and lice, because for six weeks we had not been allowed to wash. Xanana himself took us and brought us over to our families in Iliomar. While I was imprisoned in Besi Manas, my wife, my four children, my nephew, and my mother were put in the Marabia Renal in Iliomar to work.²⁸¹

287. Horacio de Conceição Savio was part of the same group of detainees as Modesto Sanches, and he told the Commission a similar story:

In 1978, I was arrested together with João Vianas, Alcino Savio, Cristovão Lopes, Julião Cacavei, Mário Amaral, Felix da Conceição, and Bernardino...Commander T156 and his men arrested us in Iliomar and we were taken to the Besi Manas Prison in Luro. There...we were hit on the face and beaten across the head with their guns until our bodies were swollen, cut and bleeding.

The Fade troops kept beating and kicking us and we were hung up on a pole in the heat of the day for nine days, from 8.00am until 4.00pm, when they took us down and put us into the prison cells again. But our hands were tied behind our backs. While we were hanging, they kept beating us. The people who beat us included Commander T156, Adjunto T156, T125 and T159. We were given food but very little and only once a day. If we wanted to go to the toilet we had to get permission, but were still guarded by the Fade troops. We were told to work in the rice-fields. When Adjunto Xanana visited the Besi Manas Prison, after about a month of detention, we were released.²⁸²

Aileu

288. The main Renal in Timor-Leste, Nundamar, was in the sub-district of Remexio in Aileu. Nundamar was Fretilin's model rehabilitation camp for implementing Fretilin ideology, but it was also the Renal most notorious for serious human rights violations. Xanana Gusmão told the Commission that there were cases of inhumane treatment of detainees including beatings and burnings using red-hot wood, and that this was witnessed by Political Commissar Sera-Key.²⁸³

The Nundamar Renal in Remexio, Aileu

The Nundamar National Rehabilitation Camp was the first *Renal* established by the CCF. Set up in Remexio (Aileu),²⁸⁴ it was the largest and most important of the *Renals*. The CCF built Nundamar as a model for putting CCF political ideology into practice. It had literacy programmes, political awareness lectures and economic development programmes for its detainees, who included ordinary civilians, Fretilin members and Falintil forces.²⁸⁵ Xanana Gusmão told the Commission that the Political Commissioner Sera-Key visited Nundamar to study the methods applied in the Nundamar *Renal* before he established *Renals* in the Central East Sector.

Adjunto Sebastião Montalbão (Lais) was appointed by the CCF as the main person responsible for the Nundamar Renal. “Lais” is the abbreviation of “Localização da Administração e Informação Serviços Secretos”.²⁸⁶ José Manuel dos Santos told the Commission that about 300 people were imprisoned in the Nundamar Renal between 1977 and 1978. Nundamar was closed on 28 May 1978 when it came under Indonesian military attack. José Manuel dos Santos was a detainee in Nundamar, and told the Commission:

I was arrested by a Falintil platoon under the command of the sector commander, T160, because I refused to become a company commander in the Central Northern Sector. Originally my position was the Assistant Company Commander for the Central East Sector (Colaborador Comandante Companhia Sektor Centro Leste). After being arrested I was taken to see Sector Commander T160, who said that I was a reactionary because I refused to accept their decision. I was detained in the Nundamar Renal. At Nundamar I was beaten by hand...and lashed with a whip...I did not count how many times I was whipped, but it lasted a long time.

Then those of us who were detained, including Zacarias, Mário Mesquita, Marcelino, Gaspar, Alexio, Antonio and Maurubi from Laclubar, were forced to cut large pieces of wood and bring them back to the Nundamar Renal. I was told to make salt on the beach at Metinaro [Dili] for two weeks. After the wife of Political Commissar Mau Lear saw me, I was ordered to become a nurse and to treat civilians and Falintil soldiers. I treated detainees in Nundamar Renal, but on my own initiative...I was held as a prisoner until the Nundamar Renal was attacked by the Indonesian military.²⁸⁷

Killing and torture of detainees

Some detainees were beaten to death. José Manuel dos Santos told the Commission of the deaths of a number of prisoners, including: Martino Mesquita who was beaten first by hand and then beaten to death by T162 with a rice pestle on 5 December 1977; Afonso Araújo and Leki Mau, both from Metinaro (Dili); Mauloco from Ailok (East Dili); Beremau from Daralau (East Dili); and a young man (unidentified) from Hera (Dili).²⁸⁸ He also gave evidence that Domingos Dulas, from Maubisse (Hatu Bulico, Ainaro), was shot dead on 17 February 1977 in Nundamar.²⁸⁹

Some detainees in Nundamar were taken outside and executed: Zacarias and Maria Fatima were reportedly both executed in Aldeia 8, in the village of Liurai, on 8 March 1977. José Manuel dos Santos told the Commission that a hole was dug and then the two prisoners were tied together with a rope around their necks and waists and shot, their bodies falling into the hole.²⁹⁰

José Manuel dos Santos also told the Commission that torture and ill-treatment of detainees was a common occurrence in Nundamar. He said that detainees were beaten with sticks, iron bars, lengths of bamboo, or with a whip known as the *Chicote de Liberdade* (Whip of Freedom). These whips were made of plaited buffalo skin, similar to whips commonly used on horses and buffaloes, and were about 80 centimetres long.²⁹¹ José Manuel dos Santos told the Commission that a number of people commonly used the whips on prisoners, including: Commander T163, T162, Company Commander T165, T166, T167, T168, T169, T170, T171, T172, T174, T175, T176, and Secretary T177. This group of people were (senior member of the CCF) T136's chief agents.

Other forms of torture and ill-treatment included burning prisoners' bodies with cigarette butts or with iron rods heated in fire or putting them in a hole in the ground. In the Nundamar Renal there were two such holes, one in the shape of the letter "E" and the other like the letter "U". They were about three metres deep. The holes were covered in layers – first big logs were laid crosswise, then split bamboo and finally dirt was shovelled on top. There was one door to each hole with a ladder that detainees used to climb in and out.

Conditions in the Renal

During the day the prison leaders' time was filled by work such as political education for the people or meetings, and the evenings were filled with entertainment, such as dances. José Manuel dos Santos told the Commission that T136 and his men would get drunk at the dances on palm wine and then quite arbitrarily decide to arrest and beat people with the *Chicote de Liberdade* and throw them into the hole.²⁹² He said that on one occasion, when there was a party, he saw T136 and his men get drunk and without any clear reason beat Luis Barros so hard that his head was seriously wounded.

Prisoners' movements were severely restricted. José Manuel Monteiro, the man in charge of the Nundamar *Renal*, acknowledged to the Commission that detainees could not lie down in the holes, they could only sit or stand up and that even then they had to cross their legs due to the confined space. Detainees who were going to be executed were not let out of the underground holes.²⁹³

Reasons for detention in Nundamar

Those held by Fretilin in the Nundamar Renal were considered traitors. However, José Manuel dos Santos told the Commission that there was no clear investigative process to prove such allegations. There was also no process of self-criticism or *justo correctivo* in Nundamar because of the seriousness of the allegations. Conditions for prisoners considered traitors were especially harsh. The Commission received statements suggesting that medical treatment for those who were ill was withheld due to their political status, and that the sick were forced to continue working in communal farms. As the detainees were considered traitors, there was also no room for terms such as illness or other excuses. Everyone had to work in the gardens or rice-fields even when they were sick.

When working in the fields detainees who were categorised as having committed serious offences were tied by the waist to one another, two to three metres apart and guarded by Fretilin/Falintil soldiers. José Manuel dos Santos said that in the first months of his detention the workers received water from the guards when they were thirsty.²⁹⁴ However after Xavier do Amaral was detained, detainees were not given water unless the Falintil member who guarded them was kind-hearted. Both José Manuel dos Santos and José Monteiro told the Commission that this deprivation caused many detainees to become sick and die.²⁹⁵

The guards at Nundamar treated women no differently to men, especially in relation to work. For example Lucia Osório Soares, the wife of Xavier do Amaral, had her head shaved and was forced to work in the *Renal*.

Food and drink

Food consisted of the skin of buffalo, horse or goat cut into small pieces and mixed with cassava or jackfruit and vegetables such as the leaves of wild taro. This mixture was cooked and each detainee received two large spoonfuls. If boiled cassava was given to the prisoners, each detainee received one piece. The meat from the slaughtered animals was given to the man in charge of the *Renal* and his men, or sent to other members of the CCF who lived in the Central Northern Sector.²⁹⁶ José Manuel dos Santos said that the food was not sufficient and many people died of hunger and disease. One group of civilians brought from Ilimanu (Laçlo, Manatuto) including men, women and children, almost all died of hunger or illness, or were killed.²⁹⁷

Movement of detainees between Renals

According to José Manuel dos Santos, prisoners were moved frequently between *Renals*. Detainees were brought to Nundamar from the prisons in Laçlo and Laclubar (Manatuto), Laulara (Aileu) and other sectors. Most of the civilians brought by force from Ilimanu (Laçlo) including men women and children, died of hunger and disease. Most died of hunger but some were executed. The Commission also heard from José Manuel dos Santos that goods belonging to detainees, such as gold jewellery, clothing and other articles, were seized by T136 and given to the men close to him, and that T136 said: "Fogo aos Traidores, Abaixo aos traidores!" (Shoot all traitors, down with all traitors!).²⁹⁸

289. Maria Fatima Pinto also told the Commission:

At that time we were attending a party. About 3.00am, they [Fretilin members of the Central Northern Sector Base B, Laulara zona, Aileu] said the party had to end because "there are traitors among us". That morning they...arrested me and several others.

We were taken to the Nundamar Renal, Remexio. I was interrogated about things that Maria Goreti sent such as oil, medicines and clothes. I had received those things and I handed them over to João da Silva Godinho, who handed them over to Nicolau Lobato. Because there was no clear information, I was held in the Renal hole for two days with a friend, Maria Antonia of Laçlo. I was released by Nicolau Lobato, because there was no proof of my wrongdoing.

I continued to be punished in the Renal for three months. While in detention we were told to work in the gardens and in the rice-fields. In 1978 Fretilin members killed many detainees by throwing grenades into the holes.²⁹⁹

290. In the Nundamar Renal in 1978 Fretilin set up a place for holding children known as the crèche. Children kept in the crèche were children of Fretilin detainees aged between two and five years old and at times numbered more than 50 children.³⁰⁰ According to Maria Antonia, one of the detainees charged with caring for the children in the crèche, all of the children in the crèche died,

including the two children of Francisco Xavier do Amaral. She said that they suffered malnutrition from the poor quality food they received and that were washed only with water, not soap.³⁰¹

291. Raul da Costa witnessed the mistreatment and killing of detainees kept in the Nundamar Renal and Erluli and other killings committed by Fretilin because at that time he was deputy commander of the Remexio Zone. He gave evidence of torture meted out by Fretilin on detainees in the Renal, including on Francisco Xavier do Amaral, who according to him was tortured by having burning embers put on his chest.³⁰²

The detention of Ambulan

Domingos Maria Alves (Ambulan) was a Fretilin zone secretary arrested in Liquidoe (Aileu). He was taken to Erluli (Remexio, Aileu) because he was accused of being a member of Xavier do Amaral's group. Ambulan was called a traitor and then tortured by the Fretilin *adjunto*, T187, and a CCF member, T90, including being hung up and beaten. Almost all parts of his body were beaten by hand or with wood, and he was also kicked. Ambulan told the Commission that T90 interrogated him in front of several ministers in the Fretilin administration including Mau Lear, Hata, Mau Kruma, Sahe, Nicolau Lobato and Afonso Rendentor. T90 asked whether Ambulan was a bodyguard of Xavier. Ambulan answered that he was. Ambulan was tortured again by T187 and T90. T187 hit Ambulan with a piece of wood until the wood broke in his hand. T187 took another piece of wood. He beat Ambulan until he had broken three pieces of wood. Then he took a last piece of wood, which had a burning tip, and he used it to burn Ambulan's skin. Ambulan says that many people were executed in public and T90 said that this was to warn the public and other detainees not to do the same thing.

Ambulan says that one day in 1977 T90 showed a letter, which, according to T90, had been sent by the people of Liquidoe. The content of the letter was that Ambulan was not allowed to return to Liquidoe. It was thought that the letter was written by T90 and T132. However in the letter there were names such as Gaspar, Mateus, Lequiboe, Antonio, Mau João, Berleke and Bernardo. Based on that letter Ambulan was placed in an underground hole. In that hole Ambulan stayed with João Bosco, his friend. Ambulan was imprisoned there for one and a half months. Ambulan was detained with Xavier do Amaral for one week before he was moved to Fatubesi (Ermera). Ambulan was taken to Fatubesi together with nine other detainees: Luis Koto from Uatu-Lari (Viqueque), Mário Bonifacio from Laclo (Manatuto), Hermenegildo from Maubisse (Hatu-Builico, Ainaro), José Sabere and Diego from Fahinehan (Fatuberliu, Manufahi), and Thomás, Domingos, Unkoli and Nuno from Turiscai (Manufahi).

Ambulan says that of the ten, five were put in a special cell then killed after the Indonesian military carried out a massive attack. The five detainees who were killed were Luis Koto, Mário Bonifacio, Domingos, Martinho and a woman from Suai (Covalima). Ambulan and his four friends were released.³⁰³

292. The Commission also heard of several incidents of torture in Liquidoe (Aileu). Guilherme Brito was arrested in Fatukaimauk in Faturilau (Liquidoe, Aileu) in 1977. He was tied-up and forced by T196, to stay in the river at a depth of one and a half metres for three days and three nights.³⁰⁴ Daniel de Andrade told the Commission that his father (also Daniel de Andrade) was arrested in 1977 by Falintil commanders T197 and T187 in Liquidoe. They hit him with a block of wood and then tied him to a cross for one week. Then he was taken down and put in a hole in the ground for another week, before they took him out and beat him to death with a piece of wood.³⁰⁵

Manufahi

293. In Manufahi the Commission heard of at least one Renal in Dotik (Alas, Manufahi), which had similar conditions to the nearby prison of Uitame in Viqueque, described above.³⁰⁶ Tomé da

Costa Magalhaes told the Commission about prisons in Rameliak and in Lakeruhun, both in Caicasa Village (Fatuberliu, Manufahi).

The detention of Tomé da Costa Magalhaes:

On 9 February 1976, when ABRI started to attack the Fahinehan area (Manufahi), a Fretilin commander named Matias ordered all people including Tomé Magalhaes to run away to the forest. In the forest Tomé hid in his gardens in Ailora, Fahinehan. It turned out that Francisco Xavier do Amaral and Father Mariano were also hiding there. They grouped together but then Xavier do Amaral moved to another location and Father Mariano stayed with Tomé in Ailora.

On 9 September 1976, on orders from Political Commissar T199, Commander T200 with four of his men, carrying two G-3 rifles and two Mausers, came to Ailora to arrest Tomé and Father Mariano. Tomé and Father Mariano were allowed to go home first to collect their things and then went on horseback to Rameliak (Fatuberliu, Manufahi).

When they arrived in Rameliak, Fretilin members came up to Father Mariano and pulled him so that he fell from his horse. Tomé and Father Mariano were interrogated and then put in separate cells with only a bamboo wall between them. Tomé described the cell as very narrow and not allowing a person to move freely. They were guarded closely day and night, and if they needed to go to the toilet they were escorted by two armed Falintil members. In the morning T199 called Father Mariano for interrogation and when he arrived T199 ordered two of his men to take off the priest's clothes. Then T199 whipped Father Mariano until he was unconscious and then put him back in his cell. Father Mariano was repeatedly interrogated about his connection to Xavier do Amaral and tortured during interrogation.

Tomé said that they received no food from Fretilin while in detention. His family brought food to the prison. The food was always inspected by Fretilin and sometimes it was confiscated. Tomé says that he was never interrogated and tortured, but that T199 and his men took turns beating the priest for three days. T199 then tried to force Tomé to fight Father Mariano, but the priest's body was so bruised and swollen and his legs so stiff that he could not stand up. Tomé and Father Mariano were imprisoned for three months in the Remeliak prison and were then moved to Caicasa prison in Fatuberliu.

In Caicasa they were put in a house on stilts that had dozens of sharpened bamboo poles underneath. They were held there in terrible conditions for one month. Their legs were put in a wooden hole and tied tightly so that they could not escape, and their hands were tied behind their backs. When it was time to eat, the guard had to lift their heads and put food in their mouths. They were fed only once a day with a piece of cassava and water. There was no way the prisoners could go to the toilet, so they had to relieve themselves where they lay and the room reeked of excrement and urine. It was very cold in that area, but they were given no blanket to sleep under.

Tomé says that on 19 September 1977 ABRI entered Fahinehan. The Fretilin guards took him and Father Mariano from the bamboo house and forced all of the prisoners to walk, tied together, from Caicasa to Lakeru-Hun (Fatuberliu, Manufahi). There they were put with detainees from Fatuberliu under Commander T206. Many detainees were tortured and ill-treated, including having their bodies jabbed by bayonets or being burned with lit cigarettes. Then the prisoners were moved again to Rameliak except for the priest who was taken to Liquidoe.

Later Tomé asked T199 why he had been detained for so long without any explanation of what he had done wrong. T199 answered: "Because you worked with Francisco Xavier do Amaral and Father Mariano. That was why I punished you. But believe me, soon you will be free." Then Tomé was put in the Rameliak Renal to work in the gardens and plant vegetables. On 8 August 1978, after nearly two years in detention, Tomé was released and he returned to his family.³⁰⁷

294. Valentino da Costa Noronha also told the Commission about torture and execution of members of his family:

Because there was no food, my family, numbering 51 people, and I decided to go to Aileu to get cassava and sweet potatoes from someone's garden. On the way back to Laututo, Tutuluru [Same, Manufahi] we were hungry and decided to roast the sweet potatoes and cassava to eat them. Suddenly we were surrounded by a group of Falintil people who arrested us. All of my family had their hands tied and we were bound to one another by a rope around our waists. We were told to walk from Laututo to Ailora [Fahinehan, Fatuberliu, Manufahi]. On the way the Falintil soldiers tortured my family by beating us with their hands, with thorny lime branches, with bamboo and wooden branches on our stomachs and backs, and by burning us with lit cigarettes. When we arrived in Ailora everyone in my family was tied and hung from house poles. In the evening Falintil executed 45 members of my family. Seven of us were saved because one of my uncles was a political assistant.³⁰⁸

Liquiça

295. The main Renal in the district of Liquiça, according to the Commission's research, was Saugata in the sub-district of Maubara. There were at least 120 people held here during the time it was in operation. Celestino Alves, who had been arrested on 15 October 1976 with José da Silva and 60 of José da Silva's supporters in Leorema (Bazartete, Liquiça), was eventually taken to the Saugata Renal (see box on the Conflict between Helio Pina and José da Silva, October 1976, above).

296. Alexandrino de Jesus told the Commission that he was detained with 48 other Fretilin activists in the Saugata Renal from October 1977 to early January 1978. Alexandrino de Jesus had been accused of planning to surrender to the Indonesian military and of being in contact with Commander Martinho Soares. Fretilin detained the group for three months. The detainees were required to perform work such as pulling out grass by hand over an area of about 1.5 hectares so that it could be planted with corn. They were not given any food so Alexandrino and his friends had to find food for themselves.³⁰⁹

297. The Commission also received statements indicating that there was a Renal in Maukurustema, in Berdois in Maubara and a detention and torture centre in Sedoze Camp in Kailima, in the village of Laculai (Liquiça). For example, Agapito dos Santos was arrested by Falintil along with four others in Berdois (Maubara, Liquiça) in 1977. They were tied with bamboo ropes, hit with a log, kicked with military boots and detained for seven and a half months in the Maukurustema Renal (Maubara) before Falintil Commander José Soares released them.³¹⁰

298. Some people were not detained in a building or other space but were tortured where they were arrested. Jorgé Pereira Pinto told the Commission that he was accused of treason in March 1976 in Pukemanaru (Manati Village, Liquiça) for allegedly taking civilians to surrender to ABRI. He was arrested by two Fretilin members called T209 and T210. They hit and kicked him until he fell down and then beat him with a Mauser rifle, leaving his face bloody and his body bruised and swollen. After the beating he was tied to a tree for one day before being released.³¹¹

Violence in the Fretilin zones

Torture and other forms of cruel, inhumane and degrading treatment were perpetrated in many of the Fretilin-controlled zones, not just in the *Renals* and prisons discussed above. Violence was used routinely as a way of punishing any real or suspected misdemeanour and asserting one person's power over another. Some examples include:

Valenti de Sousa Guterres told the Commission how on 3 January 1976, in Baguia (Baucau) he was beaten by Fretilin members with a belt, injuring his right eye. Then he was kicked until he fell unconscious.³¹² Fretilin Commanders T211 and member T212 interrogated him and were about to kill him when Aurelia, the mother of commander Mau Hudu, intervened. He was released soon after.³¹³

Geraldo Pereira told the Commission that in Molop (Bobonaro) in 1976, he and two others were arrested and abused, and beaten with weapons and hands by Falintil. Another victim was hit on the head with a machete three times causing heavy bleeding from his head, so that he finally lost consciousness. Another victim had his ears cut off. They were detained for three weeks and then released by Commander Agustino Espirito Santo.³¹⁴

Antonio Soares told the Commission that he was arrested in Modok Zone in Iliheu (Laclo, Manatuto) in March 1977 by Fretilin members T213, T214 and T215. They took Antonio Soares to Modok Zone where he found five other Fretilin members detained (Antonio Demetrio, João Carceres, Caetano Gusmão, João Harek and Antonio Amado) whose bodies were swollen because they had been burned with hot iron rods.³¹⁵

7.4.5 Arbitrary detention, torture and ill-treatment by the Indonesian Occupying Power, 1975-1979

Introduction

299. The years 1975 to 1979 recorded the highest numbers of East Timorese people arbitrarily detained, tortured or who suffered cruel, inhumane and degrading treatment of any years during the Commission's mandate period. These violations occurred in the context of chaos and violence as the Indonesian military invaded and then gradually occupied the territory and the civilian population fled to the mountains only later to be captured or to surrender. From early on arbitrary detention was a military strategy for gaining control of the population and obtaining information about the strength and the leadership of Fretilin/Falintil. Intelligence was often used to target particular individuals. Local divisions were exploited to identify and detain possible Resistance members or supporters.

300. This section examines the nature and extent of arbitrary detention, ill-treatment and torture under the following headings:

- Statistical profile of violations
- Invasion of Dili
- Takeover of other areas
- Securing the territory, 1976 to 1979
- Surrenders, both early in the period and in the mass surrenders and captures in 1978 to 1979.

Profile of violations: 1975 to 1979

301. The Commission recorded 6,494 detentions, tortures and ill-treatments in this period at the hands of the Indonesian military and its auxiliaries, 43.45% (6,494/14,491) of the total for the years 1975-79.[†] Females comprised 11.32% of all victims from this period, a relatively high figure given that women rarely played an active role in the hostilities.

302. As the graph below demonstrates, there was a major peak for detentions, torture and ill-treatment at the beginning of the period in 1975 to 1976 and a higher peak at the end of the period in 1979. Between these peaks the figures remain consistently high relative to other periods of the Indonesian occupation.

Table 2 - Graph of detentions, torture and ill-treatment in the period 1975-1979

[g1221hrvd600.pdf](#), [g1221hrvd400.pdf](#), [g1221hrvd1000.pdf](#)

303. The peaks in 1975 to 1976 and 1979 coincide with major military operations: the first being the invasion of the territory (the beginning of Operation Seroja) which was most intensive in late 1975 and early 1976. This was followed by the bombings and marine attacks in the eastern region in late 1978 and mopping up operations in the central region in 1979, which led to the mass surrenders and detentions of civilians in these years.

304. Even in the intervening period between these major operations, a high number of people were detained relative to other years in the occupation (see graph in the Introduction to this

[†] Note that in 11.19% (1622/14,491) of cases the perpetrator was unknown.

Chapter). These detentions occurred as the Indonesian military continued to fight Fretilin/Falintil to gain control of the territory, and to force out members of the Resistance in areas where the military had established control and then destroy them.

305. The patterns of detention, torture and ill-treatment violations, like other fatal and non-fatal violations during this first phase of the conflict, varied from region to region. While the initial violence around the time of the Indonesian invasion in 1975 was most intense in the western and central regions, after 1976 the focus of non-fatal violations shifted to the eastern region. It was in 1976 that the Resistance began to be concentrated in the eastern regions of Timor-Leste and therefore these areas were targeted by Indonesian security forces.

Perpetrators

306. The Commission's analysis of perpetrators attributed with responsibility for detentions in this period is indicated in the graph below:

[\[Insert gp1pfvln400.pdf about here\]](#)

307. The graph indicates that the Indonesian military forces perpetrated a large majority of the detentions. Although the civil war in 1975 took a heavy toll on East Timorese society, more people suffered non-fatal violations at the hands of the Indonesian military than either of the political parties in 1975. The Indonesian military was named in 49.17% (4,393/8,934) of all documented detentions in the invasion period, 42.55% (1,328/3,079) of torture cases and 31.19% (773/2478) of ill-treatments. In most cases, the victim identified only ABRI/TNI and did not specify the unit or section of the military responsible. In this early stage of the occupation, the various elements of the military, including battalion names and numbers, were not yet known by the majority of East Timorese people. Many of these early detentions occurred in a climate of upheaval and chaos as the military attacked villages or groups of civilians, unlike later periods where battalions were resident in a particular area and were identifiable by the community.

308. Nevertheless, it is clear that territorial units including organic and non-organic units were involved in the detention of suspects.^{*} Special Forces (Kopasandha/Kopassus) also detained people. Aside from the military itself, East Timorese working for civil defence organisations established by the Indonesian military were involved in a significant number of detentions in this period; qualitative evidence suggests that many of these violations were conducted in conjunction with the military. These patterns are virtually identical with reported incidents of torture in this same period.

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Detentions during the invasion

309. The Indonesian military began its incursion into towns close to the border with West Timor in September 1975 and then launched its invasion of Dili on 7 December 1975. The invasion of Dili marked the beginning of Operation Seroja (Lotus), (see Part 3: The History of the Conflict). After taking control of the capital, and Baucau two days later, forces moved to capture strategic areas.

310. Each time the military moved into a new area the general patterns of detention were the same. Military forces detained civilians and combatants, who had either been captured or who

^{*} Territorial units are non-combat units responsible for a particular geographical area and fall within the territorial structure from sub-district to national levels of command. Organic territorial units primarily comprise locally recruited soldiers whereas non-organic units comprise territorial battalions from Indonesian provinces. Combat units are not geographically defined and fall outside of the territorial command structure. For more information, see Part 4: The Regime of Occupation.

had surrendered. In some places mass detentions occurred as the military sought to gain control of the local population and to identify Fretilin/Falintil members or supporters connected to the Resistance. In other places it arrested family groups or individuals who had not managed to flee in time or who were caught returning to find food. Detention served several purposes:

- It separated members of the Resistance from the general population
- It was a way of obtaining strategic information about the Resistance
- It served as punishment for membership in or support of the Resistance.

August – November 1975

311. Between August and November 1975, Indonesian Special Forces units together with East Timorese Partisans conducted incursions into the western region beginning in Atsabe (Ermera), Bobonaro (Bobonaro) and Suai (Covalima) on 14 September, Batugade (Bobonaro) on 8 October, Balibo (Bobonaro) on 15 October and Atabae (Bobonaro) on 20 November. Fretilin combatants were captured and detained in battles with the Indonesian forces. Alberto Tavares recalled:

In 1975, a Commander of Segunda Linha, T216, forced us to carry out an attack in Balibo against Indonesian soldiers. Other friends and I were involved in a shoot-out with Indonesian forces in Balibo from morning until evening. Because we were not as strong as ABRI, we retreated to our base in Damalaran [Balibo]. When we reached there, Indonesian forces attacked us with tanks and my younger brother Talo-Bere was killed. After his death, Commander T216 surrendered to ABRI and then he and the Indonesian forces came and arrested us in Atabae. Then we were arrested and detained in Rairobo [Atabae]. We weren't given any food or medicine and so we only ate leaves. My son Januario Tavares died there from hunger.³¹⁶

312. Cases of detention of civilians from this period are sparse, suggesting that it was not a part of the incursion strategy. In one case from the sub-district of Atsabe, Marciana da Graça described how four civilians, Mau Butar, Berleki, Beremau and Mausiso, were captured by Battalion 403 in Coileki in Babo Leten Village (Atsabe) and taken to the town of Atsabe. The soldiers, along with a Partisan commander, T217, then took the victims to Malabe Village (Atsabe) and killed them.³¹⁷

313. Similarly, in another case from Atabae (Bobonaro), Guilhermina Gusmão told the Commission:

In 1975 [I forget the month] Indonesia came and attacked the village of Kolibau [Atabae] with tanks and shot at us indiscriminately. I don't know which unit because I was just a little person. Because we were afraid we would die I ran with my mother and father...Then planes started attacking us from Aidabaleten [Atabae], so we hid in a cave then we ran to Lou-Mate [Atabae], and then hid near the Aidabalete River. When we were there, they came to our hiding place and arrested my older brother Mateus Maubere. The people who arrested my brother were a mixture of ABRI soldiers and Partisans, East Timorese people. They took him to Aipusrah [Atabae], where they tied him to an orange tree and shot him. We watched from afar.³¹⁸

Dili

The invasion

314. On the day of the invasion of Dili the military captured and detained both combatants and civilians who had not fled the city. Some were taken to the pier at Dili harbour and executed (see Chapter 7.2: Unlawful Killings and Enforced Disappearances). Some members of the Resistance surrendered to the invading forces after realising that they could no longer hold out. Marcelo da Costa Pereira, the Fretilin operations commander for Sector A, told the Commission that he and four others, Luis da Costa Cardoso Pereira, Sebastião Rodrigues, Celestino Ricardo and Simão Soares, surrendered after their ammunition ran out. The group was arrested then taken to the harbour and other detention centres where they were tortured by their captors:

We were taken to the command headquarters and after that to the harbour in an ABRI tank. Once we arrived we were stripped of our clothes down to our underwear for 15 days. Then we were taken to the Tropical [detention centre] and [later to] the Balide Prison [the Comarca]. When we arrived at the prison, we were interrogated, beaten across the head with iron, burned with cigarettes, electrocuted and our feet were pinned under the legs of chairs.³¹⁹

315. Some Fretilin/Falintil fighters were captured after fleeing from the fighting. Luis Sarmento and 30 others, whom Rogério Lobato had armed to defend the Palapaço area in Motael (Dili), realised that they were too few to fight off the Indonesian military and so ran to hide at the airport. A week later, Kopassandha troops arrested them after an informer, T218, had told the military where they were hiding. The treatment of Luis Sarmento and colleagues was similar to that suffered by Marcelo da Costa Pereira:

Our hands were tied behind our backs and [we were tied] to each other. Then we were taken to the harbour. On our arrival we were slammed to the ground and then we were run over by two motorcycles, twice. Then they moved us to the Tropical [detention centre] where we were beaten, hot water was poured over us, we were burnt with cigarettes and they gave us rotten boiled corn for food. I was detained in the Tropical for one year. In 1977 I was moved to the Balide Prison.³²⁰

316. Although most of Dili's residents had fled the city when the invasion began, those who remained were vulnerable to being arbitrarily detained by the military. Marcus Valadares of Beto, an area of Dili behind the Comoro Airport, told the Commission how his family was detained in their home:

When the Indonesian military arrived by plane, I saw many people fall from the planes. Around dawn...at the Comoro airport my family and I did not have the chance to run before we were surrounded by the military. At 6.00am we were arrested. I don't know by which unit. For three months we were prevented from leaving the house except to go to the toilet. If we left the house we would be shot.³²¹

317. Those who fled to the mountains were chased by the military, and many were captured around Dare, in the hills above Dili. Some of those captured were detained and suffered ill-

treatment and torture. Elda Guterres described the capture of her son, a former soldier with the Portuguese military in Timor-Leste:

On 7 December 1975, many people fled to the mountains and the bush because of the ABRI invasion. My son Armindo hid in Dare. ABRI attacked from many directions at once and many people were captured...including my son Armindo. They were taken to Dili and put in a cell in the Balide Prison. While in prison, Armindo was beaten, electrocuted and tortured in many other ways. After that a [Partisan] soldier called Marcelino Ximenes, my nephew, asked ABRI that Armindo be sent to hospital. [ABRI] agreed and he was sent to the Wira Husada hospital [Dili], but he died on 24 July 1976.³²²

The days following the invasion

318. The Commission's research suggests that after the effective occupation of Dili the Indonesian military began identifying members of Fretilin and then detaining, interrogating and/or punishing them. In this process ABRI detained civilians or restricted their freedom of movement. Civilians were told to gather in several locations, the most important of which included the Intendencia building and the Sota (Sociedade Orientale do Transportes e Armazens, a Portuguese trading company) building.

319. On 7 December the Indonesian military ordered hundreds of civilians to sleep on the ground at the Intendencia building (previously the Dili Kodim, and currently the cultural centre known as the Uma Fukun), located to the east of the Governor's Office building (called the Palácio do Governo at the time of writing). On the morning of 8 December these civilians were ordered to walk along the waterfront to the harbour area where they were told to wait in front of the Hotel Timor. That afternoon these and other civilians were taken to the Pantai Kelapa/Kampung Alor area. Late that afternoon 127 ethnic Chinese were allowed to return to their homes, but a large number of East Timorese civilians were told to stay in the area.³²³

320. On 8 December the Indonesian military began the process of registering the population of Dili and issuing registration cards. They called on the people to report to a building formerly owned by the Portuguese wholesale and retail company Sota in the suburb of Bidau Lecidere (the Sota building, the Uma Fukun cultural centre at the time of writing). At the Sota building, every person was required to fill out a form registering personal details, including his or her political affiliation, in order to receive a card. People who identified themselves as Fretilin were immediately arrested. Antonio Caleres Junior explained the process:

On 12 December, we all had to go to Sota to get a safety [registration] card. Through the microphone [on top of a car which drove around Dili], [they] said that everyone must go or face the consequences. Everyone went to get the card and then carried it home because the card was checked on the way. We had to fill out a form before we could get the card, and in that form there were things we had to reveal, such as which party we were from. There were also a number of checks. If they weren't convinced they would arrest us [and take us] somewhere, but we didn't know where.³²⁴

321. Francisco Calçona was arrested at the Sota building because of his Fretilin membership. He was detained first in the Sota (at the time of writing the Dili Trade Centre) and then moved to

the Tropical detention centre on 19 December. From the Tropical he was taken to the Sang Tai Hoo building (a shop in Colmera, Dili) for interrogation. During the interrogation, he was forced to squat with a wooden stick squashed behind his knees and lit cigarettes were pushed into his nostrils. His interrogators told him to hold his ears out and they wrote on his forehead with paint "hau Fretilin" (I am Fretilin). He was also ordered to put on a helmet and they hit him over the head with an iron bar.³²⁵

322. Antonio Caleres, to save himself, wrote down that he belonged to the Apodeti party:

*We saw that Apodeti people stood out and that they were organising things with the military. They were also arresting people. But there were also good Apodeti people, who told us what the situation was and that we should all write down Apodeti on the form. So we all did. It was not so bad to write down KOTA or Trabalhista, but if you wrote Fretilin they would surely arrest you and take you somewhere. I wrote down Apodeti so I could get a card. The screening process at the Sota building was overseen by Apodeti party leaders who had reported to the Sota the previous day.*³²⁶

323. Filomeno Gomes described how he and other Apodeti leaders, including party leader Arnaldo dos Reis Araújo, escaped from Fretilin detention on the day of the invasion and went to the Sota building. The next day, 8 December 1975, "(Colonel) Kalbuadi and Major General LB Moerdani came to the Sota building and met with us". Several of the group were then appointed to oversee the screening of the population, as they were considered more able to identify likely Fretilin supporters than the Indonesian soldiers.

324. A clear pattern in victim's testimony to the Commission was the role that members of the Apodeti and UDT parties played in providing the military with background information on other East Timorese people in this early period of the occupation.

325. Sometimes this could work in an individual's favour. Maria Olandina Isabel Caiero Alves told the Commission:

*I was arrested by the red beret troops on 13 December 1975 and taken to Sota, which was used by people from the Apodeti party. There I met with [soon to be] Governor Arnaldo and Sergeant Vicente Tilman...[and] the two of them said to ABRI: "She is not a bad person, she is not a communist. Watch her, interrogate her, but don't hurt her."*³²⁷

326. In many other cases members of Apodeti or UDT pointed out members of Fretilin to the Indonesian military, accompanied soldiers during the arrest of Fretilin members, or even arrested people themselves.³²⁸

327. For example, Lino Soares told the Commission about how on 10 December 1975 four members of Special Forces (Kopassandha) with T219 (an Apodeti member and the village head of Bidau Santana) arrested his father Jeferino Soares and his friend Francisco da Silva in Bidau Santana (East Dili, Dili). They had heard that Jeferino was hiding a Timor-Leste flag. When they had tied the two victims' hands, the military beat them and then took them to the command post where Jeferino was beaten more heavily. They were held overnight and released the next day.³²⁹

³²⁵ Labut Melo, another senior member of Apodeti, said that he reported to Hotel Timor on 8 December rather than the Sota building, where he received the weapons of Fretilin fighters who had surrendered.

328. Francisco Soares Henrique, a member of Fretilin who had resisted the invading forces on the day of the invasion, was also arrested at his home in Bidau Santana on 10 December 1975. Again, T219 came to the victim's home with members of the military. They interrogated Francisco, his younger brother and their father about weapons found in the house. They were then accused of being communists and were arrested and taken first to a shop in Colmera and then to the military command in Dili until early 1976 when they were moved to the Comarca.³³⁰

329. Acaçio Tau Pelo was a member of Fretilin also living in the suburb of Bidau Santana at the time of the invasion. He told the Commission:

On 12 January 1976 three members of Apodeti, T220, T221 and T222, arrested me in my house and took me to the Dili District Military Command [Kodim]. At the Kodim I was interrogated from 9.00am to 12.00pm. The person who interrogated me was T223. I was arrested because I was a member of Fretilin. After the interrogation I was moved from the Kodim to the Tropical, where I was interrogated again by intelligence and I was tortured by being beaten with a belt. On 15 April 1976 I was released and I went to find my family, and then I joined the Fretilin Central North Zone Committee under Alarico Fernandes.³³¹

Detention centres in Dili

Within a few days of the Indonesian invasion of Dili, forces had commandeered the buildings at the Dili Port³³² and the Sota building. They also took over the former Portuguese prison in Balide (Dili) known as the Comarca,^{*} the private buildings Sang Tai Hoo[†] and the Tropical,[‡] and a number of private houses in the suburb of Farol (Motael, Dili). Ill-treatment and torture were widely reported by former detainees in all of these places, but statements suggest that different locations had different purposes. Two of the main detention locations in the early years of the occupation were the Comarca in Balide and Sang Tai Hoo building in Colmera. The Comarca was used until the end of the occupation in 1999.

The Comarca

One of the most notorious detention centres for political detainees during the Indonesian occupation was the Comarca, the Balide prison. The Comarca was built as the official prison by the Portuguese colonial administration in 1963,[§] and was used during the internal armed conflict by Fretilin to hold UDT and Apodeti prisoners.^{**} By January 1976 the Indonesian military was using the prison as a long-term detention centre and the official prison in Timor-Leste. It held both ordinary criminals and political detainees,^{††} many of whom, in the 1970s, were held for several years without charge or trial.^{‡‡}

The Comarca consisted of six cell-blocks and eight individual steel cells, known to prisoners as the “dark cells”.^{§§} The dark cells were just 2.02 metres long x 2.72 metres wide x 3.1 metres high and had very little ventilation. Prisoners were held in their underwear without light or fresh air, often crowded with other prisoners until there was only standing room. Another cell, also known as the “Maubutar cell”, was used to hold prisoners in solitary confinement. Saturnino Belo, a detainee in the 1990s describes his experience in the dark cell:

That cell was not like usual cells...When you were in that cell you got very stressed because you couldn't wear clothes, you didn't wear trousers. You just wore underwear. But you sweated constantly. Even though we slept only on the ground we still sweat...It also stank. The toilet was broken, and in that cell, when you first entered, you would get a headache and fever...

*I slept at night but when the night was over you didn't even know. You only knew it was morning because the rooster crowed and because they brought rice. In the morning they brought rice, at noon they brought rice and in the afternoon they brought rice...But when they shut the door you couldn't tell whether it was night or day. It was always dark. At night you prayed. When you felt sleepy you slept. But you couldn't follow the light.*³³³

^{*} Also referred to by deponents as the Balide Prison because it is in the suburb of Balide, Dili.

[†] Sang Tai Hoo was reportedly used from the day of the invasion until 1980, although it was possibly still used in 1981.

[‡] Tropical detention centre [See HRVD Statements: 5092; 4881; 5730; 7011; 5725; 3742; 3734; 3607; 5683]. Statements provided to CAVR indicated that the Tropical was used only in 1975-76; it was reoccupied by the Aitarak militia in 1999 and used to detain pro-independence supporters.

[§] *Plano de Fomento*, an official document of the Portuguese administration, 1963. It refers to the construction phase of the Dili Comarca, a public service installation.

^{**} International Committee of the Red Cross, *East Timor Relief Operation, 16 September 1975*. E-mail from Noel Barrow, archivist of Australian Red Cross, National Office, Melbourne to CAVR, 8 October 2004. Due to the confidential nature of ICRC records regarding the organisation's visits to prisons, no specific details are available.

^{††} Interview with Justino Mota, Lisbon, 3 and 4 July 1984. One of the first prisoners held in the prison reported to the Commission was Venancio Gomes. He was arrested immediately after the invasion, and held first at the Tropical detention centre, before being moved to the Comarca in 1976. He was detained there until 1979. [Amnesty International, *Statement of Amnesty International's Concerns in East Timor*, ASA 21/09/83, London, p. 7].

^{‡‡} Amnesty International, *Statement of Amnesty International's Concerns in East Timor*, ASA 21/09/83, London, p. 61. By the mid-1980s most prisoners were charged and tried at some point, even if they were held for an initial period of detention without charge [see Chapter 7.6: Political Trials].

^{§§} “*sel gelap*”, “*cela escura*” or “*sel nakunun*”, which all mean dark cell in Indonesian, Portuguese and Tetum respectively.

In the early years of the occupation, until the mid-1980s, conditions of detention were extremely poor.^{*} The prison was chronically overcrowded due to the numbers of people arrested in military operations in these years.[†] This in turn led to chronic food shortages and poor sanitation. When the ICRC began weighing prisoners around 1983-84, it recorded prisoner body-weights as low as 30kg.³³⁴ Manuel Fernando Oliveira Neves, sent with 16 others to the Comarca on 12 June 1980 after the Marabia attack, described the conditions:

*The 17 of us were put in one cramped cell, which stank and the toilet stank and human filth overflowed. We slept in human filth that had already dried, and also our own filth as we had no mats to lie on.*³³⁵

Torture and ill-treatment during detention in the Comarca was repeatedly reported by victims in their statements to the Commission, particularly during the early years of the occupation. Interrogation was also conducted at the Comarca, but more often detainees were taken to special interrogation (and torture) centres such as Sang Tai Hoo. Disappearances of prisoners held in the Comarca also occurred frequently, mainly at night.

Sang Tai Hoo

Sang Tai Hoo was a Chinese shop during the Portuguese era in Colmera, the central business district of Dili. The building had two storeys; the ground floor comprised two rooms and a garage, and the first floor had only two very small rooms with very poor ventilation. The downstairs rooms each held about 20 prisoners³³⁶ and when these rooms were full, detainees were held upstairs, three prisoners to a room. According to Antonio Caleres Junior, at times up to 200 people were held at Sang Tai Hoo.³³⁷ Conditions were very unhygienic and one had to go to the toilet inside the room.³³⁸ The detainees cleaned the toilet themselves. Maria Fatima Maia, detained at Sang Tai Hoo recalled:

*They moved me to another cell in very bad condition—the water was clogged with lots of phlegm and human faeces...I couldn't see the sun, I could only see through the ventilation, but they also covered the ventilation.*³³⁹

Sang Tai Hoo was, however, primarily an interrogation and torture centre rather than a place for holding detainees. Prisoners from other detention centres such as the Comarca were brought to Sang Tai Hoo for interrogation. For example, Moises Mesquita de Almeida, a member of Falintil, and his older brother Manuel Soares were arrested in November 1976 and held in the Comarca but they were taken to Sang Tai Hoo for interrogation. Moises told the Commission that on 12 November 1976, during three days of interrogation by an Indonesian colonel, T224, he was subjected to torture and ill-treatment including “being beaten, having my toes pinned under a chair that two ABRI members were sitting on, being kicked in the face which made my teeth almost fall out, having my ears hit until they bled and I became deaf, and other forms of torture.”³⁴⁰

Francisco Soares Henrique told the Commission:

^{*} In 1983, the International Committee of the Red Cross began visiting detainees in the Comarca and advocating for improved prison conditions. Another official prison was also built in Becora (Dili) around 1986, followed by the construction of prisons in Baucau (Baucau), Gleno (Ermera) and Maliana (Bobonaro) in the late 1980s and early 1990s. The Commission has been unable to determine the precise years these prisons were completed due to the destruction of Indonesian government records in 1999.

[†] The official capacity of the prison was 200 prisoners. [Statement of an Indonesian civil servant's to the UN Commission on Human Rights, Sub-commission on the Prevention of Discrimination and Protection of Minorities, cited in Amnesty International, *Statement of Amnesty International's Concerns in East Timor*, ASA 21/09/83, London p.62.] In mid-1977 the estimated number of detainees in the Comarca was 500 [Interview, Justino Mota, Lisbon, 3–4 July 1984] and, according to Amnesty, this number rose to 700 by 1979. [Amnesty International, p. 61] The prison governor between 1980 and 1986 speaks of “upwards of 500 prisoners being crammed into the gaol in the aftermath of military campaigns” [Peter Carey, interview with Ian Dion, West Java, 3 January 2004].

After one month in the Tropical we were moved to Balide prison. From there, every Monday, we were taken to Sang Tai Hoo for interrogation. In Sang Tai Hoo we were treated very cruelly. We were forced to drink ABRI soldiers' urine and beaten until we bled. Then we were forced to dance with the female prisoners (Maria Goreti, Maria Soares, Maria Pereira, Elda Saldanha and Merita Alves), who were only wearing bras and underpants. I was detained for three years and was released in 1978.³⁴¹

Torture practices at the Sang Tai Hoo were particularly cruel and humiliating. Most interrogations were held in the corner of a corridor so there was no opportunity to run away. On the same floor was an administration office also used sometimes for interrogation.³⁴² The guards would intentionally not lock cell doors to make it easier to take away prisoners. Maria Fatima Maia (1981) told the Commission:

I was always suddenly called for interrogation at nights, from 7.00pm until midnight. After I was interrogated I was taken to another cell which had a toilet in it. In the morning they took me out and put me in a storage room that only had one hole in the door. Every morning they would give food through that hole in the door.³⁴³

The Sang Tai Hoo is not reported in statements after 1981, indicating possibly that the centre was no longer used for interrogation and/or torture after this time.

Early patterns of detention

330. Even in this early period clear patterns of detention practice began to emerge. Two patterns, discussed in the box above, were the use of both official and non-official detention locations, and using different locations for broadly different purposes, such as the Comarca for long-term detention and Sang Tai Hoo or the Tropical for interrogation and torture. Military commands and bases also were used frequently to hold detainees, sometimes for up to several years. This pattern continued throughout the occupation.

331. Another pattern to emerge, and which was also seen in later periods, was the frequent movement of detainees between different detention locations. Sometimes detainees were moved around to several places in one night. This pattern, beginning early in the occupation period, was repeated in statements received by the Commission up to end of the mandate period.

332. One explanation for this treatment of detainees may be because different locations were used for different purposes.³⁴⁴ Also, different interrogators sought different information or the same information in different ways. One former detainee explains that if one interrogator did not get the desired information, the detainee would be sent to an interrogator who used even harsher techniques. A common pattern was taking detainees first to informal detention centres such as the Tropical³⁴⁵ and Sang Tai Hoo, which were used primarily for interrogation and torture, before sending them to the Comarca.[†] Another likely explanation is that continual movement of a detainee, especially during the night, was a way of intimidating and disorientating the victim and of instilling fear.

333. Francisco Soares Henrique's experience is an example of this pattern. He told the Commission that after his arrest by ABRI on 10 December 1975 he was taken first to a former

[†] Chiquito Guterres was detained in 1996 and moved between several detention locations. He explained: "The reasons they moved me...first was because they didn't get clear enough proof to take me to Court to be tried, second they thought that SGI Colmera, because they were harsher, could torture me in a way to get the concrete evidence, third so they could torture me more heavily so that I would say the names of other clandestine members and fighters in the forest." These reasons - to obtain more concrete proof of involvement and also to obtain the names of others involved in the Resistance - applied equally in the 1970s. [CAVR, Interview with Chiquito da Costa Guterres, Dili, 14 June 2004].

[†] See for example HRVD Statements 0175; 0113; 3752; 4881; 3780; 5050. The Indonesian military used detainees to renovate the Comarca building in early 1976.

shop premises, the Toko Lay, until 12 December. He was then taken to the Dili military headquarters until 17 December and subsequently he was moved to the Tropical, where he spent around one month. Only then was he moved to the Comarca, where he was held for three years (see above box: Detention centres in Dili).³⁴⁶

334. Maria Olandina Isabel Caiero Alves was a broadcaster for Radio Maubere and the wife of a member of Falintil at the time of the invasion. She told the Commission that on 13 December 1975, soldiers arrested her at the home of Bishop Dom José Joaquim Ribeiro and took her to the Sota building. That same night she was taken to several places in Farol where she was held with others where she was interrogated and tortured:³⁴⁷

Then they took me to Farol [Senopati 1] at night. They put a Fretilin flag and a Portuguese flag on the ground and I was made to lie on top of them and step on them...I was there for around 2 to 3 hours.

Then I was moved to another house in Farol. In the house they detained me in the kitchen and sat me down for interrogation. It was already 2.00am. Because I couldn't understand Indonesian, they had to find an interpreter for me.

That night they moved me again to another house in Farol [RT Pan]. They detained me in the bathroom...They moved me again to Dili harbour at around 4:00 in the morning. There I met RN and SN. They detained the three of us together. ABRI members insulted us and said vile things to us.

I was tortured all day, Even though I was pregnant, I was still tortured all day. I was forced to be naked, then they grabbed and burned me. While we are naked, they forced us to stand facing each other and we looked at each other and we cried. Then they touched my abdomen and said that my child was a communist child. And, using a ruler, they poked RN's and SN's genitals. Then I was moved to the Tropical to be interrogated for a few hours.³⁴⁸

335. Maria Olandina Isabel Caiero Alves was taken to Kupang (West Timor, Indonesia) on 19 December 1975 where she was detained until 3 March 1979 in a military-owned house under the control of an Indonesian colonel, T225. Although she was not restricted to a cell, she was not allowed to leave the area around the house.

336. Martino da Costa Jesus was also held in a variety of other detention centres, before finding himself in the Comarca. He had decided to stay in his house in Aitarak Laran (Kampung Alor, Dili) during the invasion instead of fleeing with his neighbours. A week after the invasion, an ABRI soldier arrested Martino da Costa Jesus and three friends, Sico Brito, Sung Hai and Francisco dos Santos, all civilians, and took them to a military post in Marconi (Kampung Alor, Dili). Martino da Costa Jesus told the Commission

When we got there our thumbs were tied and we were told to stand against the wall. They frightened us by shooting warning shots [in the air]. They took us to Farol, where we were detained separately. A commander, I don't know his name, kicked me while saying that I was a communist. On 16 December 1975 we were taken to Dili harbour, where we were stripped naked and ordered to lie down on the ground. Then motorcycles ran over us a number of times; I can still feel the pain. At the harbour I saw T226, a senior member of Apodeti. We were detained in the harbour for one day and one night, and then we were taken to the Tropical. The next day, on 17 December 1975, I was hit by an Indonesian ABRI colonel, T227. He hit my forehead with a piece of wood causing it to bleed. We were detained in the Tropical for four months and then we were taken to Balide Prison. I was detained for three years and released in August 1978.³⁴⁹

Victims targeted for detention

337. The Commission's research suggests that in these early years, the military had a clear strategy of identifying and capturing party members of Fretilin and members of the armed Resistance, Falintil. It also detained anyone it suspected could provide information about the Resistance. This included:

- Suspected members or supporters of Fretilin or related organisations
- Family members of Fretilin members
- Individuals connected to the former Portuguese administration
- UDT members who had been detained by Fretilin who were treated with suspicion because of such contact.

338. Even young children were interrogated. Maria José Conceição Franco Pereira described at a Commission public hearing how, when she was four years, she was arrested with her mother by two members of ABRI and they were detained between 1976 and 1979. She told the Commission of their treatment at Sang Tai Hoo:

My mother was arrested with several other women and their children in Becora [Dili] because my older brother was a member of Fretilin and my whole family had fled to the forest except my mother, who was a nurse. My mother and I were taken to Sang Tai Hoo... That same night my mother was interrogated. She was slapped, whipped, spat on, given electric shocks, burned with cigarettes and threatened with a pistol. All I could do was watch...

The next day, ABRI arrested a man who was very old and his son who was maybe two or three years older than I was. ABRI began to interrogate them but the old man was just silent. Then his son answered because he knew about Fretilin using weapons in Marabia [Lahane, Dili]...After that ABRI said that children don't lie and they began to torture me. Each time they tortured me my mother would scream and ask that they just torture her...Once a soldier lifted me by the tops of my ears and held me outside the [first floor] window above the street below.³⁵⁰

339. In some cases the reason for arrest was unclear, even to the victim. Daniel da Costa Oliveira told the Commission that he was arrested on 26 February 1976 by an Indonesian interpreter T228 and two members of Koramil. He was arrested at home but was not told the reason. The soldiers took him to the beach at Kampung Alor, then the harbour, then to the Sota building and finally to the Tropical where he was interrogated and beaten.³⁵¹

Allegiance to Indonesia

Many former detainees describe having to perform symbolic actions demonstrating allegiance to Indonesia, the invader and soon to be occupier of the territory, as well as the rejection of Portugal and Fretilin. Testimonies to this effect were given to the Commission for the entire period of occupation.

One common method of demanding allegiance was through rituals involving the Indonesian national flag. Maria de Fatima describes having to drink water in which the Indonesian flag had been soaked.³⁵² Others were tied to flagpoles in front of government offices or military installations.³⁵³ Filomeno Soares who was late arriving to work as a Ratih (*rakyat terlatih*, trained civilian) in Liquidoe, Aileu, was forced to stand to attention before the flag for one hour, while standing on one leg.³⁵⁴

Ownership of a Fretilin flag was a cause for severe punishment.³⁵⁵ Antonio Alves was arrested with a Fretilin flag in 20 November 1990 at his home in Luculai (Liquiça, Liquiça) and was heavily punched, kicked and beaten unconscious at the Liquiça Koramil.³⁵⁶ Valenti Martins was beaten for his Fretilin membership by a wooden baton wrapped in a Fretilin flag in 1991 in Manetu (Maubisse, Ainaro).³⁵⁷ Other detainees were forced to disrespect the flags of Portugal and or Timor-Leste. Maria Olandina Isabel Caeiro Alves, as mentioned earlier in this chapter, was forced to sit on the Portuguese flag and put her feet on the Fretilin flag for several hours in December 1975.³⁵⁸ In another case, Almeida Seguera told the Commission about how his brother Dasbere, a member of Fretilin, was captured in May 1976 by ABRI Battalion 403 in Ermera District. He was photographed with a Portuguese flag before he was taken away and killed, according to two TBOs.³⁵⁹

As well as the flag, the Fretilin anthem *Foho Ramelau* (Mount Ramelau) was used during interrogation. Detainees report being forced to sing the anthem to their captors.³⁶⁰ Other detainees report being forced to read out the text of *Pancasila* (an Indonesian code of five nationalist principles). Francisco da Conceição told the Commission that if he refused to read out the text he would be submerged into a tank of water for 30 minutes, in Maubisse (Ainaro) in 1991.³⁶¹

Interrogation, torture and other cruel and inhumane treatment

340. Interrogations, often using torture, were carried out to ascertain the strength and weaknesses of the Resistance. Julio Alfaro, a former East Timorese sergeant in the Portuguese military, was interrogated about Fretilin after military police and intelligence arrested him on 12

December 1975. He told the Commission that after spending two months in a building behind the Tropical, he was moved to the solitary confinement cell in the Comarca and from then on was taken out only for interrogation. He said that he was questioned not only about his connection with Fretilin and whether he was a military commander, but also about Fretilin's military capacities:

Another goal they wanted to achieve was to know the extent of the Timor-Leste's military capability, in terms of arms, personnel and logistical support. They even asked me how long Fretilin would be able to survive in the forest. I answered that Fretilin could last at least ten years. During interrogation I was not tortured, but they put me back in the special cell, the "Maubutar Cell". After I was interrogated I wasn't given anything to eat and slept only on the cement floor.³⁶²

341. Torture and other cruel treatment was used on members of Fretilin from the beginning of the occupation although, as Julio Alfaro stated, it was not used uniformly. The forms of torture recorded in the testimonies of victims from this early period were repeated throughout the occupation. These methods included:

- beatings using fists, weapons, pieces of wood, metal bars or other heavy items
- kicking, often with heavy military boots
- electric shocks
- burning a victim's flesh with a cigarette
- placing a victim's toes underneath the legs of a chair or table and then one or more people sitting on the chair or table to crush the toes
- threatening the victim with a knife or a gun
- using water in various ways such as pouring hot or very cold water over the victim, or submerging the victim in a tank of water for a period of time.

342. Prisoners were also kept in inhumane conditions. Many reported being stripped of their clothes and held naked for weeks at a time. Others reported being denied food and drink.

Interrogation in Dili

FN was a member of the Fretilin student group Unetim (União Nacional dos Estudantes de Timor), which had activities in Baucau and Aileu, and later a member of the Fretilin women's group OPMT (Organização Popular de Mulheres Timor) in Dili. In January 1976, when she was around 16 years old, her friend Filomena Aniceto came to her house and said that the military had called the two of them to Sang Tai Hoo for interrogation. FN told the Commission:

Filomena and I sat together and listened to the questions asked by the translator, T229, an East Timorese woman. The soldier asked: "Are you Unetim students? Tell us what the activities or mission of Unetim has been up until now, because we have heard that the two of you were in Aileu (Aisirimou) [where the Fretilin base was located during the internal conflict]. You lived like animals there – is that true or not?" Both of us answered that it was not true but they kept interrogating us and twisting our words...until evening.

After [the interrogation] they made my friend Filomena Aniceto stay at Sang Tai Hoo, but they told me to go home. The next day I was called back for interrogation...They told me that my friends, who had been interrogated before me, had said that my friends [the Unetim students in Aileu] had all done the same things in Aileu. That we lived there like animals. They came up to me and started groping me from head to toe. My body felt cold like a corpse, but in my heart I kept praying for Mother Mary to protect me from everything they did. I was screaming and crying, but they just got angry and called me a female dog. They pulled on my hair and said: "Now try to persuade the leaders of Unetim and Fretilin to come and save you." They questioned me, twisting my words around, until evening.

On the fifth [day of] interrogation, soldiers came to my house on a Monday in a big truck...Everyone saw the military truck parked in front of my house. I wasn't surprised...but my parents were upset that I was being taken for interrogation repeatedly. This time my mother came with me. They took me to the Tropical but when we got there they wouldn't let my mother come in...As I walked up the stairs, soldiers swarmed all over me and pushed me with a rifle to my back. They yelled so that I would move quickly. There were many other prisoners there. My interrogation was conducted by an Indonesian soldier, T230, and an Indonesian interpreter, T231. He asked me: "When are the international forces coming to Timor-Leste to fight the Indonesian troops?" With words like that and accusations they tried to start arguments with people they were interrogating. So they accused me of having been forced to join Unetim and Fretilin. Then they washed the red and white [Indonesian] flag and ordered me to drink the water. They covered my face with black cloth, put a helmet on my head and hit me with a piece of wood, the kind usually used by the police. They hit me until I passed out...They took off the helmet and black cloth, then they hit me in the head with the end of the wood until I was bruised and bleeding.

After their interrogations ended, FN and Filomena were ordered to work at the commander in chief's house every day, to tend his flowers. They were picked up each morning by a military truck until, according to FN, they were simply forgotten about. FN describes the impact her contact with the military had on her life:

Rumours started going around about us. Other friends suspected us of having had sexual relationships with the ABRI soldiers, and they told us that our lives were like rotten potatoes [fehuk ropa dodok]. That rumour surfaced because we were always moved to different places for interrogation. It was all because we were ordered to go to the commander in chief's house [Brigadier Dading Kalbuadi's house] in Farol to plant flowers in pots. Every day we would be picked up by a military car to go to his house to look after the flowers.³⁶³

Takeover of other areas

343. Following the capture of the towns of Dili on 7 December and Baucau two days later, Indonesian forces moved through the central, western and eastern regions almost simultaneously. Indonesia had gained control of most major towns and routes by June 1976 (see Part 3: History of the Conflict, section on Operation Seroja, 1976-1979).

344. As in the invasion of Dili, combatants were detained when they were caught or surrendered to the invading forces. Salvador Martins told the Commission:

In 1975 I was captured with two friends [José Guterres and Francisco, both Fretilin/Falintil members] by ABRI in Fatubesi [Hatulia, Ermera]. We were punished by being made to dig the soil and cut down and carry wood to build the ABRI post. When we were captured we had weapons like G-3s, metralhadora [machine gun] and Mausers with us. ABRI took these and gave them over to the military headquarters in Ermera. We were detained in Fatubesi for one month and then taken to the military headquarters in Ermera for one month...then we went home to our families.³⁶⁴

345. Also like Dili, most of the population fled as they heard of Indonesian forces approaching. In the few places where the population was unable to flee in time, it was reported to the Commission that mass arrests took place. João Freitas da Silva described what he saw occur when ABRI entered the neighbourhood of Kaibuti-Maimi (Ossorua, Ossu, Viqueque):

In January 1976, ABRI attacked and entered the town of Ossu. I was living in Kaibuti-Maimi in Ossurua. Because I was afraid, I ran with my family to Ahabu in the village of Uabubu [Ossu, Viqueque]. In February ABRI attacked us and other civilians and a friend and I, Gilberto, ran to hide and watch what went on.

[We saw] many people arrested, including Francisco da Silva, who the soldiers took along with them to carry their things...ABRI also burned down people's homes and took their animals.³⁶⁵

346. For example, José Freitas told the Commission that he and 166 others were detained in Maubisse (Hatu Builico, Ainaro) by Battalion 405 for two days after the military entered the town in December 1975.³⁶⁶ Similarly, an East Timorese man described to the commission how he had been a village security officer who was giving food to Falintil when ABRI attacked Liquidoe (Aileu). Around 190 people including his family were captured and taken to a private house in the town of Aileu where they were tortured by unknown East Timorese people.³⁶⁷

347. Civilians were also detained. The cases reported to the Commission indicate that many people were detained randomly as the military sought to separate members of Fretilin from the general population. Patterns of arbitrary detention and use of torture and ill-treatment of detainees were similar to those in Dili: detainees were held in various buildings occupied by the military, and were interrogated and frequently tortured. Two examples of detention of individuals include:

³⁶⁴ Domingos dos Reis told the Commission that he and his family were held in a building on the main road of their village, Caicasa Hoo (Bucoli, Baucau), for four days after his arrest by Indonesian paratroopers when they landed in his village on 10 December 1975. Abrão da Costa Freitas reported that after marines invaded Baucau Town, he was arrested on 18

348. An East Timorese man was arrested with his family when the military, including Partisans, entered his village in Viqueque in 1976. They were put in a cell in the town and interrogated. He told the Commission that he was not beaten but others in the cell were beaten heavily.³⁶⁸

349. GN described how the military stormed the OPMT headquarters in Aileu, Fretilin's base during the internal armed conflict, when they invaded the town in 1975, and arrested the women working there. The women were kicked and beaten with weapons at the time of arrest and were then held in the Caserna (Portuguese military barracks) Aileu for three months. She and other women were raped under threat of death.³⁶⁹

Community divisions

350. UDT and Apodeti members were instrumental in identifying members of Fretilin to the military. In the district of Ainaro, for example, José da Costa told the Commission that members of ABRI and four members of UDT arrested his uncle Mau-Kei in 1976 together with Abak, Manuel Araújo, Bento and José Mau-Kiak, in Akadiroto, in the village of Suro-Kraik (Ainaro, Ainaro) because all were identified as members of Fretilin.³⁷⁰ Albino do Carmo Pereira reported that in July 1976 he, Alfredo Bianco and Domingos Maumera were forced by T232, who was both a *liurai* in Cassa (Ainaro), and an Apodeti commander, along with his son T233, to become kitchen assistants for Battalion 327 at their post in Mau Mali Lau, Soru Lau Village (Ainaro, Ainaro). In order to save themselves, they did this work for six months.³⁷¹

351. Bemvinda Belo told the Commission:

In January 1976 after we surrendered my husband, Cipriano Magno Ximenes, was arrested by three [people] from Apodeti on the orders of T234. After the arrest he was handed over to the Indonesian Marines and detained for several days. After two days, my daughter Ana and I joined him in detention, along with a Chinese person. In detention, we were beaten with a piece of wood by T235 and T236 [the wives of leaders of the UDT party]. Five days later, [my husband] Cipriano was tortured until he died.³⁷²

352. Luis Pereira from the sub-district of Laclubar (Manatuto) explained that in 1976 he was a member of UDT. He left Laclubar to meet the Indonesian forces entering Manatuto from Baucau and surrendered to them in September 1976. He asked ABRI if they would go to Laclubar to protect members of UDT from Fretilin, because he was sure that Fretilin would come from their base in Aileu to kill supporters of UDT and Apodeti. Luis Pereira said that when the military entered Laclubar it only arrested people who were armed and that the soldiers were friendly towards the community.³⁷³ Soon, however, they started targeting ordinary civilians.

Detention outside Dili

353. Some of those detained in other areas were sent to Dili for further interrogation because, at this time, most of the intelligence apparatus was based in the capital.³⁷⁴ Marcus Ais, for

December 1975 and placed in the marines' post in Uma Lima (Baucau Town, Baucau) for eight hours, where he was interrogated, beaten and kicked. [HRVD Statements 8040 and 7680].

example, was taken from Oecusse to the Comarca in Dili. Kopasandha^{*} troops arrested Marcus and other Fretilin supporters, including Fretilin leader Alfredo Ramos, when they entered Oecusse. The prisoners were held first in the Companhia Oecusse (later to become the Oecusse Kodim) before they were moved to Dili. In both places, Marcus reports that he was tortured, in Oecusse by the Red Berets and in Balide by four Partisans.³⁷⁵

354. Others were held in the numerous informal detention centres established when the military moved into an area, or in military commands. The following box provides a case study of detention centres established in the sub-district of Baucau (Baucau), the centre for the eastern region.

^{*} Kopasandha (an acronym of Komando Pasukan Sandi Yudha) were the Indonesian Special Forces. They had both an intelligence and a combat arm. They were also known by the nickname "Red Berets" because of the red berets that they wore.

Case study: detention centres in the city of Baucau³⁷⁶

From the moment the Indonesian military entered Baucau on 9 December 1975 it appropriated a wide range of buildings that became notorious as centres of detention and torture. Detainees were moved frequently from one centre to another. For example, when interrogators in one centre got frustrated by detainees' answers, they often sent them to other centres. Based on interviews carried out by the Commission, the most brutal period of interrogation and torture in Baucau occurred between 1975 and 1980. The detention and torture centres used in this period, and sometimes into later years, included:

Flamboyan Hotel

The hotel in Bahu, Baucau Old Town is a compound comprising three buildings. Built on sacred land during the Portuguese occupation, it was purchased in 1959 from the landowner, Venancio Boavida, by a Portuguese businessman, José Ricardo, for about US\$100,000. In 1960, José Ricardo built a soap factory and the Baucau Hotel on the land. Ownership of the hotel changed several times prior to the Indonesian occupation. On the day ABRI invaded Baucau, it appropriated and then used the hotel as an army barracks, renaming it Flamboyan Hotel after its recently completed Flamboyan Military Campaign. ABRI transformed the soap factory into an ammunition depot and a prison that held about 80 prisoners, including pregnant women and children, from 1975 to 1979. Many prisoners disappeared from the Flamboyan, especially between 1975 and 1976. ABRI used the swimming pool near the soap factory to submerge prisoners. Different forms of torture using water were used. The prison was relocated to *Rumah Merah* (Red House) in 1989, but ABRI continued to use the hotel until 1999 as a barracks, to accommodate army families and guests who visited Baucau, and as a venue for official functions.³⁷⁷

Military District Command (Kodim) 1628/Military Sub-district Command (Koramil) 1628-01

ABRI took over the Portuguese military headquarters after the invasion for both Military District Command 1628 (Kodim) and Sub-district Military Command 1628-01 (Koramil) and used the buildings until Indonesia's departure. Throughout the occupation the two command structures had separate interrogation and torture chambers and used separate buildings to hold detainees.

Uma Lima (Tetum: Five Houses)

In 1976, ABRI extended detention sites to include *Uma Lima*: ABRI used these five houses as soldiers' dormitories and for the detention, interrogation, and torture (including rape) of prisoners. In 1989, the Indonesian National Family Planning Board temporarily occupied the middle house. ABRI kept the remaining four houses as dormitory and interrogation chambers until it abandoned *Uma Lima* in 1999.

Rumah Merah (Indonesian: Red House)

Rumah Merah was likely named after the red berets worn by members of the Special Forces Unit (Kopasandha) who built the house on vacant land in 1977 without permission from or compensation to the owner, Joaquim Belo. From 1979 until 1999, Battalion 330, Bukit Barisan, from Sumatra occupied *Rumah Merah* as a dormitory and detention centre. Of all detention centres, *Rumah Merah* was one of the most feared for rape, torture and disappearances, second only to the RTP barracks (see below). To be sent to *Rumah Merah* meant detention at the hands of the notoriously cruel Special Forces Unit.

Clubo Municipal (Portuguese: Town Club)

The Portuguese colonial administration built the *Clubo Municipal* as a sporting venue and a place to hold big events like New Year's Eve celebrations. The Indonesian army used the *Clubo Municipal* as a detention centre for East Timorese people who had surrendered. ABRI, who occupied this venue from the moment it entered Baucau until the 1980s, assigned to it not only members of the Special Forces Unit, but also of the District and Sub-district Military Commands, and Civil Defence.

RTP-12, -15 and -18 (Resimen Tim Pertempuran, Regimental Combat Team)

RTP-12, -15, and -18 were Portuguese barracks that ABRI soldiers took over for its combat units when they entered Baucau. RTP-12 was in Buruma, RTP-15 in Teulale and RTP-18 in Baucau New Town. ABRI used the buildings for barracks as well as for detention, interrogation and torture. These three detention centres were reputed to be the worst interrogation and detention centres in Baucau until Indonesia left in 1999, despite turnovers in ABRI personnel. They were feared because of the sheer brutality suffered by detainees held there, particularly from 1975 to 1979. Detainees believed that once they were transferred to an RTP site they were at the final stage of interrogation, soon to die. Infantry Battalion 745 (Lospalos, Lautém) and Field Artillery 13 were both assigned to RTP-12. RTP-15 and RTP-18 were guarded solely by members of Field Artillery 13. Armed 13 was from Sukabumi, West Java and served in the Quelicai area under the command of RTP-18. One of the officers in Armed 13 was an Indonesian First Lieutenant T237 who was a feared interrogator. In 1979 he sent 16 detainees from RTP-18 to Lacudala Cave in Quelicai (Baucau), where they joined detainees from Lautém and Viqueque, before he ordered their massacre.

355. As mentioned above, much of the population fled to the interior as the military approached, and so avoided immediate arrest. In the days and weeks following the military invasion, people began to come back to their homes to find food and if they were caught they were arrested. For example, Sahe-Dara reported to the Commission:

In 1976, the Indonesian troops entered Uatu-Lari [Viqueque]. Falintil troops took me and some of my friends including Veronica, Maria Lopes, Ereleto, Palmira, Pedro, Acaçio, Ventura and Bobu to the forest around Mau Boru-Babulu [Uatu-Lari, Viqueque]. We stayed there for three weeks...Then we ran out of food, so we went to find food around Boru-Lalu. Two Falintil soldiers, my older brother Manuel and his friend Luis, guarded us and we spent the night there. But around midnight we were captured by ABRI and three members of Hansip, [the commander] T238 and [his men] T239 and T240. Manuel and Luis were immediately tied up and [we were all] taken to Uatu-Lari.³⁷⁸

356. Sahe-Dara explained that Manuel and Luis were taken away by Hansip members and never returned. The rest of the group was held in Uatu-Lari (Viqueque) for one week. One day the Hansip commander, Hermenegildo, ordered Sahe-Dara to take a letter to Xanana Gusmão in the forest but he turned back before delivering the letter and was then held in Uatu-Lari for nine months. The people arrested with him were taken to Beaço where four died and the others were detained for nine months.

Securing the territory: 1976-1979

357. In July 1976 Timor-Leste was purportedly formally incorporated into Indonesia (see Part 3: The History of the Conflict), which changed the security structures and the patterns of detention and interrogation. Changes included:

- The deployment of military police in Dili and the major towns; they began to play a role in establishing detention centres[†]
- The establishment of territorial military commands at the levels of district (Komando Distrik Militer, referred to in this report as Kodim) and Sub-district (Komando Rayon Militer, referred to in this report as Koramil)[†]
- The establishment of provincial, district and Sub-district police stations.

358. From this time, detainees from regional areas were moved to Dili less frequently, and instead were held in local Kodims and Koramils. The territorial units directed their attention to capturing Resistance fighters and identifying members of clandestine networks within their areas of control.

359. The clandestine movement had developed as soon as Fretilin moved into the interior following the Indonesian invasion on 7 December 1975. Organised in small groups, supporters of the Resistance helped the guerrillas in the mountains by providing food, medicines, clothing and information on the situation in Dili. These small groups developed spontaneously without a common strategy, worked independently and made their own contacts with the Falintil commanders in the mountains.³⁷⁹ These networks strengthened after the fall of the “liberated zones” in 1978-79.

360. Combat operations were continuing at the same time as the military kept up its advances into Fretilin areas. Combatants and civilians captured in these operations were often detained and interrogated. Intelligence networks established in all communities down to the neighbourhood level assisted the Indonesian military. This led to the capture of members of the armed Resistance who had not surrendered and of civilians already living under Indonesian control who were connected to the Resistance in any way.

Development of intelligence networks

361. From mid-1976, after the initial period of chaos and mass displacement subsided, arrests reported to the Commission appeared to be more targeted. This is likely to be a result of the complex web of intelligence informants that the Indonesian military established down to the local community level (often referred to as Intel). Intelligence sections in Kodims and Koramils gathered information from members of political parties opposed to Fretilin. East Timorese recruited en masse into Hansip, the military or as TBOs, civilians who had surrendered and were detained and interrogated about their time in the forest with Fretilin, and community intelligence networks, whereby neighbours could inform on neighbours if they suspected them of doing clandestine work, all contributed to the process of information gathering. These methods led to an atmosphere of suspicion and heightened division at the community level. For example, Palmira da Costa de Ornai of Dili told the Commission:

In August 1976, my neighbours named T241 and T242 reported to ABRI that my son-in law, Horacio Faria, had assisted Falintil in the forest. So my son-in-law was arrested and taken to the Balide Prison. When they arrived, Horacio was tortured, including beatings and electrocution. Horacio was detained in Balide for only a few months. When he was released he was sick and he eventually died from the injuries he received during his detention in Balide Prison.³⁸⁰

[†] For example, military police were in charge of the Comarca in Balide (Dili).

[†] These military commands were under the command of the East Timor Sub-Regional Military Command (Korem, Komando Resort Militer) 164 Wira Dharma, which was based in Dili.

362. Luis Vasconcelos Babo testified that on 5 May 1976 an East Timorese military informant T243 and an East Timorese civilian T244 gave Infantry Battalion (Batalyon Infantri, Yonif) 512 false information about his father. The military arrested Luis and his family on 6 May 1976 and held them at the Infantry Battalion 512 post in Ermera Town:

[ABRI] captured most of my family, my father and a number of my relatives, José Ricardo, José Ximenes, Mário Babo, Abel Babo, Rogério Babo, Rosalina Babo and Rosa Madeira. We were all detained and interrogated about the party we had joined. After the interrogation we were ordered to return home, except for my father José Babo and Rosalina Babo, who were taken to the Ermera Kodim. They were both detained for one night. [In the morning] my mother was ordered to return home, while my father, José Babo, remained at the Ermera Kodim. He was stripped of his clothes down to his underwear and tortured in that condition, until he was black and blue.³⁸¹

363. The day after he was released, a member of Hansip T799 re-arrested Luis Vasconcelos Babo and took him to the Ermera Kodim to face T245, the Indonesian head of intelligence, and the Indonesian Kodim commander, T246. He told the Commission that he was beaten, stepped on and choked and then held in the Kodim for three years. His father, José Babo, was taken out to Titlala in Poetete Village (Ermera) and killed by an East Timorese member of Intel, T247, with Hansip members T248, T249, T250, T251, T252, T253, T254 and T255 in attendance.³⁸²

Detention of Resistance fighters

364. The military's prime targets were obviously Falintil fighters.³⁸³ It was not uncommon for a whole range of different institutions to work together to arrest such people. Daniel da Silva was a member of Falintil under the command of Americo Ximenes (Sabica) and Jacob Reis (Daya). He told the Commission that he and two other members of Falintil, Alberto Naha Loi and Rodolfo Riba Naha, were arrested in 1977 through the combined efforts of:

- Infantry Battalion 408
- Members of Viqueque Kodim 1630 and an East Timorese commander T255
- T256, an East Timorese military commander from Uatu-Lari
- T257, a Hansip
- T258 and T259, both civilians.

365. The detainees were taken to the Viqueque Kodim 1630 with their hands tied behind their backs, while Commander T255, Commander T256 and T260 confiscated Daniel da Silva's livestock and horses. Daniel da Silva told the Commission how the prisoners were interrogated:

After one night in Viqueque Kodim 1630, at around 8.00am, the three of us were interrogated by ABRI members T261, T255, T256. During the investigation T256 said: "You, as Falintil troops, are creating communism in East Timor." Because I was emotional I answered that as Falintil, we didn't follow communism. So T256 stripped my clothes then T261 electrocuted me. I was put in a room and detained with another prisoner named Anibal, who was a former Sub-district administrator in Uatu-Lari [during Portuguese times].³⁸⁴

366. Both Daniel da Silva and Anibal were detained for five days, after which Infantry Battalion 408 took Anibal away by helicopter to an unknown place. Daniel da Silva was detained in the Infantry Battalion 408 headquarters for six months.³⁸⁵

367. Raul, a Falintil commander in the Remexio (Aileu) region, told the Commission that on 15 January 1979 he was captured by one Indonesian and four East Timorese members of the Koramil – T284, T262, T263, T264 and T265 - on the orders of the Indonesian Koramil commander, Captain T266. Raul was detained in the Timor Klaran building in Aileu Town. When he arrived at the building, a member of Combat Engineers (*Zeni Tempur, Zipur*) Battalion 14 ill-treated and tortured him by tying his hands and legs, pressing a large iron bar against his chest, and then beating and electrocuting him.

368. Raul said he was interrogated about the names of Fretilin/Falintil commanders in the forest for two hours. Because he did not answer, the Zipur member put ashes mixed with bird's faeces and petroleum in his mouth. A member of Zipur stripped Raul, then hit, kicked and punched him until one of his teeth fell out. Then the Zipur member took Raul and put him in a tank full of water. Not long after that, another Zipur member brought urine and ordered Raul to drink it. He refused at first, but soon drank it because he could no longer stand the beating. After Raul had been detained for nine days his condition was so bad that the District Administrator of Aileu, Abel dos Santos Fatima, met with the Kodim commander to request Raul's release. Raul said that he was released soon after this meeting.³⁸⁶

Detention for being part of a Falintil attack

369. The Commission received information of a small number of cases of people detained for involvement in Falintil attacks on military targets. In 1977 the Sub-district administrator of Fatululik (Covalima), T267, called Pedro de Jesus to come to his office. When he arrived in T267's office he was immediately beaten and interrogated for supposedly trying to surround the Koramil and capture weapons. Pedro de Jesus told the Commission:

[He] said that I was a fool and put me in a room, where he beat me with a rifle, and stamped on my foot with his military boots until all of the skin of my foot was torn. [They said] "Just admit it, is it true or not that you were going to attack the Koramil?" But I answered, "I am a dato [a member of the traditional elite], but I am just an ordinary person. How could I attack the Koramil and confiscate weapons?" I told them that it was true that I was a fool.

After that I was sent home, but the next morning I returned to the Sub-district office, because of a message from the Sub-district administrator. I was treated the same as the first day. I was beaten and kicked until my face was swollen...When the Sub-district administrator T267 beat me. The captain of the Sub-district police and the Koramil commander just sat there watching without saying a word.³⁸⁷

370. Similarly, members of ABRI arrested SN and her family in July 1977 on suspicion of having information about a Fretilin attack on an army tank in the village of Guruça (Quelicaí, Baucau). She described the incident:

Around 7.00pm, eight members of ABRI came to my house and captured my husband Bale-Coo and my father Naito. They were taken to the Marines [Pasukan Marinir, Pasmal] 9 post in Abafala [Quelical, Baucau]. There, my husband's and my father's hands were tied behind their backs. They were beaten, kicked with military boots and hit with a rifle butt until morning. The next day, my husband and father were taken to the ABRI base in Laga [Baucau].

Two days later three soldiers and one TBO came to arrest me, my sister Nacorica, my two children Co`o Kita and Dara Co`o, and my nephew Evaristo. We were also taken to the Pasmal 9 post in Abafala. We were all tied up and...they took off our clothes. After the interrogation, in the afternoon, we were taken to the Pasmal 9 headquarters set up in SDN I [the primary school] in Soba [Laga, Baucau]. As soon as we arrived we were interrogated.

I was electrocuted and stripped naked, and my genitals were burned with a gas lighter. I was dealt that treatment on the orders of the Pasmal 9 Commander T268. I was detained in the Pasmal 9 headquarters for one week. When I was released I was required to report for six months.³⁸⁸

Released but not free

Even when the Indonesian military released political detainees from its detention centres, it had a number of strategies for monitoring their movements after their release. Among these strategies were the following:

“Outside detention”

Some detainees were released from formal detention but only into what was known as “outside detention” (*tahanan luar*). These detainees were allowed to live at home but were still considered under the control of their captors. Some had to do forced labour, while others were required to report regularly. Some examples include:

- In 1979 a group of men named Apolinario, Antero, João Brito, Filomeno, Januario Mendonça, Januario Cortereal, Orlando, Pedro, João da Silva, Marcos Lisboa, and Mário Uca Bere surrendered to Airborne Infantry Battalion (Yonif Linud) 700 in the area of Bubulau (Same, Manufahi). Airborne Infantry Battalion 700 handed the ten men to a group of Hansip. The members of Hansip beat them heavily and then made them “outside detainees”. Apolinario, José da Silva and Marcos Lisboa were required to plant a vegetable garden and build a house for one of the members of Hansip, T269.389
- In 1980, according to Alcino dos Santos Vinhos, the military detained 14 people around Lospalos (Lautém) and held them in the Lospalos Kodim for nine months. After release they were given “outside detainee” status and were required to report to the Kodim three times each week for three months.³⁹⁰
- In 1994, militias detained 16 people around Babulu Village (Same, Manufahi). They were interrogated and tortured by Kopassandha at the Kopassandha headquarters in Same for three days before being released as “outside detainees” for three months. During this time they had to carry building materials and tidy the grass outside of the traditional house.

Reporting requirements

Reporting requirements (*wajib lapor*) did not apply only to “outside detainees”. Many political detainees were required to report to their local Koramil or Kodim on a regular basis. The Commission found no consistency or clear pattern in how this system was applied. Some former detainees were required to report only weekly for several months, some every day for several years.

Forced labour

Another way of monitoring a former detainee was to use them as forced labour. Thousands of young men were forced to work as TBOs particularly during the late 1970s and early 1980s. Others were recruited into Hansip or as Ratih. Many others were used to build roads, village buildings or to maintain gardens.

Forced recruitment

The military also forcefully recruited many detainees instead of releasing them. The Commission received statements describing how detainees were used as TBOs to carry out tasks for the Indonesian military,³⁹¹ forced to accompany the military and members of Hansip into the mountains to find people who had not surrendered³⁹² or turned into informers.

³⁹¹ For example, Bernardino dos Reis was detained for one year after surrendering in Manufahi in 1979 and was then forced to help build a road from the Turiscai border to Turiscai with 200 other forced workers [HRVD Statement 6626].

Detention of clandestine members

371. Besides targeting individuals in the armed Resistance, the Commission received many reports of the military arresting and detaining members of clandestine networks or individuals in areas already controlled by Indonesia who were supporting the armed Resistance with food, medical supplies or a place to hide.³⁹³

372. Gervasio Yosep was arrested in 1977 for this reason:

I was captured by the head of the neighbourhood association [rukun tetangga, RT] T271 and six members of Battalion 511, for the reason that I had hidden Falintil in my house in Foholulik (Tilomar, Covalima). After being captured, I was taken to the Battalion 511 Tilomar headquarters. I was immediately detained. I was interrogated and beaten and hit with a piece of wood and kicked until I was bruised and bleeding. I was tortured for 12 hours, from 2.00am until 2.00pm. I was forced to eat and drink medicine but I refused, and they told me to go home.³⁹⁴

The breaking of a clandestine network

Antonio Junior Caleres told the Commission about his role in a Dili-based clandestine network that gave support, in the form of food, medicine, letters and other assistance, to the armed Resistance. Antonio did this mainly through his work in a community health centre, but he was also able to send larger amounts of medicines through his work with the Red Cross.^{*} In March 1977, the Red Cross employed him to go to Mount Kablaki, near Same, to provide medicine to thousands of people surrendering to the Indonesian military. Antonio attended to those surrendering and needing medical assistance but he also managed to send two boxes of medicine to Falintil. During similar work in Suai a month later, he was able to send a further five boxes to the Resistance.

The network was eventually exposed after the military captured a Resistance fighter who was carrying clandestine documents including lists of names. Those named in the lists were arrested and tortured and then they named others, who were also arrested.

According to Antonio, about 200 people were eventually arrested and taken to Sang Tai Hoo and Tropical. Not all of these people, however, were part of the network:

"[T]here were names that were not [on the list] but because people were beaten and heavily tortured, they just started to name people randomly. That was why there were many people who were not clandestine, who were innocent, that were captured."

On 16 July 1977, Antonio was arrested and taken to Sang Tai Hoo:

I was told to go in and strip down to my underwear. Then I sat for a few minutes before six people came in and beat me until I was unconscious. When I woke up I was in a room and I saw a Chinese person called Francisco Li, and two East Timorese who I didn't know. I saw that their faces were swollen.

After three days I was called for interrogation and they just read out from a document what they already knew. They said I had delivered medicine. "Yes", I confessed, "I delivered medicine so that those in the forest are healthy and can come, because you soldiers were supposed to come here to lead us but you are useless, you come here only for war." Then they flipped my chair so I was lying upside down and they put two lit Gudang Garam cigarettes in my nostrils. They threatened me with a knife and said: "You have to be honest, and now you must sing Foho Ramelau." So I was forced to sing Foho Ramelau, but if I inhaled the cigarette smoke I coughed. When they were tired of the interrogation they took a helmet and covered my head, then hit my body with their hands. When I couldn't stand it anymore I collapsed.

Antonio Caleres explained that sometimes the military took prisoners from the place where they were detained to scare them. Because political prisoners were aware that many detainees had been taken out at night and never returned, the experience was especially traumatic:

^{*} The International Committee of the Red Cross was not in Timor-Leste in 1977, so the Commission assumes that the informant was working with the Indonesian Red Cross.

One night I was taken to Tacitolu. When we arrived I got out of the car and walked. Four soldiers had brought me there and they told me to sit down, that they were going to rest first. But a few minutes later one came and covered my eyes with black cloth and told me to pray. I prayed and just waited for them to shoot me. But they didn't. I waited like that for two hours and then I became sleepy. Mosquitoes were everywhere. They came back and ordered me to walk, [and told me] that they still had mercy. We drove back to Sang Tai Hoo, and arrived at 4.00am. Something like this also took place when I was taken to the Areia Branca and I was told to sit on the beach. Then my eyes were covered and my clothes were taken off and I sat there for about two hours before I was ordered to get back into the car. They just left me alone, maybe to test me. If I ran they would have shot me dead.³⁹⁵

373. Faustino Amaral reported to the Commission that in September 1977 he began to do clandestine work, even though he was a member of ABRI at the time:

One day the Koramil commander in Tutuala [Lautém], Deni Rohani, found secret documents in a cave called Oi [Mehara, Tutuala, Lautém]. With that, Deni Rohani discovered my involvement in clandestine organisations. A few days later I was called to face Lieutenant Colonel. Fransiskus Sumaryono at the Lautém Kodim. After I met him, I was ordered to go to the Korem [in Dili] to face [Colonel] Sahala Radjagukguk. I was immediately picked up in a jeep and taken to the Balide Prison. Two Korem members stripped off my clothes down to my underwear and put me in a dark cell for one week. In the dark cell I was interrogated and tortured by having my toes pinned under a table leg for an hour and threatened by two members of ABRI, one Indonesian T272 and another (name unknown), while they held a bayonet to me.³⁹⁶

374. One day a prisoner named Alexandre escaped from detention in the Comarca, Balide in Dili. Because of this, Faustino Amaral and 300 other prisoners received beatings by an Indonesian army member T273. They were ordered to gather at the volleyball field inside the prison and run laps around the court.³⁹⁷

375. Antonio Vieira told the Commission that he was arrested on 3 July 1977 by an East Timorese member of Intel, T274 because of information that he had been assisting Fretilin in the forest. He was taken to Sang Tai Hoo in a taxi:

The reason for my capture was because there was information from someone, I don't know his name, that I often helped Fretilin in the forest. After I arrived in Sang Tai Hoo I was interrogated by a [Kopasandha] commander while being tortured. The torture included: my toes were pinned under a chair and then two members of [Kopasandha] sat on the chair, my head was kicked with their military boots, my ear was punched and I was made to stand against the wall while they hit me with an iron pipe. I was detained in Sang Tai Hoo for six days. Then I was moved back to Balide Prison and detained there for four months and two days. I was released in December 1977. Even though I was free, I still had the status of an "outside prisoner" and was obliged to report for one year.³⁹⁸

376. Members of Hansip were also sometimes part of clandestine networks and were punished if discovered. Eduardo da Silva told the Commission that he was ordered to become a member of Hansip in 1976 but kept up his clandestine work, distributing goods to Falintil, through a person called Guilherme. When military intelligence caught and interrogated Guilherme in 1977, he gave them information about his network. Eduardo da Silva continued:

Because of that I was arrested by the Koramil commander and taken to Sang Tai Hoo where I was beaten with a cane and the deputy head of intelligence kicked me in the chest. I was there for three days and then they moved me to the Comarca. But I was taken straight back to Sang Tai Hoo for interrogation by two members of the Joint Intelligence Unit [Satuan Gabungan Intelijen, SGI], and in the evenings I was taken back to the Comarca. Each week for three weeks I went to Sang Tai Hoo for interrogation. My case was processed through a court and I was sentenced to one year in prison. While serving my time, I had to cut grass twice a week.³⁹⁹

Interrogation of a clandestine member

JN was part of a clandestine network, made up of mainly women, that used *estafetas* (couriers) to send food and other materials from the villages to Fretilin in the forest. The village head of Akadiruhun (Dili), one of the villages that the network operated from, started to suspect JN and her friends and informed military intelligence. On 29 January 1977 the military and an Indonesian member of Intelligence, T800, arrested her and took her to the Koramil in Culuhun (Dili) and to Sang Tai Hoo, where she was interrogated by an Indonesian ABRI Commander T275. and a sergeant. Francisco Benevides, a prisoner who could speak Indonesian, translated. She described the interrogation:

I was interrogated about a list of names, whether I knew them. I answered yes! I knew [the estafetas]. I couldn't lie because I had given them their orders. So my friends were released, and I remained in detention. [The estafetas] had told them that I was in charge and I accepted responsibility...In Sang Tai Hoo they told me to draw the organisation's structure with the names of the people who occupied each position. I mentioned all of their names, like KN and others. I was hit with an iron belt buckle. I was beaten so that I would I would tell them everything...[The interrogators] took turns. After one person was finished, another one came...They took a picture of me during the interrogation, wearing only my underwear.

After about a week in Sang Tai Hoo, JN was moved to the Comarca:

On 9 February 1977 I was moved to the Comarca...I was in the "Maubutar cell" and at night I slept on the floor with no mats. They pulled my hair and kicked me until my face was all bruised. They also poured water on me...The next morning, I was taken back to Sang Tai Hoo and...interrogated again and in the afternoon they returned me to the Comarca. For three nights I slept in the "Maubutar cell." If you spent one week in the "Maubutar cell" they would surely kill you. Then I was taken to an iron cell room...

Every day I was interrogated. They came from Sang Tai Hoo to pick me up and take me back with them to interrogate me. In the Comarca I was interrogated and beaten by military police, Red Berets [Kopasandha]. In the iron cell I was beaten at night. I was detained in the iron cell for three months...and never went out in that time [except for interrogation]. LN and KN were detained with me in the iron cell...[The three of us] were ordered to strip naked and bathe like little children so [the soldiers] could watch...T276, an East Timorese man, came and put nails in our underwear. After that we were raped until morning. He and the army were close, so the army didn't do anything...After that I was separated from KN and LN. In May I was moved to a normal room...[After] 16 months in the Comarca I was released on 6 July 1978, but I was still required to report.

Detention due to family members in the forest

377. Relatives of people still in the forest, whether as part of the armed Resistance or simply hiding from the military, were also targeted for detention. The military hoped that these family members could provide information about where their relatives were hiding and what they were doing. Also, members of Fretilin/Falintil received food and other supplies from their families and the military sought to break these connections. It was also a form of proxy violence. The family

¹ CAVR Interview with JN Dili, 4 October 2004. See also CAVR Interview with Bernarda dos Martires Carvalho Correia, Dili, 22 January 2003. Bernarda dos Martires Carvalho Correia worked as an *estafeta* in the same network and was also captured around the same time as JN. She was interrogated in Sang Tai Hoo and detained in the Comarca in Balide for three months. She was not tortured: "According to ABRI I didn't have to be tortured because I only gave things to my children in the forest, so my punishment was lighter compared to my friends and some young men who were captured at that time. They were tortured heavily by ABRI because, according to the information ABRI received, they were planning to flee to the forest."

members became a substitute for punishment when the prime target of violence could not be captured.

378. Luis de Jesus told the Commission that on 30 August 1977 two soldiers captured him in Camea (Dili) and took him to Sang Tai Hoo, because he was suspected of giving things to his family members in the forest:

[We were] interrogated by a member of ABRI from Nanggala (Kopassandha). Besides being interrogated, we were also beaten and kicked. Then in the morning we were taken to Balide Prison. All of our clothes were removed and we were left naked. Then the prison guards and military police beat us using wooden bars, iron rods and chains. After that we were put in a dark cell, still naked. The cell was cramped and smelly. For three days we were in that cell without any food. We were given only hot water in the morning, afternoon and evening. After three days we were taken out of the dark cell. They returned our clothes to us and ordered us to put them back on. Then we were put back in a cell for six months. We were officially released on 15 March 1978.⁴⁰⁰

379. HN told the Commission that in 1979, when her husband was still in the forest as a Falintil commander, she was arrested and taken to the Uatu-Lari Koramil (Viqueque). There, a member of Hansip, T277, pulled off her clothes and another Hansip member, T278, interrogated her. She was ordered to sit holding a branch from a cassava plant that was covered in thorns, slapped, beaten and burned with lit cigarettes. The Koramil then released her but re-arrested her two weeks later with her one-year old child. They were taken back to the Koramil and she was raped in front of her crying child.⁴⁰¹

380. IN was arrested in Ossu (Viqueque) in 1979 because some of his family members were active in the Resistance and still remained in the forest. ABRI soldiers T279, T280, T281 and Hansip member T282 and intelligence T283 and T255 took him to a house and interrogated him:

In the interrogation T255 asked me the names of my family members who were still in the forest and how we contacted them. I answered by telling them: "I don't know them! How could we have met when I live in the city and they live in the forest?" That answer made them angry and they demanded that I tell them the truth. Then T285 took a wooden bar and knife, pointed it at me and said: "If you don't confess, you will die today." Not long after that, six Hansip members took turns torturing me. They used their rifles to strike, beat and kick me...I was also struck on the forehead and my body was cut with a knife by T285. Then I was moved to the Koramil and detained there for three months.⁴⁰²

381. After his interrogation, his wife was taken from their house and detained in the same place as him. While he was being interrogated, his wife was raped in the room next door by an East Timorese platoon commander, T286. He told the Commission how he could hear his wife scream out for help but he could do nothing to help her.⁴⁰³

382. The Commission received information about a man who decided to remain in the forest when the rest of the family surrendered in August 1977. After the rest of the family arrived in the village of Mehara (Tutuala, Lautém) a member of the Sub-district level parliament (DPR), T287,

came and told his parents to go to the military post in central Mehara for interrogation about his whereabouts. The interrogation lasted all night and only at 4.00am were they released on the condition that they report for two weeks and that they bring information about their son.⁴⁰⁴

383. Even family members of people already detained lived in fear of violence from the military. Antonio Vieira told the Commission:

[While I was in detention in Dili] my wife named Elsa Soares Gomes, who was at home, also received threats from Kopassandha members, saying that I had been killed and they were going to take her and kill her as well. As a result of that threat, my wife was shocked and fell ill and finally died on 7 December 1977. When my wife died, Leandro Isaac asked ABRI for permission for me to attend my wife's funeral.⁴⁰⁵

Detentions after surrender or capture^{*}

384. The people of Timor-Leste began surrendering to the Indonesian military from the time of the invasion. Those who did not feel capable of fleeing to the mountains, such as nursing mothers or the elderly, stayed in their homes and were among the first to surrender. Many others who did flee to the mountains returned and surrendered because they could not sustain the difficult lifestyle in the forest. The Commission received statements of people surrendering after fleeing in 1976 and 1977. The overwhelming majority of people surrendered, however, during the years 1978 to 1979, when surrenders took place en masse with the support of the Fretilin leadership.

385. A large peak in detentions can be discerned in 1978 when the mass surrenders to the Indonesian military took place. The military was faced with waves of thousands of people, many of whom arrived in places that were not their home and who were suffering from illness and malnourishment.[†] Most people were placed in large transit camps where they could be processed and registered. The military forces also screened those who surrendered to identify any members of Fretilin/Falintil. Those who were known were immediately arrested and detained separately from the group. Many others were interrogated about what they did in the forest. They were then further detained, kept in the transit camp, recruited as a TBOs or Hansip, or released to return home to their villages (see Chapter 7.3: Forced Displacement and Famine).

Early surrenders

386. An East Timorese woman reported that she and her family surrendered in 1977 after two years hiding in the mountains, because the lack of food and medicine had led to the deaths of five of her younger brothers and sisters. Soon after they surrendered the whole family was arrested.⁴⁰⁶ During the arrest her father was killed and his ears cut off and adorned as trophies. The rest of the family was taken to the town of Soibada (Manatuto), where they were detained for some days.⁴⁰⁷

^{*} The term "surrender" is usually used to refer to combatants rather than civilians. But in this Report it is used to describe an act of a civilian, because "surrender" is the word civilians themselves use to describe the act, and because what took place was essentially a political act of moving out of Fretilin/Falintil control and into the control of the Indonesian military. In a practical sense, surrendering involved reporting to the local military command and being registered. Often people were held in a temporary holding camp to be processed before being released to go home [see Chapter 7.3: Chapter 7.3: Forced Displacement and Famine].

[†] For instance, in Uatu-Carbau (Viqueque) many people from Ossu (Viqueque) Uatu-Lari (Viqueque) and Bagaia (Baucau) surrendered to the Indonesian military and were held in places such as the Uatu-Carbau Koramil. [CAVR Interview with Xisto Fernandes (alias Helio Espirito Santo), Uatu-Carbau, Viqueque, November 2003].

387. In 1977 José da Conceição Carvalho, a Falintil member, surrendered to two intelligence agents named T292 and T293 in Dili. He was immediately handed over to a soldier nick-named T294 to be interrogated in Palapaço (Dili) and was detained for 12 days. He told the Commission:

In the investigation I was forced to tell them the hiding place for the weapons. So an ABRI member, T294, ordered two of his men (T292 and T293) to go and find the weapons. Then they released me, but not straight to my house, rather I had to live with T294 until 1979.⁴⁰⁸ Only then was I allowed to go back to my own house.

388. As well as voluntary surrenders, civilians also surrendered or were sometimes arrested when the military captured them during an operation. José Rosa de Araújo, a member of Fretili, told the Commission that he fought as a guerrilla in the Mount Kablaki region of Ainaro after the Indonesian invasion. In 1977 Infantry Battalion 125 attacked the Mount Kablaki region, resulting in the arrest of about 80 Fretilin members, including José Rosa de Araújo. He recalled:

At the location of our capture, a member of Hansip named T295 abused me by punching and kicking me and hitting me with a rifle butt. Then 20 members of Hansip joined in, abusing me and also the other Fretilin troops. At that time Hansip and Infantry Battalion 125 troops had built [five] posts on Mount Kablaki. They detained me and the other Fretilin troops there for one year. We were forced to become TBOs, responsible for picking up rice or corn in Dare [Ainaro]. Every two people had to carry 100 kg from Dare to Kablaki. During my time in detention and as a TBO, my friends and I were given only vegetables to eat, while the members of Hansip and Infantry Battalion 125 ate good food.⁴⁰⁹

389. Both civilians and members of Falintil were arrested during such operations. But after capture the Falintil members would be picked out of the group for further detention. On 22 February 1977 three members of Falintil ran out of ammunition, and were captured together with the people of Casohan in Barique (Manatuto) by members from Infantry Battalion 631. They were interrogated by Infantry Battalion 631 and their weapons were confiscated. The civilians were given permission to go home but the members of Falintil were detained in Casohan for one month, and further interrogated and tortured.⁴¹⁰

⁴⁰⁸ The reason for this is unclear but it is likely to have been in the capacity of a TBO.

Story of an East Timorese translator during interrogations

Antonio Peloy was a member of Hansip, and an interpreter for the Indonesian military during their interrogation of detainees in the district of Baucau. He told the Commission about interrogation methods including his efforts to protect those being interrogated:

I became a Hansip around 1976 in Laga, Baucau. First I was a regular Hansip and helped do night watch duty at posts. I only began to handle detainees in 1978. The Marines commander asked which Hansip understood the Indonesian language. It didn't matter if you were fluent, as long as you could understand the words. I had learnt Indonesian before the Indonesians came to Timor...because I lived near the beach and I became acquainted with the Indonesian traders that came by boat.

I became an interpreter for Pasmar 9 (Marines). [During an interrogation] only one military person and I were present. The Marines wrote the questions and I interpreted them, and I also interpreted [the detainee's] answers for the Marines. Everyone that the Indonesian army captured was handed over to me. I was responsible for a room of 110 detainees. The prisoners were from Ossu [Viqueque], Baucau, Venilale, Quelicai [all in Baucau] and from Maina II Village [Lautém]. Among them were Fretilin members and also ordinary people who had surrendered. They were surrendering but still they were interrogated and beaten!

The Marines treated female and male prisoners differently. They interrogated men from 8.00am until noon, and women from 7.00pm until 2.00am. [Women] were asked: "Do you have a husband?", [they replied] "I have a husband", "Where is your husband now?", "Now he still lives in the forest", "What does he do there?" Then they would say that the person lied: "You have a Fretilin/GPK husband in the forest!" or "We heard that you had a picture of the Fretilin flag on your breast!" Then they made them take their clothes off or lift their shirts so they could be examined from bottom to top. They examined for a while, then they said it was on the stomach: "Lower your sarong, lower it here, if it's not on the breast, it's probably on the stomach." After examining the stomach, they said it was below the belly button.

Men were asked: "Are you GPK? Are you armed? Since what date? When was the last time you held a weapon? What date?" They were again asked about the events on Matebian. They defecated and urinated. They were beaten and electrocuted on the ear and fingers. One man was a teacher in Lospalos named José Lima. He received harsh [treatment] because he was suspected of being involved in the bombing of the Marines' tank in Quelicai. He was put in a barrel with his head in the bottom and his legs up, which made him defecate while his legs were tied to a big rock and pulled up. But he didn't die.

Even though I was in the Indonesian army, I saved my friends from the forest...During the interrogation they were asked what they did in the forest, did they hold weapons or kill Indonesian soldiers? Because they were being electrocuted, they sometimes admitted that they held weapons or killed soldiers in the forest, but I helped to cover it up for them. Before 8.00am I opened the door a little and I gave them instructions: "They will interrogate you one by one but if you say something wrong...I will step on your foot and you must stop talking. I will speak to the soldier first, but if you do something wrong I will stand up and hit you."

For instance, if they admitted killing a soldier, I would change the words so they would not be killed and immediately tell the victim in Tetum or Makasse [languages]: "Don't say that, or they will kill you." I immediately hit my friends, so they would not be suspected and I also would not be suspected as an enemy in disguise. The army/marines asked why I hit them, and I said because they didn't admit to the killings. After I hit them and put them back in detention, I apologised for hitting them, I said: "Don't take it personally, but I helped you from getting killed by the Indonesian army."⁴¹¹

Mass surrenders: 1978-1979

390. Following the destruction of the last *zona libertada* on Mount Matebian, mass surrenders occurred across the eastern region of Timor-Leste (see Chapter 7.3: Forced Displacement and Famine). Other groups also began to surrender in the central and western regions. Again, a selection process separated individuals known to be Fretilin leaders, who were arrested immediately. Others were subjected to intense interrogation to ascertain what their role had been or whether they could provide useful information.

391. In addition to members of the military, members of the civilian government, civilian defence and, sometimes, ordinary citizens assisted in carrying out the arrests and in identifying those to be interrogated further. For instance, after surrendering in the town of Uatu-Carbau (Viqueque) in 1978, an East Timorese civilian, T297, reported Xisto Fernandes to a Hansip, T298, after which Xisto was arrested and detained in the Uatu-Carbau Koramil.⁴¹² Celestino Manuel Pinto told the Commission that he was arrested on 23 November 1978 in a joint effort between local government officers, Hansip, police and military after he came down from Mount Matebian near Uatu-Carbau (Viqueque) and surrendered in the village of Bahatata (Uatu-Carbau, Viqueque):

At that time, the Sub-district administrator [of Uatu-Carbau] T299 and his deputy T300 coordinated with Hansip Commander T301 [deceased] and his staff T302, and the Police and Koramil Commanders, to capture me and two of my friends named Alfredo Pires and Caetano Quintão. They put the three of us in detention because I was a member of Falintil when I was in the forest. I was detained on 1 January 1979 in Afaloicai [Uatu-Carbau]. There were 130 other people who had also been detained by ABRI from six villages, Irabin de Baixo, Irabin de Cima, Uani-Uma, Lo-Ulu, Afaloicai and Bahatata, in the sub-district of Uatu-Carbau. While in detention we were forced to work, such as taking a Jeep car from Uatu-Lari to the village of Afaloicai...carrying bamboo and building a road from Ringgit Baru to Afaloicai and searching for rocks and wood to build T299's house. We were detained until 1980. When we were released we had to report for one and a half years. After that we were totally free.⁴¹³*

392. The Commission conducted meetings in villages all over Timor-Leste and documented the experience of communities. The following Community Profiles tell the stories of some of the mass surrenders and arrests in 1978 and 1979 and the different experiences of communities who surrendered:

Community	Date	Surrender	Detained	Interrogation/Torture
Remexio (Aileu) ⁴¹⁴	1979	Community surrendered	All men arrested by members of ABRI, Hansip and Partisans. 20 more people (men and women) were later arrested. A total of about 100 people detained.	Detained and interrogated for two weeks, then sent home.
Uma-Kiik (Viqueque) ⁴¹⁵	1978	Some people surrendered to	Battalion 202 arrested everyone	Battalion 202 tortured people, used the women as sexual

* The name of a village that was founded or re-named during the Indonesian occupation

		Battalion 202, others to Infantry Battalion 745.	on suspicion of being Falintil. Infantry Battalion 745 took everyone to the town.	slaves and made the men TBOs. Infantry Battalion 745 used people to cut the grass every day.
Caisido (Baucau) ⁴¹⁶	1978	Caisido community and people from other villages surrendered in Baucau Town and in the villages of Trilolo Triloka, Bucoli, Vemasse (Baucau).	Eight Fretilin leaders detained in Flamboyen Hotel in Baucau for six months.	Tortured but not interrogated.
Molop (Bobonaro) ⁴¹⁷	17 April 1978	370 people surrendered to Battalion 612.	20 people arrested on suspicion of being a Falintil.	Detained for 3 months in military police building without food. Burned with cigarettes, hit with a hammer and a weapon, fingernails pulled out with pliers, stripped naked and put in water for 24 hours.
Marobo (Bobonaro) ⁴¹⁸	1978	Community surrendered to Battalion 612 troops.	All detained, including Fretilin commander of Bobonaro Company, João de Jesus.	Submerged in a pool during a period of two months. Some of the prisoners then released and around 90 civilians made TBOs.
Bahatata (Uatu-Carbau, Viqueque) ⁴¹⁹	22-23 Nov. 1978	Many people surrendered to Battalion 328 near Samalari (Uatu-Carbau, Viqueque), Later, 1 Falintil platoon and 19 others surrendered to Battalion 328 and Hansip near Samalari	Battalion 328 examined people's belongings and took a man suspected of being the leader to the Koramil. Falintil platoon and 19 others all detained	Suspected leader interrogated and then released. Falintil members and 19 others beaten, kicked and burned with cigarettes by a Hansip member T329. All made TBOs.
Dato Village (Liquica) ⁴²⁰	1979	Most people from Dato surrendered to Kodim 1638 in Liquica.	18 platoon commanders arrested.	Detained by T284 in Koni, Liquica. Tortured by beating and forced to build an "entertainment house",
Hatura, Nasolan, Isolada (Aileu) ⁴²¹	1979	280 people surrendered in Damata to Battalion 712, Air force 100, Air force 700, and Air force 721.	Nobody detained. People's belongings searched then all taken to Malere, (Aileu) fed and sent home.	-
Uato-Haco (Venilale, Baucau) ⁴²²	Sept. 1979	Uatu-Haco and Uahilalha communities surrendered to ABRI in Venilale.	Leaders and suspected leaders in the forest were arrested.	Two people detained and interrogated in the Flamboyen Hotel, Baucau. 11 people held in Venilale military post and forced to build houses.

393. Francisco da Costa was picked out from the group when he and his family surrendered in Uatu-Lari (Viqueque) in 1978, after living for two years on Mount Matebian. He told the Commission of his experience:

We came down from Mount Matebian and surrendered to

ABRI in the town of Uatu-Lari in 1978. When I surrendered, I was immediately arrested by an East Timorese man, T305, and members of Kopasandha intelligence. I was punched, kicked and hit on the head with a piece of wood until I became unconscious and couldn't stand. They dragged me into the prison. I was arrested because I cooperated with a Fretilin delegate named Lequimau and I had forbidden people to surrender to ABRI.

The next day a Hansip named T306 came with three East Timorese female soldiers: T307, T308 and T309. Hansip T306 ordered them to hit me with a piece of wood until I bled. Then they [T306 and the three soldiers] submerged us in water for 24 hours. The next day we were handed over to the Koramil and the Afaloicai village head Agostinho Ribeiro, who had to take responsibility for and care for the four of us.⁴²³

394. The conditions in which detainees were held in this period were often appalling. One example of this is provided in the testimony of Mário Maubuti. He told the Commission that he and two of his brothers-in-law, Maubuti and Beremau, came down from the mountains and surrendered to the army in Leimea Kraik (Hatulia, Ermera) in 1978. They were immediately brought to the town of Atsabe (Atsabe, Ermera) and arrested there along with several other people:

After we arrived in Atsabe, we were all put in a hole in the ground and were only fed once a day. We also had to fight each other for the food. There were some who didn't get any food because we were starving and the food given wasn't enough for the number of prisoners. In the hole we crowded each other and during the rainy season we slept on mud and in pools of water for eight days. Then we were released.⁴²⁴

395. Conditions in transit camps were also extremely difficult and many died (see Chapter 7.3: Forced Displacement and Famine).

Detention in Uma Metan Camp

Alas, Manufahi

Uma Metan (Tetum: Black House) was an Indonesian military camp set up just before August 1978 near Alas (Manufahi) as a base for conducting operations against the Resistance in the mountains around the district of Manufahi. Airborne Infantry Battalion 700, Infantry Battalions 744 and 745, 310, Nanggala (Kopasandha) and the Alas Koramil were stationed at *Uma Metan*. The camp was also used as a transit camp for holding people who surrendered from nearby areas and for holding suspected members of the Resistance.

The Commission interviewed several former inmates of the *Uma Metan* Camp. Tomé da Costa Mangalhães, detained there in 1978, described *Uma Metan* as a hill about 300 metres high. Mateus da Conceição, arrested on 8 May 1979 and detained in *Uma Metan* for three months, estimated that there were about 8,000 people in the camp from various places including Aileu, Maubisse, Same, Ainaro, Manatuto, Dili, Liquiça and Viqueque. Both Tomé and Mateus described life in *Uma Metan* as extremely difficult. Many people died every day from hunger and illnesses such as diarrhoea, tuberculosis and beriberi. They also told of a school built in *Uma Metan*, supposedly for the people to learn the Indonesian language, but also used at night by members of Nanggala, Airborne Infantry Battalion 700 and the Koramil to rape women.⁴²⁵ The camp was closed around January 1982.

Unlike some other transit camps, *Uma Metan* was also used as a prison for people found to be working for the Resistance. These people were sometimes found among those who surrendered, and sometimes caught in the forest and brought to the camp for interrogation.⁴²⁶ Many members of the Resistance were killed and executed (see Chapter 7.2 on Unlawful Killings and Enforced Disappearances). Others were used as forced labour or to find other members of the Resistance. Some resident of the camp, after spending several months in *Uma Metan*, were moved to another place, such as the Same Koramil (Manufahi), for further interrogation.⁴²⁷ Others were forced to work for the military or become TBOs.⁴²⁸

Saturnino Tilman, arrested by Infantry Battalion 745 on 28 February 1979 in Fatukuak, Betano (Same, Manufahi), was taken with his friend Ijidoro to *Uma Metan* by helicopter. The soldiers then handed him over to Airborne Infantry Battalion 700. He was interrogated, with the assistance of a Hansip acting as a translator. Airborne Infantry Battalion 700 members questioned him about Falintil's strength and the types of weapons Falintil used. He was not beaten during the interrogation but afterwards was ordered to take off his clothes and sleep in the field facing the sun for several hours. Saturnino was then held in a house for ten days and received only one meal a day. His friend Ijidoro was tied to a tree outside. Saturnino also told the Commission how the military lined up individuals before him and asked him to identify them, but he always said that he did not know them. After his interrogation, he was handed over to the Alas Koramil from *Uma Metan* and then sent to the Same Koramil at Betano, where he was ordered him to build a road with 200 other prisoners.⁴²⁹

Tomé da Costa Mangalhães told of 77 civilians (none of whom were Falintil) who surrendered after a military operation in Fahinehan (Fatuberliu, Manufahi), who were then arrested by Infantry Battalion 745 and Airborne Infantry Battalion 100. The detainees were taken to *Uma Metan* where they were forced to build houses, a school building and a general meeting room.

Mateus Pereira reported to the Commission that he was sent to *Uma Metan* two months after surrendering in Betano (Same, Manufahi). He and 12 others were ordered to walk to the camp guarded by Hansip members on 5 March 1979. When they arrived, a Kopassandha commander told them that their purpose in the camp was to attend school and to help in the search for Fretilin/Falintil leaders in the forest, including José Maria (Mausiri) and Eduardo dos Anjos (Kakuk). They were interrogated individually about what they did in the forest and were then given a map and travel papers and told to look for the fighters in certain areas. As it happened, they came across Mausiri, Kakuk and Ermelita Coelho (Sirilau) in Kolokou in Dotik Village (Alas, Manufahi). The fighters told Mateus and his group that they were ready to surrender and handed over two of their weapons to take back as evidence. When Mateus reported this at *Uma Metan*, a Nanggala company went to pick up the surrendering Resistance fighters and Mateus and his friends were given travel papers to return to their village.⁴³⁰

Capture of communities: 1978-79

396. Communities that were captured by the military before they surrendered told the Commission about being treated even more harshly than those who surrendered. The community of Uamoritula, Uaimori (Viqueque, Viqueque) told the Commission that in 1979 Battalion 745 captured around 20 people from Uamoritula and detained them in Laleia (Manatuto) on suspicion of collaborating with the Resistance. Some of those captured were killed and some were raped on the journey to Laleia.⁴³¹ Another community, that of Manetu (Maubisse, Ainaro) described how in 1979 people wanted to surrender in their village but were afraid of the military there. Before they could decide soldiers captured them in Turisca (Manufahi), immediately proceeded to beat them and then raped two girls in the group. They were then taken to Maubisse where they were beaten ruthlessly and then interrogated for three months about the whereabouts of Falintil in the forest.⁴³²

397. Jacinto Alves told the Commission about his capture with 40,000 civilians in the region of Ilimano (Laclo, Manatuto). Of this group, only about 26 were taken away for interrogation:

Movimento Torneante was a circling movement. For almost three months we circled around the area at Fatubutik, Aikurus, then Hatu-Kona [all in Laclo, Manatuto] and then we returned to the place where we began. We were attacked from the air, and from the ground with mortars...There were really no logistics, no aid whatsoever...On 27 July 1978 we, around 40,000 people, were captured in the area of Ilimano. The whole population was told to go down to Metinaro [Dili], but they came and arrested me, as they had the company commander, Vicente Alin, and took me to the post of Company B, Battalion 315.⁴³³

Twenty-six others and I, among them my parents, my uncle and others, were put together but only I was taken for interrogation. I was beaten and kicked. After that, 26 of us were taken to Metinaro to stay in a camp with the local population. I myself was taken to the command post for Battalion 315. Other people were released and I was imprisoned alone in a temporary house made from melaleuca (a type of eucalyptus) branches.

Two or three days later they brought my wife and an older sibling, along with my mother-in-law and my mother for interrogation to the place where I was imprisoned. We looked at each other but we were not allowed to exchange words.⁴³⁴

398. Francisco Xavier do Amaral, the first President of Fretilin and the RDTL, was arrested on the south coast in district of Viqueque in October 1978. He had been a Fretilin prisoner for the previous 13 months. As Fretilin fled from the Indonesian forces, its prisoners had to flee with them. By the time Infantry Battalion 744 had surrounded the Fretilin camp, Xavier do Amaral was too weak to run and fell down in the grass. He was captured and flown to Dili to meet Colonel Dading Kalbuadi.⁴³⁵

Detentions after returning home

399. Not everybody was arrested immediately after surrendering. Some were arrested after they had settled back into their homes. Sometimes this was because the military and its auxiliaries discovered some information about the person through the intelligence systems of community control. Americo da Costa told the Commission that in 1979 he and his family came down from the Mount Matebian and surrendered in the sub-district of Moro (Lautém). Because of the difficulties he experienced in finding food, Americo da Costa started a vegetable garden at Soru-Uaku in the village of Maina I (Moro, Lautém). One day while working in his garden he met a relative who had not yet surrendered:

While I was gardening, my in-law (Sere) and his friend Lourenço suddenly came to Serelau [Moro, Lautém]. They were still members of Falintil who lived in the forest and hadn't surrendered. When we met we swapped stories about my life in the town and vice-versa.

But our meeting was discovered by the Moro Sub-district Administrator T310, who ordered someone to call me and my sister Jacinta Marques to meet him at his house. We were interrogated and during the interrogation I was hit over the head, slapped across the face six times and kicked in the stomach until I fell. Then he slapped my sister. We were told that if someday we met Falintil again, we must bring them to surrender in the town. Then we were sent home.⁴³⁶

400. Luis Maria da Silva (Maukiak) was arrested a month after he surrendered to Pasmars 9 because his work with Fretilin while in the forest had been discovered:

[O]ne month [after I surrendered] ABRI began an operation in Quelicai [Baucau] searching for people who had just come down from the forest, who had cooperated with Fretilin. Pasmars 9 managed to capture Raimundo and he was interrogated...about the names of people who joined Fretilin...[and] admitted that I had been involved in Resistance activities against the Indonesian military.

On 2 January 1979 I was arrested by members of Pasmal 9. They took me to the Quelicai post [Baucau] and brought me to meet the Pasmal 9 commander for interrogation about what we did. After two days I was released.⁴³⁷

Framing of a former Fretilin leader

José da Silva Amaral's testimony reveals the atmosphere of suspicion and division within local communities in Timor-Leste at this time. Any person with a grudge could report his or her enemy to the local military command for supporting the Resistance and that person would then be vulnerable to long-term detention, ill-treatment and torture. The Commission heard many cases in which individuals were punished before any investigation was carried out, in violation of their rights to a fair trial, including the presumption of innocence.

José Amaral was a Fretilin leader in Viqueque in 1975. After the invasion, he became the assistant political commissar and a Fretilin delegate in Ossu (Viqueque). At the end of October 1978, José Amaral and a number of people fled to Mount Matebian, but they surrendered when the *bases de apoio* were destroyed and many civilians were killed.

Around January 1979, José Amaral was working as a farmer in his rice field in the village of Ossurua (Ossue, Viqueque) but he was known by the community as having been a Fretilin delegate. A Hansip commander, Joaquim Monteiro, worked in a rice field close to José Amaral's. One night someone stole all of Joaquim Monteiro's cows and the next day Joaquim Monteiro accused José Amaral of committing the crime and sending the cows to Falintil. José Amaral proclaimed his innocence and believed that the crime had been committed by a local traditional leader on the orders of a Quelicai Koramil member.

A few days later, three members of Hansip, T311, T312 and T313, arrested José Amaral. They took him first to the Viqueque Koramil and then to a Portuguese house that at the time was used as the Tactical Command (Komando Taktis, Kotis). Battalion 202 used the house as a dormitory and a place for interrogating and torturing detainees. A member of Battalion 202 interrogated José Amaral about the shootings of some soldiers from Battalion 202, which the Indonesian military assumed Fretilin had committed. The Battalion 202 member showed his wounds to José Amaral, saying: "This, this! Who did it?"

José Amaral answered "*Bapak*, I don't know.* It wasn't me that shot you!" Then the soldier ordered Hansip member T311 to slap José Amaral across the face until he fell to the floor. But the interrogation continued. After 15 minutes three more soldiers started hitting him with their belts and kicking him in the face. He was then moved back to Battalion 202 headquarters, where around 50 other people were already being detained. He was held for six months between January and July 1979. During this time the interrogations continued and, if he didn't say what his interrogators wanted, he was heavily beaten by Battalion 202 soldiers.⁴³⁸

401. Some Falintil members who remained in the mountains and did not surrender were sent by their commanders to observe the situation in the towns. Some were arrested on arrival in the towns. João Amaral, a member of Falintil at the time, told the Commission about his arrest when he and a friend were sent to monitor the situation in the town of Suai in 1979:

* *Bapak* is an Indonesian term of respect used when addressing senior males, meaning both "father" and "mister".

When we arrived in Suai, we were captured by soldiers from Battalion 507, in the area of Ahinarae in the village of Debos (Suai, Covalima). Around 100 soldiers captured us. We were immediately detained in a building, a former Chinese store called Cina Odamatan Tolu [Three Chinese Doors], used as ABRI Headquarters. We were both detained there for two weeks...[Then] ABRI ordered my friend Mali Raket to return to the forest to try to persuade our friends to come down and surrender to ABRI in Suai. But after a few days Mali Raket didn't return, and so ABRI took me from Suai to Dili. I was taken to Balide Prison and I was detained there for two years. During my detention I was hit with a piece of wood and an iron bar from head to toe until I was black and blue. As a result of the torture, I still feel pain in my intestines.⁴³⁹

Conclusion

402. By the end of 1979, the Indonesian military had established systems of control over the East Timorese population that included arbitrary detention, torture and other forms of cruel and inhumane treatment. The patterns that emerged in this early period were repeated throughout the occupation period. They included:

- Using detention to stifle political dissent
- Interrogating anyone suspected of association with Fretilin/Falintil, including by family relationship, to discover information about the Resistance
- Using torture and ill-treatment as a regular part of the interrogation process, with particular forms of torture and ill-treatment adopted by authority figures throughout the territory
- Ignoring rights of due process, including presenting an arrest warrant and explaining the reasons for arrest, allowing access to a lawyer or to appear before a court of law
- Using the military to conduct arrests, contrary to human rights law and Indonesia's own domestic law
- Using East Timorese, including military, paramilitary, civilian defence and civil servants, to perpetrate, or to be involved in perpetrating, violations against fellow East Timorese
- Establishing systems of community control in which neighbours reported on each other.

7.4.6 Detentions by the Indonesian Occupying Power, 1980-1984

Introduction

403. Although Indonesia had gained control of most of the territory and the population by the end of the 1970s, Falintil continued to conduct raids and attacks on military posts. The clandestine networks strengthened and became better organised. The Indonesian military responded to this resistance with massive numbers of detentions and the torture and ill-treatment of civilians. It sought to isolate Resistance members from the civilian population and treated political detainees very harshly so that civilians would realise that association with the Resistance

^{*} See Military Instruction Manual No. JUKNIS/05/I/1982, which identifies attacks by the GPK (Resistance) as "threats and disturbances" and lays out preventive measures to counter them. [Instruction Manual No. JUKNIS/05/I/1982, *System of Security in Towns and Resettlement Areas*, translation in Carmel Budiardjo and Liem Soei Liong, Zed Books, London, 1984, p. 184].

would bring great suffering.⁴⁴⁰ After a five-month ceasefire broke down in 1983, ABRI conducted a large-scale military offensive.

404. The pattern of detentions and torture in the early 1980s largely reflects specific events and phenomena, namely:

- The Marabia attack, 1980
- Operation Security (*Operasi Keamanan*), June 1981
- The Mount Kablaki uprisings, 1982
- Detentions during the ceasefire, March to August 1983
- The breakdown of the ceasefire, August 1983
- Operation Unity (*Operasi Persatuan*), August 1983 to June 1984
- Detention, torture and ill-treatment in 1984

Profile of violations

405. Detention, torture and ill-treatment occurred throughout this four-year period, although there was a slight decrease from the figures seen during the invasion and occupation of the territory. The incidence of detention and torture increased over the period, however, and peaked around 1983. This can be seen in Figures <g1222hrvd400.pdf>, <g1222hrvd600.pdf> and <g1222hrvd1000.pdf>. The pattern of detentions, torture and ill-treatment between 1980 and 1984 is positively correlated.^{*}

[Insert Figures <g1222hrvd400.pdf>, <g1222hrvd600.pdf> and <g1222hrvd1000.pdf> about here]

406. The peak in violations that occurred in 1983 is likely related to the breakdown of the ceasefire, which was followed by Operation Unity (*Operasi Persatuan*), a conscious effort by the Indonesian military to target individuals allegedly involved with Falintil forces.[†] *Persatuan* was led by Special Forces (Kopasandha) backed up by air power, perhaps because of Hansip's role in the uprising, which would have caused deep mistrust of East Timorese soldiers (see Part 3: The History of the Conflict).

407. The areas in which the violence was most concentrated also shifted from the West, where it had been during the invasion years, to the eastern and central regions: 94.7% (7173/7574) of documented detentions, 92.8% (2229/2403) of documented tortures and 93.3% of instances of ill-treatment (1455/1560) in this period occurred in the central and eastern regions. These regions covered Dili and Ataúro, where the major detention centres were located, and the eastern districts, where the Resistance was based at that time. Around half of all detentions and ill-treatments occurred in the districts of Dili and Lautém as can be seen below. Figure <t40060010002dist.rtf>.[‡]

408. This period is also notable because females suffered higher than the average share of detentions, tortures and ill-treatments compared to other years. Between 1980 and 1984, 21.4% (1601/7574) of documented detentions, 10.8% (259/2403) of documented tortures and 18.7%

^{*} The correlation coefficient between documented detentions and torture is 0.65 and the correlation coefficient between documented detentions and ill-treatment is 1.0.

[†] *Operasi Persatuan* was launched by Major-General Benny Moerdani to finally crush the Resistance. In a letter to Commander Xanana Gusmão in June 1983 Moerdani said: "Our own army is prepared to destroy you if you are not willing to be cooperative with our republic. We are preparing an operation—*Operasi Persatuan*—which will come into force in August." Cited in Budiardjo and Liem p. 139 and 47.

[‡] Lautém District reported 23.7% (1797/7574) of detentions, 23.3% (559/2403) of tortures and of 22.0% (343/1560) ill-treatments. Dili District reported 27.3% (2066/7574) of detentions, 13.4% (322/2403) of tortures and 23.5% (366/1560) of ill-treatments.

(292/1560) of documented ill-treatments were suffered by women.* The relative increase in the share of detentions, tortures and ill treatments for females can be seen below:

Insert Figures <g210400b.pdf>, <g210600b.pdf> and <g2101000b.pdf>

409. This may partly be explained by the mass arrest and transfer of families, including women, to Ataúro, which many victims described to the Commission as detention rather than displacement. However, women also appear to have suffered higher than their average share of these violations during large-scale military operations than at other times. Clearly during its major offensives, the Indonesian military and their auxiliaries did not take adequate measures to ensure that non-combatants (and in particular, females) were protected from detention, torture and ill-treatment.

410. Analysis of perpetrators shows that members of civilian defence organisations were responsible for many of the detentions and torture cases from this period. During the peak year for detentions in 1983, Hansip were named in 32.8% (644/1966) cases of detention. Kopasandha was also highly active in this period. Its involvement in arbitrarily detaining civilians, throughout the whole occupation period, peaked in 1983 with 20.2% (398/1966) cases of detention attributed to it. This was a result of *Operasi Persatuan*, the reaction to the uprisings by civil defence organisations.

The Marabia Uprising (*Levantamento*), Dili, 10 June 1980

411. The first wave of large-scale arrests and arbitrary detention in the period 1980-84 occurred after members of Falintil and clandestine groups attacked the Marabia broadcasting station in Dare (in the hills above Dili) and the Infantry Battalion 744 barracks in Becora (eastern Dili) on 10 June 1980.

412. The military was reportedly surprised by the attack and responded by detaining hundreds of known and suspected independence supporters in Dili and in the surrounding districts to find the attackers.[†] It arrested individuals that it had reason to suspect had direct involvement in the attack,⁴⁴¹ members of the clandestine movement it was hoped could provide information,⁴⁴² and the “usual suspects”, individuals who were regularly arrested because of their previous connection with Resistance activity.⁴⁴³

413. The crackdown was a joint effort between numerous agencies within the Indonesian military, including members of the Kodim and Koramils, Infantry Battalion 744 and the Quick Reaction Force Command (Komando Pasukan Gerak Cepat, Kopasgat).⁴⁴⁴ Lieutenant T314 (Indonesian), the section head of intelligence from the East Timor Provincial Military Command (Komando Resort Militer, Korem) both ordered and personally carried out many of the arrests. Members of the military were sometimes accompanied or helped by a member of military intelligence, Hansip, the mobile police brigade (Brigade Mobil, Brimob), a Babinsa or a village head.⁴⁴⁵ For example, Maria Immaculada, a member of an organisation that gave logistical support to the armed resistance, was called to the house of East Timorese village head T315, who then identified her to Lieutenant T314. The lieutenant arrested her and took her to the Korem in Dili.⁴⁴⁶ Members of the Aileu Kodim also arrested suspects and handed them over to authorities in Dili.⁴⁴⁷

* Over the course of the Commission's mandate period, 13.9% (3512/25383) of documented detentions, 7.7% (857/11135) of documented tortures and 12.3% (1041/8443) of documented ill-treatments were suffered by females.

[†] Amnesty estimated 400 civilians were detained after the attack [Amnesty International, Annual Report 1981].

Arbitrary detention

414. The joint nature of the effort is also indicated by the variety of places in which detainees were held. Formal detention centres included the Provincial Military Command (Korem) in Dili, the Dili District Military Command 1627 (Kodim), Koramils and the Balide Prison.⁴⁴⁸ Continuing the pattern of detention from the 1970s, detainees were moved around frequently and were taken to informal detention centres specifically for interrogation and torture. These included the Sub-regional military command soldiers' compound (Mes Korem), the maternity clinic run by the Military Wives Unit (Persatuan Istri Tentara) called Kartika Candra Kirana (Kartika Sari)* in Colmera (Dili) and the Joint Intelligence Unit (Satuan Gabungan Intelijen, SGI) headquarters, also in Colmera.⁴⁴⁹ Periods of detention in these centres ranged from between one day and two or three weeks, after which detainees were either released or moved to the Comarca or to the island of Ataúro.

Torture and ill-treatment

415. The treatment of detainees was extremely harsh. David Dias Ximenes, who was arrested after several detainees named him as masterminding the attack, was taken to the Mes Korem. He received electric shocks, was submerged in a tank filled with water and saw a fellow detainee stabbed to death in front of him. His interrogators threatened that he would suffer the same fate if he did not talk.⁴⁵⁰ José Gomes Guterres, also held in the Mes Korem, described his experience:

There were five people present during my interrogation: one to ask questions, and four to beat me when the replies were not clear enough. Whether the answer was true or not didn't make any difference—it had to be the answer they wanted. I was beaten with rifle butts and kicked all over. My feet and hands were bound and they pushed me into a water-tank and held me under for two minutes. Then they'd question me again. If I did not confess the process was repeated. They put two lizards with sharp-teeth on my body, and would pull their tails to make them bite and scratch me. After a month in the Mes Korem, they put me in the Comarca Prison, in the isolation cell, and in September they sent me to Ataúro.⁴⁵¹

416. Maria de Fatima Pinto, who was part of the Resistance Organisation Base together with David Dias Ximenes and Pedro Manek, fled to the forest after the attack. She told the Commission that she was arrested after a former clandestine member told the authorities of her whereabouts. After three days of interrogation in the Mes Korem, she was moved to the Korem Headquarters for one month. She was stripped naked, beaten, given electric shocks, burned, her feet were crushed with a chair and she was submerged under water.⁴⁵²

417. Several statements mention the use of a sharp-toothed lizards during torture and in various places of detention.⁴⁵³ Agapito da Conceição Rocha reported that police, Hansip and ABRI arrested him in Aileu one week after the Marabia attack. He was detained in the Aileu Kodim and interrogated before being sent to Dili. He told the Commission:

* Sometimes referred to as Mandarin, the neighborhood in which it is located.

I was brought by helicopter to the Dili airfield then taken immediately to the Tactical Command [Komando Taktis, Kotis] in Mandarin, where all of my clothes were removed and I was put into a water tank for three days and three nights. The perpetrators then released a sharp-toothed lizard into the tank and it bit my ears, face, lips and genitals. Then they took me out of the tank and I was beaten, kicked and taken to a room to sing the song Foho Ramelau. They recorded me. I was detained in Mandarin for more than two weeks.⁴⁵⁴

418. Amadeo da Silva Carvalho described to the Commission how soldiers at the Becora Koramil forced his father, Luis Fatima Carvalho, to sit up in a tree like a monkey for a full day.⁴⁵⁵

419. Those detained after the Marabia attack were held in deplorable conditions. In the Dili Kodim both women and men were forced to strip naked. If a detainee needed to use the toilet, he or she was ordered to go to the toilet naked in front of all other prisoners.⁴⁵⁶ Agapito da Conceição Rocha described day-to-day conditions in the Comarca:

I was detained in the Comarca Balide with 14 other prisoners in a small and narrow cell. In the cell you couldn't sleep, you could only stand. Each day we received one meal and drank dirty water. As a result I suffered from diarrhoea that smelt [so bad] that other prisoners couldn't stand it.⁴⁵⁷

420. Some detainees were imprisoned in the Comarca for more than a year without any information about how long they would be detained or if they could have family visits.⁴⁵⁸

The detention and torture of Bernardino Ximenes Villanova

Bernadino Ximenes Villanova was arrested, detained and tortured after the Resistance attack on the broadcasting station in Marabia near Dili in 1980. The Commission interviewed Bernadino, and he also testified at the CAVR National Public Hearing on Political Imprisonment:

On 10 June 1980 we went to Marabia. Our aim was to meet a delegation that [we heard was] coming to Timor and to prove to the world that Fretilin still existed. We also decided to attack the broadcasting station in Marabia. At 2.00am we launched the attack. Some people were killed during the fighting, which lasted until 10.00am. Then some people, including me, surrendered and the Indonesian military took us away.

We were taken to the Koramil in Becora, then transferred and held in the Kodim. The same night we were taken to the Comarca and the next day they released us saying: "Those who are close to the fire will feel the heat. These who are far, will not." I was living with Father Alberto [Ricardo] in Becora then, working as his driver. When I arrived at the house two Hansip who I didn't know came to arrest me just as I was about to drive a nun and a doctor to Farol. Before they could take me away I told them that I wouldn't run away and that after driving to Farol I would walk to the Becora Koramil. But Father Ricardo followed me in a taxi and took me to Bishop Dom Martinho's residence in Lecidere.

At 6.00am on 12 June 1980 Lieutenant T314, the Korem intelligence officer, his driver and someone else came to the Bishop's house and arrested me. They took me to the Mes Korem. When I got to the stairs an East Timorese member of the military called T316 greeted me by punching, kicking and beating me. Inside, ABRI interrogated me about the events and about my work with the Church. They wanted to know who exactly was involved in the attack at Marabia and what the relation was between my work with the Church and the attack. Because I refused to give any information, the soldiers covered their faces with black cloth like ninjas so that I didn't know who beat me. They punched and kicked me and burned me with cigarettes and matches. Then they hit me with a rifle until they knocked me out.

When I came to, they sat me on the chair again and ordered me to put the big toe of each foot under the legs of the chair. At first just I sat on the chair but soon Lieutenant T314 sat on the chair, crushing my toes. Then a soldier I didn't know kicked me from behind until I fell. Both of my toenails were split but they continued to beat me until I couldn't take it anymore and I told them the name of the second commander, Luis Silva, the ex-village chief of Hera [Dili]. ABRI went straight away and captured Luis Silva and at 12.00 midday brought us together. We sat together at a table and they interrogated us and also beat us with a metal rod until we were bleeding. I was wearing a crucifix around my neck and they snapped it off and threw it away. The interrogation and beating started at midday and continued until midnight.

On 13 June they tried to get me to tell them about the Church's involvement. I refused to tell them anything. They began to give me electric shocks and burn me with cigarettes and kept asking about Father Ricardo's involvement. I just told them that I didn't know anything else. They put me back in the room at 9.00pm. At 9.00 the next morning, they put me in a tank and then put a sharp-toothed lizard in with me. They poked the lizard until it bit my face and broke the skin. Then they placed a bucket over my head and asked me "Was the Church also involved?" When I didn't answer, they beat me around the head with metal pipe. After this I was taken back to the room where I stayed for a week.

During this time, ABRI had arrested another man, José Soares, a community leader from Bidau (Dili). He was beaten and during the beating he did not keep quiet. He told them that I was a leader of the attack. I was placed face to face with José Soares. The soldier told him to punch me three times and I fell to the ground. Then the military told me to punch José Soares three times. He didn't fall. I was sent back inside and José Soares was set free. One day later I was placed in a cell where I stayed until 28 July.

On 29 July the military took me outside again. They took off my clothes and put me back in the tank, this time with another East Timorese man. I didn't know him and I didn't know why he had been put in the tank with me. We were tied up and then they tied our genitals together. Then they began beating the other man. This made the rope attaching our genitals pull, which hurt me. I had to sit next to the other man waiting for him to wake up, because we were still tied together. After this, in the hot part of the day, we were tied together again and put on a rock in the sunny part of the Korem and left for almost an hour before they took us back inside.

On 30 July they took me to the Comarca in Balide and put me in one of the dark steel cells, notorious for the all the people who had died in them. We were kept there for ten days and I wasn't sure when it was day or night.⁴⁵⁹

Transfer of political detainees to the island of Ataúro

421. Many people detained after the Marabia attack were sent to Ataúro. This was the first group of political prisoners to be sent to the island; some arrived in July and more followed in September 1980. Others were sent over the next four years. This form of detention not only punished those involved in the attack, it also broke up the clandestine networks by separating active members from their support networks and families.*

422. After the Marabia attack, Amnesty International estimated that 120 people had been sent to the island,⁴⁶⁰ while the Commission's own figures put the number of people interned on Ataúro at around 500 in mid-1980. Some detainees were sent by helicopter but most were sent by ship in large groups.[†] Both Bernardino Villanova and Agapito da Conceição Rocha were sent by boat on 3 September. Bernardino related:

We were taken from the Comarca on 3 September to the beach to wait for a small boat. At 3.00 that morning I was transported on that boat to the island of Ataúro. When we arrived people were preparing a place in a house on Ataúro. We were given two cans of maize. A lot of it had already spoiled but we had to eat it. On Ataúro we lived freely but we couldn't make contact with our families in Dili. We endured this until we were freed in 1984.⁴⁶¹

423. Guilherme da Costa (Bie Ki Ruby), a commander of Fretilin, was also sent to Ataúro after the Marabia attack. He was detained on 2 December 1980, some six months after the attack, in Ostico (Vemasse, Baucau), because he had been named by a Fretilin/Falintil colleague under interrogation. Guilherme was held for three weeks in the RTP 12 in Baucau, two weeks in the Flamboyan Hotel in Baucau, one week in the Tactical Command (Kotis) Venilale (Baucau), two weeks in the SGI headquarters in Colmera (Dili) and more than one month in the Balide Prison. While in the Comarca, Guilherme was interrogated and tortured. Finally, he was sent to Ataúro. Guilherme's wife and child had also been arrested in Ostico soon after Guilherme's arrest and were transported directly to Ataúro by boat from Baucau. Once on Ataúro, they found Guilherme, and the family spent two and a half years on the island.

424. Guilherme explained that in 1983 some detainees were sent home but the authorities decided that Guilherme and about 700 hundred others, most from Bucoli, Vemasse, Venilale,

* The Korem military manual on how to break up GPK support networks suggests transferring to Ataúro all members of the GPK support network and relatives of GPK who have not yet been sent away: "In this way we can cut ties between the support networks in the settlement and the Nureps [Resistance Nuclei]." [Military Resort Command (Korem) 164, Intelligence Section, Instruction Manual: The way for Babinsa or Team Pembina Desa to expose/break up GPK support networks, 30 August 1982, translation set out in Budiardjo and Liem, p. 180].

[†] For example, José Carvalho described how his father-in-law, Abílio de Sousa, and another man, Felisberto da Conceição, were arrested and flown immediately to Ataúro following the Marabia Attack. HRVD Statement 2165.

Uatu-Lari, Uatu-Carbau and Manatuto (in the east), would still pose a threat if they were released. These people were resettled in Cailaco, Bobonaro (in the west). In Cailaco the family lived in a small makeshift shelter with a roof of zinc and walls of canvas. Every morning and evening they had to stand in line and be counted. During the day they were allowed to look for food but they could not go out at night. They were also forced to work, doing such things as building a road, constructing a school building and a football field and cleaning. Members of Hansip, Babinsa and Bimpolda guarded them.

425. Guilherme da Costa and his family spent four and a half years in Cailaco before they could go home. In a public ceremony, the detainees were told that Timor-Leste had become a safe place, as there were only 50 members of the Resistance left in the whole country. Most went home after this but Guilherme da Costa stayed until 1994 to continue clandestine activities that he had become involved in around Cailaco.⁴⁶²

Ataúro

Ataúro, the arid island off the north coast of Dili, was first used in 1937 by the Portuguese for exiled political prisoners from Portugal and the Portuguese colonies. According to Vasco Lopes da Silva, the former village head of Vila (Ataúro, Dili), notable prisoners included the father of Manuel Carrascalão and Mário Lopes, the father of Maria do Ceu Lopes da Silva Federer, who were exiled from San Tomé. In one year, 1959, the Portuguese Government sent more than 3,000 people to Ataúro. During the internal armed conflict in 1975, the governor of Portuguese Timor and other members of the Portuguese administration fled from Dili to Ataúro and then to Darwin. They were eventually picked up by a ship that took them to Macau and Lisbon (see Part 3: The History of the Conflict).⁴⁶³

Indonesia used Ataúro as a place for arbitrary detention of East Timorese people between 1980 and 1986, but numbers peaked in 1982 at around 4,000. This is consistent with information collected by the Commission directly through its statement-taking process and in the secondary source reports from Amnesty International; both data confirm that large groups of people were detained on the island of Ataúro in the early 1980s. These figures are shown below.

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The island was used to hold political prisoners as well as ordinary civilians, including children and the elderly, who had relatives in the Resistance. Detainees were sent to the island in large groups, the first in July 1980 after the Marabia attack. Most people sent to Ataúro went by boat, although some were taken by helicopter. Few were told where they were headed until they had embarked on the journey. On arrival detainees were lined up, counted and registered.⁴⁶⁴ The authorities then appointed a person (heads of neighbourhood associations) to represent a group of internees, often from the same village, who was responsible for the behaviour of the people in that group.⁴⁶⁵

Although people sent to Ataúro were prisoners in the sense that they could not leave the island, they were not held in a prison building. The first group of detainees were housed in the primary school building in the main town of Vila.⁴⁶⁶ Subsequently, makeshift homes, housing 20 to 40 families, were built near Vila by either the authorities on Ataúro or the detainees themselves. The homes had corrugated metal roofs and sheets of black plastic or tarpaulin as walls. They did not have beds or running water.⁴⁶⁷

⁴⁶³ The Commission received evidence from a wide variety of sources on the number of people held on Ataúro at different times. Various sources have put the figure much higher than 4,000 and cumulatively the number of people transported to Ataúro between 1980 and 1984 may well have exceeded 6,000. Ceu Lopes Federer told the Commission that she kept a list of detainees names during her period as a volunteer with the ICRC, which contained over 6,000 names [Testimony to the CAVR National Public Hearing on Political Imprisonment, 17-18 February 2003].

In the beginning living conditions were extremely hard. The military distributed inadequate amounts of rotten maize.⁴⁶⁸ Ceu Lopes Federer, a former International Committee of the Red Cross (ICRC) volunteer on Ataúro, said that when people asked for more food the military sent a helicopter load but there was never enough. Many suffered from malnourishment and starvation. People ate leaves from trees,⁴⁶⁹ seaweed from the sea and sometimes stole from the gardens of the local population to stay alive.⁴⁷⁰ Clean water was scarce.⁴⁷¹ Some, including children and older people, were forced to work under the guard of police or Hansip in exchange for food or a small amount of pay.⁴⁷² Some detainees arrived with only the clothes they were wearing because they had been forced to leave their belongings behind.⁴⁷³ The local population gave food and clothes but many still died due to starvation, especially children and the elderly.⁴⁷⁴ Assistance from the ICRC from February 1982 greatly improved the daily living conditions, including providing them with medicines, rice, milk, sardines, mung beans, tea and sugar, tinned food and other foodstuffs.⁴⁷⁵ A doctor also made visits to the island to attend to the sick.

Members of the Koramil, the police and local Hansip were in charge of guarding the internees on Ataúro. Detainees were sometimes permitted to leave Vila to find food, but they had to first seek a travel permit from the Koramil to go outside the camp, and had to report back to the Koramil on their return.⁴⁷⁶ Breaches of the rules were severely punished.⁴⁷⁷ Ceu Lopes Federer explained, however, that the travel permit rule was more strictly enforced during an internee's first three months on the island, and was then applied more leniently so that people could go further from the main town without permission. Similarly, the evening curfew implemented by the Koramil was set first at 6.00pm, then extended to 8.00pm and then extended again to 10.00pm.⁴⁷⁸ Internees were able to organise entertainment, such as dancing *tebe licurai* and *tebe dahur* (forms of traditional dance) later in the period.⁴⁷⁹

Family members were not allowed to visit detainees and most detainees had no way of informing their loved ones of their whereabouts. From 1982* the ICRC began recording detainees' names and home villages and then informing their families.⁴⁸⁰ For example, Maria Fatima da Costa of Same (Manufahi) told the Commission that six months after her husband disappeared, the ICRC came to tell her that her husband was on Ataúro. She was able to write a letter to him and send it through the ICRC.⁴⁸¹

Although most detainees on Ataúro were not interrogated once they reached the island, some interrogations were still conducted. Guilherme da Costa described how, usually within the first three months of their arrival, certain individuals were called to the Koramil or the police station, and interrogated. The interrogations were conducted by, among others, First Lieutenant T317 and T318, (both Indonesian) a Pasmal (Pasukan Maritim, Marine Troops), and a Second Lieutenant (marine unit).⁴⁸²

From 1983 onwards the authorities began sending people home or to other places in Timor-Leste. The people arrested and sent to Ataúro in connection with Mauchiga first sent to Bonuk (Hatu-Udo, Ainaro) for a few weeks before being allowed to go home. A large group of people believed to still be a threat, were sent to Cailaco (Ermera).

According to Ceu Lopes Federer, compared with the conditions of prisons in Dili they were better off because they were not beaten every day. However, they lived in appalling conditions, away from home and many died of hunger and disease. Adelina Soares said it was like a prison. It was isolated. A few people did try to escape, but they were unsuccessful. She described their life in Ataúro as consisting of a lack of food, hunger, illness, loss of contact with family, mental depression and trauma.⁴⁸³ For more detail on conditions on Ataúro see Chapter 7.3: Forced Displacement and Famine.

* Witnesses reported to the Commission that the ICRC began visits in 1981. However the ICRC's Annual Reports suggest that the first visits were in early 1982.

Operation Security (*Operasi Keamanan*), 1981

426. Operation Security (*Operasi Keamanan*) was a response to the resurgence and revival of Fretilin/Falintil in early 1981.^{*} The operation was launched in June 1981 to clear the Resistance out of rural areas and to break the clandestine networks that ensured Falintil's survival in the forest.[†] Although the operation is best known for its staging, on a massive scale, of “fence-of-legs” operations (*operasi pagar betis*, also known as *operasi kikis*) around the territory to flush out Falintil fighters it also involved the detention and transportation to Ataúro of large numbers of civilians connected to the Resistance.[‡] The Commission's quantitative analysis shows a clear increase in numbers of detentions on Ataúro from June 1981, with a peak in August at the height of Operation Security.

427. Mário (Marito) Nicolau dos Reis described this aspect of the operation as follows:

*The military was beginning to realise that the guerrilla fighters were continuing to win the support of the people. This was apparent through the continuing flow of logistical support, clothing, ammunition, and other...equipment to the guerrilla fighters. They [the Indonesian Military] decided on a plan that anyone who still had family in the forest would be exiled to Ataúro. This included us, who ran the clandestine organisation.*⁴⁸⁴

428. The Commission considers some cases of the mass transfer of civilians to Ataúro to be forced displacements; and they are discussed in Chapter 7.3: Forced Displacement and Famine. These are cases where the individual had not done anything “wrong”, but was moved to the island because they were related to a person still in the forest (and so assumed to be Fretilin/Falintil) or they were from an area where Fretilin/Falintil was active. Statements received by the Commission suggest that such detainees were usually not interrogated or detained in other places before being sent to the island, and so did not report ill-treatment or torture. Civilians in the eastern region of Timor-Leste, where Fretilin/Falintil was most active, were particularly vulnerable to suffering forced displacement to Ataúro.[§] In one case in July 1981 a group of 300 relatives of members of Fretilin/Falintil from the district of Baucau were called together by their village heads. The military then shipped them to Ataúro.^{**}

^{*} At the Fretilin/Falintil national conference in March 1981, Xanana Gusmão was elected as both the head of the newly formed Revolutionary Council of National Resistance (Concelho Revolucionário da Resistência Nacional, CRRN) and the commander in chief of Falintil. Under his leadership, Fretilin/Falintil began to rely more heavily on clandestine networks, particularly because the *bases de apoio* were no longer in operation. Falintil also became more localised, using smaller units to attack Indonesian targets [see Part 5: Resistance: Structure and Strategy].

[†] Pasmar 11 operated in Timor between 1 April and 24 November 1981 to assist ABRI in carrying out Operation Security. Their anti-guerrilla activities included: detection of civilian areas suspected of being sympathetic to the Resistance.; destruction of the spy networks through interrogation of detainees and from documents recovered; breaking connections between Resistance forces and their families by sending their families to Ataúro;

[‡] Operation Security is examined in detail in a number of chapters. For an overview and historical context, see Part 3: The History of the Conflict, see also Chapter 7.2: Unlawful Killings and Enforced Disappearances; Chapter 7.3: Forced Displacement and Famine; Chapter 7.5: Violations of the Laws of War; and Chapter 7.8: Violations of the Rights of the Child.

[§] HRVD Statements which indicate arbitrary arrests in the eastern districts of Timor-Leste: 7786; 7096; 3959; 7608; 4367; 5383; 0206; 4383; 5346; 8759; 8795; 3052; 6081; 6145 and 8744. According to Ernest Chamberlain, 24 families from Iliomar (Lautém) were exiled to Ataúro in 1981, all of which had Falintil relatives in the forest. Most were exiled for 15 months after which some were moved to Maliana (Bobonaro) for another four years before returning to Iliomar in 1986 [Ernest Chamberlain, *The Struggle in Iliomar, Resistance in rural East Timor*, Point Lonsdale, Australia, 2003, p. 25].

^{**} For example, Recardina Ximenes told the Commission that on 12 June 1981 the village head of Teki Nomata (Laga, Baucau), T319, told her that she should gather her things to go to Ataúro, because a family member, Teotoni, was still in the forest. He ordered Recardina, her two children, her husband, her mother and another family member to assemble in the office of a Babinsa along with many other Teki Nomata citizens. The group was then taken by trucks to the harbour in Laga to leave for Ataúro [HRVD 7786].

429. In other cases however, the Commission considers the transfer to Ataúro of political detainees during Operation Security to be a form of arbitrary detention. Victims were moved because they had done some act of resistance, anything from giving food to a family member still in hiding, to involvement in one of the emerging structures for support of the armed Resistance known as a Popular Resistance Nucleus (Nucleos Resistencia Popular, Nurep).⁴⁸⁵ The Commission also received reports of men arrested because they refused to join an Operation Kikis, or on their return from such an operation.⁴⁸⁶ These cases include:

- Celestino Verdial told about his arrest in Ainaro in mid-September 1981 following his return from an *Operasi Kikis*. The operation had found neither Xanana Gusmão nor Venancio Ferraz and the local military command began to suspect him of hiding the Falintil leaders. A member of the military arrested him and took him to the Hatu-Udo (Ainaro) Koramil, then to the Ainaro Kodim where he was interrogated, beaten and threatened with death until admitted to giving food to Venancio Ferraz. He then spent one week in the Koramil. Next he was sent to the army barracks in Taibessi (Dili). Celestino said that he was sent by helicopter to Ataúro with 11 others in 1981.⁴⁸⁷
- Aquiles da Costa was arrested with his five uncles (Armando Soares, Jacinto Soares, Cipriano Soares, Pedro Soares and Izidio Soares) in Vemasse (Vemasse, Baucau) on 1 October 1981 on suspicion of giving eight bags of rice and one buffalo to Falintil. Two ABRI intelligence officers made the arrest and took the detainees to the Laga ABRI Post. Aquiles da Costa's uncles were beaten with metal batons and then all six detainees were tied up and submerged in water. They were detained for two days in Laga before being sent by boat to Dili and then to Ataúro for five years.⁴⁸⁸
- Fernando da Costa Lopes of Haurobo (Baucau) described how his father, José Lopes, was picked up and sent to Ataúro in late 1981. He had earlier been arrested twice for giving goods to Falintil. Somebody called T320 [an East Timorese town official] held José Lopes for one day and beat him.⁴⁸⁹
- Domingos Madeira was suspected of being a Falintil spy and of involvement in Falintil's attack in Haryana (Uato Haco, Baucau). On 15 June 1981 he was arrested by Hansip Commander T321, two members of Hansip called T322 and T323 and an ABRI soldier. His captors took him to the Venilale Koramil where he was interrogated by East Timorese member of the regional parliament, T324, Hansip Commander T325 and Commander T326. While they interrogated Domingos Madeira they beat him with a rifle butt, kicked him and punched him. He says he was beaten regularly until August 1981 when he was sent to the Balide Prison for several days before being shipped to Ataúro for two years.⁴⁹⁰

430. Most of those arrested through Operation Security came from the eastern region.⁴⁹¹ This corresponds with information in secondary sources, which suggest that this "scouring operation" concentrated on the eastern districts and that "the Hotel Flamboyant in Baucau was the central military command in 1981 for the 'fence of legs' operation [operasi pagar betis]".

431. Some arrests were also made in central and western regions during Operation Security but the strategy of detaining large groups of family members and displacing them to Ataúro was not used as extensively. Where it was used, family members were often detained and interrogated before being sent to the island. For example, an East Timorese woman told the Commission that in 1981 the East Timorese village head of Rotuto (Hatu Bullico, Ainaro), T327,

⁴⁸⁵ Cristiano da Costa in Michele Turner, *Telling East Timor: Personal Testimonies 1942-1992*, Sydney, New South Wales University Press, 1992, p. 185; See also Constância Pinto and Matthew Jardine, *East Timor's Unfinished Struggle, Inside the Timorese Resistance*, Boston, South End Press, pp. 84-86; A military instruction manual also states that "It is in the eastern sector that people's support is the most militant and most difficult to expose. This is because of the very strong, close family ties and also because it has been possible for the GPK to consolidate its political leadership in this region for several years." [Military Regional Command (Kodam) XVI, Established Procedure (PROTAP) on Intelligence No. 01/IV/1982: Instructions for Territorial Intelligence Activities in East Timor, translation in Budiardjo and Liem, pp. 193-210].

and an East Timorese person called T328, both acting on the orders of ABRI, forced her to be part of a scheme to make her husband return from the forest:

Village Head T327 brought me some letters persuading my husband and other Falintil members to surrender. At that time I had a young child but I [still] had to take the letters to the forest and stick them to trees on every path so that my husband...and other Falintil members would see them. Then ABRI imprisoned me in the Manufahi Kodim 1634 for seven months because at the time they were carrying out an operation at Aitana. The commander of the Manufahi Kodim [then] ordered me and my child (6 years) and my younger brother (4 years) to Ataúro. We were imprisoned on Ataúro for four years, seven months and seven days.⁴⁹²

432. Marçal Lourenço Ribeiro described his arrest in August 1981 on suspicion of providing food to Falintil:

I was arrested by ABRI in a farm in Ormahei, Letefoho [Manufahi] because I was suspected of making my garden close to the forest so that I could give food to Falintil. I was taken to the Manufahi Kodim 1634 where I was beaten by the Section Head of Intelligence [Kepala Seksi Intelligence, Kasi I] using a sandal four times on the head. Then the Head of Intelligence told a Hansip to put me into water tank for one hour, after which I was taken out and kept in a secret cell for around three days before I was taken out again to the general detention room. During my detention I was told by the Head of Intelligence to work in his rice field and also to tidy the grass around Same for three months.⁴⁹³

433. The incidence of torture also varied between the regions at this time for similar reasons. In the eastern region, there was a lower correlation between detention or ill-treatment and torture compared with the central and western regions. A likely reason for this difference is the higher proportion of targeted arrests of clandestine members in the western and central regions.⁴⁹⁴ Statements suggest that the military detained members of clandestine networks for periods of time on the mainland, where they were interrogated and often tortured, before sending them to Ataúro. Most families arrested, however, were shipped directly to Ataúro without interrogation. Because the eastern regions saw a higher proportion of family members arrested and sent directly to Ataúro, the proportion of detainees who also experienced torture or ill-treatment in these areas is less compared with the western and central regions. In the years mentioned, people from the 12 districts were sent to Ataúro.

After Operation Security

434. Operation Security ended at the end of 1981 without having captured a single senior Resistance figure.* In 1982 the military continued to detain members of the armed Resistance and clandestine networks and to move them to Ataúro. The military made many targeted arrests

* Some witnesses who had been part of *Operasi Keamanan* told the Commission that the group they were with did not engage in armed conflict with Falintil, did not make any arrests and did not kill anyone during the entire operation. Nevertheless, the Commission received information about several fatal violations during the operation, culminating in a confrontation between ABRI and Falintil on Mount Aitana which reportedly led to the deaths of a number of Falintil members and a mass arrest [see Chapter 7.2 on Unlawful Killings and Enforced Disappearances for more information on this incident].

based on information about the civilian population given by Hansip, Ratihs and other civil defence groups.

435. Adelino Soares told the Commission of his arrest for clandestine membership in Uatu-Lari (Viqueque) because of information a Ratih had given to the local military. Ratih T277 found documents belonging to the clandestine network, which named Adelino, on the body of an *estafeta* whom T277 had shot and killed. He immediately informed the Uatu-Lari Koramil of Adelino's involvement in the clandestine network. The Koramil commander ordered T330, T91 (an East Timorese translator) and a Koramil member to arrest Adelino at his home on 26 March 1982. On his arrest, Adelino described how he was threatened with a weapon and taken to the Uatu-Lari Koramil. The Koramil commander interrogated and beat him and the Koramil deputy commander beat him with a gun and kicked him wearing his military boots. After spending a month at the Koramil, Adelino and nine other detainees were taken to Ataúro by helicopter. He did not return home until 7 February 1986.⁴⁹⁵

436. The military also continued the practice of keeping suspected members of the clandestine movement close at hand so that it could monitor their activities. This may also have been a way for military intelligence to discover more about the clandestine networks. Marito Reis, a senior clandestine member, stated that he was called back from detention on Ataúro to become the driver of the Head of the Intelligence Section at the Korem, Willem da Costa. Marito Reis believes that this was a tactic "so that...I would give pieces of information about the organisations, or the problems there were in Timor-Leste". While working for Willem da Costa, Marito Reis led the clandestine network in Dili. He was arrested again in 1982 after the military discovered a clandestine magazine.⁴⁹⁶

437. Alexandrina Amaral described how she was detained in 1982 by members of the Ainaro Koramil after the Koramil Head of Intelligence accused her of being the wife of Falintil commander Venancio Ferraz. She was held in a special cell in the Ainaro Koramil where she was not given any food and, except for using the toilet, was not allowed to wash during the two days she was held there. She was then taken to Dili and held in the Comarca for nine days before she was transported by boat to Ataúro. In 1986 Alexandrina Amaral was released but decided to stay on Ataúro as she had already married and built a house.⁴⁹⁷

Late 1982 – Falintil *Levantamento* around Mount Kablaki

438. The Kablaki uprisings occurred on 20 August 1982 around Mount Kablaki in the villages of Mauchiga, Dare and Mulo (Hatu Builico, Ainaro), Aitutu (Maubisse, Ainaro) and Rotuto (Same, Manufahi). The Commission conducted extensive research in the Mauchiga region about the events in August 1982 and much of the following is drawn from this research.⁴⁹⁸ For cases of the arbitrary detention of civilians from Rotuto and Aitutu, the Commission has relied on narrative statements and Community Profiles the Commission.

Early arrests

439. On 6 July 1982 three Falintil members held a meeting with 36 men from Mauchiga in Nailemali (Mauchiga) to plan an attack on the Hatu Builico Koramil. The Indonesian military received information about the meeting and on 10 July 1982 the military and members of Hansip from Hatu Builico began a house-to-house operation in the villages of Gulora, Mauchiga and Hatuquero.⁴⁹⁹ They arrested around 30 people, 16 of whom had attended the meeting. All detainees were taken directly to the Ainaro Kodim.⁵⁰⁰ Abilio dos Santos Belo, one of the detainees, described to the Commission:

When we arrived at the Kodim they put us into a special detention place. The head of intelligence from the Koramil conducted the investigation and tortured us one-by-one. It wasn't just me who was beaten by members of the Koramil and the head of intelligence; other friends were beaten until they bled heavily and some died in detention.⁵⁰¹

440. The military held the prisoners in Ainaro for more than one month before transferring them to the Comarca. They became the first people from the Mount Kablaki area to be sent to Ataúro.⁵⁰²

Following the *Levantamento*

441. Despite these arrests in July of civilians from Mauchiga, the Falintil attacks went ahead on 20 August 1982.^{*} Falintil soldiers under the command of Venancio Ferraz and Mauhunu attacked several military and police posts including the Dare Koramil, the Koramil and police station in Hatu Bulico and the Hansip posts in Aitutu, Raimerhei and Rotutu.⁵⁰³ Immediately after the attacks, military forces from Ainaro, Same, Aileu, Dili and Lospalos converged on the region, including Infantry Battalions 744 and 745. These battalions were reinforced by members of Kodim 1633, the police and Hansip.⁵⁰⁴ Military forces burned down houses in Dare, shut down the schools and forced women and children to act as guards at military posts.⁵⁰⁵ After burning down the houses, the army put up posts in every aldeia in the area and added about eight "community posts" around Dare.⁵⁰⁶ Falintil fighters and much of the population fled the area, some up Mount Kablaki. A group of about 30 from Mauchiga who hid in the Nonai Cave were captured and taken to Dare. Another group from Mauchiga hid in Tisimai, close to Same, but eventually surrendered to the Same Koramil.⁵⁰⁷

Arrest

442. Those who did not have an opportunity to flee the villages of Mauchiga, Dare or Mulo were caught by the military. In Mauchiga, the entire village population was arbitrarily detained and taken to Dare. In other villages, the evidence suggests that the military targeted individuals suspected of involvement in the attack or of having useful information. The evidence on which the military based its arrests was often scant. Mariano de Araújo from Mulo for example, told the Commission that he was arrested because Hansip ordered him to do security work at the Hatu Bulico Koramil. When he didn't go they arrested him on suspicion of involvement in the uprisings.⁵⁰⁸

443. In Rotutu, some members of Hansip were arrested.⁵⁰⁹ Luis da Costa Soares told the Commission that he was arrested with 18 others who were suspected of being part of the uprising in Rotutu. They were taken first to the Manufahi Kodim, then to the Nanggala post in Aisirimou (Aileu), the Dili Korem and finally to the Balide Prison (Comarca). They were held in the Comarca until October 1982 when they were sent to Ataúro.

444. Family members of known Falintil or of people who fled from their villages were also targeted. Luis Nunes told the Commission that he fled to the forest after the attacks but the military arrested his family on suspicion of being Fretilin, including his wife Beatris da Costa and five other family members: Alzira da Silva, Olandina da Costa, Talvina Freitas, Rosantina Seizas and Luisa Xavier. They were taken to the Rotutu military post for one night then to Same Command Post at the Koramil for nine days. They were then sent to Ataúro for three years.⁵¹⁰

^{*} Word spread in Mauchiga that on 20 August, the anniversary of the founding of Falintil, there would be a general uprising throughout the entire territory. [See CAVR and Fokupers, Women's Research Team Report, Appendix I.0. Abuse of Women's Human Rights from a Community Perspective: Mauchiga1982-1987, Mauchiga, Ainaro, 2003, p. 2].

445. Most arrests in the area around Mauchiga were made by Hansip, often accompanied by an ABRI officer, such as the Kodim Head of Intelligence, or a government official, such as East Timorese Sub-district Secretary T331.⁵¹¹ Members of Hansip mentioned most frequently to the Commission were T332, T333, T334 and T335. In Rotuto, the commander of the Manufahi Kodim, the commander of the Same Koramil and the district administrator conducted arrests.⁵¹²

446. Some people were arrested at different times by different agencies. Mário Amaral was arrested by the Koramil before the Mauchiga attack and then again a few months later by the Kodim. According to his relative, Domingos Amaral, the two institutions did not share information with each other:

Whether the Koramil or the Kodim, the police or other military institutions, [all] have their own lists of names for arrests of civilians. Because people imprisoned in the Kodim were unknown to the Koramil or other military institutions, and vice-versa. People detained in the Koramil were unknown to the Kodim and other military institutions in charge of Ainaro at the time. [ABRI] sometimes didn't work together in detaining civilians. It seemed as if the people had become objects in [ABRI's] contest to rise up the ranks.⁵¹³

Detention and interrogation

447. Civilians detained immediately after the attacks were interrogated for several hours. Those captured in the towns of Mauchiga, Dare or Mulo were taken to the Koramil in Hatu Bulico, the Ainaro Koramil or the Dare Koramil. Those from Aituto were taken to the Ainaro Kodim and military posts in Same.[†] In Rotutu most detainees were taken to the Manufahi Kodim and held for between one day and three months.

448. Some detainees were released after interrogation while others were kept for further investigation. Detainees from Mauchiga and Mulo who were not released were taken to the Ainaro Kodim.⁵¹⁴ People from Mulo describe how ten detainees were held in the Ainaro Kodim in a room so small that they were not able to sit.⁵¹⁵ Others were taken to the ABRI post in Lesu Hati and held there for periods ranging from a few days to a few weeks.⁵¹⁶ After a week, 12 Hino trucks stopped in Lesu Hati to drive detainees to Dili so that they could be sent to Atauro. The trucks were already so full of detainees from Same and Ainaro that only a few could fit onto the trucks. The village head of Aitutu, T358, took it on himself to take those who were left in Lesu Hati to the Dare Koramil by foot.⁵¹⁷

Torture and other cruel, inhumane and degrading treatment

449. Treatment of detainees was extremely harsh and many were tortured. In Ainaro interrogations and torture were carried out by Indonesian Ainaro Kodim members such as Commander T359,⁵¹⁸ the Koramil Commander T360,⁵¹⁹ Koramil Commander Sergeant T361,⁵²⁰ Sergeant T362⁵²¹ as well as members of Infantry Battalion 744 in the Mantuto post⁵²² and Combat Engineer Battalion (Yon Zipur) 5 troops who were located in Dare from 5 September until December.⁵²³ The sub-district administrator of Hato Bulico, T363, was also mentioned in one statement.⁵²⁴ In the Manufahi Kodim, Indonesian Head of Intelligence T364, the Kodim Commander and Babinsa T365 [East Timorese] interrogated and beat people. Details from these cases include those of:

[†] Other Hansips named were: T336, T337, T338, T339, T340, T341, T342, T343, T344, T335, T346, T347, T348, T349, T350, T351, T352, T353, T354, T355, T356 and T357.

[†] HRVD Statement 2050; Domingas Pacheco was arrested by Infantry Battalion 745 in Aituto and taken to the Ainaro Kodim for interrogation [HRVD Statement 4910].

- Domingos Melo, who told the Commission that he was knocked out when he was hit on the head with a piece of wood. When he regained consciousness, he found that a stab wound had pierced his knee and he was in a detention cell.⁵²⁵
- An East Timorese woman from Mauchiga described how on the day of the military attack, soldiers were firing at civilians. She tried to run but was caught and the soldiers kicked her and stabbed her with a weapon. One of those she was with at the time of the attack, João Tilman, was killed in the shooting. The soldiers cut off his head and forced her to carry it all of the way to Dare. When they reached the village of Dare, the head was buried and she was taken to the Ainaro Kodim where she was held for three months. During this time she was given electric shocks to the face. She was also forced to become a Muslim. When she refused, she was beaten unconscious. She was forced with another detainee to search out Falintil in the forest for one and a half months. When they returned empty handed, she was forced to “marry” a soldier for more than one year.⁵²⁶
- Rui Soares de Araújo was a member of Hansip who was detained and tortured in the Ainaro Koramil for giving vital information to Falintil before the attack. He had told Falintil Commander Venancio Ferraz about the number of soldiers and weapons in the Dare Koramil as well as the soldiers’ patrol schedule and the times that the Koramil office would be empty. He told the Commission:

After the Mauchiga incident, the Hatu Bulico Koramil Commander suspected me of cooperating with Falintil in the attack on the Dare Koramil...A week later, on 26 August 1982, I was arrested in the market by police officer T366 and taken to the Ainaro Koramil. I was interrogated there by the Head of the Intelligence Section and T366. Then T366 hit me with the electric cable, slapped and kicked my whole body over and over again, until I fell to the floor unconscious. After that I was taken to the Ainaro Kodim and a month later I was moved...to Balide Prison. Then on 11 October 1982, I was taken to Dili harbour, and boarded the Seiçal ferry to be exiled to Ataúro with 11 other people from Ainaro.⁵²⁷

450. Sexual violence against detainees was perpetrated on many women detainees following the uprisings (see Chapter 7.7: Sexual Violence.) For example, six women who were taken to the ABRI post in Manatuto were tortured and raped. Some were raped in Lesuhati itself. An East Timorese woman told the Commission:

Every night I was always followed by ABRI and Hansip because at the time I was about 14 years old. Before I was raped, I was tortured in many different ways. I was beaten with a weapon, burned, water was poured over me, and I was stripped naked. They took me out [to the middle of the reeds] until something happened that I'd never imagined. On the first night, I was raped by T367 [East Timorese] from Infantry Battalion 744, a corporal. On the second night I was raped by T368 [East Timorese], a soldier from 744, also ranked Corporal. On the third night by I was raped by T369 [East Timorese] from Infantry Battalion 744, a Corporal. After that...my body was soaked with blood.⁵²⁸

Village detention

451. As well as holding victims in military commands, the military also used a tactic of “village detention”. This involved concentrating civilians from around the region within the boundaries of certain villages and keeping them in public and private buildings or areas.

452. For example, the Commission heard of many people from Mauchiga taken to Dare after arrest. First they were registered with the Hatu Bullico Koramil (Sub-district military command) and then they were divided into groups. Some were taken to the market and some to the primary school behind the Koramil. When the market and school were full, detainees were taken to private houses in Dare. Detention in this manner continued for several months.

453. Detainees held in the market built homes for themselves from wood and reeds. They were carefully guarded and could search for food or firewood only in groups and after seeking permission from the Koramil. A Koramil member would then accompany the group and it had to report back to the Koramil on its return. If someone wandered off alone or returned late, he or she was put into one of three fish tanks in front of the Koramil Dare. Detainees held in the school were held in three of the school’s four large rooms and detainees in one room were prohibited from talking to those in the other rooms.

454. Apart from the poor conditions in which these detainees were held, their experience was made all the worse by the ruthlessness of their captors and the impunity with which the military and its auxiliaries acted. The Commission has recorded numerous serious human rights violations perpetrated against civilians while their freedom of movement in their village was restricted in this way, including sadistic killings, sometimes committed publicly in order to terrorise the population.^{*} Widespread rape and other forms of sexual violence by members of both the military and Hansip were also reported.[†]

455. Torture and ill-treatment were committed not only to punish the individual but also to instill fear in the community. Victims were tortured before a crowd or were told to inform others of their maltreatment. For example, Leonel Cardoso Pereira from Aitutu told about how his older brother Fernão was tortured from the house all the way along the road until he reached the house of Hau Teo, used as a Hansip post. Fernão was tied to a pole for a day and a night without food and each time a member of Hansip entered or left the post he would hit or kick Fernão.⁵²⁹ Adelino de Araújo, who was 14 years old and a TBO at the time, was detained along with his father and older brother on Kablaki and experienced similar humiliation:

^{*} In just one example, Bernardino dos Reis Tilman witnessed Zipur 5 Commander T370 decapitate a man called Tomás with his axe before the local population. He then ordered the head of Tomás cooked at the Koramil headquarters in Dare. He forced two members of his battalion to eat the head while he took pictures. He also bit off the dead man’s penis and ordered some members to take photographs of it, which he later showed to the local population, announcing “all of you, later I will eat you like this. Your head I will cut off, I will eat [it] like this”. [CAVR Interview with Ana Britos who received information about her husband’s fate from Bernardino dos Reis Tilman, Mauchiga, Ainaro, 29 May 2003].

[†] The Commission has also received reports that members of the military and Hansip raped five women behind the market, two of whom were pregnant at the time of the rape. CAVR and Fokupers, Women’s Research Team Report, Appendix I.O. *Abuse of Women’s Human Rights from a Community Perspective: Mauchiga 1982-1987*, Mauchiga, Ainaro, 2003, pp. 8-9].

After about two days with them [soldiers at the Zipur post] I started seeing genitals and ears hanging from one of the pine trees at their Post. After a week or more, they took me to the Koramil Post again. I was tied to the flagpole at around 8.00 in the morning. My clothes were removed until I was naked and they gave me their underpants to wear while I was tied up. After that, I was let off of the flagpole and told to carry an empty box on my shoulders, walking towards the Zipur post. Along the way I was told to scream out to the people nearby and say: "Don't follow Falintil's ass! If you follow Falintil, you'll be the same as me!" When I arrived at the Zipur post, they took my picture. I asked for my clothes before they took the photo but they didn't give them to me. It wasn't until late in the afternoon that they gave me my clothes back.⁵³⁰

Forced displacement after the attacks

456. After the uprisings large groups from the affected areas were moved from their mountain homes to areas by the coast. Although, technically, this was forced displacement of civilians, in the minds of many of those moved it was "imprisonment". For example, when Dare had no more capacity to take detainees from Mauchiga, the Koramil commander asked the village head of Nunu Mogue (Hatu Bulico, Ainaro) for assistance. The village head agreed to take some detainees in Nunu Mogue and a simple shelter was constructed to house them. They were restricted to the area of Nunu Mogue but were given no food at all and had to depend on the generosity of the people of Nunu Mogue, who gave them land to start a garden. After two years living in these conditions, the Dare Koramil commander called the detainees back to Dare.⁵³¹

457. Another group of 431 people, 202 men and 229 women, from Mauchiga and Dare were sent to Atauro.* A further group of more than 100 people from the area was sent to Dotik (Manufahi) on the southern coast on 7 January 1983. They were joined by 50 people who had been held in the Same Kodim, including some members of Fretilin.⁵³² Luis Sarmenti Lin told the Commission that he was involved in the attack in Rotuto and was part of the group sent to Dotik after his arrest. He describes how detainees in Dotik were ordered by a platoon of ABRI soldiers to stand, with hands bound, looking into the sun from 7.00am to 12.00 midday.⁵³³ He received only one meal a day. After three years in Dotik Luis spent the next two years guarding the Hatu Bulico Koramil on the orders of the Koramil commander. Only then was he permitted to return home to Rotutu.⁵³⁴ Others who had been detained in the Same Kodim were forced to relocate to Raifusa (Manufahi) or to the island of Atauro.

Detention during the ceasefire: March to August 1983

458. On 23 March 1983 a ceasefire agreement was signed between ABRI and Falintil following several months of village level meetings (known as "peaceful contacts") and local level peace agreements with communities in the eastern districts. The ceasefire held until early August 1983. Despite the formal cessation of hostilities for this five-month period, however, the Commission has received evidence that the military continued arbitrarily to detain and to torture suspected clandestine members. The transfer of civilians to Atauro also continued during the ceasefire.

* CAVR Interview with Abilio dos Santos Belo, Secretary of Mauchiga Village from 1991, Mauchiga, Ainaro, 4 June 2003. Abilio dos Santos took the initiative to gather quantitative data about the fate of each person in the Mauchiga community including a list of all names of detainees after the Mauchiga uprising [see also Abilio dos Santos Belo, testimony to the CAVR National Public Hearing on Forced Displacement and Famine, Dili, 28-29 July 2003; see also Part 6: Profile of Human Rights Violations].

459. Cases of arbitrary detention and/or torture reported to have occurred during the ceasefire indicate that the military's programme of identifying clandestine members or members of Fretilin/Falintil continued during this period and that these arrests were conducted jointly between Hansip and Ratih and military units, particularly Special Forces. Some of these cases include those of:

- Abilio Soares, who told the Commission that on 15 April 1983 a Ratih named T371 and Hansip T372 arrested 20 men from Caicua Village (Vernasse, Baucau).^{*} They were separated into groups and Abilio's group was taken to the river, blindfolded and then beaten. Two weeks later, on 1 May 1983, Infantry Battalion 745 and Hansip arrested the same men and took them to Tacitolu (Dom Aleixo, Dili) and then to the Infantry Battalion 745 unit in Dili. Two of the detainees, Domingos and Nahe Dasi were reportedly slapped and their feet stomped on. On 18 May 1983 the military released 11 of the detainees and sent nine to Atauro.⁵³⁵
- Daniel "Barnabe" Pereira, who described his arrest in May 1983 in Laga (Baucau) by Infantry Battalion 144 Company Commander T373. He was suspected of being a member of Falintil. He was held for three days and three nights, beaten and burned with cigarettes.⁵³⁶
- Two deponents from Vessoru (Uatu-Lari, Viqueque) testified to being detained on 4 June 1983 on suspicion of working with Falintil. Gilbeiro Pinto Fernandes was taken to the Kopasandha post by Kopasandha Deputy Commander T374, on the orders of Kopasandha Commander T375. There he was held with Manuel Lopes, Lourenço Lopes, Valenti and Baltazar Mascareinhas. T374 then called him into the interrogation room where Gilbeiro Fernandes says that he was beaten, kicked and hit with a weapon causing two teeth to be knocked out. He was then hung from the roof for 15 minutes before the interrogation continued.⁵³⁷
- The Commission received a statement from an East Timorese man who stated that he was arrested in July 1983 in Urahou (Punilala, Ermera) by ABRI soldiers. He was held in the Ermera Kodim for 15 days where he was interrogated while being beaten, kicked and burned with cigarettes. He was then moved to the Comarca in Dili until September 1983.⁵³⁸

The breakdown of the ceasefire and Operation Unity, August 1983

460. The ceasefire completely broke down in early August 1983 with a series of uprisings (*levantamentos*) in the districts of Viqueque and Lautém, almost exactly one year after the *levantamento* around Mount Kablaki. Again, the military responded with widespread detention of civilians, ill-treatment and torture, together with other serious human rights violations. The ceasefire had given Fretilin an opportunity to approach communities and explain the importance of the struggle.⁵³⁹ Consequently, the clandestine network had expanded, particularly in the eastern districts where Fretilin/Falintil was most active and where it had strengthened.[†] The Commission heard of the following incidents on or around 8 August 1983:

^{*} The names of the men detained and their reported ages at the time were: Abilio Soares (48), Biana (20), Jaime (33), Alfredo (22), Delfin (42), Arnaldo (28), Feliciano (45), Cai Dasi (41), Aquiles (30), Jeremias (40), Mário Correia (20), Naha Dasi (34), Rubi Dasi (32), Domingos Guterres (50), Naha Hare (46), Bosi Hari (38), Sina Ono (37), Domingos Pinto (44), José Sina Du (28) and Julião (39).

[†] According to Father Domingos Soares (Father Maubere) the peace had been a tactic by Xanana Gusmão to buy time for the restructuring of the Resistance. Father Maubere arrived from Portugal in May 1980, and was sent as a new priest to Ossu in June 1980. His parish also covered Viqueque and Lacluta. [CAVR Interview with Father Maubere (Domingos Soares), Dili, 22 September 2003].

- A Falintil attack on a military base in Buikarin in the Kraras region resulting in the death of 14 Javanese engineers.⁵⁴⁰
- A group of Hansip deserted to join Falintil in the forest. Several subsequent attacks in other parts of Viqueque including in Uatu-Carbau on 19 August 1983⁵⁴¹ and Uatu-Lari⁵⁴¹ were also reported to have occurred at this time.
- Hundreds of members of civil defence organisations Wanra and Hansip as well as other able-bodied men fled the villages of Mehara (Tutuala, Lautém) Lore and Luro (Lospalos, Lautém) and Serelau (Moro, Lautém) to join Falintil.⁵⁴²
- In Mehara, a group of Hansip under the command of Raja Miguel dos Santos (Kuba) seized weapons from the police and the Koramil, including a Metrahadora automatic weapon,⁵⁴³ and then joined Falintil.⁵⁴⁴ This is sometimes referred to as the armed uprising (*levantamento armada*).⁵⁴⁵
- In the sub-district of Iliomar (Lautém), four East Timorese Hansip, T338, T339, T440 and T394, reported to the Koramil that two Falintil members had asked them to participate in an attack on the military in Iliomar the following evening. The Hansip, afraid of the repercussions of such an attack, killed the two Falintil fighters.⁵⁴⁶

461. In response to these attacks or foiled attacks, Operation Unity (*Operasi Persatuan*) was launched on 17 August 1983. On 9 September the Indonesian government declared a state of emergency and five days later President Soeharto ordered a “clean sweep” of the armed Resistance.⁵⁴⁷

462. Accordingly, the military conducted a massive crackdown in the districts of Viqueque and Lautém which also reached into other areas of the territory including Baucau, Aileu and Dili. Bombing raids were conducted between August 1983 and June 1984. The intensity of the operations is reflected in the Commission’s quantitative research. This indicates an increase in human rights violations in late 1983, especially in the eastern districts of Lautém, Viqueque and Baucau. Major violations of human rights included the massacre of civilians, the forced displacement of the civilian population to other areas, and the rape and use for sexual slavery of women from the region (see Chapter 7.2: Unlawful Killings and Enforced Disappearances; Chapter 7.3: Forced Displacement and Famine; and Chapter 7.7: Sexual Violence). In addition, the Commission recorded a sharp increase in incidences of arbitrary detention, torture and ill-treatment.

463. As in other operations, suspected members of the clandestine networks, particularly members of Hansip and Ratih which had been heavily represented in the attacks, were targeted for arbitrary detention, torture and ill-treatment. Because so many members of the Resistance had fled their homes to join Falintil, however, the brunt of the ABRI attack was borne by ordinary civilians, particularly the families of those who had fled.

Kraras

464. The population of Kraras (Viqueque, Viqueque) had largely fled up Mount Bibileo after the attacks. An operation was launched to find the villagers and was led by Infantry Battalion 745 and Chandraca 7 (Kopassandha), under the command of Major (Lieutenant Colonel) T364, Captain T377 and the Viqueque Kodim Commander T378.[†] They carried out an intense attack on the mountain, bombing it from airplanes and encircling the mountain.⁵⁴⁸ Much of the population was forced to surrender.⁵⁴⁹

[†] Attacks in Uatu-Carbau were reported in a number of villages including Dara Gata on 19 August 1983. [HRVD Statement 7340].

[†] Chandraca 7 (Kopassandha), comprising 120 members of Special Forces, landed in Viqueque on 28 August 1983.

465. José Andrade dos Santos told the Commission that in the aftermath of the killings in Kraras the entire region was plunged into fear. He explains that many from the area were arbitrarily arrested, held and tortured for around one to two weeks.⁵⁵⁰ Thomás Guterres from Uatu-Lari described how, in the months after Kraras, three or four military personnel would arrive at a house in the middle of the day or night and call from outside. When the door was opened they would storm in and take the suspect. If they did not get who they were looking for, often they would arrest members of the person's family, including women.⁵⁵¹

466. Arrests were widespread and victims were arrested in the forest and in neighbouring villages.⁵⁵² Mariano Soares, speaking at the CAVR National Public Hearing on Political Imprisonment in relation to Kraras, explained:

*After the massacre of August 1983, many people suspected of supporting the attack were arrested. [Viqueque] Kodim 1630 looked for people involved in the clandestine movement, and...also...started to arrest ordinary Viqueque people to transport them to Ataúro.*⁵⁵³

467. The Commission heard of one mass arrest following the *levantamentos*. In Uma-Uain (Viqueque, Viqueque) João Ximenes de Araújo described how Battalions 744 and 745 worked together to detain 100 civilians from the area and then held them in the Viqueque Kodim. They were then taken to Laga (Baucau, Baucau) and from there sent to Ataúro.⁵⁵⁴

468. In all other cases of arbitrary detention, however, the victims were targeted and arrested individually or in groups fewer than 15. As in other similar actions, the military targeted suspected perpetrators of the uprising, suspected members of the clandestine movement and civilians who may have had relevant information.

469. Matias Miguel was arrested by the village secretary T379, sent to the Viqueque Kodim for three days and then sent to the Comarca in Dili for three years.⁵⁵⁵ In Viqueque District, the statements received by the Commission suggest that clandestine members were targeted. Mário de Jesus Sarmento, a Fretilin member from Carau-Balu (Viqueque, Viqueque) was arrested by his uncle, East Timorese ABRI member T380. Civilians Pedro Soares, Inácio Pinto and Paul Gomes were also arrested. East Timorese Sub-district administrator T256 and the Sub-district head of intelligence then interrogated the four clandestine members for three nights in Carau-Balu before they were taken to the Viqueque Kodim.

470. Ernesto Freitas, also from Carau-Balu described how T256 and Head of Intelligence T382 approached him at his local government office and accused him of meeting with Falintil member Roque. That night, when he returned home from work, he was ordered to go to the Viqueque Kodim. At the Kodim he was interrogated, then sent to a house owned by the head of intelligence in Monument Village (Viqueque Town, Viqueque). Finally he was held for three months at the house of T383, the Sub-district secretary, where soldiers from Infantry Battalion 745 beat him.⁵⁵⁶

471. These arrests also occurred outside of the area. Antonio Tomás Amaral da Costa (Aitahan Matak) was arrested in Dili by SGI when they found out he was holding money to give to the Resistance. He was held in the Korem, the Military Police Headquarters in Balide and then sent to Kupang with another 68 detainees.⁵⁵⁷

472. Carlos Alfredo da Costa Soares told the Commission of an entire division detained and interrogated. He recounted how he and 159 other members of Hansip were arrested after the Kraras uprising and taken to the Viqueque Kodim. After several weeks they were moved to the Baucau Kodim by truck, where the Kodim Commander interrogated them one by one. He was hit with the barrel of a rifle three times by a member of the Kodim. The same night they were put

onto a boat and taken to Ataúro where they stayed until 1986, when the Koramil let them return home.

473. The military crackdown in Viqueque lasted for around three months but arbitrary arrests and torture continued into 1984.⁵⁵⁸ Reports received by the Commission mention that in February 1984, members of Chandraca (Kopassandha) were still calling people to the Kodim in connection with the events in Kraras.⁵⁵⁹ Others, such as José Gomes, had fled to the forest with Falintil after the uprising and were arrested on their return. José Gomes was detained for about six months after the Kraras uprising by Chandraca 7, group 2, and subsequently was interrogated and tortured for two weeks in the Viqueque Kodim.

474. Territorial military commands were the main place used for holding detainees. In the sub-district of Viqueque, most detainees were taken to the Viqueque Kodim 1630.⁵⁶⁰ There, the Sub-district administrator, Martinho Fernandes, and Head of Intelligence, Amo Sani, conducted interrogations.⁵⁶¹ People from regions that neighboured Kraras such as Beaço and Ossu were also brought to the Viqueque Kodim by members of Kopassandha or the local Koramils.⁵⁶² The Infantry Battalion 745 base in Olo Bai was also used to hold detainees. According to Father Domingos Soares (Father Maubere), it became notorious for the extra-judicial killings and for the torture of detainees that occurred there. Detention at the 745 base usually lasted between one week and six months.⁵⁶³

475. Public buildings were also taken over and used to hold detainees. In Kraras the local parliament building, also known as the PIDE Portuguese[†] building, was taken over.⁵⁶⁴ Mariano Soares told the Commission that he was held in a toilet in the “PIDE Portuguese” for ten days after he had been interrogated at the Kodim. Detention in the “PIDE Portuguese” building usually lasted between a week and six months.

Uatu-Carbau

476. In the the sub-district of Uatu-Carbau (Viqueque), local village officials and Kopasandha were named as responsible for most arbitrary detentions.⁵⁶⁵ The Commission heard from Aderito de Carvalho that 12 men were arrested on 15 August on suspicion of involvement in the Kraras uprising. They were held in an empty house.⁵⁶⁶ Following the attack in Uatu-Carbau on 19 August, another eight men were reportedly detained and held in the Uatu-Carbau Koramil. Lindolfo de Jesus Fernandes, a clandestine member, told the Commission that he was arrested after returning from working in his fields on suspicion of helping Falintil. He was ordered to see the Uatu-Carbau Sub-district administrator, East Timorese T299, and was then detained in the Koramil with seven others.[‡]

477. Detainees from Uatu-Carbau were almost all taken to the Uatu-Carbau Koramil. Some remained at the Koramil for the duration of their detention, while others were moved to the Infantry Battalion 511 headquarters in Viqueque.

Iliomar

478. In the district of Lautém Infantry Battalion 641, Infantry Battalion 520 and Airborne Infantry Battalion 100, worked together with the Kodim and Nanggala units 2 and 4.⁵⁶⁷ In Iliomar, according to Ernest Chamberlain, Hansip who were also members of the clandestine network were the main target of the military, which used other “pro-integration” Hansip to detain, torture or

[†] CAVR Interview with Carlos Alfredo da Costa Soares, Ataúro, Dili, 26 October 2003. See also HRVD 9014, which states that 99 Hansip were forcibly moved by ABRI, because of their suspected involvement in the Kraras uprising.

[‡] A Portuguese government building used as the district headquarters for the secret police (Pide).

[‡] He was joined by Chiquito, Manuel de Conceição and his brother Hermenegildo de Conceição (Fretilin members), Armando Guterres da Silva Freitas, Jeremias Xavier, Afonso da Silva and Gaspar de Carvalho (a clandestine member). [HRVD Statements 7344; 7340; 7522 and 7523].

kill them.⁵⁶⁸ Most detainees were taken to the Iliomar Koramil, where interrogations and torture took place.⁵⁶⁹ Members of Hansip would assist in translating for Danramil T385.⁵⁷⁰ Marcos Fernandes testified that the Ratih members arrested in October were all taken to the Lautém Kodim.⁵⁷¹

479. The Commission's research suggests that the main target of arrests in Iliomar was local Hansip and Ratihs with clandestine connections.⁵⁷² Indonesian Koramil Commander T385, T386, (Chandraca Kopassandha), East Timorese Sub-district administrator of Iliomar T387 and District Assembly member T255 were named in reports of arrests.^{*} Most of the arrests in this area were conducted by pro-integration Hansip members, however, including the four who had refused to take part in the Koramil attack. East Timorese T389 was named in 15 cases of arbitrary arrest reported to the Commission, and also ordered other Hansip members to participate.⁵⁷³

480. Erminio Pinto described how Kopassandha senior officer T386 and Koramil Commander T385 found out about the Hansip clandestine network in the area through Filomeno da Gama, who was then killed. Soon after, they arrested four Hansip members: Erminio Pinto, Ernesto Madeira, Carlos da Costa and Luis Lopes. On 30 September T386 and T387, along with Hansip Commander T389 and member T390, arrested five more men from Iliomar: Carlos da Costa, Luis Lopes, Carlos Correia (civilian), Antonio Geronimo (civilian) and Belmonte Geronimo.

481. Hansip arrests in Iliomar continued into October as more clandestine members became known. Marcos Fernandes, a member of Ratih, told the Commission that a Ratih/Hansip member called Lourenço Marques who had run to the forest immediately after the incident in Iliomar surrendered on 3 October. He was arrested by ABRI Commander of Group 3, an Indonesian Major T391 and tortured for a week before he admitted the names of other members of Ratih who helped Falintil. Between 10 and 13 October 1983, ABRI arrested 15 members of Ratih from the Iliomar area.[†] All were taken to the Lautém Kodim.

Mehara

482. In the village of Mehara (Tutuala, Lautém), the military ordered combat battalions Infantry Battalion Territorial Units. 515, 641, Airborne Infantry Battalion 100 and Commando groups 1, 2 and 4, under the command of Second Lieutenant T392, to conduct widespread arrests of the residents.⁵⁷⁴ Battalions 541 and 641 arrested civilians in Mehara and from the aldeias of Loikere and Porlamanu, Mehara (Tutuala, Lautem)

483. Most statements received were from women from the village of Mehara. Wives of the Hansip members who had fled were arrested and interrogated about their husbands' whereabouts or ordered to go and search for their husbands in the forest. Domingas Alves Fernandes told the Commission:

^{*} Commander T385 [Koramil] was mentioned in HRVD Statements: 2113; 3930; 3938; 4399; 4407; 3925; 3949; 4384; 4393; 4397; 4436 and 4445. T386 [Senior Kopassandha], the senior member of the Chandraca (Kopassandha) team in Iliomar was mentioned in HRVD Statements: 4371; 3951; 4436; 3947; 4376 and 3952. T387 [Sub-district administrator, Iliomar] was mentioned in HRVD Statements: 4408; 3949; 4002; 2113; 3947 and 3927. T255 was mentioned in HRVD Statements: 2113; 3918; 3930; 3972; 4399; 4408 and 3951.

[†] On 10 October ABRI arrested nine members of Ratih: Marcos Fernandes, Manuel Victor, Joaquim Fernandes, Joaquim Manuel, José da Costa, Domingos Cunha, Telu-Lara, Januario Monteiro and Leopoldo Fernandes. On 13 October it arrested Antonio de Oliveira, Pedro dos Santos, Mário Pinto, Orlando Mendes, José Eurico and Antonio da Silva.

That day [8 August 1983] every mother whose husband or family had run off, including my husband, were told to go to the ABRI post where we were interrogated. We were told to look for [our] husbands or families in the forest and to shout using a megaphone. Some of us ten or more people, went to the forest behind [Mount] Paicão to find those who had run off...After we came back, we reported to them that we hadn't found anything. Every day after that, for several weeks, we had to report to the village office.⁵⁷⁵

484. Women were also left in a vulnerable position when men in the village went on forced searches looking for members of the Resistance in the forest. An East Timorese man was forced by the Task Force (Satuan Tugas, Satgas) commander of Tutuala to participate in a month-long search for the members of Hansip who had fled. His wife was ordered to go to the Infantry Battalion 641 post in Laluna Lopo, Poros, Mehara, (Tutuala, Lautém) where she was interrogated about her husband's clandestine work and whether she had ever met any members of Fretilin. She was held for three nights. On one night, she was kissed and touched but she was not raped. Her husband was taken to the Kodim 1629 in Lospalos (Lautém) and was never seen again.⁵⁷⁶

485. The community of Porlamano in the village of Mehara told the Commission that some family members of fugitive Hansip members were brought to the Infantry Battalion 641 military post and tortured, while members of Battalion 641 and Airborne Infantry Battalion 100 destroyed their possessions.⁵⁷⁷ Detainees were also held in public buildings in the town including the primary school building and the Church.⁵⁷⁸ Members of Airborne Infantry Battalion 100 arrested many wives of the members of Hansip and held them in an empty traditional house (*Uma Lulik*).⁵⁷⁹ They then moved them to the Porlamano village square where the East Timorese Sub-district administrator of Tutuala, T393, and commander T392 conducted interrogations.⁵⁸⁰

486. The intensive arrests around Mehara continued until the end of 1983.⁵⁸¹ The community of Herana in Mehara, for example, told the Commission that in November Infantry Battalion 641 arrested ten people in the aldeia and handed them over to Airborne Infantry Battalion 100 and Infantry Battalion 745, to be killed⁵⁸²

Maria's* story

Maria's story illustrates the devastating impact of the crackdown following the *levantamento* on the lives of family members of those involved. Maria's husband joined Hansip and civilians in the village of Mehara in the flight into the forest on 8 August. ABRI arrested Maria on 10 August 1983 in Mehara, two days after the *levantamento*. She was taken directly to the Lospalos Kodim 1629 (Lautém).

While at the Kodim, she was interrogated by the Indonesian military on the whereabouts of her husband, again and again. She was kept in a dark cell. Her parents were also imprisoned and interrogated for 15 days in the Tutuala Koramil. Her youngest child, just seven months old, was brought to the Lospalos Kodim, and hung upside down by the feet for several hours. This child was targeted because it was the child of her current husband. (Maria's other three children were from her first husband.) During the three years she was imprisoned at the Kodim, she said she was raped repeatedly and miscarried three times. She did not want the children to be born because each baby in her womb was the result of ABRI rape and she did not know who the fathers were. In 1986 they released her from the Kodim, but she was still not completely free. She had to report once a week to the military. The Commission heard that in 1988 she was forced to search for her husband in the forest with members of Infantry Battalion 745 behind her. When she found her husband, he was shot dead by the soldiers. Her reporting conditions then ended. Maria died before the writing of this report.⁵⁸³

Torture and ill-treatment

487. The mistreatment of detainees in the districts of Viqueque and Lautém was particularly harsh.⁵⁸⁴ Many were killed or disappeared, as set out in the Chapter 7.2: Unlawful Killings and Enforced Disappearances. As in the aftermath of the Marabia attack and the Kablaki *levantamentos*, the increased reports of torture and of ill-treatment after Kraras appears closely to match the increased number of detentions, suggesting that a high proportion of individuals arbitrarily detained were also tortured.

488. Almost all detainees from both Viqueque and Lautém reported being badly beaten.⁵⁸⁵ Several also reported being burned with cigarettes and electrocuted, forms of torture in use since the beginning of the Indonesian occupation.

489. Isabel da Silva from Beaço, Maluru (Viqueque, Viqueque) described how her husband Jeremias, head of the primary school, and his brother, Caetano, were taken by a member of the Special forces (Nanggala) to the Viqueque Kodim where they were tortured before they disappeared. The Sub-district administrator, T256, had found out that Jeremias had given books, a ball and net to an old school friend, Rosito, who at that time was a member of Falintil. Isabela told to the Commission:

My husband was interrogated and tortured by being burned with cigarettes. His foot was crushed under a chair leg when someone sat on it. My husband was accused over and over again of being "a spy, and two-faced". Then he said, "It is better that I am just killed rather than suffer like this."

* "Maria" is a pseudonym substituted in order to protect the identity of the victim.

On 28 March, Jeremias was told to get into a tank and that he was going on an operation. My husband, Jeremias, and I already knew that he would be killed...[He] was taken by an Ambonese Nanggala and the Viqueque head of intelligence...in the direction of Kraras.

After a week, I went back again to the Viqueque Kodim to ask where he was. They just laughed and said, "that prisoner is still on an operation".⁵⁸⁶

490. Others described particular forms of ill-treatment. Mário de Jesus Sarmiento told the Commission that he was interrogated in Carau-Balu by Sub-district administrator, T256, and the head of intelligence, T382 [East Timorese]. If he did not answer their questions, he was punched, kicked and burned with cigarettes. After three days he was taken to the Viqueque Kodim by four Kodim members and, while on the road, they cut off his ear and forced him to eat it.⁵⁸⁷ This was witnessed by Pedro da Costa Amaral who had been arrested on 19 August by eight Kodim members. Pedro himself was taken to the Flamboyant Hotel in Baucau where he was tortured by members of Kopassandha.⁵⁸⁸ Villanova Caetano, after being badly beaten with victims Domingos Rodrigues and Alberto da Encarnação, was forced by members of Airborne Infantry Battalion 100 to eat an entire packet of tobacco and a pair of socks.⁵⁸⁹

Aftermath of the *Levantamento*

Transfer of detainees out of the area

491. Many of those detained after the Kraras uprising were sent to Ataúro.⁵⁹⁰ Others were sent to prisons in Indonesia, including to Cipinang in Jakarta and to Bali.[†] The Commission heard that about 69 people were sent to a prison in Kupang (West Timor, Indonesia)⁵⁹¹ For more information on the use of prisons in Indonesia, see the box below.

Village detention in Lalerek Mutin, Viqueque

492. The detention and persecution of the local populations in 1983 did not end with the immediate crackdowns following the uprisings in August. The remaining civilian population of Kraras was moved to the village of Lalerek Mutin (Viqueque, Viqueque) and placed under tight surveillance so that their physical freedom was highly restricted. José Gomes[†] described how in the mornings the military would carry out a roll call and at night men and women were separated. Posts were constructed around the village in three rings, ostensibly to prevent the villagers from having contact with Resistance fighters. Residents of the village were deployed to guard all three levels. Nanggala manned the innermost layer. A giant human shield, therefore, surrounded the village. José Gomes said that "Lalerek Mutin was like a military barracks."⁵⁹²

Mass Detentions in Lautém

493. In Mehara (Tutuala, Lautém) and the sub-district of Iliomar (Lautém), the Commission heard of the communities being detained en masse in December 1983, four months after the uprisings.

494. In Iliomar four deponents described how on 5 December 1983 residents of Iliomar were forced to attend a flag-raising ceremony, where they received a "lecture" and were then arrested.⁵⁹³ Gabriel da Costa described:

[†] Marito Reis, a clandestine leader in Dili in 1983, told the Commission that this policy was intended to break up the Resistance. [CAVR Interview with Marito Reis, Baucau, 27 May 2004].

[†] At the time of writing, José Gomes was the village head of Lalerek-Mutin.

On Monday 5 December 1983 I participated in the flag-raising ceremony. After it ended, T255, the District Assembly member for Iliomar, T387 and T213, Hansip members, told six friends and me to go to a meeting in the Sub-district administration office. We went in and an hour passed before Hansip members closed the door and said to us: "It was God who created us to live in this world and God is the one who gave you up. You are arrested because you are two-faced, and you have opposed the Indonesian Government." Three hours later the Hansip members brought six of us to our place of detention, which at that time was the school building. The building next to it was made into a prison.⁵⁹⁴

495. On 12 December 1983, one week after the arrest of the civilians at the flag-raising ceremony, José da Costa told the Commission that all village and aldeia heads in Iliomar were asked to come to the primary school building to attend a meeting. After they arrived, the doors were closed and they were asked: "Are you the ones who want Timor-Leste to be independent?" José named 20 people who were detained at this time. They were beaten, kicked, and interrogated one by one. After ten days Commander T385 and T255 took nine of the detainees out of the building and they were killed.^{*} The remaining detainees were moved to a small building next to the school for a further three months where they endured daily interrogations. After their release they were required to report daily at the Koramil.[†] Many other civilians, who had been arrested individually after the two Falintil members were killed in Iliomar, were held in the building adjacent to the school.⁵⁹⁵ Americo de Sousa Jeronimo described how some detainees had to sleep in the toilet, which was full of faeces and urine.[‡]

496. Another mass arrest took place in Mehara around 16-17 December 1983. The Sub-district administrator of Tutuala (Lautém), T393, together with Infantry Battalion 641 and Airborne Infantry Battalion 100, ordered the whole population of Mehara and the surrounding villages, such as Loikere, to gather in front of the Mehara village office.⁵⁹⁶ A list of names was read out and those on the list were first put into the Mehara clinic. Then they were transported by truck or helicopter to the Kodim 1629 in Lospalos. At the Kodim, many were interrogated about the *levantamento* in Mehara, detained in harsh conditions and tortured. One witness described how he and others were tied together and taken to Lautém Kodim 1629 where they were interrogated and tortured. The methods of torture included beatings and electrocution.⁵⁹⁷

497. On 22 December 1983, four of Gabriel da Costa's friends were taken out of the school and killed in the Trilolo area (Iliomar, Lautém) under orders of Indonesian Koramil commander T385, Kopassandha senior member T386, T255 [East Timorese] and the Sub district administrator of Iliomar, T387. He and two friends were detained there for another year. They were released on an Indonesian national holiday on 28 October, "Youth Oath Day" (Hari Sumpah Pemuda) in 1984.⁵⁹⁸

498. Most of those detained after the mass arrest in Mehara in December were reportedly held for between four and seven months, after which they were returned to their villages. Some were still required to report to the local military command. The Commission received a statement indicating that the Lautém Kodim Commander issued a "letter of order" (surat perintah) to release prisoners.⁵⁹⁹

^{*} They were Antonio, Jeronimo, José Anunciación, Pelomonte, Joaquim, Martinho Monteiro, Carlos Coreia, Venancio, Americo and Cipriano.

[†] HRVD Statement 9171 says that the detainees were held at the Toko Cina (a shop).

[‡] Americo da Sousa Jeronimo was a Fretilin member who had been detained on 17 October 1983 [see HRVD Statement 3985].

Operation Security (Operasi Keamanan) in other districts of Timor-Leste

499. The Commission's research suggests that Operation Keamanan, which followed the uprisings in Viqueque and Lautém, concentrated on the eastern districts of Timor-Leste but also reached into other districts. Among such cases were the following:

- In the only statement from the district of Ainaro from late 1983, Manuel Agostinho Freitas told the Commission that he was arrested in Ainaro Town on 10 October by the Zumalai Koramil Commander and the East Timorese Sub-district administrator, T395. He was taken to the Ainaro Kodim where he was beaten, kicked and given electric shocks by Commander T377, the commander named in the torture of victims following the Mauchiga uprising. He was held in the Kodim for one month and then handed over to the Nanggala Kopassandha 55 unit, which held him for three days. He said that his arrest was in response to the killing of an ABRI soldier by Falintil in Nagidal (Zumalai, Covalima).⁶⁰⁰
- The Commission received 11 statements concerning cases of detention in the district of Baucau during August and September 1983.⁶⁰¹ Four statements described a group's detention and disappearance in Uma Ana-lku, Ossoala (Vemassee, Baucau). Six Team Lorico members led by T397 called ten men from the village to the house of the village head of Ossoala.⁶⁰² There, the Team Lorico members beat and kicked them and tied their hands behind their backs.⁶⁰³ Alice Andre Gusmão, the wife of one of the detainees, Alexandre Gusmão, said that the ten were detained because they had met Xanana Gusmão in Diuk, a place in Ossoala. She was told they were to be taken to the Ostico Post but they never returned (see Chapter 7.2: Unlawful Killings and Enforced Disappearances).⁶⁰⁴
- Five incidents of arbitrary detention were reported from Laleia (Manatuto), though only one statement gave the month in which the violation occurred. Agapito Viegas from Laleia told the Commission:

On 11 November 1983 I was watching my child while my wife was at the market, when suddenly a member of Milsas called T398 turned up. He arrested me and took me to the Laleia Koramil where I met my friend Pascoal who had also been arrested. We were told to wait for a public bus to Manatuto. On arriving there, we were then to report to the Manatuto Kodim. Two Milsas came with us whom I didn't know.

When we got there two members of ABRI interrogated us. They asked me what I had done wrong to get arrested. I said that I didn't know so they hit me twice in the back with a stingray and then hit me with a piece of sandalwood, a pretty big piece...Then another member of ABRI called T399 came and said: "Are you strong enough to handle the torture?" I said: "Whether I'm strong enough or not, I have to take it." He didn't like this answer so he hit and kicked me until I fell.⁶⁰⁵

⁶⁰⁰ The Commission received no statements from the period August to December 1983 from the districts of Oecusse, Ermera, Bobonaro or Covalima. One statement without a month attributed to it was received from Liquiça which, like Aileu and Ainaro, involved Nanggala 55 [HRVD Statement 0205]. Nine statements were received from the district of Manufahi from the year 1983 but the deponents did not specify the month that the violation occurred. Two cases described the arbitrary detention and torture of clandestine members [HRVD Statements 5442 and 5467]. Two referred to families detained for harbouring Falintil Commander Mau-Hunu [HRVD Statements 5483 and 5484].

500. Agapito Viegas told the Commission that he was subsequently sent to the Korem in Dili and then to the Kopasandha command where he was so afraid he lied. He said he had given food to Falintil. The torture then ended but he was detained for five months in Dili and made to tidy the grass at public buildings and schools.⁶⁰⁶

Aileu, 1983

501. The ceasefire provided an opportunity for Fretilin/Falintil to approach communities for support, but it also exposed members of the clandestine networks during the “peace contacts” (Kontak Damai) between Fretilin/Falintil and ABRI. The community of Fatisi (Laulara, Aileu) told the Commission that a “peace contact” was held in the village. After the ceasefire broke down, ABRI, Special Forces and various village officers cracked down on the clandestine members in Fatisi.⁶⁰⁷ Narrative statements indicated that 19 people were arbitrarily detained in Fatisi in August-September 1983.^{*} The victims were suspected of clandestine work,⁶⁰⁸ particularly of having helped Falintil commander Sakudi and two others who had been recently captured by Marine Battalion 303 and Nanggala-55.⁶⁰⁹

502. Most arrests were made in an early morning raid on 2 September 1983, although some occurred in late August. The group detained was taken first to a military post in an aldeia in Fatisi, where Luis Mouzinho was beaten and then killed. They were then taken to the clinic in Besilau and handed over to the village head who tied them up with wire. Francisco Pinto de Deus described walking there escorted by Hansip and the Indonesian Babinsa T400, still bloody from being beaten when he was arrested. On 3 September two soldiers from the Aileu Kodim came and collected the detainees. They were tied up by their hands and feet and driven to the Kodim, then thrown off the trucks like bags of rice. East Timorese soldier T401 and other Kodim members ripped off their clothes with a knife, leaving them naked. From 10.00pm the detainees were taken out one by one for interrogation, during which time they were beaten with a block of wood.

503. The experiences of the detainees from this point were highly varied and attest to a lack of coordination, oversight and discipline within the military. The experiences of the victims included the following:

^{*} The victims named to the Commission, compiled from various victims' statements were: Alfredo Carvalho, Romaldo Pereira, Joaquim Henrique, Luis Mouzinho, Mariano de Deus, Agostinho Pereira (also known as Agostinho Martins), Caetano Soares (also known as Caetano José Alves), Crispin dos Santos, Paul Soares, Moises Sarmento, Graciano Pinto, Antonio de Deus, Bernardino Santos, Victor Araujo de Deus, Afonso, Ananias, Serafin and Francisco Pinto de Deus.

- According to the statement of Graciano Pinto, his brother, Moises Sarmento, was taken away on 30 August 1983 by Babinsa T400 of Besilau [from Sumatra], an East Timorese ABRI intelligence officer T402, the Laulara Koramil commander and the Sub-district administrator of Laulara. He was not seen again. Graciano Pinto himself reported that he was detained for three years and was released only after the ICRC intervened.⁶¹⁰
- Alfredo Carvalho was also taken separately to Besilau and then, after several days, was taken to a cemetery by a Kopasandha member to be killed. He said that instead he was taken to Dili by helicopter. That night he was again taken out and told that he would be killed but instead he was taken to the military police and detained. He did not tell the Commission how long he was detained for.⁶¹¹
- An East Timorese man was beaten heavily then interrogated in Besilau for two days before being taken to the Laulara Koramil (Laulara, Aileu) and interrogated by the commander. The Koramil released him after finding nothing.⁶¹²
- At least five of the prisoners - Crispin Maria dos Santos, João Soares Pereira, Caetano Soares, Antonio de Deus and Afonso - were taken from the Aileu Kodim to Aisirimou where they were kept under close watch by Hansip and not allowed to look for food.⁶¹³ Antonio de Deus and Afonso died of hunger.
- The Commission received a statement from an East Timorese man that T801, a Babinsa, forced him to work for a company in Aileu for two months and took his earnings. He was then sent to work with Infantry Battalion 412.⁶¹⁴

Prisons in Indonesia, 1983 to the late 1990s

From late 1983, the Indonesian administration began to send groups of political detainees to official prisons in Indonesia, often after trials and sentencing. These prisons included:

Cipinang Prison in Jakarta, Java

Two waves of detainees were sent to Cipinang. The first was sent in 1984 in two groups. It included David Dias Ximenes, Mariano Bonaparte Soares, Aquilino, Fraga Guterres, Cosme Cabral, Albino de Lourdes, Domingos Seixas, Antonio Mesquita, José Simoes, Roberto Seixas, Agapito Rocha, Miguel da Costa, João da Costa, Martinho Pereira, Caetano Guterres and Marito Reis.⁶¹⁵ Dominggas da Costa was sent to Tangerang women's prison in West Java.⁶¹⁶ This first group was sent in March-April 1984, and the second, comprising 42 prisoners, in November-December 1984. By 1991, only four prisoners remained. In 1992, they were joined by Domingos Barreto, Virgílio Guterres, João Freitas da Camara, Fernando Araújo (La Sama) and then Xanana Gusmão.⁶¹⁷

Kedung Pane Semarang Prison in Semarang, Central Java

On 10 June 1994, the six people sentenced in Dili following the Santa Cruz demonstration were moved from Becora Prison to Semarang. They were Filomeno da Silva Ferreira, Jacinto das Neves Raimundo Alves, Francisco Miranda Branco, Saturnino Belo da Costa, Juvencio de Jesus Martins and Gregório da Cunha Saldanha.

Lowok Waru Prison in Malang, East Java

The only prisoner known by the Commission to have been detained in Malang was José Neves. He was studying in Malang at the time that he was arrested for clandestine activities in 1994.⁶¹⁸

Kalisosok Prison in Surabaya, East Java.

On 27 March 1997, 16 prisoners were transferred from the Buruma Prison outside the town of Baucau (Lembaga Pemasyarakatan) to Kalisosok Prison. They were: João Bosco, Mário Filipe, Marcus Ximenes Belo, Domingos Sarmento, Fortuna Ximenes, Filomeno Freitas, Justino Graciano Freitas, Virgilio Martins, Domingos de Jesus, Domingos de Jesus Freitas, João Freitas, Alexandre Freitas, Muhammad Amin Dagal, Ventura Belo, Marcus Ximenes and Albino Freitas.

Conditions in Indonesia

Penfui Prison, near Kupang, West Timor

Antonio Tomás Amaral da Costa (Aitahan Matak) told the Commission that 69 detainees, including himself, were the first group of prisoners to be sent to a prison outside of the territory of Timor-Leste. They were sent to Penfui Prison in Kupang in August 1983, flown there in a Hercules plane in the aftermath of the Kraras uprising. They were held there, without trial, until August 1984 when the ICRC visited the prison and complained about their situation to the authorities. The prisoners were held in appalling conditions. He recalled:

*For 14 months we ate only leaves and rice; they gave us one spoonful a day. The grains of rice that fell to the ground we picked up and ate. There were leaves outside. We tore our trousers and made a rope and threw it out to people and said to them in Indonesian, "Please, wherever there are leaves like goats eat, we need them all. Any leftovers that you want to throw away, give to us." They brought us their leftovers in a drum and threw them to us. We used the rope we had made from our trousers to haul papaya leaves inside.*⁶¹⁹

According to Antonio Tomás Amaral da Costa, only 14 of the 69 East Timorese prisoners detained in Kupang survived the ordeal. He names one victim, Duarte Ximenes, who starved to death but he says that the remaining 54 were handcuffed and taken away by military vehicle and they never returned.⁶²⁰ The 14 who survived were returned to Timor-Leste in 1985. They were then tried at Benfica⁶²¹ and served their sentences in the Comarca and then Becora until they were released in 1987.⁶²²

Prisons in Java

Later, groups of prisoners who had been tried and sentenced were sent to Indonesia. Former detainees of the Javanese prisons generally reported that conditions were much better there than in the prisons in Timor-Leste. One former detainee was astonished to be given a bed and mattress after he was moved to a prison in Java. That was when he realised that despite the rhetoric he had heard in East Timor about being "one nation", Indonesians "considered [us] second-class citizens...[and] treated us like animals".⁶²³ At Semarang Prison in 1994 there were reportedly no interrogations and the prisoners' sentences were reduced, sometimes by several months each year.

Reason for sending prisoners to Indonesia

It is not known why prisoners were transferred out of Timor-Leste but one former inmate mentions that it was because Indonesia needed more space to hold East Timorese detainees.⁶²⁴ It is also likely that it was a deliberate strategy to separate clandestine leaders from their networks. If this was the case, then the policy was unsuccessful.

Resistance activities in Indonesian prisons

⁶¹⁹ According to Antonio Tomás Amaral da Costa (Aitahan Matak), the 14 who survived were: himself, Fernando da Costa, Rogério Pinto, Paul Amaral, Paul Buikarin, José Gularte, Francisco Ximenes, João Bosco, Ernesto Pinto, Henrique Belmeiro, Mariano Soares, Alfredo da Costa, Augusto da Silva and Arthur Kaibada-Waimua. [CAVR Interview with Antonio Tomás Amaral da Costa (Aitahan Matak), Dili, 28 April 2004].

Many East Timorese political prisoners detained in Indonesia were able to continue their activities of resistance to the Indonesian occupation. In some cases imprisonment may even have helped the Resistance to broaden its communication networks. In Cipinang Prison, prisoners were able to rebuild the structures of their clandestine network.⁶²⁵ Xanana Gusmão explained:

I used João Camara's network, which was already established. Because I had knowledge of the forest and the city networks, I wrote to those inside Timor-Leste that I was still in control of...the struggle...[I was able] to maintain contact with the outside. At the time Ramos-Horta and his special deputy who worked at an NGO and who is now my wife [Kirsty Sword Gusmão] helped...[T]here was internet and e-mail which enabled us to build relations outside through all the existing networks.⁶²⁶

According to João Freitas da Camara, it was not difficult for the East Timorese in Cipinang to continue their resistance activities since they had support for their cause from some of the guards. Many of the guards took a liking to Xanana Gusmão and respected him. The prisoners also received help from outside in the form of a typewriter, a laptop computer, a mobile telephone and a video recorder. They paid the guards who would pick up the items and secretly hand them over. In this way they were able to continue producing documents.⁶²⁷

Arrests of members of the urban clandestine movement

504. During Operation Clean Sweep there were many arrests in the capital, especially of clandestine leaders. The Commission received at least 35 statements relating to arbitrary detention in Dili between 9 August and the end of December 1983. A further 15 reports did not specify the month of detention. Some leading figures in the clandestine movement were taking considerable risks during this time by approaching foreign visitors and delegations and by trying to inform them about the East Timorese people's predicament. Others were arrested while trying to send information abroad. Some of the cases the Commission identified included:

- Cancio Gama and 17 other members of Falintil were arrested and sent to Kupang (West Timor, Indonesia) after they tried to speak to an Australian parliamentary delegation led by Bill Morrison. Most died from starvation in Kupang.⁶²⁸
- Justo dos Santos was arrested in Dili on 25 July 1983, before the end of the ceasefire. He was taken to the Korem commander's house in Farol (Dili). He was kept in a hole, with only his neck outside. He was given a pack of candles that he "lit to shine a light in the hole day and night". After three months in the hole he was taken to the Korem, where he was accused of leading the clandestine movement in Baucau. For several Saturday nights in a row, from October to December 1983, the military took Justo dos Santos to Tacitolu on the outskirts of Dili. He was buried up to his neck in Tacitolu three times over the course of these visits.⁶²⁹
- Caetano Guterres was a clandestine member arrested in Dili in September 1983 by Kopasandha, after another detained clandestine member gave the military his name. He was kept incommunicado at the SGI Colmera (Dili) headquarters for three months. He told the Commission that he was interrogated every night, specifically about the plans and activities of the Fretilin Central Committee. The interrogations lasted between four and eight hours a day, closer to ten hours between 7.00pm and 5.00am for the first month.⁶³⁰ He was then taken to the Comarca and tried. Sentenced to eight years imprisonment, Caetano Guterres was moved to Cipinang where he was held until 1989.⁶³¹
- Marito Reis, a clandestine leader, described how in August 1983 Kopasandha sent him and ten other members of the Dili clandestine network to Bali for interrogation. They were not tortured but received only one meal a day. When they returned in November 1983 they were held in the Comarca where they were given electric shocks during interrogation. Marito Reis was then detained in the SGI headquarters for four months and then in the Kodim for one month before being returned to the Comarca. He was not tortured in either the SGI headquarters or the Kodim. Indeed in the SGI headquarters a captain stopped his men from hitting him saying: "This is a person; this is not an animal." In 1984 Marito Reis was tried and convicted. He was part of a group of political prisoners sent to Cipinang Prison in Jakarta to serve their sentences.
- On another occasion Marito Reis and five other clandestine members were called to the Korem where they were forced to sign a document which stated: "If you continue to do clandestine activities all of you will be shot where you stand."⁶³²

505. Clearly, the Indonesian military was beginning to recognise the importance of the urban clandestine movement, which was becoming increasingly organised, to the Resistance struggle. Detaining suspected clandestine leaders for long periods of time (and in some cases killing them) was the main strategy used by the military in response to this development. Apart from those people detained after the Marabia attack in 1980, very few members of the urban clandestine network were sent to the island of Ataúro. Instead, they were tried and sentenced to long periods of imprisonment, often in parts of Indonesia. Their experiences suggest the military had more detailed intelligence and a coordinated and graduated system for dealing with political detainees in Timor-Leste during this period.

506. Caetano Guterres, whom Xanana Gusmão made responsible for smuggling information about Timor-Leste overseas, told the Commission about documents that he had managed to send from Timor-Leste with a journalist who was covering the visit of the Australian parliamentary delegation in July 1983.⁶³³ Among the documents was a counter-insurgency manual prepared by the Indonesian army for its soldiers marked "Secret". Falintil had captured the manual from an Indonesian barracks. The Commission has obtained a document signed by Col. A. Sahala Rajagukguk, then the commanding military officer in East Timor, stating:

Hopefully, interrogation accompanied by the use of violence will not take place except in certain circumstances when the person being interrogated is having difficulty telling the truth [is evasive]...If it proves necessary to use violence, make sure that there are no people around [TBO, Hansip, Ratih, people]...Avoid taking photographs showing torture in progress [while being given electric shocks, stripped naked, etc].⁶³⁴

Arrest and interrogation in Dili late 1983

Aquilino Fraga Guterres (Etu Uko) was a clandestine member involved in sending information about the situation in Timor Leste abroad. In October 1983 the Dili Kodim found about his activities and ordered two intelligence officers, Domingos and Carlos, to investigate him. At the time, Aquilino was working as a driver at the Regional Development Bank (Bank Pembangunan Daerah, BPD)

I had no idea that the members of SGI and the director of BPD were about to trap me...[One day] the director told me to bring the car to a service station near the Social Affairs office. After I arrived at the service station it wasn't long before several unidentified members of SGI appeared and said...to me: "The director told us [SGI] to pick up a guest at the airport with you."...[W]hen I was in their car I was taken around Balide, [to the] Korem until we reached the SGI [headquarters in] Colmera.

At the SGI headquarters Kopassus members interrogated Aquilino. He was detained for one year and during his time in detention suffered beatings and electrocution:

First they destroyed me physically. For example in the matter of food, it wasn't a usual [amount] but was small portions for one year. I underwent a difficult time. I was also interrogated: "How many times did you meet with Falintil? What kind of support did you give to Falintil?" During the interrogation I was beaten with weapons, my feet were pinned under a chair, I was electrocuted. I felt like I was dying. They tied my body with ropes and my eyes were blindfolded with a cloth. Then I was thrown into a car and I didn't know where I was taken. I could only feel [where I was] and listen. For four hours I was taken around the city of Dili. After they were satisfied and tired, I was brought back to SGI Colmera.

After this, he was moved to the Comarca in Balide, where he was left without clothes. He was detained along with about 20 to 30 people in one cell. When they wanted to interrogate him, he was taken back to the SGI Colmera headquarters and then returned to the Comarca after the interrogation. Aquilino explains that during interrogation, officers simply wanted a confession:

During interrogation they didn't want to know about what I had done wrong. Instead Kopassus invented mistakes and forced us to admit to them. For example, that we sent ammunition, supermi [instant noodles], batteries [to the Resistance fighters]. They said: "If you admit it then you will be tried and then soon you will get out." That was against my conscience so I didn't do what they wanted. They were using the system: whoever succeeded in killing or torturing people would get a promotion in rank or a bonus.⁶³⁵

Arbitrary detention, torture and ill-treatment in 1984

507. The Commission's research suggests that 1984 was the beginning of a decline in arbitrary detentions, torture and ill-treatment, marking the beginning of the period of relative "normalisation" or "consolidation" (1985-1998).

508. Nevertheless, the year started with a military operation in the sub-district of Zumalai (Covalima). A number of people were arrested and some died in detention. After a deadly attack by Falintil on Indonesian military personnel in Zolo (Zumalai) in late 1983,⁶³⁵ Indonesian military personnel from the district of Bobonaro arrested people in both Bobonaro Sub-district and the neighbouring sub-district of Zumalai (Covalima) and possibly as far as the district of Ainaro. Some detainees were held at the Bobonaro Koramil,⁶³⁶ some at the Zumalai Koramil.⁶³⁷ Both men and women were arrested arbitrarily, sometimes merely because their names were similar to the names of people whom the military suspected of aiding the Resistance.⁶³⁸

509. Armando dos Santos, one of those detained, estimates that 100 people were held in the Bobonaro Koramil with him. The Commission identified at least 15 people detained from around Zumalai and Bobonaro Sub-districts through its statement-taking process.[†] Another witness provided the Commission with a list of 45 people who were detained and then killed in the operation.⁶³⁹ Six victims were arrested in the village of Carabau (Bobonaro, Bobonaro) in February 1984 in relation to the attack. Information provided to the military by other members of the community that they were members of Fretilin or had contact with Fretilin/Falintil resulted in the arrests.[‡] Clearly, the military had conducted an investigation following the attack in late 1983 to identify all Fretilin and clandestine members in the area, before making arrests. Arrest of actual or suspected Fretilin members in the sub-districts of Bobonaro and Zumalai continued until August 1984.⁶⁴⁰ Dinis de Araújo told the Commission:

One day my child was sick and I was looking after her. All of a sudden, ABRI brought four people to the front of my house, all tied up. I saw that most of them had been burnt. Like barbecued sweet potato, they were covered with black and dark [marks] on their bodies and faces. My hairs stood on end and I was filled with fear. But they didn't do anything to me. They just walked in front of my house. They probably already had my name. After one month, a Hansip from Bobonaro came to my house and arrested me.⁶⁴¹

510. All detainees identified by the Commission reported torture and ill-treatment. Miguel dos Santos was arrested in Hauba (Bobonaro, Bobonaro) on 7 February 1984 by Infantry Battalion 407 and brought to the Carabau village office before being taken to the Bobonaro Koramil:

Battalion 407 started the interrogation. They said to me: "You were with GPK/Falintil, shooting soldiers in Fatuleto/Zumalai. An East Timorese man, T403, the former village head of Oeleu, along with TNI, started beating, punching, kicking and burning me with cigarette butts. My body was hurt all over and my face was swollen. Blood ran from my nose, mouth and eyes."⁶⁴²

[†] Olandino Guterres told the Commission that the attack occurred on 7 December 1983 (the anniversary of the Indonesian invasion of Dili) and that Falintil killed seven members of Infantry Battalion 407 in Pelet, Lour (Bobonaro, Bobonaro). Infantry Battalion 407 was on patrol, when it was ambushed by Falintil. The Commission has not been able to confirm this account but notes that the three statements received from victims of arbitrary detention around Pelet give dates of their arrests between March and July 1984. Two of these statements were from the wives of victims who had been killed at the Koramil Zumalai. The reason they gave for the arrests was that their husbands had hidden a Fretilin flag.

[‡] They are: Armindo Franquelin, Alarico Sena, Francisco Talo Mau, Antonio Gomes, Afonso da Cruz, Manuel Freitas, Matias, Miguel dos Santos, José Noronha, Rozito dos Santos, Carlos Magno, José Cardoso, Agapito Moniz and Belarmino dos Santos.

[‡] For example, Antonio Gomes told the Commission that he was arrested by Infantry Battalion 407, Nanggala members and members of the Bobonaro Koramil based on "information" from five people from the village. [T404, T405, T406, T407, T408. HRVD Statement 5156].

511. Prisoners were sometimes forced to strip naked while being interrogated about the killing of the Indonesian soldiers. The Commission also received reports that prisoners were threatened with being doused with oil and burned alive. They were deprived of food for up to a week. Kopassandha officers, most likely from Chandraca 11, were involved in many of these beatings, although Hansip sometimes participated under the orders of Kopassandha officers. The Commission has determined that at least three prisoners were killed while in detention, although it is likely that there were many more (see Chapter 7.2: Unlawful Killings and Enforced Disappearances). Those prisoners who survived were moved from their homes in the mountains of Bobonaro to a newly constructed area called Halecou in the village of Ritabou (Maliana, Bobonaro) in May 1984.⁶⁴³

512. In other cases of arbitrary detention in 1984, the victims were arrested on suspicion of giving material assistance to Falintil, being in contact with Falintil leaders, having knowledge of preparations for a Falintil attack, or having family members in the forest.⁶⁴⁴ One deponent, Sama Leto, said that he was arrested by Infantry Battalion 412 and Kopasandha 55 both because they found a photograph of his younger brother who was still in the forest, and because he was the village head but refused to supply women to the military. He told the Commission:

I was arrested and taken to Tokoluli to dig a hole and then I was to be killed. But it didn't happen and I was taken back home. Two days later I was called back again. I was beaten until all of my teeth were broken. I was bleeding and my face was swollen. I was taken to Liquiça where I was detained with my friend Domingos [for two weeks]. I was detained then taken to Bazartete [Liquiça] for one day and then released because I donated a goat for the leaving party of Infantry Battalion 412 and Kopasandha 55.⁶⁴⁵

513. Some people were unfortunate enough to be caught in a Falintil attack, after which the Indonesian army suspected them of having cooperated with the attackers. Adriana Soares described how Falintil robbed a kiosk owned by her older brother, Manuel Gaspar, in Uaitame (Uatu-Lari, Viqueque) in April 1984. She said that someone in her village reported her and Manuel to the commander of Chandraca 7 (Kopasandha) and they were arrested. Adriana was interrogated and tortured with another young woman, Angelina. She told the Commission:

Angelina and I were put into a room and then our clothes were torn off until we were naked and then we were told to sit on chairs and were interrogated: "Say you were both in contact with Falintil, ok! You met Xanana and Commander Rosito!" Then that Nanggala member stood and hit me until I fell and...said again: "Xanana and Commander Rosito screwed the two of you!" We stayed silent. Then they burned Angelina and I with a cigarette on our bodies and thighs, but they didn't rape us. In May ABRI came at 5.00am and took 18 men detained there in a Hino truck. Their families still do not know where they are.⁶⁴⁶

7.4.7 Detentions and torture by the Indonesian occupation authorities, 1985-1998

Introduction

514. During the 14-year period 1985 to 1998, known as the period of "normalisation and consolidation", Timor-Leste purportedly became just another province of Indonesia and opened

up to the outside world.⁶⁴⁷ The Commission's research indicates that arbitrary detention, ill-treatment and torture of civilians was at lower levels than in the period 1975 to 1983, nevertheless they occurred in every year of this period.

515. Significant political shifts and changes in both the nature of the occupation and the nature of the resistance took place from 1985 to 1998. In 1987 Falintil split from the Fretilin party to become a non-partisan armed resistance (see Part 3: History of the Conflict, and Part 5: Resistance: Structure and Strategy). Isolated from the outside world, they became increasingly reliant on the clandestine front for survival and for most resistance activity. While regional armed clashes by the Resistance with the support of clandestine networks characterised the earlier periods, by the late 1980s the resistance occurred mainly in towns and cities, through demonstrations and other forms of political activism. A new generation of youth activists became the leaders of the urban clandestine movements. They continued to be directed by Falintil leaders in the forest (see Part 5: Resistance: Structure and Strategy).

516. Although Resistance figures were still detained and the use of torture in detention actually increased, the Indonesian military became less visible as the perpetrators of these violations. Police took over increasing responsibility for security in the territory. Members of Falintil and clandestine network members who were arrested were eventually charged and put on trial (see Chapter 7.6 Political Trials). In the early 1990s the military established local paramilitaries and youth militias who were responsible for many violations. The politicisation of resistance and pro-Indonesian youth led to outbreaks of civil unrest around religious and ethnic issues. These tensions resulted on a number of occasions in violent skirmishes between East Timorese youth and members of Indonesian security apparatus (see Part 3: The History of the Conflict).

517. Earlier established patterns persisted. The hunt for members of the armed Resistance and the clandestine movement continued. Those caught were arrested and arbitrarily detained, and suffered torture and other forms of cruel and inhumane treatment. Armed Resistance attacks on military or civilian targets also continued, although on a smaller scale than the early 1980s. As in the early 1980s however, the civilian population suffered widespread violations in the aftermath of the attacks. Torture remained a common experience during interrogation, and conditions of imprisonment were also often harsh. The numbers of detentions and incidence of torture and ill-treatment remained quite stable in this long and complex period. This section has been structured according to the broad reasons for detention rather than chronologically. The criteria included:

- involvement in or contact with the clandestine movement or the armed Resistance
- involvement in public demonstrations against the occupying power
- religious matters and other conflicts
- detentions in the course of searching for Falintil members
- Resistance attacks on Indonesian military or civilian targets

Profile of violations

518. The period of "normalisation and consolidation" of the Indonesian occupation between 1985 to 1998 is hallmarked by substantially different patterns of arbitrary detention, torture and ill-treatment compared with the other periods (namely the periods 1974-79, 1980-84 and the later period around the time of the UN Popular Consultation in 1999). In particular, the overall level of violence was lower between 1985 and 1998 than during the other periods. This hypothesis is supported by the Commission's quantitative findings. Consideration of the overall magnitude of documented violations reveals that although the period spans 53.8% (14/26) of the years under the Commission's mandate, only 23.8% (6039/25383) of the detentions, 30.5% (3393/11135) of

tortures and 27.1% (2292/8443) of ill treatments reported to the Commission occurred during the period.

Further evidence of this can be seen by looking at the daily violation rate. For detention, torture and ill-treatment, the violation rates on a daily basis were substantially lower during this period than in other periods, as can be seen in Figure <t_dailyvlnrate_4006001000.rtf> below. For example, the documented daily detention rate by the Commission for 1999 was more than 7.9 times higher in 1999 and 3.8 times higher in the initial invasion years than during the “normalisation and consolidation phase”.

519. Figure <t_dailyvlnrate_4006001000.rtf>: Daily violation rates for reported detentions, torture and ill-treatment by phase, 1974-1999

Period	Detentions	Tortures	Ill-Treatments	Total
1974	0.1	0.1	0	0.2
1975-1984	4.5	1.5	1.1	7.1
1985-1998	1.2	0.7	0.5	2.3
1999	9.3	7.5	7	23.8
Mandate Years	2.7	1.2	0.9	4.8

Source: Database of narrative statements given to the CAVR (HRVD)

Violations over space

520. Apart from the Santa Cruz Massacre and its aftermath in 1991 in Dili and surrounding regions, reported violence during the “consolidation years” from 1985 through to 1998 took the form of sporadic low-level violence in all three regions. The Commission documented relatively similar levels of detentions, tortures and ill-treatments during the “normalisation and consolidation” phase in the western and eastern regions and a slightly higher level in the central region during this period. This appears consistent with the fact that the major detention centres of the Indonesian military were in Dili.

Detention and torture

521. During the period 1985-98, individual victims were detained consistently more often than group victims, as can be seen in Figure <gpTS_groupindiv400.ps>. This is consistent with the hypothesis that the detention practices of the Indonesian authorities shifted from a focus on both individuals and groups in the early occupation years of 1977-1984 to a more targeted strategy aimed at individuals from 1985 to 1999. It also reflects the end of the mass displacements of civilians to internment camps such as Ataúro early in this period.

[Insert Figure <gpTS_groupindiv400.ps> about here]

522. The more targeted nature of violence by the Indonesian military is supported by the Commission’s statistical evidence: the correlation coefficient between documented detentions and tortures attributed to the Indonesian military during the “normalisation and consolidation phase” was 0.97. In particular, as shown in Figure <tphase400600.rtf>, the relative rate of tortures per detention increases substantially over the three phases of the conflict: from 0.29 in the early invasion years, to 0.52 in the “normalisation and consolidation” years to 0.69 during 1999.

Figure <phase 400600.rtf>: Ratio of reported tortures per detention attributed to the Indonesian military and police by phase, 1974-1999

	Detentions	Torture	Ratio of Detentions to Torture
1975-1984	10,867	3,237	3.4
1985-1998	5,465	2,921	1.9
1999	1,417	972	1.5
Total	17,749	7,130	2.5

Perpetrator affiliation

523. The institutions attributed with responsibility for detention and torture by victims also changed in this phase. The involvement of civilian defence (Hansip) drops markedly in 1984 following the Hansip-led uprisings in 1983, and falls further in 1985. The number of cases of detention involving police also falls from earlier levels between 1985 and 1990, but from 1991 police involvement increases until they are one of the main institutions making arrests. The Indonesian military remained the most frequently named perpetrator in documented cases throughout the period.

Detention of clandestine members

524. By 1985 the Indonesian authorities were convinced that Operation Unity (*Operasi Persatuan*) had largely destroyed the clandestine networks that sustained the Falintil armed resistance, and that Falintil numbers were dwindling. The armed Resistance was also taking a more cautious approach to the struggle. The strategy of the Resistance shifted during the 1980s to the point where armed conflict was secondary to the international diplomatic struggle, and generally did not seek large scale direct confrontation with the Indonesian military (see Part 5: Resistance: Structure and Strategy). Nevertheless, the clandestine networks were becoming more organised and many were placed under the control of a central structure in 1986, the Inter-regional Coordination Organisation (Organização Coordenadora Inter-Regional, or OCR).⁷ They also began targeting schools and youth groups for membership. This process of organisation and centralisation continued in the 1990s. The leaders of these networks were a prime target for the Indonesian military,

525. One hallmark of the phase was that the clandestine movement was increasingly led by youth and youth organisations. They carried out open political protests against the occupying power which are considered below. Detention and interrogation of actual or suspected clandestine members not involved in demonstrations continued throughout the period in all districts of Timor-Leste, including Dili. The Commission received over 500 reports of detention, ill-treatment or torture of clandestine members in this period. Clandestine detainees often experienced torture and ill-treatment at the time of arrest or while in detention.

1985 to 1988

526. In this period, Timor-Leste was still closed to the outside world. Communities were tightly controlled through extensive community intelligence networks and the pervasive presence of the occupying forces down to the neighbourhood level. Neighbours informed on neighbours. The military and police acted with impunity and with a free reign to treat suspected clandestine members as they chose (see Part 3: The History of the Conflict).

⁷ According to Vasco da Gama, Antonio Tomás Amaral da Costa (Aitahan Matak) and Paulo Assis Belo were active in this body. It was operative until 1988. [CAVR Interview with Vasco da Gama, Dili, 18 May 2004].

527. In one case, the Commission heard of Special Forces (Kopasandha) in the district of Lautém detaining minors on 23 May 1985 and subjecting them to torture and ill-treatment. Armindo Nunes (17) described how he and two friends, Augusto da Silva (18) and Amelio Nunes (17), all clandestine members, were arrested at their high school in Lospalos (Lautém). They were taken to the Kopasandha headquarters where they were detained, beaten, slapped and kicked. All three were then taken to the Lospalos Kodim where they were held with a Fretilin member, Domingos Savio, who had been shot and wounded. After two days and nights in the Kodim, Airborne Infantry Battalion 700 forces came and tortured the three youths. Armindo Nunes told the Commission:

That night they [Airborne Infantry Battalion 700] came and beat us by punching us in the head and kicking us in the knees. This happened every night for seven days. They just beat us; they didn't say a single word. Then in the morning we had water poured on us and were just left there saturated. After seven days I was called by a member of Kopasandha and he placed a table leg on my toes and then he sat on the table. A member of Team Alfa came in and said we would be killed if we didn't give up on achieving independence. I was interrogated four times during my time in detention and every time I was beaten in the same way, by being punched in the head. My head began to feel heavy and I couldn't answer their questions.⁶⁴⁸

528. For seven days the detainees weren't given any food and, unable to stand the hunger, they ate banana skins that had been thrown away. Amelio Nunes was released but new detainees arrived at the Kodim including Victor, José, Angelo, Martino and Manuel Xisto. They were all beaten regularly. In August Armindo Nunes was moved to the District police headquarters for one month. On 14 September 1985 he was taken by helicopter with five others to the Balide Prison in Dili for investigation where he was kept naked in a dark cell for around 15 days and where he slept on the floor. He was finally tried five months later and sentenced to one year and ten months imprisonment.⁶⁴⁹

529. Other examples of arbitrary detention from the early part of the period include:

Name	District	Arrest	Reason for Arrest	Detention	Torture/Ill-treatment
Moises de Jesus and Domingos ⁶⁵⁰	Ainaro	25 January 1985 by Hansip T409 and T410, a member of Kopassus.	Suspected of seizing rifles from Koramil and of giving them to Falintil.	Held in Ainaro Koramil for two days.	Continuously beaten.
Idelfonso Piedade Belo ⁶⁵¹	Baucau	17 September 1985 by Infantry Battalion 724 Commander T411.	Suspected of knowing where Falintil rifles were stored.	Detained in the Flamboyan Hotel in Baucau, interrogated by Indonesian ABRI Commander T412 for nights days and two nights	Beaten, electrocuted, burned with cigarette butts, submerged naked into a water tank several times by Indonesian ABRI Commander T413.
Antonio de Araújo Soares ⁶⁵²	Makadade, Dili	1985 by Rukun Warga.	Community ordered to pull a boat along	Taken to the home of the village head.	No torture reported

			the coast. Victim did not join in, so was accused of supporting Fretilin.		
Raimundo da Cruz ⁶⁵³	Viqueque	1985 by an Indonesian Kopassus commander named T414.	A neighbour lost a cow and accused deponent of stealing it to give to Falintil.	Held for three months.	Beaten, punched and kicked.
Herculano dos Santos ⁶⁵⁴	Hatulia, Ermera	April 1986 by the section head of village society development (Kasi PMD) T415.	Went to bank to take out money to pay staff but suspected of giving money to Falintil.	Held for one day in the Hatulia police station.	Choked, strangled and stepped on by T415 and then kicked by T416. At station, handcuffed and submerged in water for three hours.
Eugenio de Jesus ⁶⁵⁵	Hera-Lebos, Dili	By Troops from Infantry Battalion 723	Identity card found to be torn during check.	Held for one week in the Dili Kodim.	No Torture reported

530. During this period, political detainees who had been sent to the island of Ataúro in the early 1980s began to return.⁶⁵⁶ While some were completely free after their release, others continued to be monitored in their villages, or held in temporary detention or resettlement camps, such as those in Cailaco or Bonuk (Hatu Udo, Ainaro) (see Chapter 7.3: Forced Displacement and Famine).

Prisons in Timor-Leste

By the early 1980s the Comarca in Dili, the only official prison in Timor-Leste, was severely overcrowded. Military operations had resulted in large numbers of people being detained. From 1983 more prisoners were being put on trial and sentenced to long periods of imprisonment, for which they needed accommodation.⁶⁵⁷ Some political prisoners were being sent to prisons in Indonesia, but there was still a need for more prison space in Timor-Leste. Accordingly, in 1985, Becora Prison in eastern Dili opened. It was followed by Buruma Prison in the district of Baucau in 1986-87 and then prisons in Maliana (Bobonaro) and Gleno (Ermera).*

These prisons were run by civilian officials under the Department of Justice. They held both prisoners awaiting trial, and those who had been convicted and sentenced. In general, conditions in state-run prisons were better than in the numerous informal detention centres, military commands and other police and military institutions where political prisoners were held.

Torture and ill-treatment

Torture and ill-treatment in these institutions were less frequent than in other detention centres. No reports of torture were received from detainees in the Maliana and Gleno prisons, although several former detainees of Becora Prison reported serious ill-treatment by prison guards.[†] Torture was reported to have occurred at Buruma. Januari Freitas Ximenes, who worked as a guard at Buruma Prison from 1990 to 1999, told the Commission that he saw people being tortured during interrogation by the police. One man was tortured “for 40 days in a cell until he was battered and powerless.” The police forced prison officials to participate in beating detainees. He said: “I was forced and threatened at gunpoint [to slap a prisoner], and if I didn’t do it they would kill me.”⁶⁵⁸ Mário Filipe reported that he was tortured constantly at Buruma by Brimob.⁶⁵⁹

Dark cells

All prisons had “dark cells” (sometimes described as “special cells”) in which detainees were deprived of light and fresh air. They were used for newly arrived prisoners, for punishment or for solitary confinement.⁶⁶⁰ Some dark cells in Buruma Prison had a toilet and bath facilities and a mat to sleep on. Dark cells in Gleno Prison had a wash-basin and toilet. The Commission heard that several detainees were held in dark cells for excessive periods, amounting to cruel and degrading treatment. Octavio da Conceição spoke of his psychological suffering after being held for three months in a dark cell in Becora Prison.⁶⁶¹ Eduardo Lopes (Lorico Lopes), arrested in 1995, spent four years in Maliana Prison without seeing daylight.⁶⁶²

* Due to the destruction of Indonesian government records in Timor-Leste, the Commission has not been able to determine when the Maliana and Gleno prisons were first opened. However, statements received by the Commission describe detention in these institutions suggesting a date around 1990.

† For example, Manuel Pereira told the Commission that he was detained in Becora Prison for six months in 1987, during which time he was left in the sun for extended periods and on one occasion was forced to drag a car tyre which was tied around his neck, along with other prisoners. [HRVD Statement 0928. See also HRVD Statements 00185, 3729 and 5079. Cases of torture and ill-treatment in LP Baucau include HRVD Statement 7817].

Sanitation and hygiene in state-run prisons were below the standard required for the humane treatment of detainees in accordance with the the Geneva Conventions, and conditions did not appear to improve over time. Mário Filipe said about conditions in Buruma in 1997: “There was a toilet in the cell, but no water so there was a constant strong smell of faeces and urine.” Conditions at Maliana Prison were no better. In the late 1990s hygiene in the smelly, dirty cells was poor, especially since prisoners had to eat, wash, use the toilet and sleep without a mattress all in the same room.⁶⁶³ Former prisoners held in Timor-Leste consistently report they had to sleep on cement floors, often without mats and sometimes the floors were damp.

Sanitation was often mentioned to the Commission in conjunction with other human rights abuses. José da Costa Ximenes, detained in 1994 at the Buruma Prison in Baucau, was separated from others arrested at the same time. When he protested, the Indonesian prison governor, T419, called him a bastard and had him thrown naked into a dark cell for ten days:

*I was fed only porridge and dry rice. The dark cell had a toilet on the floor not far from where I slept, so I had to be careful not to spill any water when I washed myself, otherwise the floor would be wet. The cell was very small and I could not move.*⁶⁶⁴

Once prisoners were sentenced and convicted they were generally treated better than those on remand. They were usually moved from dark cells to the common room. They were no longer interrogated and they could move more freely around the prison. However, prison guards often treated political prisoners and ordinary prisoners differently. Felismina da Conceição said of the Becora Prison in 1992:

*They paid more attention to the criminal prisoners than to us [political prisoners]. When the regular prisoners became ill they could be taken to a hospital, but when we became ill we were only treated in our cells.*⁶⁶⁵

Julio Araújo Martins, detained in Gleno Prison, said the movement of political prisoners within the prison was restricted:

*I was not free to [talk to] other prisoners...Because I was a political prisoner they suspected I would influence [them], so I was kept alone in a cell.*⁶⁶⁶

This sort of isolation was experienced by the six imprisoned in Becora following their conviction for involvement in the demonstration to Santa Cruz in 1991:

*Those of us [they called] hard headed were separated. So the six of us stayed alone in one block. The door was locked and we were not allowed any contact with the others for more than two years. We did some gardening and played ping-pong there.*⁶⁶⁷

Sometimes prisoners could leave prison grounds but this does not seem to have been the norm for political prisoners. Felismina de Conceição said that guards at Becora Prison would escort a regular (criminal) prisoner to a family gathering such as a funeral or party, but not political prisoners.⁶⁶⁸ David da Conceição Thon, one of those detained in Becora after the Santa Cruz Massacre, explained that after two to three months of detention he was allowed outside the building to get fresh air as well as to go to church. Eventually he was also able to pay some guards to let him go home for the night and return to prison the next morning.⁶⁶⁹

1989-1998

⁶⁶³ Mário Filipe was held for two months at Buruma Prison, Baucau in 1997, then moved to Kalisosok Prison, Surabaya, East Java. During the last three months before the Popular Consultation in 1999 he was held at the Semarang Prison, Central Java. [CAVR Interview with Mário Filipe, Baucau, 3 September 2004].

531. Even after Timor-Leste was “normalised” and opened to the outside world in 1989, the detention of clandestine members continued.

532. Sometimes a captured clandestine member provided the military or police with information that led to numerous other arrests. For example in Liquiça in November 1990, after the capture of CNRM leaders including Amadeu Dias dos Santos and Agostinho dos Santos, a major part of the clandestine network was exposed.⁶⁷⁰ Arrests were made in villages such as Loidahar, Luculai and Darulete (all Liquiça, Liquiça).⁶⁷¹ In Loidahar the village head, T420, arrested several people, sometimes accompanied by a Babinsa, T421.[†] He then handed detainees to the SGI or the Liquiça Koramil, where they were interrogated and tortured.⁶⁷² Most were held for between ten days and two weeks. One man, Antonio Hatoli, had distributed Fretilin flags, while Antonio Alves was found in possession of a flag.⁶⁷³

533. The following statement, describing an arrest in November 1990 in Liquiça illustrates the practice of handing a prisoner from one arm of the security apparatus to another for ongoing interrogations:

At 10.00am on 10 November 1990, an East Timorese soldier from the Liquiça Kodim, T422, and [members of] the SGI arrested me at the residence of the Liquiça parish priest. They took me to the Liquiça Kodim for interrogation. During interrogation, they kicked me until I fell to the floor. Then they stepped on me and hit my back with a rock until I was flat on my back and lost consciousness. Then the head of the intelligence section at the Liquiça Kodim, an Indonesian called T423, crushed my toes under a leg of a table leg while another soldier sat on [the table]. As the interrogation went on they hit me with a rock until, for the second time, I lost consciousness.

When I woke up a police officer hand-cuffed me and took me to the Liquiça Sub-district police headquarters. They treated my wounds there with a compress, betadine and herbs. Then they stripped me and put me in a cell. At 5.00pm Gadapaksi⁶⁷⁴ and SGI from Dili came and took me to SGI headquarters in Colmera Dili. There, an [East Timorese member of] SGI, T424, punched my face until I fell to the floor. I got up slowly and the SGI interrogated me. They beat, kicked and slapped me until my body was swollen.

Then they transferred me to Kolakops Farol [SGI Investigation Office]. There, an [Indonesian member of] SGI, T425, stripped my clothes off piece by piece, tied me to a chair and electrocuted me, at both the tips of my feet and in my ears.⁶⁷⁵

[†] The village head of Darulete (Liquiça, Liquiça), who was subsequently fired.

[†] See HRVD Statement 2989. Other village heads in the district of Liquiça involved in arresting people or threatening them at the end of 1990 were T426 (Leorema Village, Bazartete, Liquiça) HRVD Statement 2177 and T427 (Bazartete Town, Bazartete) [HRVD Statement 0956].

Detention of a clandestine leader

The clandestine network in Ossu (Ossu, Viqueque) was particularly strong in the late 1980s and 1990s. It was led by José da Silva Amaral (Asuloko). He and his colleagues gave food, clothes, medicine and intelligence on military activities to the Resistance. José described how the network gradually extended its operations from the town of Ossu to the entire sub-district so that eventually the whole community, including women and children, were involved in clandestine activities.

José da Silva Amaral told the Commission that on 17 July 1991 he was arrested by an Indonesian member of Kopassus, T428. T428 took José Amaral to a house owned by a member of the local assembly, T429, which was used at the time to detain and torture people, and interrogated him.

When José Amaral refused to answer questions he was ordered to take off his clothes and T428 and his East Timorese colleague, T430, put him into a tank filled with water and ice cubes and left him for three hours. Then T430 took a scoop and poured the ice water over José Amaral's head. José Amaral could no longer stand the cold. He shouted that they should just kill him and said to T428 that if he was taken out he would tell the truth. T428 continued the interrogation and José Amaral gave the names of some friends whom he knew had already been arrested, such as Mário Miranda and Fernando Nahabia. T428 was not satisfied with this information and he pulled out a gun and hit José Amaral across the hands until they bled. José Amaral wiped the blood on his trousers, intending to show it to the ICRC later, but T428 saw the blood and ordered somebody to clean and wash the trousers. After this, his moustache hairs were plucked out and he was beaten and kicked until he lost consciousness. He was held in T429's house for one month and then in the Kotis for two months.

After José Amaral was released members of the Viqueque Koramil came and arrested him at his home. T428 reappeared and took him to the base camp in Manatuto. While tied up, he was put into a box that was loaded onto a helicopter and taken to Manehat, (Barique, Natarbora, Viqueque). After two months José Amaral was moved again to the Rumah Merah in Baucau, where he was held with Alberto Espirito Santo, José Manuel, Filomeno, and the nurse Victor Viegas. T431 interrogated him. He was stripped of his clothes and beaten by T428 with a 1-metre long iron rod. This interrogation continued from 9.00am to 3.00am. José Amaral was detained in the Ruman Merah in Baucau for one year, and eventually released without trial.⁶⁷⁶

534. Sometimes whole villages suspected of being part of the clandestine network were arrested by the military:

- In the villages of Soro and Suro-Kraik (Ainaro, Ainaro), 40 people were reportedly arrested in October 1990 after clandestine documents were found implicating the villages in clandestine activities. Most of the detainees were released after interrogation but some were held for several weeks.⁶⁷⁷
- In the villages of Tutoloro and Babulu (Same, Manufahi) in November 1992, at least 40 clandestine members were arrested by police.⁶⁷⁸ T432, under orders of police village guidance officer (Bimpolda) T433, called them into the village meeting hall. They were questioned about sending goods to the forest. The police then handed the group to the Indonesian head of intelligence, T434, at the Manufahi Kodim. He took the group to the Base Camp in Same. At the base camp the detainees were made to sit against the wall and were then beaten and kicked. After the beating, they were ordered to cut grass until evening. All but six of them were then released. The six, Raul da Costa, Anteiro, Paul da Costa, Marito da Costa, Benigno and Hilario became “outside detainees” for 18 months.⁶⁷⁹
- On 15 January 1995, Liquiça Kodim 1638 launched an operation in Gariana Village (Vatuvuo, Maubara, Liquiça) because the villagers were suspected of hiding members of Falintil.⁶⁸⁰ They arrested residents of Gariana, including the village head, José Nunes, Abel Nunes, Victor, Augusto Pinto, Joanico Sampanho, Fernando Pinto Nunes and Filomeno.⁶⁸¹ All six men were eventually shot and killed (see Chapter 7.2: Unlawful Killings and Enforced Disappearances). Before their deaths, they were taken to the Karbaudabas Post and interrogated overnight. Four of the men were tortured by being hung from the neck until they fell unconscious, by an East Timorese officer T435 and a TNI private T436.* Another victim, Mário da Silva, was not killed but was interrogated by First Lieutenant T437.† During interrogation, another East Timorese soldier, T438, cut off his toe with the leg of a table, stomped on him with military boots and beat him with a rifle.⁶⁸² According to the community of Uatuboru (Maubara, Liquiça), following the incident in Gariana ABRI and its auxiliaries began to suspect youths from around the district of Liquiça of working with Falintil.⁶⁸³
- In Uatu-Lari (Viqueque) in 1998, the Indonesian commander of the Uatu-Lari Koramil, T439, and his men arrested 100 residents for belonging to the pro-independence group 55 (read Cinco Cinco or Five Five). After their arrest they were tied up, kicked, stabbed with a rifle and taken to the Uatu-Lari Koramil. They were then taken to the Viqueque Kodim where they were held for three months. They were interrogated while tied up with cable. They were also forced to stand to attention facing the Indonesian flag every day. After their release they had to report twice a week.⁶⁸⁴ As well as arrests in rural areas, members of the clandestine movement in Dili were also arrested. In one case the Commission heard of three youths, Alexandre dos Santos, his brother‡ João Xavier and Mariano da Costa, who were arrested in October 1990 because the authorities believed that they were planning to burn the house of Jaime Oliveira, a Sub-district administrator. Members of the police, military and intelligence chased the youths from the Dili suburb of Fatuhada to Hudi Laran in Dili, shooting at them. When they were caught, they were beaten with motorcycle chains and metal pipes. They were taken to local police stations and interrogated, after which they were taken to a clinic to attend to their wounds. After three days in the Sub-district police headquarters, they were taken to Becora Prison for 17 days.⁶⁸⁵

Clandestine arrests in Dili

* They were eventually shot by the same perpetrators. [HRVD Statement 3004].

† T436 and T437 were convicted by a military tribunal for disobeying the orders of a superior, ordering another person to commit murder and making a false report to their superiors [*Amnesty International Indonesia and East Timor: Twenty years of violations*. Statement before the United Nations Special Committee on Decolonisation, 11 July 1995 Amnesty International Index: ASA 21/33/95].

‡ In East Timorese society, someone described as “brother” could mean a cousin, nephew, a member of the extended family, or a good friend or colleague.

Chiquito da Costa Guterres started working as an *estafeta* from 1994, bringing important documents for the Resistance from Dili to Manatuto. He was arrested on 21 February 1996 by police intelligence at the Juwita photoshop in Colmera where he was developing pictures for Falintil. He was put into a taxi and taken to the traffic police station where he was questioned for a few hours about who his leaders were and who had ordered him to develop the photographs. He was beaten and given electric shocks by the police. The police moved him to the Sub-district police station at the Old Market, where he was interrogated. His eyes were covered with cloth and his clothes were stripped. He was beaten by police intelligence officers. He was forced to sign a letter which falsely recorded his answers under interrogation. After two days he was moved to the District police station where members of the SGI and intelligence police interrogated him. His toes were crushed under a chair with someone seated on it. He lost consciousness, and was later put in a "dark cell".

At night the intelligence police took him out of his cell to Tacitolu, on the outskirts of Dili:

They [police intelligence] kept me standing in the water while waves wet my legs and they fired their guns. I did not know what they were aiming at. Then, they dragged me to a tree full of thorns and I stepped on these thorns. They tied me to the tree and fired their guns. It was a psychological threat to force me to tell the truth.

After a month in the Regional police headquarters, Chiquito was moved again to SGI Colmera, where he was held for one week. He was not physically harmed there, but was still threatened with torture. When asked why he was constantly moved around to different detention places, Chiquito explained:

They transferred me from the traffic police to Sub-district police headquarters because it was not a place of detention and there is no guarantee that detainees would not escape. Then they moved me from Sub-district police headquarters to Regional police headquarters because Sub-district police headquarters could not accommodate long-term detainees and there was also no guarantee that the detainees would not escape. Then they handed me over to SGI in Colmera because, first of all, they had no concrete evidence to take me to court. Second, they thought SGI in Colmera would be tougher. They tortured me to get concrete evidence. Third, they could prolong the torture so that I would reveal my clandestine friends' identities as well as my friends in the Resistance in the mountains. In fact the SGI did not physically torture me. Instead, they used psychological torture.⁶⁸⁶

The arrest of clandestine members in Indonesia

535. In the 1980s many East Timorese people started living, working and studying in Indonesia. By the late 1980s active clandestine groups had been established in Indonesian cities. Those involved in clandestine activity in Indonesia were at risk of arrest and detention by the Indonesian authorities. The Commission received reports of the arrest and ill-treatment of East Timorese people suspected of clandestine activity in the Javanese cities of Bandung,⁶⁸⁷ Semarang, Solo and Surabaya, Jakarta,⁶⁸⁸ Malang, Yogyakarta⁶⁸⁹ and Denpasar, Bali.⁶⁹⁰

536. In one case, José Neves was arrested at the Malang Central Post Office on 18 May 1994 while trying to send documents detailing human rights abuses in Timor-Leste abroad to a solidarity group in Germany. The customs officers opened the documents and, seeing Xanana Gusmão's name, realised that they related to the resistance in Timor-Leste. Within 30 minutes two people from the Prosecutor's Office and plain-clothes intelligence officers arrived and arrested José Neves. He was taken to the police station in Malang and interrogated:

While I was in detention, intelligence officers and detectives interrogated me every afternoon and also at night. The intelligence officers were interested in the clandestine networks, their activities and the people who were involved. The detectives wanted [information that would help them] to prepare indictments for the trials. During interrogation I was verbally abused, including swearing and threats of beating or shooting me. But this never happened. They said things like “stupid students”, “trouble-makers” and “disturbers of public order”. They also insulted East Timorese, saying that they were stupid, ungrateful and backward.⁶⁹¹

537. After five months in detention José Neves was tried and sentenced to four years imprisonment. He served two-and-a-half years in Malang’s Lowokwaru Prison from February 1995 to September 1997.

Demonstrations

538. Public demonstrations were a context for detention, ill-treatment and torture that was unique to the period of “normalisation”. These public acts of resistance were led by the city-based clandestine networks which emerged in the late 1980s. These acts became a significant strategy of the Resistance. This strategy, however, made members of the Resistance visible to the authorities and many hundreds were arrested over the years (see Part 3: The History of the Conflict; Part 5: Resistance: Structure and Strategy).

539. The phenomena of public demonstrations began after President Soeharto opened eight of Timor-Leste’s 13 districts to Indonesian and overseas visitors and delegations in 1989. They were a way to convey the message of resistance to the outside world. The first major demonstration was held after the Mass in Tacitolu during the visit of Pope John Paul II in October 1989. Over the following two years organised demonstrations were a regular occurrence until the military crackdown at the Santa Cruz cemetery in 1991, which resulted in the capture and detention of many leading Resistance figures. Reports of arbitrary detention and torture in connection with the demonstrations therefore declined in 1993, but still occurred as new generations of student activists emerged, particularly from the University of Timor Timur (Untim). Figures for detention and torture related to the large demonstrations coinciding with the fall of President Soeharto in 1998 are low (see Part 3: The History of the Conflict).

540. The victims of detention and torture related to demonstrations were predominantly urban youths in the population centres of Dili and Baucau. Many were students from high school or university.

541. The following section examines the nature and extent of arbitrary arrest of would-be demonstrators in anticipation of a demonstration, arbitrary arrest and detention at or after a demonstration and patterns of interrogation and torture.

Arrests in anticipation of a demonstration

542. The Indonesian authorities put considerable time, effort and funds into suppressing demonstrations and other forms of public expression of political opinion. Many cases of arbitrary arrest and detention in connection with organised demonstrations occurred before the demonstration took place. Because demonstrations were usually held to coincide with international visits or to mark particular days, they could be anticipated. People were arrested on the basis of specific intelligence or general knowledge of clandestine networks. Certain schools

known for their resistance activity were regularly raided by police and military searching for pro-independence literature or to arrest clandestine members.

The Visit of Pope John Paul II

543. At least three months before the visit of Pope John Paul II on 12 October 1989, an intense military operation began across the territory to arrest potential troublemakers and prevent guerrilla fighters from entering villages and towns.[†] Thousands of soldiers guarded Dili, as well as the towns of Aileu and Ermera.⁶⁹² Gregório Saldanha, a clandestine member, was one of those arrested during this operation.[‡] He explained:

*The Indonesian military thought that by arresting us, the demonstration for the Pope's visit wouldn't take place. They arrested us to anticipate any unwanted incidents. The other reason we were arrested was that they had discovered the network we had formed. But it turned out that they were wrong. Other people staged a demonstration during the Pope's visit on 12 October 1989, because they were already well organised.*⁶⁹³

544. In total, 34 people were detained, first in Battalion 744 headquarters and then in the SGI Colmera headquarters. All spent between five and six months in detention without visits from family members or international monitoring agencies (see Part 3: The History of the Conflict).

The Portuguese parliamentary delegation

545. In 1991 there was increased political activity in anticipation of the scheduled visit of a Portuguese parliamentary delegation on 4 November 1991.[§] The Resistance saw the visit as an opportunity to convey its message to the outside world and in April 1991 it organised a meeting with all youth groups to plan for the occasion. At the end of the meeting the establishment of the CRNJT (Conselho Resistencia Nacional Juventude Timor, Timorese National Youth Resistance Council) was declared and José Manuel da Silva Fernandes was elected president. The main purpose of the CRNJT was to plan a welcome for the Portuguese parliamentary delegation.⁶⁹⁴ Banners were made and peaceful demonstrations were planned throughout Timor-Leste by various youth groups from Dili to Baucau to Oecusse.⁶⁹⁵

546. The Indonesian military was determined to prevent further resistance actions and demonstrations following embarrassment at the Mass held by the Pope in Tacitolu The Regional Military Command in Bali (Kodam) Operations Implementation Command (Komando Pelaksana Operasi, Kolakops) prepared a 150-page document outlining a detailed operations' plan starting three months before the scheduled visit.⁶⁹⁶ As part of this plan, troop numbers were increased significantly^{**} and paramilitary groups were told to organise demonstrations in favour of

[†] Schools targeted by the authorities included St Paul VI Catholic Junior High School (SMP Paulus) and the Externato school, both in Dili, São José Secondary School in Balide, Dili and Fatumeta Junior High School IV (SMP 4) and Technical Senior High School (STM) Fatumaca (also known as João Bosco school) both in Baucau. [CAVR Interview with José Manuel da Silva Fernandes, Dili, 31 October 2002].

[‡] Document "35 Tahun Darma Bakti Kostrad, Perpustakaan Lemhanas, seluruh sector, khususnya Kodim 1627/Dili, mengadakan Pam dalam rangka kunjungan Paus Johannes Paulus II ke Dili." ["all sectors, especially District Military Command 1627/Dili, exercised extra security in relation to the visit of Pope John Paul II to Dili."], Document "35 Tahun Dharma Bakti Kostrad, Perpustakaan Lemhanas, [no date] ["35 Years of Kostrad Services, Library of Lemhanas"[no date]: p. 97].

[§] Amnesty International reports that Filomeno Paixão de Jesus and Hermegildo de Conceição were detained in June 1990 and taken to a military arsenal in Dili, the Gudang Municipal [Amnesty International, Amnesty International Statement to the United Nation Special Committee on Decolonization, AI Index: ASA 29/09/90, August 1990. p.2].

[¶] Initially scheduled for an earlier date, but rescheduled a number of times.

^{**} Three additional Strike Force units (1629 soldiers) were employed, [East Timor's Unfinished Struggle: Inside the Timorese Struggle, Constancio Pinto and Matthew Jardine, 1997, South End Press, Boston, MA, p. 176].

integration.* The military visited villages throughout Timor-Leste to warn communities that anyone found to be involved in clandestine activities in relation to the visit of the parliamentary delegation would be killed.† In addition the military arrested everyone they suspected might join an action or demonstration.

547. In Dili, many of the “usual suspects” were targeted for detention. Alfonso Maria, who had been arrested previously in 1987, 1988, 1989 and 1990, reported that he was arrested again in 1991 because the military in Jakarta had received information that he was making plans for the parliamentary visit. Alfonso was taken to Nusra Bhakti in Dili but he said that many others who were at this time arrested and were taken out of Dili and detained in Baucau and Viqueque, in an attempt to separate them from the clandestine network.⁶⁹⁷

548. Arrests were also made outside of Dili. Jorgé Flores dos Santos told the Commission that on 14 November 1990 he and two friends, Calistro and Amadeo, were called to the Liquiça Kodim by the section head of intelligence (Kasi 1), T423, and the East Timorese Kodim member T422, because information had been received that these three youths were preparing something for the Portuguese delegation. They were immediately taken to the Liquiça Koramil where the Indonesian Sergeant from Kolakops T442, two ABRI members and police officers took turns kicking, punching and beating them and then interrogated them. The same day, the three were handed over to Kopassus and taken to Dili for detention in Nusra Bhakti. No interrogation or ill-treatment occurred there.⁶⁹⁸ The next day, 15 November, Jorgé Flores dos Santos was moved to the Balide Prison where he was held for five days without clothes in a dark cell full of faeces. He was fed food “fit for animals”. He was sent back to the Nusra Bhakti for three more weeks and ordered to translate documents that had been obtained by members of the SGI.⁶⁹⁹

549. Because known activists were being increasingly targeted for arrest, a group of more than 20 Resistance activists went to hide in the Motael Church in Dili. At 11.00pm on 28 October 1991, the military, members of the police and of the SGI surrounded the church and then stormed it. The activists fought back. One member of the Resistance, Sebastião Gomes Rangel, was shot dead and an East Timorese military informant named Afonso was also killed. Bobby Xavier Luis Pereira told the Commission that the next morning he and others, including João Domingos Freitas Leite, Alexio da Silva Gama (Alexio Cobra), Bonifacio Bareto and Jacob were arrested. They were brought to the Dili District police station, while being kicked, beaten and punched. Bobby Xavier Luis Pereira told the Commission:

When we were detained at the police station. Every day we were tortured in various ways, and interrogated. The forms of torture included beating us with their hands and with a baton, kicking us until we were black and blue and fell to the floor and then dousing us with dirty water. The daily interrogation and torture continued for about one week. The people who tortured us, the ones that I knew, were East Timorese police officers T443, now in Indonesia, T444 from Lospalos, also now in Indonesia, and T445, now a police officer with the new PNTL [Policia Nacional de Timor-Leste].⁷⁰⁰

550. David da Conceição Thon was also arrested at Motael on 29 October, but was sent straight to Becora Prison.⁷⁰¹ According to Amnesty International 20 individuals were arrested at the Motael Church on charges of creating a social disturbance and pro-independence activities.⁷⁰² José Manuel da Silva Fernandes told the Commission that the parish priest of Motael

* The Volunteers Team, for example, was established by Special Forces in Ainaro in 1991 with the purpose of demonstrating in favour of integration

† Pinto also mentions that mass graves were dug in Tacitolu to intimidate people. *East Timor's Unfinished Struggle: Inside the Timorese Struggle* [Constancio Pinto and Matthew Jardine, 1997, South End Press, Boston, MA, p178].

and the Vicar-General of Dili Diocese, Father Alberto Ricardo, were also taken in for interrogation.^{*} Bobby Xavier was eventually tried and sentenced to three years in Kupang Prison.⁷⁰³ Alexio Cobra was detained first to provide a witness statement but was soon also charged and tried for his participation. He was also sentenced to three years in Kupang.⁷⁰⁴ The Portuguese visit was eventually cancelled and no demonstration took place.

551. Moving suspected clandestine members outside of Dili to prevent them from joining in a demonstration was a form of preventive arrest, as Anibal Ximenes experienced:

On 27 September 1994, around 8.00 in the morning, I went to the Dili Wira Dharma Korem 164 because a letter delivered by the Babinsa Hary had called me there...On arrival, I joined 50 other people who had been detained. We were broken up into groups and taken to the districts to prevent us from staging a demonstration during a visit by an American congressman to Timor Lorosae. They took me to the Baucau Kodim where I spent two days, and then [I spent] two weeks in Quelicai. Then they took me back to the Dili Kodim and kept me for a day before I was released.⁷⁰⁵

Arrests at or after an event

552. Despite intense preventive arrests before visits from overseas delegations, the clandestine movement often managed to hold demonstrations. The Indonesian authorities responded to these actions with mass arrests of demonstrators and brutality far out of proportion to the threat posed by the demonstrators. Photographs and videotapes of demonstrators taken by plainclothes intelligence were used to catch demonstrators who managed to escape arrest during the demonstration.

The Mass at Tacitolu by Pope John Paul II

553. The Mass conducted at Tacitolu (Dili) on 12 October 1989 by Pope John Paul II was attended by an estimated 100,000 people (see Part 3: The History of the Conflict). As the Mass ended a group of young pro-independence supporters took out banners they had hidden under their clothes and began shouting slogans. The demonstrators were mainly high school students from the Externato School, STM Fatumaca, Baucau and Catholic scouts of the Balide Church. Chaos ensued. Chairs were thrown by Indonesian security agents, the Pope was taken from the stage and police and Indonesian military captured and arrested the demonstrators.[†] According to Bishop Belo, cited by Asia Watch, 40 people were arrested at Tacitolu.[‡] The Commission received a statement concerning the demonstration from Celestino Porfira da Silva, who testified that many people were arrested including Donanciano Gomes and José Manuel da Silva Fernandes, both of whom were taken to the SGI Headquarters in Colmera and detained for several days.⁷⁰⁶ The military told the STM Fatumaca students, recognisable by their uniforms, to

^{*} Amnesty International also reported that Father Ricardo "has been subjected to repeated, intensive interrogation by the security forces since the 12 November incident. Interrogation appeared to have ceased briefly during the Christmas period but has reportedly now resumed. On 2 January 1992 Father Ricardo is said to have been subjected to continuous interrogation from 9am to 5.30pm, during which time he was threatened and verbally humiliated. As a result of these interrogations, colleagues say, Father Ricardo is in grave danger of a psychological breakdown." Amnesty International Urgent Action 04/92, ASA 21/01/92, 3 January 1992. [See also CAVR Interview with, José Manuel da Silva Fernandes, Dili, 20 December 2004].

[†] The Commission obtained film footage of the Mass, the subsequent demonstration and its violent aftermath, which shows Indonesian security agents throwing chairs at demonstrators and violently disbursing them. [Film footage from ABC Television, Australia. CAVR Archive].

[‡] According to Bishop Belo 40 people were arrested [see Asia Watch, p. 76].

get into trucks and that would return them to Baucau. Instead they were taken to the Infantry Battalion 745 base in Comoro.

554. With the aid of photographs taken at the Mass, the military was able to arrest other demonstrators who had managed to flee the demonstration. The Commission heard that several people were arrested at checkpoints as they tried to return to their villages outside Dili.⁷⁰⁷ Others were caught in the following days and weeks. For example, Bobby Xavier Luis Pereira from the Externato School told the Commission that he was captured by the military from Security Operations Command for East Timor (Komando Operasi Keamanan, Koopskam) and taken to the Becora Prison. He was released within a month after intervention by the ICRC.⁷⁰⁸ José Manuel, one of the demonstration organisers, went into hiding for three days and then sought refuge in the Bishop's residence, along with about 26 others, including Donanciano Gomes, Francisco Sousa, Antonio Mesquita (Maukoer) and Guilherme. He told the Commission that after ten days the demonstrators were visited by a group of intelligence and military officers including Colonel Bimo, head of intelligence, Brigadier General Mulyadi, the Commander of the Kolakops, and Colonel Nainggolan, who was a Kopassus officer from Jakarta. They tried to convince them to surrender and brought Governor Mário Carrascalão as a negotiator and two prisoners, Victor da Costa, a Fretilin Central Committee member, and Baimetak, a guerrilla fighter, to show the demonstrators that prisoners were not mistreated and that surrendering was their best option.⁷⁰⁹ Military representatives promised Bishop Belo that the demonstrators would not be tortured, but they refused to surrender. A week later, on 5 November, members of the military returned and arrested the group and they were taken to the Korem.⁷¹⁰

Visit of the US Ambassador John Monjo

555. On 17 January 1990, 100 demonstrators⁷¹¹ gathered in front of the Hotel Turismo and asked the visiting US ambassador to Indonesia, John Monjo, to come outside and hear a petition they had prepared. The ambassador came out and spoke to the demonstrators through a megaphone for about one hour. During the exchange, plainclothes Indonesian military videotaped, photographed and recorded the names of those present.^{*} As soon as the ambassador left the hotel, riot police began to beat and arbitrarily arrest the demonstrators.⁷¹² Most were taken to the Dili Kodim and interrogated⁷¹³ (see Part 3: History of the Conflict).

SMPN IV School, Dili

556. Not all demonstrations were planned. Some occurred spontaneously in response to perceived provocation from the state and were also put down by the authorities. For example, at the SMPN IV School (Dili) on 17 March 1990 a visitor to the school, Bambang Udiyono, from the Prosecutor's Office, said in a speech: "If you can't even make a single match, then Timor-Leste cannot yet be independent."[†] The students reacted angrily to the speech and began to demonstrate. Brimob arrived and scuffled with the students, arresting some. One of the students arrested, Francisco da Costa, reported that he was held first in the Dili Sub-district police headquarters where he was heavily beaten and then in SGI Colmera where he was accused of being in the Resistance, stripped naked and beaten to unconsciousness.⁷¹⁴

^{*} A Kodim member in military uniform was seen filming openly, whereas only plainclothes intelligence officers were seen taking photographs. [Statutory Declaration of Andrew John MacMillan before the Commissioner of Oaths, Darwin Australia, January 23, 1990. See also CAVR Interview with Simplicio Celestino de Deus, Dili, 8 October 2004].

[†] This phrase is similar to a phrase reportedly used by members of the UDT political party in 1974-75 when they claimed Timor-Leste was not sufficiently developed for immediate independence. The Commission heard reference to this in many testimonies. [See, for example, testimonies of Manuel Agustinus Freitas, Manuel Duarte and Francisco Xavier do Amaral to the CAVR National Public Hearing on the Internal Political Conflict 1974-76, 15-18 December 2003].

Santa Cruz demonstration

557. The Santa Cruz demonstration was the most well-known of the public demonstrations to have occurred in Timor-Leste. Videos of the massacre at the Santa Cruz Cemetery on 12 November 1991 profoundly changed the fortunes of the territory by drawing international attention to the situation. As well as those who were killed at the demonstration (see Chapter 7.2: Unlawful Killings and Enforced Disappearances) many were arrested and detained. Statements given to the Commission about the incident describe the methods of arbitrary arrest as brutal and involving severe beatings by both the police and the military. Most of those arrested were thrown into trucks and taken to various police stations around Dili or to the Korem and Kodim in Dili.⁷¹⁵ Some of the seriously wounded were taken by truck to the military hospital in Lahane. Beatings reportedly occurred during the journey,⁷¹⁶ and even in the hospital itself.⁷¹⁷ After being given basic medical attention, most detainees were sent to the police station where it was decided who should remain in custody. Bishop Belo was able to secure the release of some,⁷¹⁸ but others were held for longer periods. The Commission heard that some, mostly leaders of the clandestine movement,⁷¹⁹ were moved to other districts to break all connection with the Resistance movement.⁷¹⁹ Amnesty International estimates the number of people detained after the incident as around 300.⁷²⁰

558. Several people who had managed to escape arrest at the cemetery were chased by members of Brimob or the military and caught in other parts of Dili. They tracked down others later in the day. Pedro Amaral told the Commission how he ran towards the Old Market area to catch a public minibus, but was caught by two members of Brimob and two members of the police. They beat him with their hands and SKS rifles. He spent two nights in the Sub-district police headquarters before being moved to the District police headquarters (Sub-Regional Police Headquarters) for one week where he did not experience ill-treatment. He then spent three months in Becora Prison, after which he was released. During his first week in Becora he received no food.⁷²¹

559. Simplicio Celestino de Deus, a clandestine member, was arrested at the cemetery after the shooting of demonstrators had ended. He told the Commission:

At Santa Cruz Cemetery I looked for a place to hide. Soon soldiers entered the cemetery and stepped on victims who were on the ground and hit them with their rifles. Then they arrested me. One soldier from Battalion 303 from Sulawesi cut my left ear [and] it bled. They started to torture and abuse [hit] me. Then a [East Timorese] police corporal, T443 from Hatulia, came and cut off my right ear and hand-cuffed me. Blood streamed from my ear.

⁷¹⁵ According to Laporan Khusus Tentang Pengungkapan Para Perusuh Yang Terlibat Dalam Peristiwa Demonstrasi 12 Nopember 1991 Di Santa Cruz, Dili, Timor Timur, [Special Report Regarding Disclosure of the Rioters of 12 November 1991 Demonstration in Santa Cruz, Dili, East Timor] dated December 1991 (no day entered), signed and sealed by Komando Pelaksana Operasi Timor Timur (Brigadier General Rudolf Warouw), 253 people were released on the same day, seven people released eight days later, 11 people released 12 days later, 10 people released 15 days later. The document mentions that 22 were ditahan (detained), meaning for a longer period. This differs from the Asia Watch account [Asia Watch, "Remembering History in East-Timor: The Trial of Xanana Gusmão and a Follow-up to the Dili Massacre," April 1993, Vol.5, No.8] which says that 32 persons were arrested of whom eight were tried in Dili in June 1992 and received sentences ranging from five years and eight months to life in prison [Asia Watch used the ICJ report, "Tragedy in East Timor: Report on the Trials in Dili and Jakarta," Geneva, Switzerland, 1992]. The other 24 became *tahanan pembinaan* (detainee for guidance); see discussion below.

As they tortured me, I heard a soldier yell: "Don't torture him, because the commander needs him." Then they dragged me violently out of Santa Cruz Cemetery and threw me into a Hino truck full of dead bodies, around 50 to 60 dead bodies. Blood streamed all over my body and my eyes. Then my friends and I received medical treatment for nine days at Wira Husada Hospital in Lahane.⁷²²

560. Simplicio de Deus was later detained in the Regional Police Headquarters in Comoro.

561. The Commission received statements indicating that the military arrested people, not only in Dili but also in the districts of Liquiça, Bobonaro and Baucau after the Santa Cruz demonstration and massacre.⁷²³ For example, the communities of Venilale (Baucau) and Vemasse (Baucau) described how the army increased patrols at night and began to target individuals, usually young men, whom they suspected of attending the demonstration.⁷²⁴ The Commission heard of two people in the village of Uatu-Haco (Venilale, Baucau) who were tortured.⁷²⁵ In Quelicai (Baucau),⁷²⁶ members of the paramilitary group linked to ABRI, Team Saka, helped with arrests of suspects.

Detention for guidance

The military tried many techniques to break up the clandestine movement. In the early 1980s clandestine members were sent away from their networks to the island of Ataúro or to prisons in Indonesia and held incommunicado. Still others were moved out of their home villages and held in newly-constructed villages, such as Dotik (Alas, Manufahi) or Bonuk (Hatu Udo, Ainaro), far from their family and friends. In the 1990s members of the urban resistance involved in demonstrations were also moved out of their home-towns into rural areas to separate them from the clandestine network.* Some were sent to be “re-educated”, which involved forced labour for the military for indefinite periods.

This was the experience of Simplicio Celestino de Deus and five of his colleagues, Filomeno Gomes, Fernando Tilman (Gulit), Renilde Guterres, José Bento and José Belo, all of whom were arrested after the Santa Cruz demonstration in 1991. After first being held in the Dili District police station with other detainees, they were told they would be released after attending a Mass by Fr Brito. However, the truck they thought was taking them to the Mass took them instead to the district of Lautém. They were held in the Lautém Kodim for a day and then the Army Strategic Command (Komando Strategis Angkatan Darat, Kostrad) base in Illiapa Lore II (Lospalos, Lautem) for two days. Simplicio and Filomeno Gomes were separated from the others and held in the Airborne Infantry Battalion Kostrad base in Alapapulu (Lospalos, Lautem) where they were interrogated about the clandestine network and asked to name members. After about four months all six met again at the base camp in Lospalos.⁷²⁷

In the basecamp the detainees were required to work around the clock without pay, growing food for the soldiers during the day and guarding the camp at night. Simplicio explained that they worked on the land for 12 hours a day between 6.00am and 6.00pm with only a short break at breakfast and a 15-minute lunch break. They were beaten if they were late. At 6.00pm they bathed, ate and rested and at 9.00pm they took turns doing the night watch until 6.00am.

This type of imprisonment is sometimes referred to as “persons detained for guidance” (*tahanan pembinaan*).[†] Asia Watch reported that such prisoners were put into the custody of territorial units in rural areas where they worked under the supervision of soldiers in rural development projects.⁷²⁸ General Theo Syafei reportedly told Asia Watch that this form of detention could be indefinite, although supervising soldiers were given “targets” for completing the re-education of detainees in their care. The answer a senior military intelligence officer reportedly gave when asked when these detainees would be charged and brought to trial was: “not necessary”.⁷²⁹

Simplicio Celestino de Deus described how two military officers from Jakarta visited him every three months. They would talk with him to assess his psychological state. They would ask him things such as: “Where do you see yourself in five years? What do you think will happen in the future? Why do you think this happened to you?” Simplicio believes that he was allowed to go home in 1993 because these visitors sent a favourable report to Jakarta.⁷³⁰

Cancelled visit of the Portuguese parliamentary delegation

562. Also in November 1991 the military and other Indonesian agents arrested pro-independence supporters who had been preparing for the visit of the Portuguese parliamentary delegation to Dili and other districts.⁷³¹ For example on 15 November 1991 in Cailaco (Bobonaro)

* After his arrest on 23 January 1991, José Manuel da Silva Fernandes was moved around different detention places such as Senopati I (Dili), Nusra Bhakti (Dili), Rumah Merah (Baucau), Kotis, Battallion 413 base (Manuboe, Ossu, Viqueque), Kodim Viqueque and eventually in the base camp in Viqueque, where he was held as a *tahanan luar* (prisoner to be sent to districts) for two years. [CAVR Interview with José Manuel da Silva Fernandes, Dili, 20 December 2004].

† Asia Watch, April 1993, Vol. 5, no. 8, p. 22. Family members of Simplicio who visited him were indeed told that he was not a prisoner, but a *tahanan pembinaan* (detainee for guidance).

the Koramil commander, Sergeant Major T451 arrested ten youths who had been preparing for the Portuguese visit to Cailaco. One of those arrested, Adriano João, was taken to the Bobonaro Kodim 1636. Intel Sergeant T452 and the Indonesian head of intelligence, T453, interrogated Adriano João for three days. During the interrogation he was beaten heavily and given electric shocks. Adriano described how, on one night, drunken soldiers woke the detainees and ordered them to take their clothes off and sleep naked on the floor. Food brought to the Kodim by family members was confiscated.⁷³²

563. Julio Araújo Martins told the Commission that an Indonesian member of Kopassus named T454 arrested him at his home in Ermera at 9.00am on 17 December 1991, because he had been making a banner for the Portuguese delegation visit to Ermera, and also because he had attended the Santa Cruz demonstration the previous month. The Ermera Koramil commander and four others took him to the Kodim where he was held for four months. During this time, T454 and two Babinsas from Bobonaro, T455 and T456, beat and slapped him and tortured him with electric shocks.⁷³³

The rise of the militias 1985-1998

As described in the earlier section on Profile of Violations: 1985-1998, this phase of the political conflict was also marked by increased cooperation between the Indonesian military and various new East Timorese militia groups, as well as East Timorese auxiliaries to the Indonesian military (see Part 4: The Regime of Occupation, section on Militarisation of East Timorese Society) in the detention, ill-treatment and torture of civilians.

Most militia groups were established at the district level by Kopassus which recruited young East Timorese men from the district. A common pattern identified by the Commission was an increase in arrests in a particular district in the months after a new militia was formed. They included: Team Alfa (Lospalos) and Team Sera (Baucau) in the 1980s, Team Saka (Baucau) in 1983 and the Team Sukarelawan (Volunteers Team (Ainaro) in 1991.⁷³⁴

A large number of arrests reported to the Commission were attributed to the Volunteers Team (Team Sukarelawan), operating in Ainaro (from 1991), Team Saka in Baucau (from 1991) and Halilintar in Bobonaro (from 1994).

Halilintar

According to statements received by the Commission and the Community Profile of Atabae (Bobonaro), in September 1994 the military in Atabae heard from an informant that there was clandestine activity in the village of Atabae Lama. The military to set up a group of youths who later became the Halilintar militia. A large arrest operation was conducted in the area, targeting youth suspected of clandestine activities. By the end of November at least 50 people had been arrested and taken to the Koramil.⁷³⁵ They were beaten and tortured in their cell.⁷³⁶ Both the SGI and members of the Koramil, such as commander T457 and the village head T458, were involved in making the arrests.⁷³⁷ T457 authorised the arrests and was personally involved in torturing detainees.⁷³⁸ The Kodim 1636 Maliana also detained people in the village of Fatubesi⁷³⁹

João da Silva of Fatubesi (Hatulia, Ermera) told the Commission that in 1994, he and 62 other people that he did not know were arrested in Atabae because they were suspected of contact with Falintil. He said that he was arrested by Halilintar member T459 and beaten, then taken with the other detainees to Loes (Atabae, Bobonaro). The detainees were held in Loes for three months and had to report every day, before they were allowed to go home.[†]

One year later, according to the community of Atabae, T1 and SGI members in Atabae established the militia group Halilintar which continued to detain youth suspected of clandestine association. Many people were arrested and beaten, sometimes so severely that their faces became unrecognisable.⁷⁴⁰

Team Sukarelawan (Volunteers Team)

[†] The Commission was told that there was a reactivation of the Halilintar group, used in the kidnapping and the disappearance of pro-independence supporters [CAVR, Community Profile of Atabae Village, Atabae Sub-district, Bobonaro District, 8 October 2002. See also HRVD Statement 1181].

[†] See HRVD Statement 1200. This mass arrest was corroborated by Domingos Soares who said that he and other clandestine members were forced to attend a ceremony (probably an Indonesian flag raising ceremony) on the 17th of each month for a year after their arrest by Halilintar [HRVD Statement 1181].

Several years earlier, in 1991, the Team Sukarelawan was established in a small village in the district of Ainaro.* According to various sources, the team was intended to gather youths to hold a counter demonstration in favour of integration when the Portuguese parliamentary delegation passed through Ainaro,⁷⁴¹ to crack down on the clandestine movement⁷⁴² and to prevent youths from Ainaro joining the Santa Cruz demonstration.[†]

Statistics

The actions of the Team Sukarelawan were responsible for a large spike in the detentions in Ainaro in 1991 and 1992. From only two cases of detention reported to the Commission from 1990, the Commission received statements describing 390 incidents in 1991. There were also 219 reported incidents of ill-treatment and 201 of torture. In 1992 the number of reported detentions declined again to 19, with just three cases of torture and 13 of ill-treatment.

Detention and torture

At first Team Sukarelawan detained only those who refused to join them,⁷⁴³ but soon they targeted any civilian or community suspected of links with the Resistance. Communities reported mass arrests of civilians in villages and towns in Ainaro including Maulau (50 people), Cassa (26 people), Manelebos (97 people) and Manetu (55 people).⁷⁴⁴ Detainees were held in a variety of detention facilities including military installations such as the Maubisse Koramil, public buildings such as the Integration Building in Cassa, the village offices in Maneto, Aituto and Manutasi and the office of the Sub-district administrator T461.⁷⁴⁵ The private house of village head T462 was also identified as a place for detaining prisoners. This suggests that the Volunteers worked in cooperation with, or at the very least with the knowledge of, both the Indonesian military and the civilian administration.

Most detainees were held for a few days but some were held for up to four months, especially those detainees held in the Maubisse Koramil. Many endured continual interrogation and torture at the hands of Team Sukarelawan and ABRI. In Maulau (Maubisse) a mixture of chilli peppers and water was rubbed into detainees' eyes. In Manelobas (Maubisse) the village head, Cecilia Xavier, was rolled into a flag from head to toe and threatened that she would be burnt.⁷⁴⁶ In Manetu (Maubisse), Manutasi (Ainaro) and Cassa (Ainaro) women were raped or threatened with rape.⁷⁴⁷

Team Sukarelawan and the military

Further evidence of the relationship between Team Sukarelawan and the military was the clear division of tasks between the two. Certain members of Team Sukarelawan were assigned to arrest people, usually in groups of five or more. They would then hand the victim over to other members of Team Sukarelawan or the military head of intelligence who would interrogate the victim. Interrogation focused on the victim's involvement in clandestine activity and contact with Falintil. Other members of Team Sukarelawan, the Babinsa or even the village head then tortured the victim. Such an arrest, detention and torture was normally ordered by Team Sukarelawan commanders, such as T463, T464, T465 or "the highest leader" T466 with the consent of the military. Pedro Sarmiento recalled:

* According to the community of Manutasi (Ainaro, Ainaro), the Volunteers Team was established in Mau-ulo II, Fatuk Maria, Manutasi village, where the team erected its first "big post". The East Timorese human rights organisation Yayasan HAK reported that the Volunteers were recruited among children of former Apodeti leaders and that the group was led by Cancio Lopes Carvalho. 'Prawatiwi' Catatan perjalanan di bumi Loro Sa'e [Travel notes from Loro Sa'e soil] (10). Matebean, 8 October 1999. from Masters of Terror Indonesia's Military and Violence in East Timor 1999. Canberra. Strategic and Defence Studies Centre, Australian National University. 2002. or see website www.villagechief.com/mot

† CAVR, Community Profiles of Maulau Village (26 May 2003), Manelobas Village (23 May 2003), Manetu Village (8 July 2003), Maubisse Sub-district, Ainaro. An increase in arrests was reported on 10-11 November 1991, the days before the Santa Cruz demonstration.

In 1991, at 3.00pm, the Sukarelawan members T468, T469 and T470 arrested me at my home. They took me to the integration building in Cassa. There, T471 slapped me on orders from T472...I stood and T473 interrogated me, kicked me in my ears until they bled and detained me inside the building for three days and three nights. They interrogated me, beat me and kicked me continually. T474 and T475 tied me with wire. Then they told me to go home.⁷⁴⁸

Moizes Mendonca Doutel Sarmento told the Commission:

In 1991 the village head [of Manetu] T462 and Sukarelawan T477 took me...to two Kopassus who interrogated me about the national [Fretilin] flag. I gave them information, but then Sukarelawan members, including T478, T479, T480 and T481, beat and punched me in the face...At 5.00am Babinsa T482 and two Kopassus came and immersed Abel Mendonça and myself in water and told us to lie down and stare at the sun. Two Kopassus came with big rocks, placed them on our chest and interrogated us and immersed us in water for one hour. Then they told us to get out of the water and interrogated us. They told Abel Mendonça to go home and kept me for one month at the Koramil. Babinsa T482 ordered my friends and me to build a pigpen for him. Then he told us to go home but we had to report once a week and bring firewood for ABRI.⁷⁴⁹

Forced labour

After release victims were often forced to undertake labour including building a new house for the village head of Manetu, T462, guard a Sukarelawan post, clean the Koramil garden or build a new fence.⁷⁵⁰ This work could continue for up to a year after “release” so that from late 1991 until mid-1992, many sectors of the population in Ainaro lived under highly monitored conditions. According to the community of Manetu the civilian population were only left alone after Xanana Gusmão’s arrest in November 1992.⁷⁵¹

Release

After most detainees had been released, the Koramil Maubisse 02 was ordered by Kodim 1633 Ainaro to round up all those released and escort them to a large blood oath ceremony to be held in the stadium of Ainaro. The communities of Manutasi (Maubisse, Ainaro) and Hohoraik (Ainaro, Ainaro) described what happened:

All day we drew our blood and then we drank the blood and vowed that we would not be involved in any political activities, that we would live under the Red and White flag and that we would sacrifice our lives for integration with Indonesia.⁷⁵²

Our leader was Manuel Pereira, the head of the Ainaro District Education and Culture Division. We came from four sub-districts, Hatu Bullico, Maubisse, Hatu-Udo and Ainaro. There were more than 2,150 of us and the football field was full. Our leaders forced us to kill goats, cook, bring palm wine and feast. Then they asked us to return to our sub-district to tell the people that we were two-faced.⁷⁵³

Interrogation and torture of victims connected to demonstrations

564. The Commission’s research indicates that abuse, ill-treatment and torture in detention were used regularly against people detained in connection with demonstrations. A submission to the Commission from former political prisoners stated:

We were subjected to beatings, immersion in tanks of excrement. Sometimes they would open the doors to soldiers returning from combat duty in the mountains and let them beat us up. They would come in at dawn in full combat gear, dust on their clothes, and start hitting and punching us. They'd shout: "We're looking for the communists. So, after all, they're here in Dili, not in the mountains."^{*}

565. Often victims were tortured during interrogation by the police to force a confession for a possible trial. For example, José Manuel da Silva Fernandes, one of the organisers of the demonstration at the Mass at Tacitolu by Pope John Paul II, who was detained several days afterwards, told the Commission that the group of activists hiding at the Bishop's house were taken to the Sub-Regional Police Headquarters (Polwil) and then were separated from each other. José Manuel was taken to the Korem and detained there for three months, during which he was subjected to continued torture.⁷⁵⁴ José Manuel told the Commission that interrogation for the first two weeks was aimed at extracting a basic confession. In this period he was beaten, kicked, attacked with rifle butts, stabbed with the point of a knife, burnt with cigarettes, immersed in a tank of excrement and stepped on and threatened with loaded guns.⁷⁵⁵

566. After the confession was obtained, his interrogators sought to "verify" the forced confession by applying two forms of electric shock. The first was applied with a charger for which a handle was turned, the second administered in a specially-designed metal chair in which the near-naked prisoner was shackled by the wrists and ankles and then had electrodes attached to the body.⁷⁵⁶ José Manuel describes that this would sometimes last up to 15 minutes and could be administered three times a day.⁷⁵⁷ Five Kopassus soldiers assisted the torture under the direction of the Kopassus Colonel T449.

567. José Manuel reported also that during his time in detention Brigadier-General T485, the commander of Kolakops, beat him with a stick and T449 hit him in the face. During an interrogation he was told not to sit on a chair, but to squat on the floor because he was an animal. He was then beaten across the knees and head, often more than ten times. In the Korem, officers from different institutions interrogated and tortured him.⁷⁵⁸

Table 3 - Detainees arrested in connection with the Santa Cruz demonstration and their treatment[†]

Name	Arrested	Detained	Tortured	Perpetrator
José P Vicente ⁷⁵⁹	At home in Taibessi (Dili) by intelligence officer.	Korem for one day; Kodim; Wira Husada hospital	At Korem – beaten with rifles, kicked and punched heavily. At Kodim – same but also stabbed in the back. Kicked and beaten on the way to hospital and then interrogated at the hospital and tortured.	Korem and Kodim members.
Francisco Branco, member Executive Committee of	Officially summoned to the Sub-	Sub-Regional Police Headquarters for	Not tortured. He believes because of international attention	A group of Intel from Bakin in Jakarta carried

^{*} The Commission received a detailed analysis of this shift in the pattern of detention from the Ex-Political Prisoners Association (Assepol), in testimony to the CAVR National Public Hearing on Political Imprisonment, together with a written Submission [CAVR Archive]. The above quote is included in this Submission, taken from a report by the International Commission of Jurists 1992:23 [see also Constancio Pinto and Mathew Jardine op cit].

[†] This list contains some of the names of those arrested after the Santa Cruz demonstration, who were reported to the Commission. These deponents have been selected in order to demonstrate the treatment of people upon arrest and detention.

Clandestine Front. ⁷⁶⁰	Regional police headquarters	7-8 months; then taken to the Comarca after trial proceedings. *	on Indonesia and because the authorities realised that detainees were not going to cooperate.	out interrogation.
Basilio dos Santos ⁷⁶¹	At the Santa Cruz Cemetary 12 November 1991 by police and ABRI.	Sub-Regional Police Headquarters, then same day to Kodim for six months.	At the Sub-Regional Police Headquarters beaten with a gun and kicked with police boots. At Kodim electrocuted, fingernails pulled out with pliers, lips sliced with a razorblade.	Police and military.
Miguel dos Santos Neves dan temannya Leandro Lobato dan Adolfo ⁷⁶²	Di pekuburan Santa Cruz 12 November 1991 oleh Rajawali	Polwil selama dua minggu. Dibawa sebentar ke rumah sakit Wirahusada untuk dirawat.	Disuruh berjalan di atas duri sampai kaki berdarah, dimasukkan ke sel terbuka di bawah terik matahari. Di rumah sakit diinjak-injak dengan sepatu bot.	Rajawali dan Polisi.
Manuel da Concei ção ⁷⁶³	At the Santa Cruz Cemetary 12 November 1991 by military.	Sub-Regional Police Headquarters Comoro for 15 days along with many others including Aleixo Cobra and Aleon.	At the cemetery beaten and kicked. At the Sub-Regional Police Headquarters Comoro forced to take off clothes then beaten, punched and kicked during lengthy interrogations in turns by many police.	ABRI, then police.
Estaquio Pinto ⁷⁶⁴	At the Santa Cruz Cemetary 12 November 1991 by military.	Sub-Regional Police Headquarters released on request of Bishop Belo.	Electric shocks and beatings, hair shaven.	ABRI.
Antonio Fernandes ⁷⁶⁵	16 November 1991 by military.	Korem for two days and two nights.	Interrogated about incident. Beaten and burned with cigarette butts on the face.	Three ABRI soldiers.

568. Given the variation in treatment meted out to detainees, it is difficult to find that there was a clear strategy in relation to the torture of prisoners. Mário Carrascalão suggested that the treatment of prisoners after the visit of Pope John Paul II was not condoned at the national level. He told the Commission that he and Brigadier-General Mulyadi took Benny Moerdani to the airport after the Pope's visit:

Benny said to Mulyadi: "Mulyadi, don't do anything funny okay. Arresting people for no reason, don't do that." But as soon as the plane took off, while we were still at the airport, Mulyadi said: "Benny is in charge nationally but in East Timor I am the one in charge." Starting that day, he began making arrests.⁷⁶⁶

569. Nevertheless, there was clearly coordination at least at the provincial level. As the table shows, detainees were frequently held in a variety of places and interrogated by different units, similar to the pattern of detention in the early 1970s. José Manuel da Silva Fernandes said that different institutions interrogated and tortured him and used the term "bon" (receipt) or "saya bon

* Francisco Branco was tried and convicted for his role in the demonstration [see Chapter 7.6: Political Trials].

dulu" (I use a receipt), meaning one institution would borrow detainees from another so that they could interrogate or torture them.⁷⁶⁷

570. Further, although there may have not been commands about how detainees should be tortured, there was clearly no limit on what police and military officers could do to obtain information. Torture and other cruel and inhumane treatment, in whatever form, were so common as to have been considered a systematic part of the detention and interrogation process.

Interrogation after the Santa Cruz demonstration

Gregório Saldanha, one of the clandestine members in charge of organising the Santa Cruz demonstration, was arrested at the cemetery and then taken to the hospital for four days. He then spent nine months in the police station in Comoro followed by imprisonment in the Comarca for nine months, then in prisons in Becora (Dili), Semarang and Cipinang (Java, Indonesia). He told the Commission:

I was arrested in front of Santa Cruz Cemetery on the morning of 12 November after I sustained a gunshot [wound in] my back. Nearby, soldiers were shooting and stabbed their bayonets towards protesters...I pretended to be dead. Five minutes later a Kodim commander arrived and ordered his men to stop shooting, stabbing or hitting. He also said: "If you are alive, raise your hands!" I stood and raised my hands. There were five dead bodies in the truck.

On arrival at the hospital they kicked the dead bodies out of the truck and then those of us who were injured were bathed and treated. I did not see the people who were on the same truck as me again. I suspect that they may have been killed or taken to the morgue. As far as I know, there were about 90 people who had been injured and whom they registered.

At the police station I immediately met with the senior people in the police and military to tell them: "You have already arrested me. I am the one who takes responsibility for the incident, so I am ready to take punishment as heavy as you like. I ask that the others be released."

Many of the young detainees were still of school age, and many also had jobs. Eventually they [the military authorities] released some, but the rest were kept in detention. It was their practice to detain people they suspected for interrogation so that they could extract new information from them for use as evidence to make further arrests. I continued to demand [the other demonstrators' release]. I also said this to a Supreme Court delegate visiting from Jakarta. But when I was brought in front of the other detainees at the police station, the authorities asked the detainees whether they knew me. They said that they didn't know me, even though they were my close friends, such as Simplicio, Marcio and others. I was full of admiration for them. They were not only brave in what they did but also in taking responsibility.

Torture was always part of the interrogation process. Because they believed that without pressure it was difficult to get a confession. They knew very well that it wasn't easy to get me to confess, and much of what I confessed wasn't what they wanted. We were lucky because the 12 November incident drew international attention and we were at the centre of this attention. Because of that we were always in the spotlight. At certain times they put pressure on me. They took me at night for interrogation and torture. But at other times they had to be gentle. The police did not only have formal interrogation processes. Each group could conduct an interrogation in whatever way they wanted. Sometimes you had a unit from the SGI, and sometimes other units came and interrogated me. This made my head spin. They never left me alone.

One of the most humiliating experiences was when the deputy area police chief called me in front of the delegate from the Supreme Court, the military police and the prosecutor. All of these officials put questions to me. They put the questions like a marathon-before I answered a question from one official another official would ask another question, so I wasn't given a chance to respond. And their questions were mostly random which caused me to often give the wrong answers. Because I denied the allegations they threw at me, the deputy police chief slapped me across the face, he was so angry. I spoke about this incident during my trial, because a police officer cannot physically abuse prisoners. There were some who hit me while others tried showing a sense of humanity by saying to me "it's best that you give correct information so that you aren't tortured again." I think this was just another of their tactics to get the right answers from me.⁷⁶⁸

Demonstration in Jakarta, 19 November 1991 and the Bali arrests

571. East Timorese clandestine members in Indonesia were also arrested in the 1990s. The treatment they received was generally better, both in terms of the process and of their physical treatment, than the treatment of detainees in Timor-Leste. Nevertheless, the detentions were still a violation of the rights to freedom of expression and association (see Chapter 7.6: Political Trials).

572. The first major political demonstration by East Timorese students in Jakarta was held one week after the Santa Cruz Massacre, on 19 November 1991.^{*} About 100 students held a peaceful demonstration in the centre of Jakarta to commemorate those who had died and to protest the actions of the Indonesian military. Protestors chanted pro-independence slogans, displayed banners and delivered a petition to UN representatives and to the Australian and Japanese embassies. The posters and the petition referred to the Santa Cruz massacre but also to the invasion and forced integration of Timor-Leste into Indonesia.

573. The police arrested about 70 of the demonstrators and detained them first in the national police headquarters in Jakarta. Police from the headquarters, members of the military based in Timor-Leste and Kopassus interrogated the detainees. After three days the detainees were moved to the headquarters of the regional police for the greater Jakarta area (Kepolisian Daerah Metropolitan Jakarta Raya, Polda Metro Jaya) where they remained for three months.⁷⁶⁹

574. Five days after the demonstration, on 24 November 1991, the police made six more arrests of East Timorese clandestine members in Denpasar, Bali: Fernando de Araújo (Lasama), José Pompeia, Anito Matos, Aniceto Guterres Lopes (arrested 3 days later) José Paulo and Clemente Soares. These arrests may have been made on information obtained in the interrogation of the detainees in Jakarta. They were taken from their boarding house and detained at the Regional Police headquarters (Polda Nusra) in Denpasar, Bali until 30 December 1991. Aniceto Guterres Lopes and José Paulo were then released and Fernando de Araújo was flown, handcuffed, to Jakarta by military plane where he joined colleagues at the Polda Metro Jaya; José Pompeia, Anito Matos and Clemente Soares remained at the Regional Police headquarters.

575. Virgilio Guterres told the Commission that he was not subjected to torture during his detention:

^{*} One prior, although unsuccessful, action in Jakarta was the attempt by several East Timorese students to gain asylum in 1987. Demonstrations had been held in other parts of Indonesia prior to this, such as the demonstration at Udayana University in Bali on 13 March 1991. Amnesty International reported that dozens of students were arrested at this demonstration including six East Timorese students detained overnight: Alexandro Corte-Real, Manuel Sarmiento, Boaventura da Silva, José Celestino, Lorenço and Miguel Ximenes. [AI Index: ASA 21/04/91].

Maybe one reason was that the Indonesian authorities were under intense pressure at the time of our arrest. Max Stahl's video footage of the 12 November incident was aired internationally and Indonesia was under intense international pressure. Their treatment of us in detention in Jakarta was a tactic designed to show the world that they could treat us well, to rebuff accusations of human rights abuses and to give an impression that they did not commit violence in East Timor as their critics claimed. In Dili, there was hardly any contact with the outside world so torture happened often. While in Jakarta, we only experienced lack of access to the outside world during the early weeks in detention. But after the interrogations, friends and family visited us. Even our friends in the media came to interview us and the Indonesian officers did not dare to use violence during an interrogation.⁷⁷⁰

576. Many of the detainees were released after three months in the Polda Metro Jaya, though 22 who were to be tried remained. Domingos Barreto described how some were released:

They separated us because their investigation revealed that the participation of some was incidental...[They] continued the investigation at night...Then they separated us from the other detainees [around 70]. They released [most of] the detainees after the investigation proved that their participation was incidental.⁷⁷¹

577. Of the 22 prisoners not released, 17 became witnesses in the trials of the other five: João Freitas da Camara, Fernando da Araújo, Virgilio Gutteres, Agapito Cardoso and Domingos Barreto. All five were charged with subversion.⁷⁷² During their trial, the defendants were held at the Polda Metro Jaya. All were convicted and sentenced to terms of imprisonment. Four were sent to Salemba Prson (Jakarta) while João Freitas da Camara was sent to Cipinang Prison (Jakarta). Fernando de Araújo and Virgilio Guterres later moved from Salemba to Cipinang (see Chapter 7.6: Political Trials).

Untim demonstrations

578. After the arrests and killings in 1991, the numbers of clandestine leaders active in Timor-Leste greatly diminished. From the mid-1990s onwards, however, students of the University of Timor Timur (Untim) organised many demonstrations at the university campus, sometimes joined by high school students.⁷⁷³ Some demonstrations were spontaneous but others were carefully planned, such as the annual commemorations of the Santa Cruz Massacre. Some of the demonstrations reported to the Commission include:

- In June 1994, students responded to an incident in Remexio (Aileu) in which Indonesian soldiers had thrown Communion wafers on the floor and stamped on them in a village church. According to a media report, around 300 East Timorese students attempted to hold a protest at the university but it was broken up and many were arrested.⁷⁷⁴
- On 9 January 1995 an Untim demonstration descended into violence as demonstrators, the police and TNI threw stones at each other.⁷⁷⁵ Between 26 and 30 people* were arrested on the spot, and taken to the Comoro Sub-Regional Police Headquarters. While they were in detention, Members of Brimob beat the students severely, stripped them naked and gave them electric shocks. Some were released after 11 days, while other were tried, convicted and imprisoned in the Becora Prison.⁷⁷⁶
- On 14 November 1997 another Untim demonstration became violent after an argument between students and two plainclothes members of the military. External independent observers found excessive use of force was used by the police, joined by members of Battalions 744 and 511. Five students were hospitalised, some with gunshot wounds.⁷⁷⁷ At least 11 were arrested,⁷⁷⁸ of whom six were tried under Article 170 (violence against people and property) of the Indonesian Criminal Code (KUHP) for their alleged assault of three members of Battalion 511, Unit C.

SARA and civil unrest

579. Arrests, arbitrary detention and torture were also reported in the 1990s in connection with incidents characterised by the Indonesian security apparatus as cases of SARA (suku, agama, ras, antara golongan, ethnic, religious, racial, inter-group outbursts). Although these spontaneous incidents by East Timorese youth may not always have had a direct connection to the political conflicts, statements provided to the Commission suggest that both sides to the political conflict used the incidents for their own purposes. Pro-independence supporters used them as a platform for demonstrating against the occupation and the Indonesian military and police used them as a pretext for arresting and detaining suspected clandestine members and interrogating them about their clandestine activities. The treatment of detainees arrested in connection with these incidents was often as harsh as that of those detained in other contexts.

580. One reason for the emergence of unrest, particularly conflicts between youth groups, was the growing politicisation of youth in Timor-Leste during this period. In 1994 the military reduced the number of battalions it had stationed in the territory to seven but made up the numbers by forming the Youth Guard Upholders of Integration (Garda Muda Penegak Integrasi, or Gadapaksi). According to Indonesian military documents, 11,000 youths were recruited into Gadapaksi in 1994.⁷⁷⁹ Other district militias also formed in the 1990s (see box on the Volunteers Team above), while at the same time pro-independence youths were becoming more openly resistant to the regime. These loyalties emerged in various incidents of civil unrest, which began to flare up in the mid-1990s.

581. Many SARA incidents resulted in demonstrations, some of which escalated into riots which were followed by increased arrests and detentions and the ill-treatment and torture of detainees. Some examples reported to the Commission include:

* Among others: Inácio de Jesus Santos Oliveira, José A. Beto, José Pinto, Paul Amaral, Luis Tavares, João Manuel, Lemos, Carlos, José Henrique, Alfredo Lopes, Crispin, Apolito, Mário Pinto, Bendito Salo, Filomeno, Zito L. Barreto and Alexandrino [HRVD Statements 5674 and 6982-2].

- A religious clash in Uatu-Lari (Viqueque) in September 1995 between Protestant and Muslim youths against Catholic youths. The background to this case is uncertain, but it resulted in Catholic youths burning down Protestant and Muslim places of worship. Most of the Catholic youths ran away but Marcelino Duarte Barros was arrested with ten others by members of Team Saka. He reported their detention and ill treatment.⁷⁸⁰
- In Maliana (Bobonaro) in early September 1995, a prison officer named Sanusi Abubakar reportedly made insulting remarks about the Catholic faith.⁷⁸¹ Catholic youths and other pro-independence supporters in Maliana responded by demonstrating, threatening to kill Sanusi Abubakar and burning down the Maliana market. The police, ABRI and members of Kodim 1636 arrested the demonstrators. Some managed to flee, such as José Soares Vicente, who escaped to Dili.⁷⁸²
- The Commission also heard of the following cases of detention, torture and ill-treatment.

Table 4 - The detention and ill-treatment of Marcelino Duarte Barros

Perpetrator	Detention Place	Length of Detention	Torture/Ill-treatment
Team Saka under Commander T486	Team Saka headquarters in Quelicai (Baucau)	Three days	Hit with a metal bar, kicked, stamped on, tied up with wire and eyes covered then forced to lie in the sun for three days.
Brimob	Cell in Baucau New Town	Two days	Ordered to stand in line and run, then beaten. Forced to drink water mixed with urine.
Police	Beloi Polsek		Beaten, kicked, punched, sprayed with gas. Interrogated by the police about contact with Falintil and providing food to them in the forest.
Police	Uatu-Lari Polsek (Viqueque), taken there by 12 Brimob members.	One week	Beaten, punched and kicked by an East Timorese intelligence officer, T487.

Table 5 - Detention, torture and ill-treatment in Maliana (Bobonaro)

Victim	Perpetrator	Detention Place	Length of Detention	Torture/Ill-treatment
Hernani M. de Araújo, a clandestine member of the Sagrada Familia. ⁷⁸³	ABRI and police.	Kodim 1636 then a police station (unidentified)	One night in the Kodim, then six weeks in a police station. Tried and sentenced to imprisonment in the Maliana Prison.	The military beat the victim, electrocuted him and pulled out his toenails and fingernails with pliers. Police interrogated him and then again beat him, electrocuted him and crushed his toes under the leg of a chair.
Eduardo Lopes, (Lorico Lopes) arrested 18 September 1995. ⁷⁸⁴	Police, Corporal T488 led the arresting team.	Police station.	Two months, then sentenced to four years in Maliana Prison.	Victim was beaten and burned with cigarettes. He said police ripped off rosaries around detainees' necks and told them they were "opposing the state".
Laurentina Amaral. ⁷⁸⁵	-	Kodim 1636.	Three months. She then paid Rp.500.000 for her release.	-

José P. Vicente, of Lebos (Lolotoe, Bobonaro)*	Police Officer called T489.	Sub-district police headquarters Maliana.	One day.	Beaten across the head once with a metal baton.
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- In Uatu-Lari (Viqueque) in February 1997 a group of pro-integration youths[†] attacked a group of church activists.[‡] The Makadiki (Uatu-Lari, Viqueque) community told the Commission that people then took to the streets and fought the authorities. Fighting continued for four days, blocking the road in Makadiki.⁷⁸⁶ The number of people arrested during this incident was variously given as 70 (by Colonel Mahidin Simbolon, the Commander of East Timor Sub-Regional Military Command) and 109 (by Deputy Chief of Police for East Timor, Colonel Atok Rismanto).⁷⁸⁷ All detainees were taken to the Viqueque Kodim and a military post in Darabai (Uatu-Lari, Viqueque) where they were questioned and released after a few days.

Incidents after the award of Nobel Peace Prize

582. A number of arrests occurred in Dili in December 1996, when Bishop Belo returned to Timor-Leste after receiving the Nobel Peace Prize he shared with José Ramos-Horta. Nationwide celebrations were held on his return,[§] but a number of violent scuffles also occurred, including the beating to death by 26 East Timorese youths of an intelligence officer, Corporal Alfredo de Santo Sigamau. The youths reportedly believed that the corporal was planning to murder the Bishop.^{**}

583. The Indonesian military and police arrested people in response, and took them to the Sub-district police headquarters, the Regional Police Headquarters and the SGI Colmera in Dili. Some were tried and served sentences in the Becora Prison.⁷⁸⁸ The police reported that they arrested 13 people in connection with the turmoil in Dili.⁷⁸⁹

584. Hermenegildo Martins, one of the 26 youths implicated in the killing of Corporal Sigamau, was arrested four months after the incident and taken to the Regional Police Headquarters in Dili. Police interrogated him about the killing for three days and during interrogation they burned him with cigarettes. He was then moved to the Sub-district police headquarters Dili where 12 police officers ill-treated him, including using a razor to cut his thigh. He was eventually tried for his involvement in the killing and sent to Becora Prison.⁷⁹⁰

* José Vicente, a Fretilin member, was arrested by the Kodim again two years later in October 1997 because he was suspected of having mobilised a demonstration which burned down the market. He was detained for three days during which time he was stripped naked, beaten, punched and kicked. In 1999 he was arrested by the KMP militia in Lolotoe and detained for one day [HRVD Statement 7157].

† The community of Makadiki Village in Uatu-Lari (Viqueque) described the youths as Gadapaksi members. [CAVR, Community Profile Makadiki Village, Uatu-Lari Sub-district, Viqueque District].

‡ The Commission does not have clear evidence of the background to this local clash, though the community of Makdiki Village in Uatu-Lari (Viqueque) told the Commission that the clash continued for four days and involved the local villagers fighting against Indonesian authorities. [CAVR, Community Profile Makadiki Village, Uatu-Lari, Viqueque District].

§ CAVR, Community Profile of Bidau Santana Village, Nain Feto/Dili Oriental Sub-district, Dili District. In Baucau a big demonstration was staged on 25 December 1996 [CAVR, Community Profile of Bucoli Village, Baucau Sub-district, Baucau District].

** According to Hermenegildo Martins, one of those implicated in the killing, a letter was found in Corporal Sigamau's pocket which read: "Whoever successfully kills Bishop Belo will receive the amount of Rp1,500,000." [HRVD Statement 3739].

Ninja gangs and anti-ninja gangs

During the mid-1990s, as part of the growing politicisation of youth, pro-integration and pro-independence gangs began to form in Dili. The Ninjas were pro-integration youths who dressed in black, covered their heads with a hood and attacked the houses of pro-independence families at night. Although they appear to have been disenchanted youths causing trouble, they seem to have acted in coordination with the military to sow fear in the city.⁷⁹¹

In response pro-independence activists set up vigilante groups to counter the Ninja attacks, and many were detained by the police. Amnesty International reported that between 18 and 22 February 1995, police and military forces arrested up to 15 individuals in Dili.⁷⁹² East Timor's police chief, Andreas Sugianto, stated that 14 people were held, 12 of whom were to be charged for having attempted to set up vigilante groups to counter attacks by the Ninja gangs.⁷⁹³ On 25 March 1995, an East Timorese SGI agent called T491, arrested two Ojetil⁷⁹⁴ members, Carlito and Octavianos in Quintal Bot, Dili. They were taken to the SGI headquarters in Colmera and accused of having taken part in cutting the ear of a Ninja.⁷⁹⁵

The Commission received one statement from a pro-integration youth who was seriously assaulted by pro-independence youths, although it is not clear whether this is the case referred to above. An East Timorese man (who preferred not to be named) told the Commission that on 13 February 1995 he was abducted by four pro-independence youths, T492, T493, T494 and T495. He says they accused him of being a Ninja and of working with the SGI. His house was ransacked, his hands tied and then he was taken to the house of Alves Ribeiro. There, the four youths cut his face with a razor, beat him across the head with a steel baton and then cut off his ear. They then took him to the Santa Cruz village office, tied him to a flag post and beat him until his body was smeared with blood.⁷⁹⁶

The hunt for Falintil leaders in the 1990s

585. Leaders of Falintil controlled the armed, clandestine and diplomatic fronts of the Resistance and therefore remained the prime targets of the Indonesian military throughout the period 1985-1998. The Commission's research suggests that a key strategy in the hunt was the arbitrary detention, interrogation and torture of anyone suspected of having links these leaders. Although such detentions had occurred in earlier years, the statements of victims provided to the Commission suggest that Indonesian efforts to capture Falintil were stepped up in the early 1990s.

586. Sometimes such operations occurred following an incident highlighting the continuing influence of Falintil in Timor-Leste. For example, when the Australian lawyer and journalist Robert Domm managed to meet and interview Xanana Gusmão on 27 September 1990, major intelligence operations were launched to discover who had arranged the meeting.⁷⁹⁷

587. At other times military operations were launched specifically to root out leaders of the Resistance. During 1991-92, for example, joint military and paramilitary operations were carried out to search for Xanana Gusmão.⁷⁹⁸ In 1991 the security forces believed that Xanana Gusmão was in Ainaro, with the result that many people in the district were arrested by Team Sukarelawan (see box above).⁷⁹⁹ In 1992 two military operations were carried out in Timor-Leste, Operations I (April-September 1992) and II (October 1992-March 1983) (*Operasi Tuntas I* and II), which involved the preparation of lists of East Timorese suspected of being in contact with Xanana Gusmão.⁸⁰⁰

588. Detention of suspects tended to be short term and involved interrogation often accompanied by torture or ill-treatment. For example, a woman told the Commission that she was detained in 1991 in Ainaro because she was suspected of giving food to Falintil. She was

arrested by the Team Sukarelawan and then interrogated in the Integration Building in Cassa (Ainaro, Ainaro). After the interrogation she was beaten heavily, causing bleeding from her genitals, and then sexually harassed by 38 members of the Team Sukarelawan. She was released after one night.⁸⁰¹

589. Bendito da Conceição was also arrested in 1991 in Ainaro along with more than 40 other civilians from the village of Suro Kraik (Ainaro, Ainaro) because they had danced at a village party with Xanana Gusmão and other Falintil leaders including Adjunto Maufutu, Konis Santana, Riak Leman and Abia Monaria. Five days after the party, on 25 July 1991, the community was detained by T496, an Indonesian Kopassus member, and two Milsas, T497 and T498. They were interrogated for four hours and then required to dig holes and maintain a lawn at the military post for three years.⁸⁰²

590. In Ossu (Viqueque), where several suspects were arrested in late 1992 by Battalions 407 and 503, suspects were taken to the base camp in Viqueque and the post of the non-organic Battalion (BTT) in Ossu. Some detainees were sent to other districts for further investigation. Faustino da Silva was arrested in Ossu along with three others. After a violent interrogation in the Ossu Koramil, in which all the detainees were accused of being part of Xanana Gusmão's network, they were separated. Faustino was taken to the Viqueque Kodim barracks. His friend Rui was detained for three months in the Battalion 503 headquarters, while fellow detainees Alfredo and Tomás were transported to Dili by helicopter for further interrogation.⁸⁰³ There were also reports of arrests in Dili of people suspected of being in contact with Xanana Gusmão. The arrests were made by Major T499, the Kopassus commander of the SGI Colmera, and by Battalion 745 together with the Koramil Becora.⁸⁰⁴

591. Other arrests connected to the search for Falintil leaders included:

- In the district of Aileu in 1985, 11 people from Liquidoe were arrested by members of the Koramil because they were suspected of hiding senior Fretilin/Falintil members, including Xanana Gusmão. The deponent, Celestino Amaral, did not tell the Commission the length of their detention.⁸⁰⁵
- Jacinto Moniz of Fohorem (Fohorem, Covalima) told the Commission about his arrest on 16 July 1989 on suspicion of hiding Xanana Gusmão. When he did not confess, he was beaten, kicked and punched by Indonesian soldiers in Fohorem.⁸⁰⁶
- In Ossu (Viqueque) in 1992, as well as searching for Xanana Gusmão, Infantry Battalion 407 together with members of Team Makikit and Rajawali targeted individuals suspected of working with the Falintil Commander Falur Rate Laek.⁸⁰⁷
- In the village of Babulu (Same, Manufahi) in 1994 several people were arrested during a joint Kopassus and Milsas search for senior Falintil member Riak Leman. Some of those arrested had appeared on a list of people accused of involvement in the clandestine network led by Riak Leman, most likely prepared by military intelligence.⁸⁰⁸ They were taken to the Manufahi Kodim and Nanggala headquarters and interrogated and tortured for three days. They were then released with the status of “outside detainees” for three months. During this period they were forced to carry poles and cut grass to make a traditional house.⁸⁰⁹
- In the villages of Carau-Balu and Luca (Viqueque, Viqueque) in 1994 and 1997, ABRI soldiers and Rajawali arrested and ill-treated people suspected of having contact with the Falintil commander, Ular.⁸¹⁰
- Civilians in Baucau, where Falintil commander David Alex operated before his capture and death in 1997, were regularly detained for interrogation about the Falintil leader’s whereabouts. Most were held for only a few days of intense interrogation in places such as the Flamboyan Hotel, Rumah Merah and the Ossu Kopassus post in Viqueque.⁸¹¹ Sometimes whole villages were rounded up. In 1994 ABRI and Team Saka members arrested 24 people in the village of Guruça (Quelicai, Baucau), after rumours that the people of Guruça had been in contact with David Alex. They were taken to the Baucau Kodim where they were held, interrogated and tortured for two days.⁸¹²

592. The Commission also heard of people being made to repudiate the authority of Falintil leaders publicly. In one case, Frederico de Araújo told the Commission how soldiers from Airborne Infantry Battalion 700 arrested him and four others in 1991. Their hands and feet were tied and they were taken to the Kopassus Post in Mau-Ulo (Ainaro), where they were held for eight months. Frederico says that while in detention he was kicked and punched and on one occasion was left outside in the rain for two days and two nights while tied up. He was also forced to travel around Ainaro telling people that the Falintil leaders Xanana Gusmão, Mauhudu, Mauhunu and Venancio Ferras were liars. Frederico’s wife eventually bribed the Commander of sector B (west), Thamrin, with two woven garments (*tais*), two chickens and a sword to save Frederico’s life.⁸¹³

Xanana Gusmão's arrest

Xanana Gusmão was arrested at 4.00am on 20 November 1992 outside a house in Lahane (Dili) where he had been hiding. The arrest was filmed by the Indonesian authorities and received widespread media coverage throughout Indonesia.⁸¹⁴ He was then kept incommunicado for 17 days, before the ICRC was allowed to see him. During this time he was moved between several locations before being detained at the national police headquarters in Jakarta (Mabes Kepolisian RI), where he was interrogated and suffered ill-treatment.

According to Xanana Gusmão, he was treated with respect during his arrest but was not presented with an arrest warrant. From the house, he was immediately taken to the home of General Theo Syafei, Commander of Operations Implementation Command in East Timor (Kolakops) where he spent one or two hours and was visited by the then commander in chief of the Indonesian Armed Forces, Try Sutrisno. He said that both men treated him with respect. Later the same day he was flown to Bali where he was detained at the Regional Military Command (Kodam IX) for three days and three nights.⁸¹⁵ In Bali he was handed over to Kopassus who interrogated him and subjected him to severe sleep deprivation for three days and three nights:

*The first method, when I was in Bali, [was that] they did not let me sleep. I was sleepy during the day and they screamed. At night I was sleepy and they also screamed. They talked to me at 2.00am. I remember Yunus Yosfiah, because I knew him from 1983 when he was a major, so he spoke about this and that. He would hit the table and I did the same, we both hit the table.*⁸¹⁶

Xanana Gusmão was then sent to Jakarta to the Strategic Intelligence Body (Badan Intelijen Strategis, Bais) where Hendropriyono visited him and he gave a statement at the State Intelligence Coordination Body (Badan Kordinasi Intelijen Negara Bakin).

Xanana Gusmão was sentenced to life imprisonment in May 1993 and was sent to Cipinang Prison in Jakarta to serve his sentence. In August 1993 President Soeharto reduced the sentence to 20 years. In August 1995 he was held in an isolation cell after he attempted to send an unauthorised letter from the prison to the United Nations Fourth World Conference on Women in Beijing to protect the rights of East Timorese women which, he said, Indonesia had "systematically violated " for 20 years⁸¹⁷ (see Chapter 7.6: Political Trials).

593. After Xanana Gusmão's arrest the military and police arrested anyone who was connected to him. In December 1992, only weeks after the arrest, the Secretary-General of the United Nations reported to the Commission on Human Rights that at least 20 of Xanana Gusmão's close associates and relatives had been arrested and detained.⁸¹⁸ Amnesty International alleged that those detained in Dili were subjected to serious maltreatment and torture.⁸¹⁹ The owners of the house in which he was arrested, Aliança Araújo and her husband Augusto Pereira, and their children were taken to the SGI headquarters. They were held there for seven months during which they suffered torture and ill-treatment including Augusto having several toe-nails ripped out with pliers. One of the women later testified that she had been raped.⁸²⁰

594. Nine of Xanana Gusmão's family members, according to Asia Watch, were arrested.⁸²¹ They included Xanana Gusmão's younger sister Armandina Gusmão, her husband and two of their children. They were arrested soon after his arrest by intelligence police "in the presence of their village headman and were not told why, in violation of the Indonesian Criminal Procedure Code as well as in violation of international standards".⁸²² The family was taken to the Sub-Regional Police Headquarters and interrogated continuously for three days. Armandina Gusmão told the Commission that police presented evidence to them. The police also took their photos and fingerprints. After three days in the Sub-Regional Police Headquarters, Armandina Gusmão and her husband were blindfolded and taken to the SGI headquarters in separate cars. They

spent five months in the SGI headquarters, after which she was taken to Nusra Bhakti for a week.⁸²³

595. At least one case was reported to the Commission in which a person who had previously been detained for his supposed contact with Xanana Gusmão was rearrested after the capture. In Ainaro, an East Timorese man associated with Xanana Gusmão was called back after being released when Xanana Gusmão was arrested and told to report every morning for a month. Conversely, some people were released from detention as soon as Xanana Gusmão was captured, because they were no longer necessary to obtain his arrest. As Alfonso Maria explained:

Before Xanana Gusmão's arrest they always beat and tortured us. They always asked: "Do you have a network with Xanana?" If you said no, you would be beaten and electrocuted until you said yes. Then they would stop the torture. After Xanana's capture on 20 November they released us.⁸²⁴

596. Others were released from reporting obligations or periods of forced labour, but only after they swore allegiance to Indonesia. Vicenti Tavares had been arrested with seven other clandestine members from Carau-Balu in October 1992 by Battalion 407 because they had been in contact with Xanana Gusmão. They had been held for six days but were then required to report to the military post in Ossu (Ossu, Viqueque). After Xanana Gusmão's capture, they were released from their reporting obligations but were made to take an oath (presumably of allegiance to Indonesia) and drink dog's blood before the Muspida, the Tripika and the Korem Commander from Dili.⁸²⁵

Olga Corte-Real's story

Olga Corte-Real became involved with the clandestine movement in 1982, where she and several members of her family met with Falintil members Birak and Kasihan, and discussed the obstacles faced by Falintil. A week later Olga, Petronela and Manuel Corte-Real met with the Falintil commander Mauhunu in the aldeia of Trilolo, Holarua (Same, Manufahi) to plan clandestine work.

In 1990, Olga worked as a nurse in the community health centre in the village of Datina, Holarua (Same, Manufahi). In August 1990 Olga met with Xanana Gusmão in the aldeia of Kakau Lidin, Bairo Pite (Dom Alexio, Dili) Olga gave an account of her experiences to the CAVR at its National Public Hearing on Women and Conflict, 28-29 April 2003.

Maybe ABRI spies reported me for my clandestine activities. On 8 November 1992 an East Timorese police officer named T500 and a number of soldiers from the Manufahi [Kodim] arrested me along with Graciana, Fernando Cardoso and Gabriel C Trindade da Costa. They took us to the Kodim where the East Timorese Kodim Commander T501 and East Timorese battalion Commander 514 were waiting for us. T501 asked me whether my sister Regina and I gave medicine to Xanana in Hoholau. I said that my sister and I had not taken the medicine to Xanana but that we sent it through an estafeta, Antonio Martins. In fact, my sister and I had delivered the medicine ourselves but I lied [to them].

Then T501 demanded that we reveal the names of other girls in the [clandestine] network but I told him that the only women in my network were my cousin Graciana, my sister Regina and myself. Actually, there were other women [in the network] such as Angelina da Costa, Fernanda de Jesus, Eleonora Cardoso and Francisca Cardoso. T501 threatened that if he later found out the names of other women that he would cut my throat. I said I was prepared to have my throat cut if my information proved to be inaccurate.

As the interrogation went on a member of Nanggala [Kopassus] entered the room. He took me to another house where a police intelligence officer, T490, interrogated me from 9.00am until 3.30pm. A colleague of T490 called T502 entered the room. He swore at me and said that I had sex with Xanana. T502 then ordered Luis Cardoso and his little brother Antonio Martins to sit on a chair and crush my toes until my nails turned black.

At 10.00am the next morning, 9 November 1992, an ABRI commander arrived from Dili in a helicopter and landed in the base camp. He had a Polaroid camera and took my picture. Then the helicopter took him back to Dili. ABRI escorted us back to Datina at 4.00pm.

They forced me to attend the morning ceremony at the Kodim from 1 January 1993 to April 1994. I attended the ceremony every morning, but my clandestine activities and my ties with Falintil in the mountain continued.⁸²⁶

Reprisals for Resistance attacks

597. The pattern of mass arrests of civilians following Falintil attacks on military or government targets continued throughout the period of “normalisation and consolidation”, albeit on a smaller scale. The authorities responded to such attacks through arrests, arbitrary detention, ill-treatment and torture of suspects, usually members of the clandestine movement, but also ordinary civilians.

598. Between 1985 and 1987, the Commission heard of isolated Falintil attacks, mainly in the district of Lautém but also in the district of Manufahi, which brought reprisals from the military.⁸²⁷ In the 1990s police and local paramilitary groups became more involved in the crackdowns and in the detention and torture of suspects. The following examples are the main Falintil incidents

known to the Commission in the 1990s. Testimony received by the Commission from victims of the military and police crackdowns suggest that the standard response was detention, often involving torture and other cruel and inhumane treatment. These examples are:

- Baucau Town in October 1992 following a Falintil killing
- Ermera, 1996, following a Falintil killing of a civilian
- Brimob attacks in Dili and Baucau, May 1997
- Attacks in Manufahi, 1998

Baucau, October 1992

599. The Commission received one statement about the killing of an Indonesian civilian from Sulawesi by Falintil on 5 October 1992 at restaurant in the Old Town of Baucau. Jeronimo Paulo Freitas told the Commission about the event and then explained that five days later members of Infantry Battalion 315 and Team Saka arrested him on suspicion of involvement in the crime. Jeronimo was active in the clandestine network in Baucau. A Team Saka member, T503, struck him in the back with a rifle and then took him to the Baucau Kodim. There, one East Timorese member of the military identified as T504 interrogated Jeronimo about the incident while another East Timorese member of the military, T505, tortured him by beating him with a wooden bar and punching and kicking him. Jeronimo told the Commission that he was then put into a black bag and taken to the village of Gariuai (Baucau, Baucau), where he was thrown into a toilet and left for 13 days with only banana skins and salt to eat.⁸²⁸

Ermera, October 1996

600. The Commission heard of another Indonesian civilian killed by Falintil four years later, in Ermera in October 1996, which also led to arrests of civilians. The Commission was told that a Falintil member killed an Indonesian cloth trader in Ermera because he suspected the man of working for the intelligence.⁸²⁹ This time the police, rather than the military, arrested young pro-independence activists from a number of villages in the area.

601. João Alves Trindade told the Commission that on 16 October 1996, seven youths from the aldeia Lekesi (Railaco, Ermera) - João Alves Trindade, Eduardo dos Santos, Gaspar dos Santos, Silvestre Martins, João, Luis Salsinha, Joel Assunção Neves - were arrested by armed East Timorese police officers T506, T507, T508, T509, T520 and Indonesian police officers T511, T512 dan T513. The police tied the detainees' hands, then dragged them down the slope of a mountain and beat them with wood. The group later suffered further torture and ill-treatment at the Gleno (Ermera) police station. João Alves Trindade told the Commission

At the Gleno Sub-district police headquarters the police ordered us to strip naked and put us in a cell. [They] electrocuted us, squeezed and pulled our genitals. They hit us and kicked us until our bodies were swollen. They hit our heads and forced us to make a statement detailing things that we did not do...They detained us for two months.⁸³⁰

602. He and his friends were held in the Ermera police station for two months and then tried. They began their ten-year prison sentence in Becora Prison but were escaped after the ballot on 11 September 1999.⁸³¹

603. The police officer, T506, also reportedly arrested Julito Babo in Darhetu Mate, Ponilala (Ermera, Ermera). T506 took Julito Babo to the Gleno police station where he stripped him of his

wallet, crucifix and clothing. He then tied Julito Babo to a cross, in a parody of Jesus, and beat him until late that night. He then grabbed a gecko and forced Julito Babo to eat it, and told him to lick food scraps from the floor.⁸³²

604. The Commission also received one statement suggesting that the families of youth members of the clandestine network also suffered arbitrary detention and ill-treatment. Amalia Alexio Martins told the Commission that after her sons Eduardo dos Santos and Gaspar dos Santos had been arrested, a police officer called T512 came and arrested her and her husband Pedro Martins on 16 October 1998 in Poetete (Ermera, Ermera) They were arbitrarily detained in the Ermera police station and ill-treated to try to force them to give evidence against their children. Amalia Martins said that T512 interrogated her while beating her, pulling her hair, threatening to strip off her clothes and then shoving her up against the door. After four days they were released but were required to report every day and police officer T506 extorted Rp900,000, two goats, six chickens, a dog and daily money for cigarettes from her and her husband.⁸³³

Attacks around the time of the 1997 Indonesian national election

605. In 1997 a spate of Falintil attacks occurred around the time of the Indonesian national election on 29 May 1997.[†] According to Amnesty International 42 people, including police and Falintil fighters, were killed in these attacks.[‡] The two largest attacks were made on mobile police brigade (Brimob) units:

- The first attack was made by pro-independence youths in Dili on 28 May 1997. At around 10.00pm 15 youths attacked a Brimob guard post in Bairo Pite, a suburb of Dili. [‡] They wounded five police officers and one of the youths stole a rifle, although he later threw it in the gutter.⁸³⁴ Five of the attackers were shot and killed in the attack.
- The second attack was carried out by Falintil on 31 May in the sub-district of Quelicai (Baucau). Falintil attacked Hino trucks carrying 26 Brimob police and two soldiers who were delivering a ballot box for the count in Baucau. They threw a grenade into a truck causing a drum of gasoline to explode. As a result of the explosion 13 of the people in one of the trucks were burned to death. Falintil then shot four more people as they tried to escape.⁸³⁵ Francisco da Costa, involved in the attack, describes the incident:

*That afternoon, the police were supposed to return the ballot boxes to Baucau for counting. So the police...loaded several police cars with the ballot boxes and took them to Baucau with tight security escort. Midway, near the village of Abafala and Quelicai, [Falintil] soldiers stopped the cars and attacked the police, causing a significant number of casualties among the police officers.*⁸³⁶

[†] According to HRW, another attack related to the Indonesian national election took place in Seisal (Baucau) on 29 May, where a polling place was attacked by an unidentified group. One election official, Abinau Salay, who was a member of Wanra, was hacked with a machete and wounded. Ten people were arrested. [Human Rights Watch, *Deteriorating Human Rights Situation in East Timor*, CAVR Archives at HRW East Timor/reports/1997\indtimor/index.html]. According to João Bosco, an election-related attack in Daraqua (Laga, Baucau) took place on 27 May 1997 [CAVR Interview with João Bosco, Quelicai, Baucau, 2 September 2004].

[‡] According to the East Timor Police Colonel Jusuf Mucharam during the month of May 1997, 17 civilians were killed by Falintil (including 10 in Lospalos 10, two in each of Baucau and Liquiça, and one in each of Viqueque, Ermera and Ainaro). [AI UA 391/97].

[‡] According to Romeo da Conceição [HRVD Statement 5074] the youths were acting under orders of Kaixa Koto Morok; according to Reinaldo Marchal, they were acting under orders of Xanana Gusmão and Taur Matan Ruak; and according to Mariano, Soares acting under the orders of Taur Matan Ruak and Commander Region II, Sabica.

606. The deputy police chief of East Timor, Police Colonel Jusuf Mucharam, reported that around 120 members of the Resistance were arrested by the authorities in connection with these attacks and ambushes in different parts of the territory.

Arrests following the Dili attack

607. The ten youths left alive after the attack in Dili were able to flee the scene but at least nine of them (nine names have been identified to the Commission) were later arrested or turned themselves in. They were Francisco da Silva, Reinaldo Marcal, Adalio Barreto, Domingos Barrcos, Abeto Soares, Frederico Soares, João da Cunha, Elgídio da Cunha, Francisco da Conceição, Romeo da Conceição and Mariano Soares. David Dias Ximenes, considered by the authorities to be the mastermind behind this attack, was also arrested on 31 May at his home.⁸³⁷ His wife was detained soon after.⁸³⁸ Other civilians who had not been involved in the attack were also arrested, not only in the Dili area. Francisco Garcia Correia and a man named João were arrested in Manatuto.⁸³⁹

608. All detainees known to the Commission (except for João from Manatuto who was kept in Manatuto) were taken to the Dili district police station. There they were interrogated and suffered torture and ill-treatment.⁸⁴⁰ Francisco Carceia Correia told the Commission that he was beaten and kicked by five policemen and then put in a bag and hung up.⁸⁴¹ Romeo da Conceição, one of those who turned themselves in to the district police on 31 May 1997, told the Commission:

*They swore at us and then told us to strip off our clothes. Then they hit me in the groin and a police officer, M283, electrocuted me. At meal times they told us to dance before we could eat. They detained and tortured us for six months. In January 1998 they transferred us to Becora Prison and the guards there also tortured us.*⁸⁴²

609. For the nine suspected perpetrators of the attack, the interrogations were carried out by the district police and intelligence. Mariano da Costa Sarmiento Soares, for example, was interrogated by Indonesian police officer T515, Lieutenant T516 and an intelligence officer named T517.⁸⁴³ David Ximenes, because of his suspected role as organiser, was interrogated by a military team from Jakarta, including the military commander for East Timor, Major General T518. Soon after David Ximenes's arrest, Brimob also arrested his wife and child and took them to the District police station.

610. According to Reinaldo Marcal, after the police had interrogated them they were taken to the SGI headquarters for interrogation by Kopassus. Kopassus members hit them with a rifle and crushed their feet under the leg of a chair while asking them who was behind the attack. The men answered that they organised the attack themselves:

*They said: "We don't believe it. There must be someone who ordered it and we don't know him", and then continued with the torture. And they said: "You must tell the truth, otherwise we will take you to Tacitolu tonight."*⁸⁴⁴

611. The Kopassus members took them to Tacitolu where they threatened them, before returning them to the district police. There they were again interrogated while being kicked, beaten with a wooden club and threatened that they would be killed because they were traitors. The interrogation, ill-treatment and torture continued for a week until they were forced to sign a letter written by their captors. They signed it because they felt threatened by the armed guards.⁸⁴⁵

⁸⁴⁵ "26 people, who launched an attack against Company A of Mobile Brigade Police Brimob in Bairro Pite, Dili, (28/5), have been arrested" [Apakabar Online news service, apakabar@clark.net 9 June 1997].

612. The detainees were then sent to Becora Prison, where they spent a month in the dark cell. They were ill-treated further by guards at Becora as well as T519, an Indonesian. They were required to strip off their clothes, only wearing underwear. They were beaten, kicked and given electric shocks.⁸⁴⁶

613. Nine of the suspected perpetrators were put on trial and sentenced to ten years imprisonment. They were imprisoned in Becora. David Ximenes was released without trial after a few days.⁸⁴⁷

Arrests following the attack in Quelicai (Baucau)

614. The attack in Quelicai in May 1997 also prompted a military crackdown involving the arbitrary detention and torture of suspected perpetrators of the attacks, suspected organisers, known clandestine members and ordinary civilians in the sub-districts of Quelicai and Vemassee in Baucau. The operation resulted in the arrest (and killing) on 25 June 1997 of the senior Falintil commander David Alex, whom the military believed had masterminded the attack, along with six others.^{† ‡}

615. In most of the arrests reported to the Commission the military worked together with Team Saka, sometimes accompanied by members of Team Rajawali, Brimob or Hansip. Where the arrest was of a suspected perpetrator of the attack, it was carried out by a large group comprising various institutions. Detainees were taken to either the Quelicai Koramil, the district police in Dili or the Baucau District police station,[§] and many were moved around between different places for interrogation.⁸⁴⁸ The interrogation of the detainees was generally conducted by the Koramil commander or Team Saka commanders such as T520 and T521 and accompanied by ill-treatment and torture carried out by members of Team Saka or the police.

616. The precise number of people arrested in relation to the attack is unclear, although it is known that 19 people were eventually charged and that one died. Many arrests were carried out against ordinary civilians from villages in the sub-district of Quelicai, who had no involvement in the attack and who were detained for only a short period of interrogation.⁸⁴⁹ Constancio Gaio, for example, told the Commission that he was a farmer and cattle-herder, but that he was arrested when ABRI soldiers came from Baucau to pick up the corpses of the Brimob killed in the attack. He was taken to the Baucau District police station where he was beaten, kicked and stabbed with a rifle and then interrogated about the event. He was released after three days.⁸⁵⁰

617. Those suspected of direct or indirect involvement in the attack were held for longer periods.⁸⁵¹ Clandestine member Luis Maria da Silva (Maukiak) was arrested in connection with the attack with several others on 5 June 1997 by members of Brimob, the police, Team Sera, Team Rajawali, Team Saka commander T521 and his deputy, T523. Francisco da Costa, one of those involved in the attack, was arrested on 6 June 1997.⁸⁵² João Bosco was arrested at church as he left Mass on 8 June 1997 by Koramil and members of Team Saka.⁸⁵³

[†] Arrests in connection to the attack also took place in Dili: David Dias Ximenes and his wife. Also in Ainaro: Francisco Magno, José Acacio and his wife [Amnesty International Urgent Action 391/97].

[‡] HRVD Statement 7681; Human Rights Watch, *Deteriorating Human Rights Situation in East Timor*, CAVR Archive at HRW East Timor/reports/1997/indtimor/index.html. According to Amnesty International, also arrested with him were Manuel, José Antonio Belo, César da Costa, Gil da Costa, Guilherme dos Santos. [ASA 21/54/97].

In response to the death of David Alex, Falintil also arrested some people whom they suspected of cooperating with the military, leading to his arrest. "On 24 August 1997, at 4.00 three Falintil members went to Mamutu in Samalari Village (Baucau, Baucau) and arrested the child of Joana Martins called Justino Sarmento because he was accused of being involved in the capture of David Alex in Bahu Village, Baucau by ABRI. After they arrested him, the three Falintil tied Justino Sarmento's hands and ordered him to kneel. They started to interrogate him with questions such as "Do you know of the capture of David Alex in Uaidei?" [HRVD Statement 7721].

[§] According to Human Rights Watch those arrested on June 5 were taken to the Kodim. [Human Rights Watch, *Deteriorating Human Rights Situation in East Timor*, CAVR Archive at HRW East Timor/reports/1997/indtimor/index.html].

618. All three were taken first to the Quelicai Koramil where they were beaten and tortured by Team Saka commanders, including T521. João Bosco was also beaten by Koramil soldiers and T524, an East Timorese intelligence officer, at the Koramil. Francisco da Costa described being tortured by members of the Team Saka for two days:

*They grabbed a piece of wood and tied it between my legs. Then they beat and kicked me. My bones were broken and I could not move my jaw because it was swollen and weak. I bled but they continued beating me until all of my teeth were broken and scattered on the ground. They tortured me for two days.*⁸⁵⁴

619. The detainees were moved from the Koramil to the Baucau police station. Luis Maria da Silva spent only two hours there, being beaten by police, before he was moved to the Rumah Merah for six days where members of the military beat him. Francisco da Costa and João Bosco spent several days at the police station and João Bosco described being tortured there by the Indonesian Sub-district police captain, T525. On 11 June 1997 all three, along with Marcus Ximenes, Mário Filipe and Januario Martins, were moved to the Regional Police Headquarters in Dili where they were held and interrogated for several months. Mário Filipe described the interrogation routine at the Dili District police station:

*The interrogation method was that one person asked the questions and four people tortured me. While one person interrogated me, the four others kicked me from behind, from the sides and from the front, so I could not speak calmly. They fed me once a day. The Red Cross visited me. One day before the Red Cross came, they cleaned all the rooms and fed me three meals a day. But once the Red Cross left, they returned to their old practice. They let us sleep on the floor in a dirty room, and sometimes they did not even give us food.*⁸⁵⁵

620. The conditions in the District police station were particularly inhumane. Detainees described their treatment:

*They spilled the food onto the floor and asked the prisoners to lick it clean.*⁸⁵⁶

*Sometimes, they mixed the food with glass fragments and forced people to eat. They also forced prisoners to roll on the floor until it was dry like a human mop.*⁸⁵⁷

621. After their time in the District police station, the Baucau clandestine members were sent back to the Baucau police station where they were held until their trial. Francisco da Costa was detained for six months by the police in Baucau.⁸⁵⁸

622. Eventually 19 people were put on trial in Baucau and the Commission was told that one person, Januario Martins, died while in custody.[†] Of those who survived, 16 received sentences of between nine and 15 years; José Maria and Francisco da Costa received the death penalty. Sixteen were sent to Kalisosok in Surabaya (East Java, Indonesia) after they accepted their

[†] Francisco da Costa says that it was more than one month; Luis da Silva was held for two months and João Bosco told the Commission that all were held for three months.

[†] According to João Bosco: "They beat Januario Martins to death when they got to the Dili Regional Police Headquarters [Polda] on 11 June 1997." [CAVR Interview with João Bosco, Quelicai, Baucau, 2 September 2004].

sentence. Both Francisco da Costa and Luis da Silva refused to accept their sentences and so remained in Baucau until 1999.⁸⁵⁹

623. An overview of Luis Maria da Silva's experience of detention and torture highlights the familiar pattern of moving detainees between various places of detention, the close relationship between the military, police and local militias in the detention, interrogation, ill-treatment and torture of detainees, and the almost routine use of torture during interrogation.⁸⁶⁰

Detention	Length	Torture/ill-treatment	Perpetrator
Quelicaï Koramil	1 day	"They beat, hit and kicked me until my body was swollen and I collapsed."	Team Saka commander T521
Police, Sub-district Baucau	2 hours	Beating and hitting.	Police
Rumah Merah, Baucau	6 days	"They beat, kicked and stepped on me again until I bled from my mouth, nose and ears. I fell into unconsciousness. When I woke up, they beat me again."	Military
Police, District Dili	2 months	"Before I entered my cell they tied my hands and body with a rope and beat me, dragged me and threw me and six other people I did not know into the toilet."	Police
Police, Sub-district Baucau	1 month	"They hit and beat me until my body became swollen. They poured hot water on my body. A police officer gave me rice mixed with needle shards and glass fragments."	Police
Baucau Prison	Served sentence		

624. In addition to those detained in Baucau, the Commission was told of the arrest of a senior clandestine member in Dili. Vasco da Gama (Mauleki), a clandestine leader, was arrested in June 1997 on suspicion of having ordered the Quelicaï attack and for other suspected clandestine activities. Rajawali, Kopassus, police and members of the Koramil under the orders of Captain T527 from Kupang and his East Timorese deputy, T528, carried out the arrest. They covered Vasco da Gama's eyes with black cloth, tied his hands behind his back and beat him on the way from his house to the police station. They also questioned him on the Brimob attack and on who had ordered the election boycott. Vasco da Gama (Mauleki) told the Commission:

I did not confess. So as soon as I arrived at the entrance to the police station they rolled my body in a drum full of water. Then, with my body all swollen, they put me in a cell for interrogation. Fifteen minutes later they started to beat and kick me and they cuffed my hands. Then someone tied my legs to the chair. I did not know who it was, because they covered my eyes with a black cloth.⁸⁶¹

625. The next day he was further questioned by Police Sergeant Major T529 from Kupang and Lieutenant Colonel T530, who wanted to obtain information on different clandestine leaders in the interior as well as in Dili. Vasco da Gama was accused of giving Rp9 million to the clandestine movement to fund a demonstration. When he did not confess, T529 started to beat him with an iron stick and a rifle butt, and kicked him. He put a gun into Vasco da Gama's mouth and threatened to shoot if he did not name names. Four days later Indonesian Colonel T531 interrogated him again about the names of other clandestine members.⁸⁶²

Police

As the above case studies demonstrate, the police began taking a more active role in the arrest and detention of politically-related suspects in the 1990s. This occurred at both a local level and the national level.

One reason for this was the “normalisation” of the province of East Timor which meant, in part, that the territory was no longer regarded a war zone and therefore the police had greater responsibility for security. As early as 1983, when political detainees began to be tried, they and their files were handed over for processing through the court system (see Chapter 7.6: Political Trials).

Police treatment of detainees

Arrest by the police did not necessarily mean better treatment. Arrest warrants were rarely used and detainees were kept incommunicado for days or weeks and often did not have access to a lawyer before the day their trial opened. Police were also identified as perpetrators in many cases of ill-treatment and torture reported to the Commission. They were also named in cases where detainees were held in appalling conditions without food or drink.

Police and the military

In many cases, particularly up until the early 1990s, the police and the military worked together in making arrests and obtaining information. Until 1998, the police force was formally part of the military within the Indonesian system, and generally assumed a subservient status within that system. The maintenance of law and order and upholding of the rule of law was often secondary to the achievement of military objectives in the context of conflict (see Part 3: History of the Conflict).

Constancio da Costa dos Santos's (Akita) statement to the Commission illustrates the increasingly important role played by the police. He told the Commission about his arrest for bringing a bomb into Dili from Indonesia. The bomb was intended to be used to blow up a police post in September 1997. Authorities in East Timor had been tipped off about his arrival and when his boat came into the Dili Harbour the police and the SGI commanders as well as the then Kopassus commander, Major General Prabowo Subianto, the Korem chief of staff, Lieutenant Colonel Tono Suratman and the Korem commander, Colonel Sidabutar were waiting for him.⁸⁶³

Constancio was arrested by the police and taken to the police station. However, the interrogation was conducted by the SGI commander. He was interrogated from 10.00am until 2.00pm the next morning, mainly on whether there was cooperation between Falintil and international terrorist groups. Because he refused to answer their questions, he was beaten, burned with cigarettes and handcuffed from behind and ordered to hold a heavy telephone directory. According to Constancio, the police at the Sub-district police station did not take part in his ill-treatment.

The following day Zacky Anwar Makarim, head of the armed forces intelligence agency (Badan Inteligensi ABRI, BIA), came from Jakarta to see Constancio. Constancio told the Commission that when SGI members took him to see Zacky Anwar, the police captain did not agree to let him out of police custody. He eventually agreed under the condition that some members of the police would accompany the SGI members to the military chief's house.

⁸⁶³ While on his way from Semarang by boat, another bomb accidentally blew up inside the house of clandestine members in Demak, Semarang (Java, Indonesia). As a result, the police and military in Timor-Leste were informed that Constancio was on a boat on his way to Dili and they waited for him at the harbour.

Constancio was taken from the Sub-district station to the military commander's house for dinner. They spoke at length, and and recalls:

I was surprised at what Zacky told us, because he talked about the movement's activities in Java as if he were East Timorese. He knew everything. I mean, all about the movement's activities in Java and its ties with Dili, the Resistance groups, the student organisations and other organisations in Java.

After his "interrogation" he was brought back to the Sub-district police headquarters, where he was held for two months.

When members of SGI asked the police captain whether they could take him out at night for questioning, they were refused permission. Police officers told Constancio that he might have "disappeared" if the SGI had arrested him rather than the police.

Liquiça, July 1997

626. The Commission received statements about arrests after a Falintil killing of three Rajawali members in the village of Darulete (Liquiça, Liquiça) in mid-July 1997. Members of the community of Maumeta (Bazartete, Liquiça) described how members of the Liquiça Kodim and the SGI arrested civilians they suspected of involvement in the attack.⁸⁶⁴ Those arrested were taken to the Liquiça Sub-district police station,⁸⁶⁵ the Liquiça Koramil⁸⁶⁶ and the Kodim.⁸⁶⁷ Jacinto da Costa, one of the detainees, described his arrest, interrogation and torture:

On Thursday 31 July 1997, at 2.00pm, the Kodim members T532 and T533 led around 20 ABRI soldiers to my house. T533 asked for my identity card, which I showed him. Then he told me to get into a Hino truck, where I saw eight of my friends already sitting, including Marcelino, Adelino Vidigal, Silvino dos Santos, Antonio de Jesus, Guilherme, Armindo and Antonio Vidigal. They took us to the village office in Darulete. As we got out of the truck, T534 tore my shirt. Then he ordered us to return to the truck and took us to Kodim 1638 in Liquiça. There, ten members of SGI questioned us, and separated me from my friends. They took me to the Koramil and put me in a room. T534 forced me to take off all my clothes except my underwear. Soon, between ten and 15 SGI members came and beat me with rifles, and slapped, punched and hit me over the head with bamboo until I was bleeding. They asked me where Falintil was and I said I did not know. They tortured me. They cut my face with a razor, beat me, kicked me, slapped me, punched and kicked me non-stop for three days.⁸⁶⁸

627. After their interrogation and torture, Jacinto da Costa and Silvino dos Santos were taken back to the Darulete village office by four members of SGI and Rajawali. They were held there for two days without food but were then allowed to go home. The next day, however, Rajawali came and took the two men to the Liquiça Kodim and then the Liquiça Koramil, where again the military ordered them to strip down to their underwear and soldiers beat, kicked, slapped and punched them. Jacinto da Costa told the Commission that a member of ABRI, T535, kicked him until he lost consciousness. When he woke up an hour later his face was sliced with a razor and pricked with nails. After a few days the two were moved again to the Liquiça Sub-district police station, where they were detained for four months and 18 days. Finally, they were moved to the Becora

Prison where Jacinto's head was shaved and he was interrogated. He remained in Becora Prison for seven months.⁸⁶⁹

Two Falintil incidents in Alas (Manufahi), late 1998

628. In October and November 1998, two attacks on the Indonesian military in Manufahi led to a harsh military response and a large number of cases of detention, torture and ill-treatment of civilians. Much of the violence was perpetrated by the Ablai militia with the support of the military, foreshadowing the violence to come in 1999.

The first attack

629. The first attack was the spontaneous killing of three people during a meeting between the community in Weberek, Dotik Village (Alas, Manufahi) and Falintil under the Falintil commander T536 on 28 October 1998. According to Alexandro da Costa, two Kopassus soldiers arrived in a car and when they insisted on passing, Falintil took their weapons. Mateus da Costa Amaral told the Commission that four Kopassus soldiers were captured by pro-independence youths at the meeting. Three of the captives were killed; one managed to escape and to report the incident to Dili.⁸⁷⁰

630. On the evening of the day of the attack, a combined force of military, Brimob, the Bimpolda and T537, a member of Koramil, attacked Weberek. The Commission was told that 16 people were detained following this attack, though it has only received the names of five people who were detained: Mateus da Costa Amaral, Alexandre, João Maia, Patricio da Costa and Alexandro da Costa.^{*} It is possible that two young women, Vicentina Fernandes and Etelvina Fernandes Dias, were also arrested. Mateus da Costa said that he and three others were thrown into a Hino truck and beaten before being taken to the Same Sub-district police station. They were thrown into a chicken coop until being taken out for interrogation. Mateus da Costa told the Commission:

A member of Brimob came in then and pulled out a table to put onto our toes. They interrogated one of us while beating the four others with their rifles. They stripped us naked and told us to scrape our bodies against the walls. Then they ordered us to kneel, and kicked us. An, [Indonesian] soldier, T538...came and asked: "Do you recognise me or not?" (He asked this question three times). I said: "No!" Then he drew his knife and cut my ears. Because they weren't completely cut off, he pulled my ears until they were completely severed. He stabbed my chest, put his gun in my mouth, stripped [my clothes off] me, kicked and beat me...until I fell to the ground. He rested for a while before he grabbed the tail of a stingray and rubbed it on the nape of my neck. He asked me to kneel and forced me to smell human faeces and lick faeces in the toilet. Then a police officer from Bali came with food and hot water and told me: "You pray in your heart."

^{*} Other victims named were also named in statements describing the attack on the Alas Koramil, 12 days later.

Nanggala and Milsas blindfolded me and took me in a jeep to the Bolmeta Bridge in Same. They stopped to kill me, but their commander suddenly spoke on the radio and told them not to kill me. They took me back to Same and treated my wounds. At 4.00am they took me to Same police station and gave me clothes to wear⁸⁷¹*

631. Alexandro da Costa said that he was arrested the next day, 29 October, when he went to Dotik to deliver some items for the church. ABRI soldiers in Dotik chased him and shot at him but missed. When they caught him he was arrested and beaten with a rifle-butt, and kicked and punched to the ground until he was bleeding. He was then thrown into a hole, boiling water was poured over him, he was dragged by the hair and they burned his skin. The soldiers then took him to join the other detainees at the Same police station.⁸⁷²

632. On 20 November 1998 some of the detainees were released and six others were taken to the Dili District police station and detained for nine months until July 1999.⁸⁷³

The second attack

633. The second attack occurred nearly two weeks later, on 9 November 1998, and was carried out by Falintil and local villagers.[†] According to Human Rights Watch, the attack was staged to capture Siswanto, the officer who managed to escape from Weberek. The group attacked the Alas Koramil and killed three Indonesian soldiers, took 36 rifles and at least 13 (mostly East Timorese) soldiers with them to the mountains for two nights before they were released.[‡] The attack on the Alas Koramil, like the attacks 16 years earlier on the Koramil in Hatu –Builico (Ainaro), brought heavy retaliation from the military, involving widespread arbitrary detention, ill-treatment and torture.⁸⁷⁴

634. The Falintil perpetrators were arrested by Marine Battalion 301, Infantry Battalion 744 and Infantry Battalion 745 one week after the attack and were taken to the Manufahi Kodim.⁸⁷⁵ The military continued to look for other perpetrators and the whereabouts of the stolen weapons. It began arresting civilians in Alas, as well as anyone suspected of involvement in either the attack or the clandestine movement (see Chapter 7.2: Unlawful Killings and Enforced Disappearances on killings of civilians during this crackdown).

635. Also reminiscent of communities' experiences in the early 1980s, many citizens of Alas fled in fear of the coming military response. Others were ordered to go to the church by the village head and other local leaders.⁸⁷⁶ The community did not find safety in the church however. The Alas Koramil commander, an East Timorese officer named T539, went to the church soon after the attack and started interrogating people on the whereabouts of the weapons. ABRI soldiers who accompanied him beat several people.⁸⁷⁷

636. On 14 November the commander of Ablai militia in Alas, along with T540,[§] T541,⁸⁷⁸ T542,⁸⁷⁹ T543⁸⁸⁰ and the Alas Sub-district Administrator, T544, came to the church. They allowed some people to leave but took others to the Alas Primary School. There, members of Infantry

* Milsas is an abbreviation of "militerisasi" meaning militarisation. Milsas were former Hansip who after three months in Bali and Java, become members of the military [see Part 4: The Regime of Occupation].

[†] According to HRVD Statement 1531 Falintil under leadership of Commander T545, T546, T547. Human Rights Watch also said that it was an armed group of some 50 to 80 men, including some Falintil but mostly villagers from around the village of Taitudak (Alas, Manufahi). [<http://hrw.org/press98/nov/etimor1123.htm>].

[‡] The soldiers reported to have been abducted were Luis Fasalo, Henriques Morato, José Pereira, Manuel Oliviera, José Conceição, Antonio da Costa, Felisberto, Mateus Conceição, José Fernandes, Thomás Martins and Francisco O P Seak [HRVD Statement 9019] and João Baptista and Manuel dos Santos who were held for a longer period; <http://hrw.org/press98/nov/etimor1123.htm>; HRVD Statements 1566 and 9019].

[§] According to HRVD Statement 1510, a Babinsa; according to HRVD Statement 1568, a commander of the Ablai militia – the same person could have held both positions.

Battalion 744 and T434, the head of intelligence from the Manufahi Kodim, again tried to find out about the weapons by forcing people to point out the hiding place.⁸⁸¹ They threatened that anyone who had not given information by 4.00pm would be shot dead or buried alive.⁸⁸² The village head, T541 (reportedly an Ablai commander), together with Ablai members T550 and T551, verbally and physically harassed the detainees, insulting them and pulling their genitals.⁸⁸³ The civilians were arbitrarily detained in the primary school for about one month under harsh conditions, food was scarce and visits from the members of the Church or family were not allowed.⁸⁸⁴

637. The Commission heard that on 17 November T541 moved a group of detainees to an empty house.⁸⁸⁵ There, Koramil commander T539 and the head of intelligence, T434, further tortured and interrogated the prisoners. Flaminia da Costa, a 20-year-old clandestine member who had been taken to the house told the Commission that they were interrogated about their role in the clandestine movement and she was slapped hard ten times until blood came out of her mouth:

They told us: "If any of the soldiers in Same disappear, you are the ones who will be targeted. Even if you flee to the eastern region, we will hunt you down and catch you."⁸⁸⁶

638. They were then taken to the Alas Koramil and held for one month, where T539 interrogated them and T434 tortured them.⁸⁸⁷

639. In addition to those who fled to the church, many other civilians were also arbitrarily arrested, interrogated and ill-treated. Victims of these violations reported that a variety of perpetrators were involved, including:

- Koramil members including Koramil commander T539, T552 and T553 and intelligence section head T434⁸⁸⁸
- Members of the Ablai militia including T554, T555 and T556.⁸⁸⁹
- Infantry Battalion 744⁸⁹⁰
- Police including an Indonesian named T557 and an East Timorese named T558.⁸⁹¹
- Village heads (also named as Ablai commanders) T541 and T540⁸⁹²
- Milsas T559,⁸⁹³ T560⁸⁹⁴ and T561.⁸⁹⁵

640. Detainees were taken to the primary school, the Alas Koramil, the Alas Nanggala Post, the police station, the Ablai militia headquarters and private houses, including the house of the village head of Taitudik, T562.⁸⁹⁶ Most detainees were held and interrogated for a few days, but some were held for several weeks. Many were beaten, punched and threatened with rifles and knives. Some were ordered by Infantry Battalion 744 to look for the missing weapons.⁸⁹⁷

641. In one case, an East Timorese man told the Commission that he was arrested on 13 November 1998 with eight of his friends. They had no knowledge of the Falintil incident in Alas but were arrested by village head and Ablai Commander T540 and Ablai militia member T556 in Taitudaik. They were taken to T562's house in the village of Taitudik where they were beaten and tortured. The next morning they were taken to Beroban, Taitudak (Alas Manufahi) where soldiers from Infantry Battalion 744 and Infantry Battalion 755 beat them, and later returned to Alas where the beatings continued. They were then detained at Ablai militia T554's house for six days and during this time they carried out forced labour.⁸⁹⁸

642. José Tilman also told the Commission of the detention of five young female students from the Alas SMP (junior high school), who were also clandestine members. They were detained for

two nights in the old police station because they were suspected of helping Falintil.^{*} They were detained by members of the Ablai militia and military.⁸⁹⁹

7.4.8 Detention, torture and ill-treatment by the Indonesian authorities in 1999

643. This section looks at the nature and extent of arbitrary detention, ill-treatment and torture committed in 1999. 1999 is considered separately in this Report because of the unique set of circumstances in which detentions took place: the Popular Consultation which divided the community; the coercive and violent campaigning techniques used, including the attempted suppression of the pro-independence movement, the creation and arming of militia groups to implement these techniques; mass recruitment, often forcible, into militia groups; the presence of United Nations staff from June to oversee the ballot; and finally the extreme violence and devastation that occurred following the ballot. The unwillingness of the authorities to prevent or punish those committing acts of violence was, as documented in earlier sections of this chapter and in other sections of this Report, normal. What was unusual, in 1999, was that such conduct should occur in the context of a process under international supervision and under an international treaty which bound Indonesia to ensure that the ballot took place in secure conditions.

644. Arbitrary arrest, detention and torture reached its highest peak since the late 1970s in 1999. However, the patterns of arbitrary detention, ill-treatment and torture differed from previous years in their purpose, form, targets and perpetrators. These patterns are considered in detail below.

645. The seeds that eventually brought about the massive violence and devastation were being germinated from late 1998 (see 3.18: The Popular Consultation). It was at this time that plans for the creation of the militias were first drawn up, and the main perpetrators of the violence of 1999 were already making their presence felt by late 1998. Arbitrary detention, ill-treatment and torture began to increase at this time, for example in the mass arrests in Alas (Manufahi).

646. This chapter considers some broad patterns of detention and torture in 1999, both quantitative and qualitative, including the way in which detainees were held and the reasons for their detention. It then examines the pattern of detentions and torture over time in the following phases:

^{*} They were Joana Alves, Antonina Alves, Artunisa Fernandes, Anunciação and Filomena.

- November 1998–March 1999, during which plans for a ballot were drawn up and announced and militias were formed
- April 1999 in which militias began recruiting youths and conducting operations throughout the territory
- May 1999, after the Indonesian police were given responsibility for security
- June–August 1999, during the UNAMET presence and preparation for the Popular Consultation
- September–October 1999, after the announcement of the result of the Popular Consultation

Statistical Profile of Detention, Torture and Ill-Treatment in 1999

647. The patterns over time and space for detentions and torture in 1999 are almost identical to other violations in the same year, such as extra-judicial killings and sexual violations.

Patterns over time for both detention and torture

648. The following graph shows the patterns of detentions and torture in 1999 by month.

Insert graph <gTS_pg4004.pdf>.

649. Almost all detentions, tortures and ill-treatments were reported to have occurred in the months of April, May and September of 1999, as shown in Figure <gTS_pg4004.pdf>. However the number of violations began to increase in January and February. After the arrival of UNAMET, the number of reported incidents was relatively low, but begin to rise again in August in the lead-up to the Ballot.

650. The incidence of torture and detention are closely correlated throughout the year and in some months (July and October) are exactly the same. This suggests that a very high proportion of detainees also suffered torture.

Patterns over space

651. During the final phase of the conflict in 1999, 75.1% (9,494/12,634) of reported non-fatal violations occurred in the western region. The Commission's data are consistent with the claim that communities close to the West Timor border and in Oecusse in 1999 were subjected to higher levels of violence as the pro-autonomy militias and Indonesian military withdrew towards West Timor.

District	Detention	Torture	Ill-treatment
Lautém	32	23	19
Viqueque	114	105	22
Baucau	20	10	10
Manatuto	51	33	20
Manufahi	79	72	94
Aileu	104	67	64
Ermera	249	264	266
Liquiça	257	211	182
Dili	195	119	92
Ainaro	90	74	53

Covalima	569	377	367
Oecusse	419	417	488
Bobonaro	497	412	283

Table 6 - Number of cases of detention, torture and ill-treatment in 1999 recorded by the Commission.

Length of detention

652. In 1999 the length of time that people were held in detention was significantly shorter than in earlier periods. Sometimes detentions were as short as a few hours but during that time those detained suffered torture, beatings or other forms of ill-treatment, as well as threats to induce them to support the autonomy option. The purpose of the detention was often to intimidate pro-independence supporters, not hold them for long periods, and the places used to hold people were improvised detention centres not made for holding many people long-term.

Targeted groups in 1999

653. Both the Commission's quantitative and qualitative research strongly indicates that the perpetrators of most incidents of arbitrary detention specifically targeted members of pro-independence groups including the CNRT, student groups and clandestine networks and Falintil. Others who were not clearly a part of the pro-independence movement but nevertheless demonstrated opposition to the autonomy option were also subject to human rights violations. This included civil servants, UNAMET staff and members of local political parties. Family members of those campaigning for independence also experienced harassment and sometimes detention.

654. One proof of the targeting of particular individuals, besides the evidence in statements, is that nearly twice as many people were detained as individuals than as part of groups in 1999. This suggests that the individual detained was selected for detention, rather than randomly caught as part of a mass arrest.

CNRT members

655. Victor da Cruz was writing up a list with names of pro-independence supporters in the sub-district of Balibo (Bobonaro) to send to the CNRT office in Dili. When members of the Firmi Merah Putih militia group found out about his activities, he was summoned to the Firmi post in Balibo, where he was beaten by members of Firmi, including East Timorese member T565. He was held there for two weeks, and only let go after participating in an oath-taking ceremony in which he promised to join the Firmi militia along with 15 others.⁹⁰⁰ In Railaco (Ermera) Daniel Ataidi was ordered to do a hundred push-ups by an Indonesian Babinsa T566, because he was in the CNRT leadership, after which he was taken to a post where he was tortured by T566 and two East Timorese TNI members T567 and T568.⁹⁰¹ Other reports of arrests and ill treatment include cases of a person wearing a CNRT T-shirt, another attending a CNRT opening ceremony, another who was the wife of a CNRT member, and many who were CNRT members.⁹⁰²

Clandestine members

656. Although the Indonesian authorities targeted people with a view to the upcoming ballot, individuals were still arrested and detained for having contact with Falintil. The Commission received a total of 567 statements reporting the detention of people who were identified as clandestine members in 1999. The months for such arrests were April and May, and then again but slightly lower in September and October.

Student activists

657. Members of the East Timorese Student Solidarity Council (Dewan Solitaritas Mahasiswa dan Pelajar Timor Timur, or DSMPTT) had already been openly campaigning for independence from late 1998 by going from village to village explaining the benefits of independence. Justino Ferreira Vicente told the Commission that he was arrested in Fatumean (Covalima) and detained with 26 other people on 23 April 1999 during an investigation into DSMPTT which had recently visited Fatumean to campaign for independence.⁹⁰³ After the announcement of the result of the ballot DSMPTT members were targeted even in West Timor, where some had fled. Agnes Lese told the Commission that her husband, Edmundus Bere, was captured by Laksaur militia members on 15 October 1999 in Lakmaras, Atambua (West Timor) and taken to the militia post because he had been a member of DSMPTT. He was tortured in Lakmaras and on 17 October he was killed.⁹⁰³

UNAMET staff

658. The Commission received at least five statements reporting cases in which local UNAMET staff working on the Popular Consultation and others suspected of having a connection to UNAMET endured threats, harassment and beatings.⁹⁰⁴ These cases intensified close to the ballot. For example, João da Costa told of being detained in the Hatu Udo police station (Ainaro, Ainaro) in the days before the vote with three female staff members of UNAMET.

659. After the result of the ballot was announced, some people connected to UNAMET were punished. Cristina dos Reis Ataide told the Commission that on 9 September 1999 in Aisirimou (Aileu Town, Aileu) her house was burned down and she was called to the Aileu Kodim and verbally abused because she was suspected of having a connection with UNAMET.⁹⁰⁵ Armando do Rego was detained on 15 September in Deudet Village (Lolotoe, Bobonaro) after a joint TNI and KMP (Kaer-Metin Merah Putih) militia conducted an operation in the village. He was interrogated about UNAMET.⁹⁰⁶

Perpetrators

660. The statements given to the Commission describe a number of different permutations of perpetrator responsibility for the arbitrary detention, torture and ill-treatment of people in 1999. Of the acts of arbitrary detention documented by the Commission, most were attributed to the Indonesian security forces, their East Timorese auxiliaries or both. Most detentions were attributed to East Timorese auxiliaries. Of the acts of arbitrary detention in 1999 documented by the Commission, 75.7% (2,104/2,779) were attributed to either the East Timorese auxiliaries acting alone or in collaboration with the Indonesian military and police, while 19.2% (534/2,779) of documented acts of detention which occurred in 1999 were attributed to the Indonesian military alone. A similar proportion (namely 82.5% (16135/19559) of the documented ill-treatments and tortures are attributed to the Indonesian occupation forces and their East Timorese auxiliaries. Also, 75.8% (3278/4324) of reported acts of ill-treatment and tortures were attributed to East Timorese auxiliaries (either acting alone or in collaboration with associates of the Indonesian military and police).

[Insert Figures <gTS_pg6004.pdf> and <gTS_pg10004.pdf> about here]

661. These statistical patterns suggest prior planning and operational coordination between both forces in their use of arbitrary detention. As Figure <gTS_pg400M.pdf> shows, reported acts of arbitrary detention attributed to the Indonesian military and police alone, East Timorese

⁹⁰³ HRVD Statement 6277. HRVD 8489 describes how two cars from the Suai Town Koramil (Covalima) went to the local DSMPTT post and shot and injured two university students.

auxiliaries or both forces acting together are positively correlated over time, including in 1999. But in 1999 the role of auxiliaries became much more visible. It is clear from this that rather than seeking to control their East Timorese auxiliaries (principally the pro-autonomy militias), the Indonesian military aided and abetted them in the widespread use of arbitrary detention in the lead-up to and the aftermath of the UN-sponsored Popular Consultation.

[Insert Figure <gTS_pg400M.pdf> about here]

662. Within the category “East Timorese collaborators with the Indonesian military”, are included civil defence organisations such as members of Wanra (People’s Resistance, *Perlawanan Rakyat*) and members of the 25 militias identified as operating in Timor-Leste. It also includes members of the civilian administration, from district administrators (*bupati*) to village heads, many of whom worked for the pro-autonomy cause in 1999 either willingly or under pressure of office (see Part. 4.3: Civil Administration). The Commission has found that these collaborators were established, armed and very often directly instructed to perpetrate violations by the Indonesian military.

Detention locations

663. The Commission’s qualitative research indicates that Koramils, police stations and TNI posts were used widely in 1999 as in other periods, but there was also a return to the pattern of detention in the 1970s of holding individuals in improvised detention centres such as newly-built militia posts, private houses and public buildings such as primary school buildings. The nature of these detention centres influenced detainees’ experience in detention. Because these buildings were often small and not built for holding people, detainees were held in small groups or individually for a short period and then released. Conditions were poor and many people received little or no food. Some detainees managed to escape because of poor security. The Commission received only one statement in which a detainee was held in an official prison (*Iembaga pemasyarakatan*. LP) such as LP Becora, LP Comarca, LP Baucau or LP Maliana in 1999.[†]

Reasons for detention and torture

664. Several clear motives for the arbitrary detention and the torture and ill-treatment of victims are apparent in the statements provided to the Commission and interviews carried out by Commission staff and others. Before the ballot the main reason for detention and torture cited was to coerce the victim and the population as a whole into rejecting the independence option and choosing to be an autonomous province of Indonesia. As part of this strategy, Indonesian security personnel and their militia proxies arrested individual people at random or at “socialisation” meetings and interrogated them about their political affiliation.

665. At the same time, militia members were asserting their new power over the population through random acts of violence. Militia groups were composed largely of young men who were marginalised and angry, or who had long histories of involvement in Indonesian paramilitary or civil defence groups. Some were also just opportunists and, in this period of lawlessness and heightened tension and violence, were given free rein to do as they pleased with impunity. Indeed, the evidence is clear that the military not only allowed but actively encouraged brutality on the part of the militias.

666. Other reasons included:

^{*} The Tropical in Dili was first used in the 1970s by TNI to detain people and was notorious for the torture practices conducted on its premises. Aitarak militia and PPI (Pasukan Pejuang Integrasi, Integration Fighter Force), under the command of leader Eurico Guterres, reoccupied it as a detention place in 1999.

[†] One statement of someone who was detained in the Ermera Prison.

Forcible recruitment of militia

667. As well as detention and torture to intimidate people, a commonly reported reason for arrest was to find new recruits for militia groups.⁹⁰⁷ While in detention victims were forced to join various militia groups, sometimes after participating in a blood-oath ritual or other kinds of traditional ceremonies at which they pledged their allegiance to Indonesia and the autonomy option, before being released.⁹⁰⁸ In Oecusse the Commission heard of people being offered money to join the militia.⁹⁰⁹

668. Agustino was detained by Mahidi militia in the Mahidi headquarters in Zumalai (Covalima) for his clandestine activities. He was forced to take an oath drinking water in which the Indonesian flag had been submerged. He was then given a pro-autonomy uniform and became a member of Mahidi.⁹¹⁰ The community of Saboria Village (Aileu Town, Aileu) described how many of its young men were forced to join the AHI (Aileu Hametin Intergrasi, Aileu Strengthen Integration) militia during an autonomy socialisation meeting in the village run by the TNI, police and militia leaders. The youths were forced to join in village meetings to promote integration and to participate in a blood-oath ritual.⁹¹¹ The TNI captured João Leki, a young man from Saboria and took him to the AHI office, where he was held for 24 hours and beaten into unconsciousness to force him into joining the militia.⁹¹²

Assertion of pro-autonomy forces' authority over the community

669. The Commission received reports of arrests, torture and detentions with the apparent purpose of conveying to the community that pro-autonomy supporters, specifically militia groups, had power over civilian's lives. Many of these arrests occurred immediately after a mass recruitment, an inauguration ceremony or other public event in which the militia members were incited to go on a rampage through the community. The most well-known instance of this was the meeting of all militia groups for the inauguration of the militia umbrella group, the PPI, in Dili on 17 April 1999, after which militias burned and looted houses in Dili, including the house of Manuel Carrascalão.⁹¹³

Retaliation against Resistance attacks

670. As in previous years, in 1999 people were arrested after Resistance attacks or other incidents involving opposition forces in an effort to find the perpetrators, but often also to punish the community of the village in which the event occurred. Several such incidents occurred, for example, in the district of Ermera in April 1999 and are discussed further below.

Punishment of individuals who openly declared support for independence

671. Force was used to punish those who openly declared their support for the independence movement. Many were beaten, ill-treated or tortured before they were released after receiving serious threats to themselves and their families. People identified at public rallies in support of independence were later arrested and interrogated.⁹¹⁴ There were several reports of pro-independence supporters who had their ears cut off, apparently so as to brand them.⁹¹⁵

672. Others were required to prove their change of heart by signing a statement (surat pernyataan), declaring their commitment to autonomy as well as denouncing any affiliation with the pro-independence movement.⁹¹⁶ Alexandre dos Reis's statement made at the Covalima Kodim on 26 May read as follows:

⁹¹⁴ The long-standing East Timorese ceremonial tradition of drinking goat, dog as well as human blood was used by the pro-autonomy camp as a way to further their campaign. The Commission received statements about the use of blood-oath ceremonies to force people to swear allegiance to integration, going as far back as 1982 [HRVD 7161;5610; 5592].

*When I leave, I will not run away to the forest. If I run away, all of my family in Zumalai, in Galitas and in Akar Laran will be killed. I must support autonomy.*⁹¹⁷

673. This motive gained new force after the results of the ballot were announced on 4 September 1999. Known supporters of independence were rounded up and tortured, and many were executed.

Obtaining intelligence about pro-independence leaders and structures

674. In 1999 the TNI and the militias continued the pattern that had existed since Indonesian forces first invaded the territory of detaining, interrogating and torturing people to obtain information about the pro-independence movement and members of clandestine networks. Community members suspected of assisting or possessing information on the whereabouts of pro-independence activists were arbitrarily arrested. The authorities also made targeted arrests of members of CNRT, clandestine members and youth activists and students in an attempt to extract information and identify the pro-independence movement leadership. Torture was often used to obtain such information.

Transportation of civilians and capture of those fleeing

675. After the ballot hundreds of thousands fled their villages. Some went freely to West Timor or the mountains in Timor-Leste, many others were forced over the border. Victims reported being detained both in the context of being forcefully displaced and also as they tried to flee voluntarily.

Detentions and torture, November 1998–March 1999

676. The patterns of detention, ill-treatment and torture described above actually began in late 1998 as political events leading to and following the announcement of the Popular Consultation unfolded.

Before the announcement of the ballot

677. Arbitrary detentions began to occur, often perpetrated directly by the military acting alone. The Commission heard for example of a case in Poemate in Atabae Village (Atabae, Bobonaro) on 9 November 1998. Jacinto Lobato and three of his friends, Ernesto Gaspar, Domingos and Claudino were threatened with M-16 rifles by Luis Antonio, a member of Atabae Koramil and Territorial Combat Battalion (Batayon Tempur Teritorial, BTT) based in Atabae.⁹¹⁸

678. Also in late 1998 members of Falintil attending a traditional gathering in the aldeia of Holbese in Leber Village (Bobonaro, Bobonaro) were suddenly surrounded by more than 20 TNI soldiers and members of Kodim 1636. The soldiers arrested people from the community of Holbese, including women and young people. The next day the community as a whole was punished. Augusta told the Commission:

⁹¹⁷ Among whom M284 a member of TNI originally from Tapo, M285 a member of TNI from Holsa and M286 a member of TNI from Oe-lau.

The next day at 8.00am the whole community was gathered together and given instruction by Januario, a TNI member. He insulted us saying: "You want independence, but you can't even make a matchstick. What do you want independence for?" Friends were arrested and tortured by being punched, kicked, and stomped on by military boots. Five of the victims' faces, including my husband José Vicente's, became swollen and blood poured out of their mouths, noses and heads and they were also stabbed with the end of a weapon over and over again.⁹¹⁹

679. Paulo Morreira and Vicente do Rosario told of their arrest in January 1999 in Turiscail (Manufahi) by ten Kopassus soldiers and four East Timorese members of the military: T570, T571, T572 and T573. Their captors hit them across the head and back with rifle butts and then handed them over to the Koramil, where the Koramil commander slapped them again. The soldiers then took them to the Infantry Battalion 745 base, whose members beat them so hard that Paulo Morreira's spine was broken, he had serious head injuries and he lost the hearing in one ear.⁹²⁰

680. The military also reorganised the paramilitaries in Baucau (Team Saka Team, Makikit and Team Sera and Lospalos (Team Alfa) and established new militias such as Mahidi in Ainaro District, Halilintar in Maliana Sub-district (Bobonaro), and Besi Merah Putih (BMP) in Liquiça District. The first members of these new militias were drawn from long-time paramilitary members and other Indonesian military auxiliaries. For example, Cancio Carvalho Lopes, the former head of the Volunteers Team which had carried out widespread arbitrary detention and torture in Ainaro in the early 1990s, now headed the Mahidi militia. After their formation, widespread arbitrary detention, ill-treatment and torture occurred both to recruit further members and to establish their authority in the area.

681. In early January, in one of the founding meetings held by Besi Merah Putih militia⁹²¹ in the village of Guguleur (Maubara, Liquiça) plans for future BMP operations in the sub-district of Maubara were laid out. The community of Guguleur described how, the following day, BMP members arrested five people and beat them. Four were beaten so badly that they were hospitalised in Dili; the fifth was detained in the militia post.⁹²²

682. Large groups of 30 or more members of the BMP militia, together with civilian staff from Koramil, then arrested many others in the area, mostly members of CNRT. The Commission received one statement about detentions in Gugleur in January 1999 and five from February 1999. In addition five were received from Vatuboro, four from Vatuvuo, and six from Guico (all in Maubara, Liquiça). Perpetrators named in these statements include East Timorese members T574, T575, T576, T577, T578, T579 and T580.⁹²³ Members of Gadapaksi and Battalion 143 also attacked the people of Gugleur with sticks and sharp weapons, such as spears and machetes.⁹²⁴ Many villagers fled the sub-district of Maubara.

683. The Commission also heard that 40 members of the Naga Merah militia attacked the house of the village head of Vatuvou, Manuel Almeida. He was not home at the time of the attack but the attacking youths used knives, rocks, iron bars and M-16s to destroy his house and threaten his family. Three members of his family were abducted and taken to the Naga Merah post in the Maubara Koramil where they were tortured.⁹²⁵ The arrests continued into February.

684. Paulo dos Santos, a former clandestine member, told the Commission that on 2 January he was arrested by four TNI marines in Ainaro. They ordered him to step out of a public minibus and then took him to the marine base in Cassa (Ainaro, Ainaro). He was beaten and kicked until he was bleeding from his ears and he lost consciousness for about an hour. At midnight, with his thumbs and his big toes tied together and blindfolded, he was taken to a building near the Cassa River. He recalled his experience:

They held me for two days, beginning with interrogation about my participation in independence activities. Because I was afraid, I told them everything I had done. A member of the marines warned me: "Don't be involved again in demonstrations related to the referendum like what happened in the SP II incident, where the youth beat the SGI commander, when Bishop Belo inaugurated the Chapel at SP II." I said that I wouldn't be involved in such activities. After two days, my uncle Agostinho Sarmento, the Sub-district administrator of Hatu Udo, came and got me out [of detention] and took me to Hatu Udo where I hid for one month.⁹²⁶

After announcement of two options

685. On 27 January 1999 the decision to hold a ballot on the political future of Timor-Leste was announced. More militias were established in districts and sub-districts around Timor-Leste (see Part 4: The Regime of Occupation, for a full list).

686. In the following week there were a number of arrests carried out in Maubara (Liquiça) by the BMP militia. In some cases the militia acted alone. For example, Mário da Costa, a former member of CNRT, told the Commission that he was arrested at his home in Vatuboro (Maubara, Liquiça) on 30 January by two East Timorese members of the BMP militia, T578 and T579. At the time of arrest he was kicked in the neck and beaten with a motorbike chain. Then he was taken to the militia post where he was beaten further and interrogated by T580, a militia commander.

687. The Commission received at least five statements describing cases of the BMP militia in Liquiça working closely with the TNI, Gadapaksi and police.^{*} In one case on 16 February 1999, João Soares was arrested in his house in Manukabia (Maubara, Liquiça) by four East Timorese members of TNI, T581, T582, T583 and T584, and two East Timorese members of BMP militia, T585 and T586. They beat him with a rifle butt, punched and slapped him, resulting in head injuries. He was then taken to the Maubara police station and on the way M287 and M288 stabbed him with an arrow causing him to bleed heavily. He was eventually taken to a police station in Liquiça where he was detained and interrogated for eight days.⁹²⁷ On 5 February, Ana Maria Mouzinho was arrested in Holbolu (Beco, Suai, Covalima) after information from an East Timorese intelligence informer T587 had reached members of Mahidi militia, including T587 and T589 (wife of a government official in Raimea). Ana Maria was beaten, hit with a rifle and taken to the Mahidi headquarters in Zumalai where she was interrogated, threatened with death and beaten again with a rifle and ordered to mill rice for the militia. She was held there for two days.⁹²⁸

688. As well as furthering the autonomy option, newly recruited militia members were often ordered to carry out some type of forced labour, such as cleaning, cutting grass, fixing pipes, looking for firewood or guarding a militia post.⁹²⁹ On 11 March Agustino was captured by four East Timorese members of the Mahidi militia, T590, T591, T592 and T593, in Mape (Zumalai, Covalima). They interrogated him throughout the night after which he was told to carry out different tasks before being released. He told the Commission:

I was ordered to repair the Loumea Bridge, cut grass and chop wood to build the Mahidi militia post in Kulu Oan, Zumalai. On 16 March Mahidi took me to Zumalai, where I was ordered to pick up cigarette butts around the Mahidi headquarters and dig holes. I was held in the Mahidi headquarters for one week.⁹³⁰

^{*} HRVD Statements 4630; 1001; 0225; 5908; 2867 (victim Joanico Marcal was arrested by TNI members and then handed over to BMP militia)

689. The community of Rai Fun (Maliana, Bobonaro) told the Commission that in February 1999, members of the Maliana Kodim looked specifically for young men with long hair. Manuel Laka Suri, Domingos Salvador and João Barreto, all long-haired men, were captured and had their hair cut off by knife. They were arrested and submerged in flooded rice fields. They were then stripped naked and put in a dark room filled with water which prevented them from sitting or sleeping.⁹³¹

Dilor, Viqueque, 20 March

690. Team Makikit militia reportedly began recruiting in March 1999. On 20 March, after a gathering at the TNI post in Dilor (Lacluta, Viqueque) the new recruits started attacking people and their houses in surrounding villages, beating and threatening alleged supporters of independence. Approximately 160 people were detained briefly at the Lacluta Koramil in Dilor and approximately 500 others fled their homes in fear.⁹³²

691. Artur de Carvalho, a supporter of independence, was one of the victims of this attack. He told the Commission that militia members attacked his house in Laline (Lacluta, Viqueque), destroying the roof, door and windows. They then took him to the Koramil and handed him to East Timorese militia member T594 and the Koramil commander, Sergeant Major T598. He said that at least 64 others were detained in the Koramil at the time. Their houses and kiosks had also been wrecked. The detainees were held for 24 hours without food and were then released on 22 March 1999. He told the Commission that at least one detainee, MN, was ill-treated while in detention. Her trousers were pulled off and then her genitals were touched.⁹³³

692. Seven East Timorese men fled to the forest. When they returned two weeks later they were arrested by local Babinsas, T596 and T597, and taken to the Koramil. The Koramil commander T598 interrogated them and then released them the same evening. However, the next day, when they reported to the Koramil, T598 and T600 detained them again, and they were forced to work for the military including hoeing land, cutting wood and bamboo, building a fence, tiling roofs and planting vegetables for two and a half months.⁹³⁴

Maliana, Bobonaro, March 1999

693. On 22 March, TNI soldiers beat a prominent CNRT leader, José Andrade da Cruz, in public and dragged him through town to the local TNI headquarters in Maliana (Bobonaro). His public beating served as an example for other pro-independence supporters and instilled widespread fear in the community.⁹³⁵

694. To escape the worsening security situation, many members of CNRT in the sub-district of Maliana sought refuge in the Maliana police station and local churches or fled to Dili⁹³⁶ (see Chapter 7.3: Famine and Forced Displacement).

Zumalai, Covalima March 1999

695. On 23 March Celestino Pereira de Araújo and nine of his friends were captured by Mahidi militia in the village of Julo (Zumalia, Covalima) and taken to the house of Mahidi member Vasco da Cruz. The ten men were then handed over to members of BTT Infantry Battalion 144 who took them to the BTT headquarters. They were interrogated, beaten and kicked and at night received a visit by the Sub-district administrator of Zumalai. He told the Commission:

At night, the Sub-district administrator, T601, came and asked us what our names were. After that he threw dirty oil at my head and verbally abused us saying: "Your faces look like monkeys, and yet you want independence!" The he ordered the ten of us to drink our saliva, which had been mixed together in a glass, and so we took turns drinking it.⁹³⁷

Detentions and torture in April 1999

696. The number of people detained, as well as the number of people who suffered torture and ill-treatment, peaked in April 1999.

697. Most arrests and detentions that involved some kind of interrogation occurred in April and May 1999. As in earlier years members or suspected members of the clandestine movement were interrogated about their own or their friends' activities within the clandestine network,⁹³⁸ as well as on the whereabouts or the extent of contact they had had with family members in Falintil.⁹³⁹ Some were questioned about the whereabouts of specific members of Falintil⁹⁴⁰ or about weapons caches.⁹⁴¹

698. New militias were formed, such as the Sakunar militia in Oecusse, and militias that had been formed earlier were formally inaugurated. For example, the Laksaur militia was formed in January but began full-scale operations and started intensively recruiting members in mid-April when it was formally inaugurated.⁹⁴²

699. The Mahidi militia, which was mostly active in the district of Ainaro, also had a branch in the sub-district of Zumalai (Covalima) led by Vasco da Cruz and Domingos Alves, both village heads.⁹⁴³ Members of Mahidi also arrested people and took them to the Zumalai headquarters.⁹⁴⁴ M122 was directly involved in the detentions and some of the beatings of detainees.⁹⁴⁵ The Commission received seven statements about individuals detained by Mahidi. All these detainees were threatened, beaten, and even tortured, and subsequently forced to join the Mahidi militia.⁹⁴⁶

Liquiça, April 1999

700. In the first week of April the BMP militia, police and military carried out a joint operation to find pro-independence people in the sub-districts of Liquiça and Maubara. Domingos de Jesus da Costa, for example, told of how he and nine others from Lailok Lara in Dato Village (Liquiça, Liquiça) were detained on 5 April by a joint force consisting of East Timorese Kodim member T612, East Timorese soldiers T613 and T614, East Timorese police officers T615, T616, T617 and T618, East Timorese Koramil member T619 and a civil servant T620. They were held for several hours during which time they were forced to lie out in the middle of the main road. One victim, Fernando da Costa, was beaten with a rifle butt.⁹⁴⁷

701. On the same day, according to Mamo Ana, she and her family were attacked by four BMP militia members in Fukelara in Dato Village. They killed her husband Maubusa, and took her and her family to the Liquiça Kodim 1638 where they were held for one night and one day. The next day the district administrator of Liquiça, T621, and members of the Liquiça Kodim moved the family to Maubara for one month.⁹⁴⁸

702. On 6 April 1999 the population ran to find shelter in the church in Liquiça. The BMP militia gathered outside the church and proceeded to kill many of those taking refuge, while members of the TNI and the police looked on (see Chapter 7.2: Killings and Disappearances). As well as those who died, many suffered ill-treatment and abuse. Remiro Ximenes dos Santos, aged 71 at the time of the massacre, recalled:

On 6 April I fled to the Liquiça Church because the BMP militia was conducting an operation and carrying out brutal acts in the Liquiça area to find pro-independence people. When I arrived, I stood in front of the church and saw BMP militia members going towards the church. So I went into the kitchen of the Liquiça Parish to get a knife to defend myself. But suddenly a BMP militia member was behind me and started beating me with a piece of wood on my back and I fell over unconscious. Then he cut my face with his knife so that my skin was torn and bleeding. He just left me, unconscious and bleeding in the Liquiça Church. My wife came and took me to the Liquiça Kodim...where a soldier named Mateus gave me some cloth for my wound and told me to go home.⁹⁴⁹

703. After the massacre the BMP militia continued to capture independence supporters around the district. The community of Loidahar (Liquiça, Liquiça) said that 50 people were detained from the village and were tortured by members of BMP. Girls were forced to participate regularly in dances with the militia.⁹⁵⁰ Many of the detainees were held first in the home of the Sub-district administrator of Liquiça, T621.⁹⁵¹ They were then transported to the town of Maubara and detained in the BMP headquarters for around two months.⁹⁵²

704. A number of youths from other areas joined the Aitarak militia in April 1999 after the massacre to save themselves.⁹⁵³

Ermera, April 1999

705. Ermera was the site of serious human rights violations in 1999 including a large number of killings (see Chapter 7.2: Unlawful Killings and Enforced Disappearances). It was also a district which reported one of the highest number of detentions in 1999, with 235 incidents from 220 statements being reported to the Commission.

706. There were five militias operating in Ermera and the pro-independence movement was very active in the district. The Commission heard that members of CNRT members the entire population of the aldeia of Ilimanu in the village office of Manusae Village (Hatulia, Ermera) on 1 April and held them for a week. They beat the male members of the group because they were suspected of being Naga Merah militia.⁹⁵⁴ In the sub-district of Railaco in April 1999, the CNRT members, Denis dos Santos and 43 others wrote a declaration to the governor of Ermera District to express their rejection of autonomy.

707. Pro-autonomy supporters and the Indonesian authorities responded to these actions. On 14 April the Naga Merah militia arrested clandestine members and civilians in Manusae Village.⁹⁵⁵ On 26 April 1999, the SGI called all of the residents of Kukara, (Manusae Village, to gather for instructions. Two clandestine members called Marito and Antonio were then arrested and beaten.⁹⁵⁶ In Railaco the Koramil commander, T668, arrested Armindo Soares, one of the 44 individuals who had written the letter. He was beaten severely in the Koramil. The Koramil commander then ordered Koramil members to hunt down and arrest the other 43 signatories of the letter.⁹⁵⁷ The statement of Dinis dos Santos described their treatment by members of TNI:

When we arrived, we were ordered to line up and then they beat, punched and kicked us. Then they beat Estêvão in the head with a pistol, seriously injured his leg and hit him with a chair until the chair broke. The Koramil commander, T668, ordered East Timorese TNI members T669, T670, T671, T672 T673, and 674, to beat us. T670 took a knife to stab Estêvão but luckily T668 yelled [at T670], otherwise Estêvão might have died. After we were released [and allowed to go] home to Tocoluli, Commander T668 ordered the 44 of us to pay a fine of Rp2,500,000 and cut five cubic metres of wood which consisted of 5 X 7 blocks and sheets.⁹⁵⁸

708. They were then forced to join the militia group Darah Merah, and had to attend the group meetings in Ermera.⁹⁵⁹

709. It is clear that the military had identified pro-independence individuals for detention and torture. Cudinho Manegas told the Commission that in April the Railaco Koramil commander and a Babinsa, T677, came to Hermenegildo's house, accused him of being a clandestine member and was looking for another clandestine member named Martinho. When they found that Martinho had fled, they started beating Hermenegildo. Martinho returned soon after and surrendered, and the Babinsa released Hermenegildo and began instead to beat Martinho with a rifle butt.⁹⁶⁰

710. The SGI commander in Hatulia, T678, was named in several accounts of arrests in the sub-district.⁹⁶¹ Anselmo Soares described his arrest with Armando dos Reis, Alcino and Abilio by T678 and two members of SGI in Ailelo Village (Hatulia, Ermera), after which they were taken to Hatulia for interrogation. Armando dos Reis was beaten heavily during the interrogation.⁹⁶² José Lemos told of how he and Bonifacio dos Reis were arrested on 10 April by T678 and detained in the Hatulia Koramil. There, José Lemos's head was shaved and his scalp was cut with razor blades. Both victims were clandestine members.⁹⁶³

711. Other incidents of violence also raised tensions in the district. On 10 April in Gleno, the capital of the sub-district of Ermera, the military burned down the CNRT headquarters and killed a well-known member of CNRT and local parliamentarian, Antonio Lima.⁹⁶⁴ Many people fled Ermera after the killing on 19 April and took refuge with Falintil. In their effort to capture other clandestine members, the SGI and members of the Territorial Combat Battalion (BTT) 144 carried out widespread arrests beyond Ermera.⁹⁶⁵ There appears to have been no militia involvement in these arrests. For example, André Madeira told of six clandestine members from Ermera including himself, who were arrested at the home of the district administrator of Ermera on 10 April by two members of SGI and a police officer. They were taken to the Ermera Kodim where they were beaten, kicked and punched by a number of perpetrators including members of the police, the SGI and the local BTT.⁹⁶⁶ João de Jesus Soares Valeres told the Commission that he was arrested by the SGI members T682 and T683, and then under threat of death was ordered to find the Falintil commander Ernesto Fernandes (Dudu). He forged a letter from the commander and was released.⁹⁶⁷

Covalima, April 1999

712. Several militia groups operated in the district of Covalima, which borders West Timor. In the sub-district of Zumalai the Ainara-based Mahidi militia had a branch. The Serious Crimes Unit of the Office of the Prosecutor General of Timor-Leste has indicted seven former commanders of

^{*} The sub-district administrator of Ermera, Constantino Soares did not give active support to the pro-integration cause and indeed let CNRT members in danger hide in his residence. [See Robinson, p. 161].

the Mahidi militia for crimes against humanity committed in Zumalai, including the detention and torture of pro-independence supporters at three detention centres in the sub-district. The indictments allege that:

Detention and imprisonment were one of the primary means used to persecute pro-independence civilians, who were systematically selected, detained and imprisoned, on political grounds. The main detention centre was at the house of Vasco da Cruz [in Zulo Village] where over 45 villagers were detained. Across the road from Vasco da Cruz's house was the Indonesian government house, where Lino Barreto lived. Lino Barreto detained at least six persons in his house. A detention house also existed in Beilaco Sub-Village [Reimea, Zumalai], at the house of Napoleon dos Santos aka Napoleon Alves. Napoleon dos Santos, aka Napoleon Alves, detained at least 12 persons in this house. These detainees were subject to physical and psychological abuse, including beatings and torture, and suffered inhumane deprivation of basic necessities, such as adequate food, water and shelter. The detention camps were overcrowded, unsanitary and no medical attention was provided.⁹⁶⁸

713. The Commission received a number of statements which mention the detention and torture of civilians in Zumalai, particularly in April. According to Leontino Moniz, on 12 April five members of Mahidi arrested him in Boro and took him to the Mahidi headquarters in Zumalai. There T602, the East Timorese Mahidi commander, beat him over the head while others hit him with pieces of wood. He was interrogated, beaten and punched until he lost consciousness. Subsequently he and others accused of supporting independence were ordered to stand in a line to have their hair cut off. They were released when UNAMET was deployed in the area, but not before T602 and East Timorese militia members T643 and T644 told them that if autonomy lost, they would all be killed, including their wives and children.⁹⁶⁹

714. Six statements were received about the detention centre in Beilaco, Raimea Village (Zumalai).⁹⁷⁰ Most detentions and experiences of torture were attributed to the East Timorese Mahidi members, T645 and T646, T647 and T648. Luis Soares was beaten with a rifle butt and kicked with military boots and then his hands were tied before he was taken to the Mahidi post in Beilaco. At the post he was beaten repeatedly by T645 and T646, causing him long-standing back pain.⁹⁷¹

715. In the sub-district of Suai (Covalima) the Laksaur militia terrorised the population in collaboration with the police and the military. Carlos Pereira described his arrest and torture on 24 April in Suai Town (Suai, Covalima):

The East Timorese Laksaur members, T654, T655 and T656, and an East Timorese TNI member, T657, came and arrested me in the village of Akar Laran because I was pro-independence. T658 wanted to chop me up but T659 stopped him so he only pushed me to the door. He started to hit me in the face and ears until my nose and ears were bleeding. I fell but stood up again. I was hit in the face, blood came from my mouth and I fell for the second time. Then T658 lifted me and threw me to T657, who tied my hands to my neck with wire. I was beaten by the three members of Laksaur for 20 minutes. After that I was ordered by two members of Laksaur and the TNI member to walk from Akar Laran to the Akar Laran intersection. I saw T658, an armed policeman, already waiting for me with a Kijang vehicle, and I was told to get into the Kijang, which took me to be handed over to T662, the East Timorese Suai Loro village head, at his house.

When we got to his house many militia sat surrounding me. It wasn't long before two twins from Suai Loro whose names I don't know started to hit Agustino and me. They hit us across the mouth with their hands, kicked us in the chest and hit our bodies for 20 minutes. Then T662 accused me of being a radical from the pro-independence side. He had heard that from East Timorese informants T664, T665 and T666. Not long after this Agustino and I were taken to the Sub-district police station in Suai Loro and handed over to a policeman from Indonesia. I don't know his name. We were put in a cell and I was punched once in the mouth.⁹⁷²

Cailaco, Bobonaro, April 1999

716. After the killing of Manuel Gama, a pro-autonomy figure and a member of the Koramil, on 12 April in circumstances that are disputed,⁹⁷³ the military carried out a violent operation in the sub-district of Cailaco (Bobonaro) to find the killers.^{*} This case provided strong evidence of the close cooperation between militia members and officers in the TNI in wreaking terror in the community. The SGI commander in Marco, the main town of Cailaco, T623, ordered the TNI and members of the Halilintar militia to carry out sweeps. They arrested about 30 residents of Marco, including women and children, and took them to the Cailaco Koramil in Marco. The women and children were separated from the men and released after several days. The male detainees, however, were severely beaten. The Bobonaro Kodim in Maliana and the militia commander, João Tavares, reportedly specifically authorised the beatings. The Cailaco indictment filed on 3 February 2001 described the beatings:

The detainees were told to lie on the floor and the TNI and militiamen present hit them with their fists and boots. They were also beaten with rifle butts while being questioned about the murder of Manuel Gama.⁹⁷⁴

717. The Commission received six statements from individuals detained during this operation. Deponents described how residents and civil servants were ordered to gather at the house of the

^{*} See also HRVD Statement 9167, which states that the operation was conducted because they did not participate at an inauguration meeting of BMP earlier that month.

deceased Manuel Gama, where they were told that independence supporters present would be killed just like the three already killed in Purogoa (see Chapter 7.2: Killings and Enforced Disappearances). Some were then detained in the Cailaco Koramil⁹⁷⁵ or surrounding BTT posts in Porugua and Bilimau (Cailaco, Bobonaro).⁹⁷⁶ Statements mention a number of perpetrators, including the Koramil, the Halilintar militia, the Guntur Merah Putih militia, the Cailaco police and TNI forces such as BTT 143.⁹⁷⁷

718. In one case that occurred on 13 April, T624 and three other members of Dadurus Merah Putih (DMP) militia arrested a CNRT official, Adriano João, at his sister's house in Cailaco. They hit and punched him, and then took him to the house of the head of militia umbrella group the PPI, T1, where he was further beaten and kicked, breaking some of his bones.⁹⁷⁸

Oecusse, April 1999

719. The Sakunar militia group was formed on 14 April 1999 in Oecusse.⁹⁷⁹ It was formed with the full support of the governor of Timor-Leste, Abilio Osório Soares, the district administrator of Dili, Domingos Soares, the national militia leaders João Tavares and Eurico Guterres and local leaders Laurentino Soares (Moko) and Simão Lopes.⁹⁸⁰ Sakunar militia member Jacinto Colo described the inaugural meeting:

On 14 April I was approached by the village head of Nipani, Candido Meko, to go to the house of the District Administrator Filomeno Mesquita for a meeting about the formation of the Sakunar militia in Ambeno. The people gathered there included Candido Meko, Elvis Lopes, Simão Lopes, Belarmino da Costa, Laurentino Soares (Moko) and Carlos Pereira. In the meeting the structure and leadership was decided, and Simão Lopes was made the Sakunar commander in chief and Candido Meko was made the commander for Sakato Village. I also became a commander.⁹⁸¹

720. A sharp increase in arrests, detention and torture was reported all over Oecusse in the month of April,⁹⁸² continuing into May.⁹⁸³

721. Many of the arrests were made during operations in which large numbers of militia members assisted by Kodim members went from village to village destroying houses of suspected members of CNRT. The Commission received at least nine reports of the Sakunar militia arresting and forcing suspected members of CNRT into the militia, especially during April 1999.⁹⁸⁴ The Commission received six reports of an operation led by Sakunar militia Commander T603 on 22 April 1999 in which many of those arrested were taken to his house in Cunha, (Pante Makassar) Victims reported being beaten by members of the militia and tortured.⁹⁸⁵ Following another arrest operation in April led by an East Timorese police officer, T604, many of the detainees were taken to the Abani village office (Passabe, Oecusse),⁹⁸⁶ T604's house⁹⁸⁷ or the Sub-district police station.⁹⁸⁸

722. Another mass arrest of leaders and members of the CNRT took place in mid-April in Abani Village (Passabe, Oecusse). The community described how around 42 people connected to the CNRT were taken to the house of militia leader and village head, T604, and the Koramil, where they were beaten with wooden clubs. Some were beaten so hard that they lost consciousness.⁹⁸⁹

⁹⁷⁹ Sakunar received full political and financial backing from the district administrator, head of the district police, and the Kodim commander (Dandim). [Robinson, *East Timor 1999*, OHCHR submission to CAVR, April 2004 p184:] From its time of formation (1 May 1999)],

723. The Sakunar militia was responsible for the most of the arrests reported to the Commission in Oecusse in 1999. Most such arrests were under the command of militia leaders such as the village head of Cunha, T603,⁹⁹⁰ the village head of Abani, the police officer T604,⁹⁹¹ the East Timorese Babinsa T609⁹⁹² and civil servant T610.⁹⁹³ The Koramil Commander T611 was also involved in many arbitrary detentions and acted in coordination with the militia commanders.⁹⁹⁴ The victims in cases reported to the Commission were either members of CNRT or people suspected of having a connection with the clandestine movement.

Dili, 17 April 1999

724. A member of the Sakunar militia, told the Commission of the rally of militias in Dili on 17 April 1999, and the violent attacks after this rally:

On 17 April 1999, I attended the mass inauguration of pro-integration militias [the PPI] in Dili, with 40 members of Sakunar militia from the aldeia of Sakato in Oecusse. [The PPI] in Dili was under the leadership of commander in chief João Tavares, and his deputy, Eurico Guterres, who was also the commander of Aitarak. After the ceremony, all the pro-integration militias including Sakunar militia paraded around the city of Dili, led by Eurico Guterres. In the parade, all the militias used two and four-wheeled vehicles from the [East Timor] Regional Police Headquarters. When we arrived in the house of Manuel Carrascalão near the Dili Tropical, some militia open fired at the door and windows and they started to burn the house.⁹⁹⁵

725. Francisco da Silva Seraun and Raul dos Santos were hiding in the bathroom of Manuel Carrascalão's house when it was attacked. They were found by a member of BMP called Francisco Afonso do Rosario. Francisco Da Silva Seraun told the Commission:

So we immediately surrendered...While our hands were up in the air T268 cut Raul's left hand...Then T268 called Raul and stabbed him in the back. Again, Raul was stabbed in the chest with two knives that went all the way through to his back until he died. Then Brimob [Mobile Brigade police] rescued us...They took us to the Sub-district police headquarters near the old market. When we arrived at the Sub-district police headquarters I was separated with two other prisoners, Santiago Canselo and Filomeno, from the other refugees. We were held in the Regional Police Headquarters in Comoro for three days and not given any food or drink. We were interrogated by a police officer...I didn't know who had put a stone in the mouth of my friend, André Seraun...[T]hen Lieutenant-Colonel Paul asked me to look at my friend. He said: "See, your friend is eating a stone now; how can people like you want independence?"⁹⁹⁶

726. Another attack was carried out at Meti-Aut (East Dili, Dili) on 17 April. Agapito Ximenes described how 15 militia members smashed up the house of clandestine member Carlito, then verbally abused the youths in the area. When five youths ran off the militia members shot at them and four were wounded, Carlos da Silva, João Baptista Julião da Costa Xavier and Agapito

Ximenes himself.⁹⁹⁷ Amnesty International also reported that Antonio Barbosa, a civil servant and independence activist, was arrested at his home on the same day by unknown perpetrators.⁹⁹⁸

727. Aitarak militia was strong in the village of Hera (East Dili, Dili). The Commission received several reports of arrests of independence supporters by the militia, the TNI and the police in Hera in 1999.⁹⁹⁹ In one incident the Commission was told of the arrest of 17 youths suspected of supporting independence on 22 April 1999. T630, the former head of Hera Village who had become the local Aitarak commander, asked teachers, students, and the community at Hera Polytechnic to come to a peace dialogue with the Aitarak militia. As soon as the villagers gathered, members of the Aitarak militia, Brimob and the BMP militia surrounded the youths and arrested those believed to be activists at the Polytechnic. They were then brought to the village head's home, and they were last thought to be held at the Regional Police Headquarters in Dili.*

Viqueque, April 1999

728. After a ceremony at the Kodim 1630 Viqueque on 20 April, the deputy commander in chief of the PPI, gathered all PPI members from the sub-districts of Viqueque and had them take an oath while drinking dog's blood (*asu malibuti*). Members of both PPI and the TNI then started to intimidate residents of the community, particularly those suspected of being pro-independence. They arrested and tortured several youths in the village of Ahic (Lacluta), including Domingos Amaral Bosi, Paul Sarmento, Jovelino Andreas Sarmento, Geronimo dos Santos, Fransisco Gomes, Cipriano Coreia, Fransisco Sarmento, Norberto Soares, Adriano de Jesus and Izac Martinho.¹⁰⁰⁰

729. The following event in the sub-district of Lacluta (Viqueque) illustrates how village heads and other civilian government employees were also targeted. On 30 April in Lacluta 14 local civil servants from the village of Ahic were arrested after they had intervened in a militia event some days earlier.[†] They included the village head, Germano Gomes Amaral, the village secretary, José Martins Lopes, five RK (Rukun Keluarga, The village level Neighbourhood Association), three RT (Rukun Tetangga, the sub village level Neighbourhood association) and church catechist, Eugenio Soares. According to Eugenio Soares, the militia and the TNI assembled the community at night to kill cows and had them listen to pro-autonomy speeches. The 15 civil servants jointly decided to tell the population to go home and rest rather than to participate.¹⁰⁰¹ The Koramil commander, T598 together with members of Team Makikit militia¹⁰⁰² arrested the group and took them to the Lacluta Koramil.[‡] The victims were interrogated, beaten with sticks and pipes, kicked and stomped on, resulting in such serious injuries that one of the group, Zacarias, died.¹⁰⁰³ The perpetrators were the Koramil commander, T598, and nine East Timorese members of the Makikit militia.

Molop, Bobonaro, 24 April 199

730. Operations were also sometimes held in a particular village because of intelligence or rumours that the village was involved in clandestine activities. If the TNI heard of such a village, TNI soldiers, militia or both sometimes terrorised the whole village or even the sub-district. Thus it was not only those suspected of engaging in pro-independence activities who were victims of

* HRVD statements 3757, 615, 6952 The names of the victims kidnapped were Belai, Leopoldino, Quieros, Cesaltino, Amoe, Kobuti, Eurico Gaspar Amaral, Alberto da Silva Costa, Antonio da Costa, Domingos da Silva, Sebastiao da Silva, Egidio da Silva, Elvino Cerilo dos Santos, Fernando dos Santos, Helio Tavares Guterres, Jose Cai and Laurento Sarmento.

† The 15 civil servants arrested were: Germano Gomes Amaral, the village head of Ahic; José Martins Lopes, the village secretary; Domingos Belo, Luciano Lemos, Acacio Soares Ximenes, Gilberto Paiva, Moises Marques, Mateus Horta, Teofilho Quintão, Inácio Soares, Mateus Soares, Eugenio Soares, a church catechist, Pedro da Costa Araújo, and Zacarias da Silva Belo. [See HRVD Statements 0404; 0471; 0469; 9167; 0477; 0475 and Robinson, p.189].

‡ According to HRVD Statement 0469 they were told they were taken to the Koramil, but in actual fact were taken to the BMP post. HRVD Statement 0475 states that they taken to the KUD (Koperasi Unit Desa) office.

intimidation, detentions and torture, but the whole community was made to suffer. Justino Barreto, the head of the aldeia of Omelai in Molop Village (Bobonaro, Bobonaro) described how his community was intimidated by members of two militia groups armed with automatic weapons:

On 24 April 1999, the community of Omelai in Molop Village, Bobonaro District was visited by T684, the East Timorese commander of the Halilintar militia and a member of Halilintar, T685, and East Timorese members of Dadurus Merah Putih (DMP) including T686. They came from Bobonaro with M-16 and Z-3 rifles to carry out the operation. They encircled my house because I was suspected of being clandestine, of working with the Falintil [commander] Loro Mesak and of distributing a letter of appeal to the community which contained a political vision contrary to the view of the Indonesian forces, namely to fight for independence.

A Koramil member came into the house and pulled me outside and left me in the sun for a full day. They brought knives to kill me...He confiscated Rp1.3 million [that had been collected] for the appeal and Rp1.4 million of my personal money, and they forced the whole community to dance with them. If they refused, all of the people of Molop would have been killed. So out of fear, I, as the head of the aldeia, called nine young people to dance with the militia until morning. On 25 April 1999 they handed me over to the Bobonaro Koramil 01 for interrogation about the publicity I had made and then I was released to go home.¹⁰⁰⁴

May 1999

731. The agreements signed on 5 May 1999 between the United Nations, Indonesia and Portugal in New York assigned responsibility for security in the territory to the Indonesian police. Detention and torture of East Timorese declined slightly overall after these agreements were signed but, according to reports received by the Commission, in many districts detentions and torture continued unabated.

732. Public ceremonies continued to be held to denounce the independence option, particularly in early May. On 1 May a large ceremony was held in the Palapan village square, in Palapan (s-d, Oecusse) in which 100 members of CNRT were forced to renounce their affiliation with the organisation and take an oath supporting the autonomy option. The district administrator of Oecusse, Filomeno Misquito da Costa, the chief of police for Oecusse District, Lieutenant Colonel (Pol.) Wilmar Marpaung, and the Kodim commander, Lieutenant Colonel Kamiso Miran, as well as the man who succeeded him in August, Lieutenant Colonel Bambang Sungesti, all attended this ceremony.¹⁰⁰⁵

733. Ceremonies to forcibly recruit militia members were also held in the sub-districts of Atabae and Lolotoe in the district of Bobonaro. Both were attended by the Halilintar commander, T1. Basilio Sousa da Silva told the Commission how he and his friends Laurentino Martins, Thomás Tavares, Maria Fernandes, Sérgio Soares and Agustino Pereira da Silva were forced to join the Halilintar militia in Atabae:

*In May 1999 Halilintar commander T1 and Armui commander, T689, forced us to join the Armui militia. If we didn't they would kill us. After we became Armui militia we didn't damage anyone's property and our hands never touched any person.*¹⁰⁰⁶

Falintil attack in Lolotoe, Bobonaro, May 1999

734. In May 1999 an attack on the Koramil in Gole, Deudet Village (Lolotoe, Bobonaro) resulted in the death of three soldiers. This in turn sparked a crackdown by both the Indonesian armed forces and militias in the area.^{*} The day after the attack, on 16 May, the local BTT and Kaer Metin Maerah Putih (KMP) militia members moved into the area and rounded up hundreds of suspected independence supporters and CNRT leaders.¹⁰⁰⁷ Lolotoe, a region on the border with West Timor, was a known stronghold of pro-independence support even before the attack.

735. According to members of the communities of Opa and Deudet Villages in Lolotoe, the Koramil's head of intelligence and militia members arrived from Maliana in 17 trucks to carry out a large-scale operation. They burned down houses and beat people. One resident named Armindo was stabbed in the back by an East Timorese militia member, T690, but was not killed. The majority of people of Gole were moved into the Deudet Catholic Primary School where they were subject to continual intimidation until UNAMET arrived in Timor-Leste and they were released. Community members of Ope and Deudet described how 22 people were detained in the Sub-district police headquarters and the village square, and given no food, although their families provided them with food secretly. They were ordered to dig two large graves, each five metres square.¹⁰⁰⁸ Statements received by this Commission indicate that many others arrested in connection with this operation were detained in the Lolotoe Korami.¹⁰⁰⁹

736. João dos Santos described how he was forced to attend at a traditional ceremony while being held by the Koramil and members of the Kaer Metin Merah Putih militia in Lolotoe:

In May 1999 members of the local BTT, Koramil members and members of KMP militia from Lolotoe, led by militia commanders T691 and T692, came and arrested me and 21 other clandestine members and took us to Lolotoe Town. We were forced to make a traditional oath...The elders from Lebos and Lolotoe were invited to a ceremony where a goat and a chicken were sacrificed. One bottle of wine and coconut juice were mixed with the goat and chicken blood. Then they ordered us, 21 people, to line up below a flagpole from which the red and white [Indonesian flag] was flying. Halilintar militia commander and PPI commander T1 and his followers started to make the blood-drinking oath, [saying that] those of us working in the clandestine network would no longer be a part of the organisation from that moment onwards and that we would no longer be "two-faced" [or "two-headed"]. My friends and I joined in the traditional oath because we were afraid that otherwise we would die. But we still thought that there was only one way, namely "Ukun Rasik An" [Independence].

737. People detained by the military in other areas were made to join the operation. Saturnino Mali Eli described how he was arrested at his home in Maliana (Bobonaro) by the TNI, the local

^{*} The soldiers Caetano, Vicente and Bendito were killed. Another member of the Koramil, Gabriel, escaped as did two members of the KMP militia, Jhoni Franca and Mouzinho (José Cardoso) [HRVD Statements 5612, 7164 and CAVR Community Profiles of Opa and Daudet Villages, Lolotoe Sub-district, Bobonaro District, 14 July 2003].

Babinsa and an East Timorese member of TNI, T694, together with three members of military intelligence, an Indonesian Lieutenant T695 [head of intelligence in Maliana] and two East Timorese soldiers, T696 and T697, all carrying AR-16 rifles. They took him to the Raifun 1 village office in the town of Maliana, where he was forced to join an operation in the sub-district of Lolotoe. This operation was probably the operation discussed above. On his return from Lolotoe he was held in a cell at the Maliana Kodim for four days, where he was investigated and beaten by a member of TNI, T698. He was then taken out to be killed, but was saved by a member of TNI named Domingos.*

738. As a result of the Lolotoe operation Mário Gonçalves, a CNRT leader from the village of Guda (Lolotoe, Bobonaro), was also detained and tortured by a large group of KMMP militia as well as the village head on 24 May. The following description is taken from an indictment issued by the Serious Crimes Unit in May 2001 of Mário Gonçalves's treatment by members of the KMMP militia:

When Mário Gonçalves came out of the church he was beaten by the KMMP militia members whilst being dragged to the field outside the CNRT office. At the field, Sabino Gouveia Leite [the village head], José Cardoso Ferreira alias Mouzinho [the KMMP deputy commander] and João Franca da Silva alias Jhoni Franca [the KMMP commander] ordered members of the KMMP militia to beat Mário Gonçalves in turns. Approximately 37 KMMP militia members beat Mário Gonçalves. João Franca da Silva alias Jhoni Franca also attacked Mário Gonçalves with a machete, cutting him on his right arm and stabbing him in the left shoulder.

Sabino Gouveia Leite incited José Cardoso Ferreira alias Mouzinho and João Franca da Silva alias Jhoni Franca to cut off Mário Gonçalves' ear...His ear was thrown on the ground and Sabino Gouveia Leite and João Franca da Silva alias Jhoni Franca forced Mário Gonçalves to eat it. Mário Gonçalves feared for his life and did as he was ordered by eating his right ear.¹⁰¹⁰

Ermera

739. Violence continued to occur in the district of Ermera in May 1999 as the military and militia conducted operations throughout the district. Operations reported to the Commission included the following:

* HRVD Statement 2535; see also HRVD 1868 in which the head of the intelligence section, T695 is described as interrogating the victim in the Maliana Kodim 1636, placing a table leg on his foot and with two people sitting on the table.

- On 2 May the military conducted an operation in Lauala Village (Ermera, Ermera) and detained pro-independence youths. José Xavier do Amaral was arrested by members of Kodim and SGI.
- In Mau Ubo Village (Hatulia, Ermera) between 9 and 11 May the local BTT carried out a mass arrest of pro-independence supporters or their families.¹⁰¹¹ According to Jacinto de Jesus Soares, the operation was instigated at the request of the village head of Mau Ubo, T700, who called on the BTT to conduct an operation in the village after Falintil allegedly surrounded his house on 8 May. All the men of the village fled to the forest leaving their families behind. Jacinto de Jesus Soares stated that his wife, Branca Araújo dos Santos, and a relative, Deolinda Santos, were detained and then forced to find their husbands.¹⁰¹² On 12 May Jacinto Soares and his brother, Gregório Araújo, reported to the BTT. They were immediately beaten and kicked for three hours and then forced to apologise to the village head. As security for the family they then had to pay Rp200,000 to T700 and give one buffalo, two goats and two sacks of coffee to members of the BTT.*
- In Haturegas in Fatubesi Village (Hatulia, Ermera) on 14 May, the Darah Merah militia (also known as Darah Integrasi) conducted an operation to detain supporters of independence. NN described how at least 30 people from the community were beaten with green coffee branches by the militia. NN was beaten for several hours, then taken to Fatubesi by T147, a member of Darah Merah militia, with his wife, ON and his adult son, PN, all pro-independence supporters. There, ON was raped and PN was tortured so badly that he died soon after from his injuries.¹⁰¹³
- Nine pro-independence supporters were arrested on 26 May 1999 by a Babinsa T702, and six BTT members, including an East Timorese member, T699. They were taken to the Lauana (Letefoho, Ermera) village office where they were beaten and jabbed with a rifle, and then held for one night. The detainees included Saturnino de Deus Soares, the clandestine leader in the area, Domingos Soares, Manuel Soares, Serafin Soares, Paolino de Araújo, Maulino, Jaime, João and Pedro. Regina dos Santos, the wife of Saturnino Soares, was then ordered by the wife of the former village head, to cook for the members of the Darah Merah Militia.¹⁰¹⁴

Continuing search for clandestine members

740. Arrest and interrogation of clandestine members also continued in May. Monica Amaral described her detention in Zumalai (Covalima) for four days. She was tortured by female militia members, a new phenomenon that emerged in 1999.[†]

* HRVD Statement 6421; 6428. HRVD Statement F9425 also relates that the victims had to pay one sack of coffee and two chickens to a civil servant named T700 to obtain the husband's release.

† See for example the case of Ana Maria Mouzinho in which T704 was also a perpetrator. In another case, T705, a member of Aitarak militia, was named by Manuel Soares Lemos as, *the one who hit him across the head with an iron rod in the Aitarak post in Kampung Alor, West, Dili (Dili) on 14 September 1999*. Community members of Ahic Village (Lacluta, Viqueque) told the Commission that two women from Ahic, Hermelinda da Conceição and Rita Correia, were beaten severely by T706, the wife of a PPI member, resulting in serious head injuries. [HRVD Statements 6260; 7024 and CAVR Community Profile of Ahic Village, Lacluta Sub-district, Viqueque District, 22 November 2002].

On 2 May 1999 a female East Timorese member of Mahidi militia, T704, and an Indonesian TNI member, T709, with about ten other members of Mahidi attacked our SMP (junior high school) in Beco to arrest me...[along with] Dominggas dos Santos, Cecelia da Costa and Lucia da Costa. They took us to the Mahidi post in Zumalai in a Kijang [vehicle]. When we got there we were interrogated. They said that we were hiding grenades, weapons and Fretilin flags, but we said that we didn't know [anything]. On 3 May 1999 they took us back to a house in Beco to look for the grenades, weapons and a Fretilin flag. Because they didn't find anything, T704, T711 and T712 hit and kicked us on our backs. T704 punched me in the face until I was bleeding. T713 burned my mouth with a cigarette. The three of them beat us. When they finished the beating they took us to the house of the Mahidi coordinator, T602, in Zumalai. They put the four of us in a cell and started interrogating us. We weren't given any food or drink.¹⁰¹⁵

741. In the sub-district of Lequidoe (Aileu), AHI militia forces and Rajawali soldiers made several arrests while searching for clandestine members, CNRT members, clandestine documents or ordinary people who provided Falintil with food. The arrests were sometimes made in collaboration with the Koramil and the Sub-district administrator, T715, whose office was used for detaining people.¹⁰¹⁶ Sabino Das Neves told the Commission.

In May 1999, the chief of the RT (Rukun Tetangga, Neighbourhood Association), T716, and members of the AHI militia ran in and out of houses looking for clandestine documents. In my aunt Maria Fatima's house in aldeia of Fatu Merin they found a letter of appeal (apelos) from the Falintil Chief of Staff [Chefe Estodo Mayor]...My aunt told them that her "son", Sabino das Neves, had brought that letter to the house. I was in the SMP (Junior High School) Liquidoe at that time. After school, two other friends, Domingos Araújo and João Oliveira, and I were questioned by T716 and members of AHI militia. Later we were taken to Koramil headquarters. In the headquarters we were interrogated by Liquidoe Sub-district Administrator T714 and the Liquidoe Koramil Commander, T710. They took off our clothes and accused us of assisting Falintil. The Koramil commander ordered four members of Koramil to point their guns at us and they threatened us with death if we didn't provide clear information. After we were interrogated for about four hours they released us and told us to report to the Koramil every day. But that very same day we ran away to Dili.¹⁰¹⁷

742. Intelligence organisations were also involved in identifying and detaining pro-independence supporters. After the military found out that Lucas João was hiding six members of Falintil in his house in Lahomea (Maliana, Bobonaro) he was arrested on 11 May by members of Dadurus Merah Putih, Kaer Metin Merah Putih, the SGI and the Kodim. His hands and feet were tied and he was put into a bag. He was then taken to the Maliana Kodim where he was beaten while still in the bag. He was later put into a dark cell, where he was not given food and drink for five days. He was threatened with a gun before he was released.¹⁰¹⁸

743. On 19 May 1999 Vicente Lourdes and Martinho da Costa Barreto were captured by the Ablai militia commander T717 in Letefoho (Same, Manufahi). He handed the detainees over to Koramil member T434, a Kodim member called T719 and an Ablai leader T720, who took the victims to the Manufahi Kodim 1634. At the Kodim T434, members of Kopassus and civilian staff of the Kodim interrogated the detainees. They were told to stand against the wall, hands raised in the air, and were then punched, kicked and beaten in the ribs and burned with cigarette butts in the face and over the rest of their bodies. They were held in the Kodim for ten days.¹⁰¹⁹

744. Thomás dos Santos told the Commission that he and other pro-independence supporters were arrested and tortured on 30 May 1999:

At 4.00, early in the morning, a Halilintar militia member, José Zoro, pulled me from my house in Abatninin [Rairobo, Atabae, Bobonaro]. He held me very tightly and brought me to the street and immediately TNI [soldiers] wearing green berets took me to a car. There were already other people in the car, namely: Ernesto Soares, Batista Guterres, Ermenegildo Tavares, Henriques, João da Culu, Fransisco Martins, Afonso Haletalo and Jacinto Barros. We were forced to lie face downward in the car and our backs were pinned with wood while the Atabae Koramil Commander stepped on the wood. We were taken to the Koramil and when we arrived we were stripped naked, beaten with the root of a banyan tree...[and] they beat my face. Then they told us to lie on the floor while they handcuffed our hands. In the evening, the SGI came and took us out, covering our eyes with handkerchiefs, and then they beat us with weapons until our bodies were bruised. Until now, I cannot do any heavy work; my back was affected so that if I work, it hurts all the time.¹⁰²⁰

Identifying marks

The cutting off of Mário Goncalves's ear by a member of the KMMP in Lolotoe was not the only instance of such an act reported to the Commission. One statement suggests that it was not only the Indonesian authorities who resorted to cutting off ears in Lolotoe. Armando do Rego, a former member of Falintil, told the Commission that on 9 August 1999, when he was walking to mass with his wife in Lolotoe, they were stopped by Falintil and he was taken away. His captors, Falintil members T722 and T723, beat him with a block of wood, kicked him until his nose bled, and threatened him with a knife. He said that a car then arrived and two police officers named Constantino and Caetano were pulled out and their ears were cut off.¹⁰²¹

Indonesian armed forces also committed similar acts. The community of Laclo (Atsabe, Ermera) reported that in May members of the SGI, the TNI and Team Pancasila cut off the ear of a man called Bereleki in the village of Laubano, and Augustinho's ear in the village of Obulo. The following day members of the SGI, Partisans and Team Pancasila cut off Lourenço's ear in Atara.¹⁰²²

The Commission also received various accounts of people whose hair was shaved or cut off. In one instance a man's hair was shaved into the shape of a cross, in another all those identified as independence supporters were lined up and their hair cut off.¹⁰²³

Manatuto, the involvement of the district administrator

745. The district administrator (bupati) of Manatuto, T724, was also named in three statements given to the Commission for personally interrogating people and allowing his house to be used as a detention centre.¹⁰²⁴ Connected with the TNI since he became a Tonsus commander in the late 1970s (see Part 4: The Regime of Occupation), and allegedly made an honorary of Kopassus officer,¹⁰²⁵ he allowed his house to be used as a Kopassus post. Joaquim Soares stated that he was detained in T724's home. Joaquim told the Commission that in May 1999, when he was on his way to a CNRT opening ceremony with his family and other civilians, members of the Team Morok militia, T726, T727, T728, and T729, stopped them. They were ordered to go to the Manatuto Kodim to receive weapons but were instead taken to the district administrator's house. There they were blindfolded with black cloth and then interrogated individually about the whereabouts of the CNRT office. When Joaquim Soares answered that he did not know, his hands and feet were tied, he was beaten with wood, kicked and punched, and burned with cigarettes. After this abuse he was locked in one of the rooms in T724's house for seven days, while still tied up.¹⁰²⁶

746. John Hornai Sarmiento described how, in early 1999, the six village heads and the sub-district administrator of Soibada were suspected of clandestine activity and so were summoned to see the district administrator of Manatuto. He questioned and interrogated them on their involvement in clandestine activity. Following the interrogation, John Hornai Sarmiento and his colleagues were given Rp25,000 each to return to Soibada but the sub-district administrator (camat) of Soibada, Zaolino, was kept in detention in Manatuto. John Sarmiento heard that a Mahadomi militia member, T732, tortured Zaolino and that eventually Zaolino was killed.

Detentions and torture between June and 30 August, the day of the ballot

747. The United Nations Assistance Mission for East Timor (UNAMET) arrived in Timor-Leste on 4 June 1999. After UNAMET deployed reports of arrests and torture decreased, though people continued to be intimidated and some were threatened with death, usually to force them to vote

^{*} A teacher called Vicente was also killed at the same time [HRVD Statement 0643].

for autonomy in the Popular Consultation. One deponent, from Zumalai, referring to this period stated:

After UNAMET arrived they released us to go home but [Mahidi] militia members T733, T602 and T644 said to us: "If autonomy loses we will kill all of you including your wives and children".¹⁰²⁷

748. In this period pro-integration supporters continued to pressure people to support their cause, sometimes resulting in the detention of pro-independence supporters. "Socialisation visits" to communities, during which the authorities purportedly sought to inform communities about the Popular Consultation, were often used to intimidate people in the hope of getting them to support autonomy.

749. In June in the village of Lebos (Lolotoe, Bobonaro) 20 youths were detained for a day and a night in the village office during a "socialisation visit" by the Kodim 1636 head of intelligence, and members of the local BTT and the Dadurus Merah Putih militia. They were threatened and warned not to get involved in clandestine activity before being released.¹⁰²⁸ The community of Sabarai (Maliana, Bobonaro) also told the Commission that in June the commander of the Dadurus Merah Putih militia in Saburai, T736, threatened the community by telling them that whoever chose to vote to reject autonomy at the ballot would have their hands cut off.¹⁰²⁹ The community of Saboria (Aileu Town, Aileu) said that militia leaders, the TNI and the police engaged in autonomy socialisation events in which they forced members of the community to endorse the autonomy option, attend a blood-oath ceremony and join the AHI militia.¹⁰³⁰

750. People began to flee from their homes and were also liable to detention if caught (see Chapter 7.3: Famine and Forced Displacement). In the district of Liquiça there were cases where people whose husband, child or other family members had fled to the forest or were trying to hide in the forest themselves and their family members were arrested.¹⁰³¹ Abilio Lobato de Fatima stated:

On 7 June 1999 a joint force of BMP militia, police and TNI came to Fatunesu in the village of Fahilebo to arrest me because they had received information that I had run away to the forest. They took me to the BMP command post in Fatumasi Village (Bazartete, Liquiça) where they held me for 40 days. On 23 June 1999 BMP militia went again to my house and arrested the wives of all our brothers who had fled, so that they could give an explanation about where their husbands were. I gave Rp500,000 to T737 so that the wives of our brothers would be released. I was still kept at the command post and while I was there, I had to be on duty to watch the post 24 hours a day, without a break. I tried to give Rp950,000 to T738 and T739 to protect me from the threats of other militia. When the results of the referendum were announced on 4 September, I fled to the forest without them knowing.¹⁰³²

751. Pro-independence campaigners were also detained. For example, on 26 June the DMP militia in Maliana reportedly detained five clandestine members – Mateus Barreto, Augusto Marques, Joséfina Marques, Joanico Soares and Fernando Vicente – when they gathered to distribute CNRT banners. They were pushed around and then taken to the Bobonaro District police station where they were held for one month.¹⁰³³

752. Despite the UN presence the military still carried out occasional arrests on its own. In Fatululik (Covalima) at the end of June an East Timorese man told the Commission how he was

arrested by an Indonesian intelligence officer, T740, and taken to the Fatululik Koramil. The Koramil commander, T741, interrogated him about certain documents and he was held for three nights.¹⁰³⁴

753. Others were released. On 8 July 1999 the Lolotoe Koramil Commander Lieutenant Bambang Indra, the Guda village head, Sabino Gouveia Leite, and the KMMP commander, José Cardoso Ferreira (Mouzinho), co-signed a document confirming the release of six people back to their village of Guda. It stated that they had been held for “guidance” since 22 May and that they were now being returned to their village “in a safe and healthy condition”, but that they might be called for further questioning at some time in the future.¹⁰³⁵ The letter is another clear demonstration of the continuing cooperation between the military, militia and the civil administration.

754. In August, as the date of the ballot approached, terror campaigns by the militias escalated. On 25 August, five days before the ballot, two East Timorese BMP members, T742 and T743, arrested an East Timorese man and took him to the Command Post in Fatumasi (Bazartete, Liquiça). The Commission was told that he received fierce beatings resulting in a loss of hearing, was kicked in the back and was then ordered to guard the BMP post in Unahei.¹⁰³⁶

755. On 26 August, Aitarak militia members including four East Timorese members T744, T745, T746 and T747 attacked six men – Calistro, Julio, Sergio, Fernando, Antonio and Tomás – in Calistro’s house (Bairropite, West Dili). They were beaten, kicked and slashed on the head and then taken to an Aitarak post where they were held briefly before being handed over to the SGI for interrogation.¹⁰³⁷

Detentions and torture after the ballot

756. As has been described in earlier sections of this Report, the period immediately following the Popular Consultation was violent. Tensions increased further after the announcement of the result on 4 September, which was followed by a frenzy of destruction of houses and infrastructure. The incidence of detention and torture rose. Whereas before the ballot detention and torture were perpetrated to intimidate and coerce detainees into supporting integration, after the ballot the reasons for them included the following

- punishment and revenge
- detentions of targeted victims in order to execute them
- holding people to prevent them from fleeing to the mountains or catching them as they came back to their homes to find food
- gathering groups of people in one place so that they could be sent to West Timor, in an attempt to demonstrate to the outside world that the majority of East Timorese people did not agree with the result of the Popular Consultation and that they would rather stay in Indonesia.

757. After casting their votes on 30 August many CNRT and other pro-independence supporters, particularly the movement’s leaders, felt unsafe in their homes and fled to the forest or mountains. Sometimes family members left behind were targeted for detention and ill-treatment. Community members of Ahic (Lacluta, Viqueque) described how this occurred in their region. José Andrade dos Santos and 39 other pro-independence supporters in Dilor (Lacluta, Viqueque), while on their way to vote, noticed militia posts at strategic points. They decided that after the vote they would flee and stay the night in Ue-aiheres (beyond Mount Manutargele, in Bibileo Viqueque) to organise hiding places for the community. Their wives and families stayed behind in Dilor Town. Pro-autonomy supporters subjected some of those who remained behind,

including José Andrade dos Santos's relatives, to degrading treatment, threats, intimidation and torture.¹⁰³⁸

758. Others were caught and detained after they had fled but when they returned to their homes to find food. For example Abilio Paicheco, who had fled to the hills after the vote, came down to Mota Ulun, Becora (Dili) with two friends to find food on 17 September 1999. On the way they ran into six members of the Aitarak militia. The militia beat and kicked them and shot Abilio in the back. He survived but told the Commission that he still carries the bullet in his body.¹⁰³⁹

759. A week after the Popular Consultation, on 7 September 1999, Evangelino da Conceição and his friend Mateus also came down from the hills to look for food, but they were caught and suffered ill-treatment. They were caught on the road to Dare (Dili) by an East Timorese TNI officer, T335, and Battalion 613 troops. They were beaten, and a member of Battalion 613 grabbed Evangelino around the waist and stabbed him in the ear with his bayonet. For the next two hours, a civil servant beat both men and kicked them in the face and ears. They were then taken to the Dare Koramil, where they were again stabbed with a bayonet on their backs and thighs. Evangelino was burned with cigarettes and thrown into the water by the TNI, while an East Timorese civilian who worked for the Koramil, T749, threw a stone at his head causing it to bleed.¹⁰⁴⁰

760. The military, police and their auxiliaries were also looking for members of Falintil coming down from the forest and mountains. Because a person from the forest had been seen in Amelia do Carmo's house in Asumaten in the town of Suai (Suai, Covalima), her house was attacked on 4 September 1999 by the Laksaur militia members T750, T751, T752, T753, T754 and 40 police from the Lorosae Contingent. They found four young men in her house, though Amelia only knew one of them. All were beaten on the spot and then taken first to the police station and then to the Covalima Kodim. Amelia's two-year child died after her mother was threatened with a machete, and the Commission was told that her mother believes this was due to the shock of the attack.¹⁰⁴¹

After the ballot

761. After the ballot, but before the results were announced on 4 September, pro-independence supporters and clandestine members continued to be detained.

762. The Commission received six statements from members of PDI-P (Partai Demokrasi Indonesia-Perjuangan), the Indonesian political party in Oecusse and Ataúro (Dili).¹⁰⁴² The deponents believe they were targeted because of their affiliation with that party.¹⁰⁴³ According to Gonzalo Abi from Oecusse, this was because many members of PDI-P were also clandestine or CNRT members.¹⁰⁴⁴ Tito da Costa, a member of PDI-P as well as a clandestine member, told the Commission how he was called along with others, some of whom were also PDI-P members, to attend the Ataúro Koramil commander's office after the Popular Consultation:

After the Popular Consultation, on 1 September 1999 at 9.00am, the Koramil commander came and called me and some friends, namely José, Alfredo, Thomás Alves, César Brandão, Pedro dos Santos, Daniel, José Rambo and Apoli to the Ataúro Koramil headquarters. When we arrived at the Koramil, the Koramil commander ordered us to line up. Then he played a tape and we all had to dance. Because we didn't dance the Koramil commander told his East Timorese subordinates, T755 and T758, to beat us. Then he ordered us to go out and show our respect to the red and white flag for about two hours. We were then told to go home, but so that we could summon our other friends from Makadede. We were ordered to report to the Koramil for two weeks. After the result of the Popular Consultation was announced the Koramil commander [left Ataúro] and we were free.¹⁰⁴⁵

763. In Covalima violence increased dramatically after the Popular Consultation. Perpetrators included not only members of the Laksaur militia and the TNI, but also the local police and the Lorosae Contingent (Kontingen Lorosae), an Indonesian police contingent assigned to Timor-Leste specifically for providing security during the Popular Consultation. Detainees were taken to police stations throughout Covalima. In Fohoren (Fohoren, Covalima), many civilians fled to the Fohoren Nossa Senhora do Rosario Church after they had voted, anticipating post-ballot violence. The police arrested 14 people seeking refuge there and took them to the Fohoren police station.¹⁰⁴⁶ Community members of Fohoren described how they were beaten, stripped of their clothes and burned with cigarettes at the police station. The women were sexually harrassed. They were touched and fondled, and threatened with lewd remarks and sexual advances. The Laksaur militia leader, T757, came from Salele to interrogate some of the detainees.¹⁰⁴⁷

764. Later East Timorese police officers T758 and T759 and police commander T760, together with East Timorese Laksaur militia company commander T761, commander T762 and a deputy commander T763, went to the church in Fohoren and arrested 16 of the men. Informers had told Laksaur that the men had influenced their family members to join the clandestine movement. Basilio Amaral described their treatment:

We were taken to the Laksaur post at the police station, where we were interrogated and then beaten one by one. Our clothes were taken off before we were beaten, punched, kicked and hit with weapons until our faces were covered with blood. They put weapons in our mouths and punched me until my face was bruised. We were tortured like this for two days.¹⁰⁴⁸

Punishment and revenge

765. After the result was announced the military and the militias responded with more violence. Hundreds of pro-independence supporters were detained and tortured or suffered other cruel, degrading and inhumane treatment. Many victims of arbitrary detention and torture told the Commission that the motive for their detention after the ballot was simple revenge on the part of the militia and the military for the result of the ballot. In the district of Dili the Commission received statements describing how people were taken to the Aitarak headquarters at the Tropical, Aitarak

¹⁰⁴⁵ Basilio Amaral, Fernando Sarmento, Hipolito Afonso, Daniel de Araújo, Anito Saldanha, Grasiano do Rego, Paul dos Santos, José Barreto, Antonio Amaral, Julião Cardoso, Gabriel dos Santos, Angelo dos Santos, Constancio dos Santos, Roberto Gomes, Pedro do Rego and Salvador Pereira.

posts, police stations and the Koramil in Metinaro and beaten.¹⁰⁴⁹ Detention was, as in earlier months in 1999, very short – usually no more than a few days.

766. The AHI militia acted alone in detaining and interrogating Domingos da Cruz. He stated that he was arrested on 5 September 1999 by T764 and T765, members of AHI militia, and taken to the local government agriculture office where he was beaten, kicked and punched. Then he was taken to the AHI headquarters where he was interrogated by the AHI commander, T766, and slapped and threatened with death by T767. A militia member named T768 beat him into unconsciousness. Fernando, another militia member later rescued him.¹⁰⁵⁰

767. In Balibo (Bobonaro) Agapito da Purificação, a clandestine and CNRT leader who had given money and rice to Falintil in Sector 4, described how he was arrested with his friends Alexio Gama, Sabino da Purificação, Manuel Caiero and Paul Soares on 17 September 1999 in Balibo Town (Balibo, Bobonaro). TNI member T769 made the arrest with Firmi militia commander T770 and militia members T771 and T772. They were taken to the Firmi headquarters in Balibo for interrogation, during which T772 beat Agapito over the head with a home-made firearm (*rakitan*) until he was unconscious. They were threatened with death and held captive for three days without food before being released.¹⁰⁵¹

Cases of detention before evacuation

768. As the militia and military began to withdraw they transported thousands of people over the border. Many of those forcibly displaced in this way reported a short period of detention, sometimes as short as a few hours, before they began moving.

769. The community of the village of Ahic (Lacluta, Viqueque) described their detention on the day the result was announced, 4 September. Members of the community of Dilor who had not fled were gathered in the garden of the Koramil by members of PPI militia. They were guarded tightly for a short period after which they were evacuated to West Timor.¹⁰⁵²

770. In the district of Lautém in the weeks after the Popular Consultation, amid scenes of burning houses and the sound of gunshots, some people who were unable to flee were captured and sent to the Kodim 1629 in Lautém.¹⁰⁵³ Some were immediately sent on to West Timor, while others were detained in the Kodim for a few days.

771. Manuel Mendonça was taken to the Koramil in Metinaro (Dili) on 6 September by members of the Aitarak militia, where he was forced to put his and his family's name down on a list of people to be sent to Atambua, West Timor.¹⁰⁵⁴

Detention of individuals targeted for execution

772. The Commission also heard of individuals known to be leaders who were targeted for arrest and detention so that they could be executed (see Chapter 7.2: Unlawful Killings and Enforced Disappearances). Militia leaders and the TNI identified certain people for capture. Sometimes lists were drawn up to distinguish those to be sent to West Timor and those to be executed.

¹⁰⁴⁹ Serious Crimes Unit investigator Dave Savage told the Commission: "We have obtained evidence across all districts of Timor-Leste that lists of Independence leaders were drawn up during 1999. These were the people that were hunted down and in many cases executed. This can be shown by the number of CNRT, and leading Pro-Independence supporters who were hunted down, even in West Timor (Kupang and Atambua) arrested detained and executed, in many cases those arrested in West Timor were transported back to Timor-Leste for the execution phase of their detention. This is not to say that there weren't additional killings to those identified and listed, either as part of a larger offensive (Suai Church, Maliana District police station. Clergy killings Passabe massacre) or even part of a crazed mass killing of anyone

773. Antonio da Costa Guterres told the Commission that the BMP militia arrested José da Costa Guterres in Odomau (Maliana, Bobonaro) on 5 September and took him to the Bobonaro District police station in Maliana, where he was then killed because of his membership of the CNRT.¹⁰⁵⁵

774. Anibal do Rego and Lito da Costa Amaral both gave statements describing their arrest as they tried to flee to West Timor on 9 September. As they neared the Suai Koramil, Anibal said that he was arrested by the Koramil commander and the Laksaur militia. The Koramil commander, Lieutenant T774, and T775 of Laksaur ordered him and four others – Paul Ximenes, Cancio, Lito da Costa Amaral and Anis Tahu – to get into a car. When they arrived at Audian in Camanasa, they were told to get out of the car and three of them, Paul Ximenes, Anis Tahu and Cancio, were selected to be killed. They were shot immediately, while the other two prisoners, Anibal do Rego and Lito da Costa Amaral, were driven home but on the way were kicked and stamped on.¹⁰⁵⁶

775. Domingos Araújo, a member of the Mahidi militia, described to the Commission how on 12 September 1999 he and eight other militia members attended a meeting called by the East Timorese Mahidi commander, T776, at his house in Cassa (Ainaro, Ainaro). T776 and his brother T779 called for the capture of Paulino Maria Bianco because he was suspected of being a clandestine member and helping Falintil. Immediately after the meeting Mahidi members caught Paulino and brought him to T776 the following morning. Paulino's face was wrapped in plastic and his hands and feet were tied. T776 then ordered Mahidi members T782 and T783 to take Paulino to Sildena Harikain, Kassa (Ainaro, Ainaro) to have him killed.¹⁰⁵⁷

Release

776. In most cases of detention reported to the Commission from 1999 the victims were allowed to walk out and go home, sometimes as soon as a few hours after arrest. Most were released after receiving warnings and threats and being ill-treated. Threats were both implicit and explicit. For example, it might be suggested that if the warning was not heeded, the captors could easily find and capture the victim again. As mentioned above, some were released only after participating in a blood oath ceremony and after promising to become a member of the militia.

Reporting requirements

777. For those victims detained before the ballot, many had reporting requirements following their release for days, weeks and sometimes even several months.¹⁰⁵⁸ This is a similar pattern to earlier periods and, as in earlier periods, it allowed the Indonesian authorities to monitor the movements of suspected troublemakers. Sometimes the reporting requirements were onerous and involved multiple institutions. Francisco da Conceição Guterres described how when he was released from the Kodim and District police station in Ermera (Ermera) on 10 April 1999 he was required to report to the following institutions for nine days:

- 8.00 - 10.00am at the Ermera Kodim 1637
- 11.00 - 12.00 at the Ermera District police station
- 1.00 - 2.00pm at the Prosecutor's Office
- 2.00 - 4.00pm at the court.

778. Francisco was tried on 19 April 1999 and sentenced to two months imprisonment.¹⁰⁵⁹

not under control of TNI/militias (Maliana 3-9 September) or opportunistic paybacks for any number of reasons." [E-mail from Dave Savage CAVR Archive].

Bribes

779. Several statements told of detainees being forced to pay the police, militia or the military for their release. Extortion had been used in this way before 1999, and it became a much more common in 1999.¹⁰⁶⁰ The Commission also heard of at least one case in which the deponent described having to pay a kind of protection money as the price for not being arrested. In this case the whole community in Atabae (Bobonaro) was forced to contribute money at the end of April. Cristovão Afonso described his arrest with seven friends by the Armui militia on 26 April because they were suspected of giving food to Falintil.^{*} He told the Commission of the coercion to provide money and goods to the Halilintar militia on 27 April:

*The commander of the Halilintar militia gathered all of the residents of Diruaben and Bia-Matae to listen to his orders. They ordered everyone in Diruaben and Bia-Matae had to give or collect money, livestock and rice to feed the Halilintar forces operating in Hataz Village. We were released only after these things were collected.*¹⁰⁶¹

780. Often family members were told that their loved ones would not be released or worse, would be killed in detention, if they would not pay.¹⁰⁶² Some were forced to sell their belongings in order to pay. Marcus Pereira da Costa Freitas had already been released from a BMP post in Fatumasi (Bazartete, Liquiça) but was still harassed and eventually had to pay to be able to live in relative peace. He told the Commission:

*I was ordered to go to the house of the East Timorese village head T784. Each night members of the BMP militia were watching me. Then T784 said to me that the East Timorese Sub-district administrator of Bazartete, Jacinto Gonçalves, the Deputy Sub-district administrator, Laurindo, and a BMP militia member, Manuel Rosario, needed money. So I told my wife to take a traditional necklace belonging to my grandmother and I sold it to T784 for Rp800,000. That, together with Rp1.3 million from my father, totalled Rp2.1 million. [This money] was given to T78 to give to Laurindo, Jacinto, Manuel and their men. After that they started to treat me well.*¹⁰⁶³

Intervention by others

781. The Commission has received several statements from people who were released because of the intervention of others. A visit by a priest would sometimes result in the release of a detainee.[†] Other detainees stated that the International Committee of the Red Cross (ICRC) facilitated their release.[‡] Sometimes a family member or friend in a position to intervene would assist. For example, in January Paulo dos Santos had been taken from the Marines Headquarters in Cassa (Ainaro), where he was interrogated by a member of the Marines about his clandestine activities. After two days his uncle Agostinho Sarmento, the Sub-district administrator of Hatudo (Ainaro) came and freed him and took him to Hatudo, where he hid for a

^{*} The seven friends were Anselmus Nunes, Julio Nunes, Agustino Soares, Marcelino Ximenes, Flabiano Lopes, Pedro dos Santos and Augusta. The deponent stated that all detainees apart from himself and Julio Nunes died while in detention because of their

[†] For example Augusto da Silva and another victim were released from the Covalima Kodim in March 1999 after Father Hilario met with the head of intelligence, Sergeant Yus Nampun [HRVD Statements 5135. See also HRVD statements 2161; 5641; 8445; 5176].

[‡] For example, the ICRC was mentioned as facilitating releases from the Covalima Kodim in May 1999 and the Dili District police station on 27 January 1999 [HRVD Statements 7399; 5176].

month.¹⁰⁶⁴ José Brites was held in a BMP post in April and was told to escape by one of the militia members, Ventura, because he was going to be killed the next day by other militia members.¹⁰⁶⁵

Escape

782. The Commission also received a number of reports of detainees escaping from detention, often by simply running away.¹⁰⁶⁶ This was possible because improvised and poorly secured buildings were used to hold most detainees, as discussed above. Several statements reveal that detainees fled after their captors threatened them with death.¹⁰⁶⁷

Torture and ill-treatment in 1999

783. As in earlier periods, victims of torture and ill-treatment in 1999 suffered being beaten, punched, kicked and burned with cigarettes. For example Armindo Soares Salsinha, a CNRT leader in the town of Ermera, was captured on 30 April by members of the TNI, Rajawali and DMP militia and was taken to the Rajawali post at the Integration Hall. He was later moved to the Koramil. He described his treatment to the Commission:

When we arrived at the Koramil, T785 (a soldier) T789 and T786 (DMP militia) interrogated me while pressing a chair onto my foot, and José used his weapon to hit me across the face, knocking out two of my teeth. T786 kicked me in the chest and kicked and punched my forehead. A soldier from the] BTT punched me and a BTT used his gun to hit my back so that now I suffer if I lift anything heavy. I was beaten continuously from midnight until morning.¹⁰⁶⁸

784. There were some differences from earlier periods in the methods of torture and ill-treatment used 1999. For example, on the one hand the Commission received very few reports of the use of electricity in comparison to the decades before.¹⁰⁶⁹ On the other hand, death threats were much more commonly reported than in previous years.

785. Other methods of torture to emerge in this period include the following.

Humiliation and degradation

786. Many incidents of torture or ill-treatment of victims had an element of humiliation and degradation of the victim, both while in a detention centres and in public. Public humiliation of the victim was not only used to dissuade the person from "reoffending" but also to send a clear message to the community about the consequences of being pro-independence.

787. Some detainees were humiliated by being stripped naked in public. Carlito Fernandes described how on 13 April 1999, the village head of Malabe Village (Atsabe, Ermera) called the people of Malabe to the village office and then ordered Carlito Fernandes to undress completely. Carlito was forced to stand in front of the crowd naked while the perpetrators beat him with wood, kicked him and then pushed him in the mud like a buffalo. He was sent home naked and ashamed. This occurred because his clandestine activities were discovered.¹⁰⁷⁰ Domingos da Conceição told the Commission that members of TNI from Atsabe (Ermera) arrested him because he was a clandestine member in Maliubu (Bobonaro, Bobonaro). They ordered him to take off his clothes and then made him stand on an anthill while they beat him with their rifle butts.¹⁰⁷¹

788. Degrading treatment of detainees also occurred after the ballot, as punishment for the result. José Costude Cardoso stated that he was told to strip naked in front of his house in

Borohun, Duyung (Metinaro, Dili) by members of Aitarak militia on 31 August 1999.¹⁰⁷² Fernando de Araújo Sarmiento (the zone 1 clandestine secretary for Foheren Sub-district, Covalima) was arrested with Basilio Amaral, whose statement is quoted above. He told the Commission that on 1 September he and 13 others were captured by a joint group of Laksaur militia, BTT, Contingent Lorosae and the chief of police in Fohorem, T760. They were taken to the Fohoren police station where they were forced to stand on one leg with their hands on their head while they were beaten by East Timorese police officers T759, T790, T791 and T792.¹⁰⁷³

Public violence

789. Public violence was also a more common phenomenon than in previous years, perhaps to instil fear in the community and because the militia members acted with impunity. For instance in Manufahi, on 30 August, the day of the ballot, two men were decapitated and their severed heads were displayed in public to terrorise the community into leaving for West Timor.¹⁰⁷⁴

Verbal abuse

790. Insulting remarks about the independence movement and death threats were much more common than in previous years.¹⁰⁷⁵ The blood oaths in which participants were forced, often under threat of death, to drink mixed animal and human blood and swear allegiance to Indonesia was also a form of abuse.

Other cruel and degrading treatment

791. Many people suffered numerous other kinds of cruel and degrading treatment during 1999, including having their head covered with plastic, being deprived of food and drink or forced to eat non-food items, or being urinated on.

792. On 30 April Alexandre dos Reis was captured by East Timorese Laksaur militia members T794 and T795, and an East Timorese police officer, T796, in the village of Akar-Laran in Suai Loro (Suai, Covalima) and taken to the Covalima Kodim. He described his treatment to the Commission:

Before I was beaten they put me in a room and then tied my neck with wire, tied my hands, tied my waist and handcuffed my hands...[They] covered my head with a black plastic bag and then beat me with their hands. The people who tortured me were a soldier, T797, and three others I did not know. I was tortured from 10.00pm until 12.00pm the next day. Then the ties and the plastic over my head were taken off but my hands remained handcuffed. For three days and three nights I was given no food and drink. Because I was so hungry and thirsty I lied and said that I needed to use the toilet, and then I drank the toilet water.¹⁰⁷⁶

793. While detained in a cell behind the village office of Cassa (Ainaro, Ainaro), Filomeno Soni and Basilio were stripped of their clothes, their heads were wrapped in plastic for 30 minutes and their toenails pulled out with pliers by members of the local BTT, Gadapaksi and Mahidi.¹⁰⁷⁷

^{*} The other victims known to the deponent were: Basilio Amaral, Hipolito Afonso, Anito Saldanha, Paulo de Jesus, Angelo, Antonio, Julio, Daniel, Graciano do Rego and Gabriel.

794. On 13 September Raimundo Madeira was detained by Aitarak militia and taken to a TNI post in Resende Hotel, Dili. After being blindfolded, beaten until unconscious and dragged along the main road, he was ordered to sleep on the floor. He was later urinated on and burnt with cigarette butts.¹⁰⁷⁸

795. After voting in the Popular Consultation Justino do Rego dos Santos was trying to flee to Dili airport. He was stopped by Aitarak militia and taken to their Comoro post. He was heavily beaten, resulting in bleeding from inside his ear, and he was forced to chew his CNRT identity card and swallow it.¹⁰⁷⁹

796. Carlos Pereira described a rather odd kind of ill-treatment while detained in the Suai Loro Sub-district police station:

On 25 April 1999, early in the morning, a police officer went out and bought one rice meal and forced me and Agostinho to eat it. He gave us only to the count of ten to finish. Because we couldn't eat it all by the time he had counted to ten, the police officer hit my chest, my back and my mouth with his weapon until blood poured out.¹⁰⁸⁰

Conclusion

797. Several conclusions can be drawn from the evidence about the patterns of arbitrary detention, ill-treatment and torture in 1999:

- Arbitrary detention, torture and ill-treatment were used by the military or its militia proxies explicitly to intimidate the population and coerce people into support for integration with Indonesia.
- Militias were given free rein by the military to terrorise the community through the private and public abuse and torture of civilians. The Commission did not come across any examples of militia being punished or even reprimanded for their abuses. On the contrary, the evidence suggests that the military was very often involved in the detentions, torture and ill-treatment of victims.
- Military installations were used to detain, interrogate and torture victims.
- Militia groups also used improvised detention centres in which conditions of detention were poor.
- Periods of detention were short, usually no more than a week, although there were some exceptions to this. Sometimes an authority figure facilitated the release of a detainee. In other cases bribes were paid to the victim's captors.
- Torture and ill-treatment was designed not only to punish the victim but also to degrade and humiliate him or her.

7.4.9 Findings

Detentions, torture and ill-treatment by UDT

Detention

798. The Commission finds that:

1. Members and supporters of UDT and UDT forces carried out widespread detentions during the period of the armed movement in August 1975. These acts were clearly directed towards leaders, members and supporters of Fretilin. The Commission bases this finding on interviews with and first-hand testimony of hundreds of people who were detained by UDT or who witnessed UDT detaining people as well as historical profiles prepared by communities.
2. UDT members and UDT forces detained victims in every district of Timor-Leste except Oecusse, but the largest numbers of people were detained in Ermera, Dili and Bobonaro. Most detentions occurred on the first day of the UDT armed movement, 11 August 1975, but more people were detained over the following ten days.
3. These detentions were a central strategy of the UDT action. However, UDT had no legal authority to arrest civilians, and these arrests and detentions arose from the legitimate exercise by Fretilin supporters of their rights to freedom of political opinion and freedom of association.
4. Victims of arbitrary detention were held in improvised prisons, usually large buildings in the area where the arrests were made. They included warehouses, schools, private houses, a former Portuguese prison, military barracks and animal pens. It also established main detention centres, including Palapaço in Dili and *Descascadeira* in Baucau, to which detainees arrested in other districts were brought.
5. Periods of detention were short because the UDT movement which began on 11 August was short-lived. Most detainees were released within two weeks but some were held for longer than one month. While in detention, detainees were regularly forced to perform such work as cooking for other detainees and cleaning detention centres, building roads or carrying rocks and wood. UDT released some detainees of its own accord but most were abandoned when Fretilin forces attacked the areas where detainees were being held and UDT forces fled.
6. The victims of arbitrary detention by UDT known to the Commission were predominantly male, of military age and believed by the perpetrators to have an association with Fretilin. Sometimes family members of these victims, including their wives, parents and children, were arbitrarily detained.
7. The perpetrators of arbitrary detention were predominantly UDT leaders at the district level or people under their command. These leaders knew the population in each district and were able to effectively target members or supporters of Fretilin.

III-treatment and torture

8. Members and supporters of UDT and individuals mobilised by UDT leaders carried out widespread cruel, inhumane and degrading treatment of detainees during the armed movement in August 1975. In some cases detainees were tortured but this was not widespread. These acts occurred between 11 August 1975 and the end of August and in every district of Timor-Leste except Oecusse, but were concentrated in Ermera, Dili and Bobonaro.

799. The Commission bases these findings on interviews with and the first-hand testimony of hundreds of people who were ill-treated and tortured by UDT or witnessed UDT detaining people.

9. Forms of physical abuse suffered by victims included:

- Heavy beatings by hand or with a rifle, by one perpetrator or sometimes by a group of perpetrators
 - Whipping
 - Being tied up for long periods, sometimes for more than one week
 - Death threats
 - Cutting the victim with a machete or razor blades
 - Slapping and kicking
 - One victim reported being burned with lit cigarettes.
10. Individual UDT leaders held prisoners in buildings or structures that were not equipped to hold large groups of people for long periods of time. Sanitation and ventilation were grossly inadequate and little or no effort was made to improve conditions by members of UDT in charge of detention centres. Many detention centres were severely overcrowded. Further, UDT made no provision for feeding the hundreds of people whom it detained. Detainees from the main UDT detention centres reported being deprived of food; some received no food for up to nine days. At least two people died of starvation while in detention. The severity of these conditions amounted to cruel, inhumane and degrading treatment.
 11. Physical abuse of detainees was not carried out for the purpose of extracting information or to coerce the victim. Rather, victims suffered the violent acts listed above in the process of arrest, transportation to the prison and while in detention as punishment or as a manifestation of the wider unrestrained violence that was unleashed in this period.
 12. The victims of ill-treatment and torture by UDT were primarily detainees or people under arrest. They were therefore predominantly military-aged men with a real or suspected association with Fretilin. Leaders of Fretilin were treated with particular brutality.
 13. Ill-treatment and torture were not necessarily ordered by the UDT Political Committee, but the tensions of the time, the incitement to arrest made over the radio and the general incitement to “purge communists” created an atmosphere in which abuse of detainees was highly likely to occur. Further, members of the UDT Political Committee would have been aware that individual UDT leaders, members and UDT forces were ill-treating and in some cases torturing prisoners. The most extreme forms of abuse occurred in the UDT headquarters in Dili and in UDT’s strongholds in the districts of Ermera and Liquiça and senior UDT leaders were sighted in these places.
 14. Only minimal efforts were made by the UDT leadership collectively to prevent abuse occurring or to stop the abuse of prisoners once the leadership became aware of what was happening.

Detentions, torture and ill-treatment by Fretilin

During the internal armed conflict

Detention

800. The Commission finds that:

15. Fretilin responded to the armed movement by UDT with an armed insurrection, which included the widespread capture and detention of leaders, members and supporters of UDT. Although this was partly motivated by a desire to halt violence against Fretilin members, it was also motivated by revenge for the violations that UDT members and forces had perpetrated. Detentions were carried out in all districts of Timor-Leste except Oecusse and Lautém, but numbers were highest in Aileu, Manufahi, Ainaro and Dili. More than one thousand people were detained around the territory.

16. Fretilin detained most members or supporters of UDT in the first week of the armed general insurrection, 20-27 August 1975, after which members and leaders of UDT fled the territory into West Timor (Indonesia). Isolated cases of detention of UDT members who remained behind continued until the Indonesian invasion. Fretilin also detained leaders, members and supporters of Apodeti who were involved in the UDT movement which began on 11 August through August and September. On 4 October the Fretilin Central Committee ordered the widespread detention of members of Apodeti in response to rumours of an Apodeti coup and ABRI infiltration of Timor-Leste's borders, and it then detained the senior leaders of Apodeti as well as other members and supporters. Fretilin also detained members of the Portuguese administration including Portuguese chief of police Lieutenant Colonel Maggiolo Gouveia.
17. Victims of arbitrary detention were held in improvised prisons, usually large buildings in the local area. Some of these had been used by UDT during the armed movement. They included warehouses, schools, former Portuguese prisons, the Dili museum, military barracks. The largest detention centres were in the Fretilin headquarters of Aisirimou, in the district of Aileu.
18. After Fretilin had control of the territory it concentrated detainees from the districts of Ermera and Manufahi with detainees from Aisirimou and on 7 December, when Indonesia launched a large-scale invasion, detainees from Dili were also moved to Aisirimou. By 9 December prisoners detained in Aisirimou numbered close to 1,000.
19. The victims of arbitrary detention by Fretilin members and supporters known to the Commission were predominantly male, of military age and believed by the perpetrator to have an association with UDT or Apodeti. Leaders of the KOTA and Trabalhista political parties were also detained. Sometimes family members of these victims were also arbitrarily detained.
20. The perpetrators of arbitrary detention were predominantly Fretilin commanders at the district level or people under their command. These commanders knew the population in each district and were able to effectively target members or supporters of UDT and Apodeti.
21. After the end of the internal armed conflict by late September 1975, Fretilin made efforts to accord due process to detainees. It established a commission of investigation (*comisao de inqueri*) to decide on the guilt or innocence of detainees held after the UDT armed movement. This process involved people providing testimony. This process of investigation operated at the district level but in the atmosphere of recent conflict, were no better than mob justice. The accused was not presumed innocent before being found guilty by the populace and had no right of reply. The form of punishment decided on by the people was often harsh and disproportionate to the crime alleged.
22. Victims were held in detention for up to five months, until the advance of Indonesian forces made holding prisoners untenable and they were abandoned, released or in some cases executed.
23. Detainees were regularly forced to perform such tasks as cooking for other detainees and cleaning detention centres, building roads and carrying rocks and wood. Some of the detainees were also recruited into Fretilin/Falintil forces after the large-scale invasion by Indonesia. In order to feed prisoners labour camps were established in which they were forced to work in rice-fields and coffee plantations.
24. Fretilin held onto its prisoners in Dili and Aileu after the Indonesian invasion for fear that they would fall into the hands of the Indonesian military. It moved the prisoners away from the invading forces, first taking those held in Dili to Aileu and then moving all prisoners from Aileu through Maubisse to Same Town and finally to Hola Rua in the sub-district of Same in Manufahi District. The majority of UDT detainees were taken to Ainaro. In Same the majority of remaining detainees who were UDT were released and a small number of remaining Apodeti prisoners were released with conditions. Chapter 7.2: Unlawful Killings and Enforced Disappearances deals with the killing of prisoners.

Torture and ill-treatment

25. Members and supporters of Fretilin and Fretilin forces carried out widespread cruel, inhumane and degrading treatment of detainees during the internal armed conflict in 1975. The severity of the treatment suffered by detainees in some cases verged on torture and a number of people died as a result of the abuse they suffered. This abuse occurred in an atmosphere of unrestrained violence and in the spirit of revenge for the violations perpetrated by UDT. Members of Apodeti were also caught up in the violence and suffered ill-treatment and torture, particularly as the Indonesian incursions grew in intensity.
26. The brutality with which members of Fretilin treated detainees or allowed detainees to be treated is apparent from the following partial list of what took place:
 - Heavy beatings by hand or with an implement including a rifle, an iron bar, wooden sticks, bamboo, rattan, car-brake cords, a helmet, a pestle, nails and a barbed whip; some detainees were beaten to death or until they were unconscious, blind or deaf
 - Prisoners were ordered to beat each other, including prisoners who were related to each other
 - Stabbing
 - Tying detainees up before beating them so that they could not defend themselves
 - Dragging detainees along the ground until they were injured and bleeding
 - Stripping detainees and forcing them to sleep naked on the rough ground
801. These acts began to occur on 20 August 1975 in every district of Timor-Leste except Oecusse but were concentrated in Ermera, Dili, Baucau, Manufahi and Aileu.
27. The treatment of detainees varied between detention centres but the Comarca and the Museum in Dili were the only locations in which violence against detainees was not reported. In other detention centres guards beat prisoners frequently and, in at least one Fretilin prison, a particular guard was appointed to be in charge of abusing prisoners.
28. Few detainees were interrogated by Fretilin and the violence was, in most cases, for no other reason than to punish the detainee or as a manifestation of the general atmosphere of conflict and violence.
29. Like UDT had done previously, Fretilin commanders and members used buildings or structures to hold prisoners that were not equipped to hold large groups of people for long periods of time. Conditions of sanitation and ventilation were deplorable and little or no effort was made to improve conditions by Fretilin members in charge of detention centres. Detention centres were often severely overcrowded, particularly those in Aileu. These conditions were so deplorable as to amount to cruel, inhuman and degrading treatment.
30. The amount of food received by Fretilin's detainees varied. In Baucau and in the Comarca in Dili detainees reported receiving three meals a day from August to October. In other detention centres detainees reported receiving insufficient food. By November, as Indonesian incursions along the border continued, there were severe food shortages in all detention centres. The Fretilin leadership was aware of the food shortages and set up labour camps in Aileu, but this failed to feed the detainees largely due to the Indonesian attacks. Fretilin did not release detainees after it realised that it could not feed them. This amounted to cruel, inhuman and degrading treatment.

31. Although the violence occurred in the context of armed conflict, it was clear that senior members of the Fretilin Central Committee were aware of the abuse of prisoners. The most brutal treatment of detainees occurred in the Fretilin headquarters in Taibessi and in Aisirimou, Aileu. The treatment of detainees varied between districts, as did the level of responsibility for ill-treating and torturing prisoners. In Baucau, prisoners said that they were beaten regularly but only by the guards after their superiors had left. In Manufahi and Aileu however, Fretilin leaders were present at the torture of UDT leaders and not only allowed it but incited the community to attack members of UDT. Several members of the Fretilin Central Committee spoke of their knowledge of the abuse of prisoners, but stated that they were not able to control it.
32. Insufficient efforts were made by the Fretilin leadership to prevent abuse occurring or to stop the abuse of prisoners after the leadership became aware of what was happening.

1976-79

802. The Commission finds that:

Detention

33. After the Indonesian invasion Fretilin continued to detain people across the territory within the Fretilin controlled "liberated zones" (*zonas libertadas*) until the destruction of the Resistance bases. The Fretilin Central Committee routinely used detention to maintain discipline and control and to resolve political differences.
34. Because detentions were a recognised element in the administration of the *zonas libertadas*, there were members of the Fretilin Central Committee who either personally carried out or who ordered arrests. Arbitrarily arresting and detaining suspects was procedurally within the authority of Falintil commanders and investigations were overseen by political commissars. Arbitrary detention was therefore clearly condoned by the Central Committee.
35. Fretilin detained people for violations of Fretilin rules established by the Central Committee. This included being a traitor to Fretilin's political position, to the nation or to the party, or for disciplinary breaches. Because there were no guidelines, these rules were applied inconsistently and therefore in practice any act or suspected act of which the Central Committee disapproved could be denounced as treason or as a breach of Fretilin rules.
36. The victims of detention were all of categories of people under Fretilin control including members of Fretilin and Falintil and ordinary civilians. People considered to be "reactionaries" and "traitors" were targeted. Often people associated with a particular Fretilin/Falintil leader were detained.
37. Fretilin made efforts to accord due process to detainees through justice practices (*justiça popular*) for trying and sentencing detainees but sentences of imprisonment resulting from these processes were arbitrary. There was no opportunity for accused persons to defend themselves or to appeal the decision or sentence. Further, many people were detained for months before being "tried" or not informed of the charges against them, or were never tried at all.

38. Detainees were held in unsuitable structures such as “pig-pens”, chicken coops, bamboo huts or holes in the ground. In the beginning these were simply places in which people were detained, but in late 1977 many were turned into national rehabilitation camps (*Campos Rehabilitasaun Nasional*, or Renals). Other Renals were purpose built and included these kinds of conditions. Renals were identical to prisons in the conditions in which detainees were kept, except that they were established on the principle that wrongdoers could be “rehabilitated”. Detainees received political education and sometimes literacy training. They were also made to work in communal fields in a supposed ethos of equality.
39. Sentences of imprisonment were theoretically indefinite and these periods of detention lasted until the *bases de apoio* were destroyed. Even at that point, the Central Committee released few detainees of its own accord but detainees either escaped when Indonesian forces arrived in the area or Fretilin released them when further detention became practically untenable.

Torture and ill-treatment

40. Members and supporters of Fretilin and Fretilin forces carried out widespread cruel, inhumane and degrading treatment as well as torture of detainees in detention centres and Renals between 1976 and 1978. Torture and ill-treatment were perpetrated more cruelly than in the period of internal conflict, as they became a routine part of Fretilin-administered justice practices. Torture and ill-treatment were used not only to control detainees but also were used during interrogation and to punish political opponents. Many people died in detention.
41. Methods of torture and ill-treatment commonly suffered by victims included:
 - Heavy beatings by hand, with a rifle, with thorny branches or other pieces of wood
 - Whipping
 - Burning the victim’s flesh with heated iron rods, cigarettes, or burning pieces of wood
 - Tying victims to a tree or pole and leaving them in the sun for long periods
 - Tying victims in a way that their movement was highly restricted and they could not feed themselves or relieve themselves
 - Urinating on victims
 - Placing victims in a hole filled with ants
 - Threatening victims with death
 - Kicking with military boots
42. Members of the Fretilin Central Committee were often directly involved in or witnessed the torture of prisoners and took no action to halt it.
43. In some places prisoners were held in overcrowded and poorly ventilated conditions and in all places sanitation was extremely poor. Some detainees were left to urinate and defecate where they sat. In many cases the conditions of detention constituted cruel, inhumane and degrading treatment.

⁷ The “pig-pen” prisons were not structures formerly used to hold pigs. Rather they were usually improvised detention structures, sometimes similar in shape and size to a pig-pen, to hold detainees. The name “pig-pen” was adopted to refer to the fact that the detainees ate, slept and toileted in the cell like a pig in a pen.

44. Fretilin frequently deprived detainees of food or were unable to provide sufficient food. Detainees died of starvation and illness related to starvation. A group of 50 children held in a “crèche” in Aileu died because they received insufficient food and became ill. Detainees who were ill were still required to work. This amounted to cruel, inhuman and degrading treatment. This treatment partly can be explained by the difficult circumstances of the time: as Indonesian forces advanced, they burned Fretilin food crops and thus forced Fretilin to move. But Fretilin did not release detainees after it knew that it could not feed them. Further, in many cases Fretilin deprived detainees of food intentionally to punish the victims, including withholding food brought to detainees by members of their family.

Detentions, torture and ill-treatment by the Indonesian military, police and agents

Arrest and detention

803. The Commission finds that:

45. Members of the Indonesian security forces and their auxiliaries committed, encouraged and condoned widespread and systematic arbitrary arrest and detention during the period of the Indonesian occupation of Timor-Leste.

804. The Commission bases this finding on around 150 interviews and thousands of statements containing first-hand testimony about arbitrary detention and on corroborating evidence contained in witness statements and other documents, including Indonesian military documents in the possession of the Commission.

46. Over the course of the occupation it is likely that tens of thousands of East Timorese were detained. The Commission bases this finding on the fact that its statement-taking process identified 18,518 victims of arbitrary detention by the Indonesian military and its auxiliaries in over 20,895 acts of detention. As the statement-taking process took statements from only around 1% of the population, the actual numbers of people detained is certain to be far greater.
47. Detentions increased during and after military operations. The number of people detained peaked in 1979 but was consistently high between 1975 and 1983, the period of major military operations. Detentions peaked again in 1999 during preparations for the Popular Consultation and after the announcement of the results of the ballot.
48. The Indonesian authorities arrested people in every district in Timor-Leste, although the highest numbers of detentions occurred in Dili, which had the largest state prisons and the main interrogation centres, followed by the eastern districts of Timor-Leste. Very few people were arrested in Oecusse after the initial invasion period until the militia violence of 1999. The Commission's data is consistent with the hypothesis that the Indonesian military, police and their East Timorese auxiliaries used arbitrary detention more in areas where the Resistance movement was perceived to be strong, and also in Dili where its administrative and logistical headquarters were located.
49. The victims of arbitrary arrest and detention were predominantly men of military age (20-39 years old) with a real or suspected association to groups resisting the occupation, including Fretilin/Falintil, clandestine networks or other pro-independence groups. Indonesian security forces and their auxiliaries also targeted family members, including wives, parents and children, of suspected members of the armed Resistance, clandestine networks or other pro-independence groups. These arrests were made in the name of national security and ridding Timor-Leste of members of the “Bands of Security Disruptors” (Gerombolan Pengacau Keamanan, GPK).

50. Seventy percent of reported detentions were carried out directly by the Indonesian security forces. This included members of combat battalions, members of the provincial, district and sub-district commands and their associated battalions and intelligence branches, members of the Joint Intelligence Unit (Satuan Gabungan Intelijen, SGI) or Indonesian Special Forces (Kopasandha/Kopassus) and members of police stations at the sub-district, district and provincial levels. In the beginning, the military made most arrests. Over the period of the occupation this changed and by the mid-1990s the police were responsible for most arrests.
51. Kopassandha/Kopassus was active from central to village level throughout the occupation. Its direct role in detaining people peaked between 1983 and 1986 after the uprisings in the eastern districts. Kopassandha/Kopassus later began to form, train and arm local militias.
52. After the Indonesian military and police, the next largest number of detentions were attributed to East Timorese auxiliaries of the Indonesian military. Auxiliaries (including civilian defence or Hansip, public servants, paramilitaries and militias) were named as being directly involved in 34% of reported detentions, but in many cases the arrest was made on the orders of the Indonesian military or carried out together with the military. Some paramilitary and militia groups were established by the Indonesian military specifically to terrorise the local population in areas where the Resistance was strong, including detaining and torturing suspected clandestine members. East Timorese auxiliaries were also essential in providing intelligence information to the military.
53. During the Indonesian invasion and occupation, arrest and detention were used to crush the Resistance in Timor-Leste in the following ways:
 - By keeping members of the Resistance in detention, they were prevented from continuing their activities or communicating with their colleagues
 - Intelligence and other military personnel used the interrogation of prisoners to obtain information about Resistance structures and strategies, or the whereabouts of particular members of the Resistance
 - Arbitrary detention and the other violations that often occurred during a period of detention punished real or suspected members of Resistance groups, thereby warning others of the consequences of following their examples.
 - Detaining family members and associates of suspected members of the Resistance could provide the security forces with intelligence about a suspected member, and was also used to punish the family member or associate in the place of the suspected member of the Resistance
 - Where large groups were arrested, members of Fretilin and Falintil could be separated from ordinary civilians based on intelligence information and then detained.
54. The institutional practice of the Indonesian security forces was arbitrarily to arrest suspects without any regard for due process, particularly in the early years of the occupation. Persons arrested were not read their rights or told the charges against them. Excessive force was routinely used in the arrest of suspects.
55. This finding is based on strongly and widely corroborated evidence, which demonstrates that the practice of arrest without warrant and the use of excessive force were carried out by a wide range of military units, the police and Kopassandha/Kopassus in all districts of Timor-Leste in every year of the occupation
56. Throughout the occupation, but particularly between 1975 and 1984, the Indonesian authorities made regular mass arrests of groups of 98 people or more. These arrests were made during large-scale military operations in response to Resistance attacks, or after intelligence information identified a specific village supporting the clandestine movement or hiding members of Falintil. Sometimes mass arrests were carried out as a collective punishment for the actions of a few.

57. From 1985 people were more commonly arrested individually than in large groups suggesting that detentions were made in a more targeted fashion than previously. Indonesian security forces used intelligence from East Timorese auxiliaries to identify members of Fretilin, Falintil and clandestine networks or their families, and targeted these people for arrest.
58. Sometimes intelligence was used to create “black lists” containing names of suspects, which were used to arrest people. The people on these lists were arrested repeatedly. They were often rounded up in anticipation of some Resistance event such as a demonstration.
59. In most cases people were arrested at their home or work place or were summoned to a police station or military post by an East Timorese auxiliary and then taken into custody. Others were detained during military operations. Only a few were “caught in an act” of resistance, such as attending a demonstration.
60. East Timorese people living in Indonesia, particularly students, were also subject to arrest and detention, especially in the 1990s, when many were detained for participation in demonstrations or clandestine activities.

Conditions of detention

805. The Commission finds that:

61. Members of the Indonesian security forces and their auxiliaries committed, encouraged and condoned widespread and systematic detention of East Timorese in conditions that were below the internationally accepted minimum standards for the treatment of detainees. Hundreds of people died while in detention, of deliberate ill-treatment or of neglect, hunger and illness. Of the 18,518 individuals who were reported to have been detained by the Indonesian military and police, 378 were known to have died whilst in detention. Another 1,314 detainees died, but the exact date of their death was unknown and hence it is not certain whether they died while being held in-detention
62. The Indonesian security forces used a wide variety of detention centres to hold detainees, both official and unofficial. They included:

- Large buildings commandeered by the military, such as shops, hotels, public buildings, like warehouses at the Dili Port, and private homes. Occupied public and private buildings were used to hold prisoners when there were large numbers of people detained and not enough space. For example after the invasion of Dili and when the military first moved into other areas, after the Resistance uprisings around Mount Kablaki in 1982, in the eastern districts in 1983 and in Alas (Manufahi) in 1998. Such buildings were also used by paramilitaries and militias when they detained victims. Examples are the detentions by Team Sukarelawan in Ainaro in 1991 and all militias in 1999.
 - Military and police buildings including military commands and police stations at the sub-district, district and provincial levels, the SGI headquarters, military bases, the Korem, Mess, military barracks, military posts and Kopasandha/Kopassus bases. In most cases detainees were held in cells but sometimes they were locked in rooms in the headquarters or post, including in the toilet.
 - Government buildings such as village offices, village meeting halls or the offices of the sub-district or district administration. Such buildings were used with either the involvement or the acquiescence of the administrative officer in charge of the building.
 - State prisons: The Comarca in Balide, Dili, was used immediately after the invasion. Other state prisons in regional centres were opened in the second half of the 1980s.
 - Improvised structures such as holes in the ground or buildings made from branches and bamboo. This was most common during the period 1978-79 when masses of people surrendered or were captured in rural areas.
 - The detainee's home. Detainees were put under house arrest when there were large numbers of people in detention, such as during the invasion and during military crackdowns after the Resistance uprising in 1982 in Mauchiga (Hatu Bulico, Ainaro).
 - Atauro Island. Between 1980 and 1983 around 3,500 East Timorese who were either real or suspected members of the clandestine networks or suspected of association with the Resistance in any way were sent to the arid island where they were held until 1983 and in some cases as late as 1987.
 - Transit camps. These camps, established around the territory, were used in the late 1970s after mass surrenders of people who had been under Fretilin control.
 - Prisons in Indonesia. According to reports received by the Commission, apart from a group of prisoners sent to Kupang, West Timor, in 1983, prisoners from Timor-Leste were sent to prisons on Java after they had been put on trial and convicted. They were usually high-profile members of the clandestine movement or Resistance.
63. It was institutional practice to deprive prisoners of adequate food and clean water or to make completely inadequate provision for feeding and housing prisoners. Prisoners frequently died of starvation and illness in numerous detention locations up until the mid-1980s, when numbers of detainees declined and state prisons were constructed to house detainees. Even after this time there were frequent reports of detainees being deprived of food for several days at a time or being given food that was inedible.
64. It was institutional practice to detain prisoners in unofficial detention centres far from their family and friends. In many cases families did not know what had happened to their relatives who had been arrested, and if they did find out they were prohibited from communicating by letter or from making visits. The presence of the ICRC improved this situation for some detainees, but only during the times it was permitted to operate in Timor-Leste and only in those prisons and detention centres to which ICRC representatives gained access.

65. It was institutional practice to move detainees between detention centres, sometimes between a number of places on the same night. This was to disorient the victims, to allow different military units or organisations to interrogate the victim, or to place victims in the custody of different units. Sometimes detainees were taken from one detention centre by a military unit for interrogation and then returned. These patterns occurred throughout the occupation, beginning from the first days of the invasion.

806. Other examples of the conditions in which detainees were commonly held include:

- Providing food but making it inedible, for example by dropping it on the floor, mixing it with broken glass or other sharp objects or cat faeces, or giving prisoners food that was burned or rotten.
- Stripping the victim of their clothes, leaving them naked or in only their underwear. Sometimes this was done before interrogation but in some places it was the practice for all detainees to be kept in this condition.
- Placing detainees in solitary confinement, sometimes for up to a year.
- Placing victims in cells known as “dark cells”, in which there was no light and extremely poor ventilation. All detention centres, including prisons, police stations and military commands, had dark cells.
- Extremely poor sanitary conditions, including providing no toilet so that detainees were sitting in their own or each other’s excrement, or providing only a small toilet for a large group of people.
- Restricting detainees’ access to activities while in detention. Permission to play sports, read books or papers and other forms of leisure activity was routinely denied. Some activities were forced on detainees, however, such as singing the Indonesian national anthem or honouring the Indonesian flag.
- Restricting access to legal advice or representation until the 1990s, and even then the access granted was limited.

66. Before and after visits from the ICRC, lawyers or a foreign delegation to a detention centre, conditions tended to improve. However, some detainees were punished for having talked to the visitors.

67. Overall conditions sometimes improved when detainees were transferred to an official prison. This was particularly true of the Becora Prison in Dili after it was opened in 1986. Ill-treatment and torture, including beatings and abuse by prison guards, being kept in solitary confinement and restrictions on leisure activities, communication with the outside world or family visits still occurred in these institutions but much less frequently.

68. Before late 1983 the Indonesian authorities did not put detainees on trial. Detainees had no means to challenge their detention or to request a release date. Their detention was indefinite. Even when trials began in 1983, Indonesian authorities held many people for long periods before putting them on trial. By the 1990s those detainees who were tried were charged and put on trial relatively quickly. Nevertheless, even in the 1990s many detainees were never put on trial. In 1999 almost no detainees were put on trial.

Interrogation

807. The Commission finds that:

69. It was institutional practice to interrogate detainees. Interrogation was used to obtain information about the activities of the victim, to punish or to intimidate the victim, or to obtain information about the structures and strategies of the Resistance, the locations of weapons or documents, or the names of other members of the Resistance.

70. These patterns shifted over time. In the early years of the occupation the military used interrogation to increase its understanding of the Resistance.
71. When the police became more active in the detention and interrogation of suspects and detainees were put on trial, interrogations also focused on obtaining evidence, such as a confession, for use in a trial. Interrogators often prepared a written confession before the interrogation began which was then read to the detainee, who was then forced to sign it, or police would force the detainee to make a false confession. Many detainees signed the confession simply to put an end to the interrogation and torture.
72. In 1999, before the Popular Consultation, interrogation was used to intimidate the victim as well as to find out the movements of pro-independence groups.
73. It was institutional practice to use highly coercive practices during interrogation. Methods included the widespread use of torture, death threats against the victim or the victim's family, firing numerous or confusing questions at the detainee or twisting the detainees words, telling the detainee that a fellow detainee had already confessed to an alleged crime, and depriving detainees of food, drink, sanitary facilities and sleep, between interrogation sessions.
74. When there was international attention on particular detainees, the treatment of these detainees by Indonesian security forces during interrogation was markedly better.
75. Detainees were usually interrogated inside detention centres, in their cell or an interrogation room. A smaller number were interrogated at home before the arrest. Some detainees were taken to special interrogation centres to be questioned, such as the Sang Tai Hoo building in Dili. Some of these places became particularly notorious for the treatment of detainees. Some detainees were sent to Java or Bali for further interrogation.
76. The duration of interrogations varied. Sometimes detainees were subject to lengthy interrogations spanning several days in an effort to "break" the victim. Some detainees had an interrogation timetable whereby they were interrogated on the same day each week or at the same time on certain days. At other times interrogations were short and intense, particularly when the purpose of the interrogation was to intimidate the detainee.
77. Different agents of different institutions often interrogated detainees, either at the same time or consecutively. Usually intelligence officers were in charge of interrogations. In some cases high-ranking military officers from Jakarta would fly to Timor-Leste to interrogate victims.
78. Tactics used by clandestine members during interrogation include only mentioning the names of comrades who had already been arrested, only releasing information already in the hands of the interrogators and taking responsibility for the actions of others themselves.

Torture and ill-treatment

808. The Commission finds that:

79. Members of the Indonesian security forces and their auxiliaries committed, encouraged and condoned widespread and systematic torture and ill-treatment of victims during the period of Indonesian occupation of Timor-Leste. In some cases torture led to death, sometimes as a direct result of the torture applied to the victim and sometimes as a result of wounds sustained during torture being left untreated.
80. The victims of torture and ill-treatment were overwhelmingly male, of military age, and involved in Fretilin/Falintil or other pro-independence groups. Victims who identified themselves as civilians were the second largest group to be subjected to torture and ill-treatment. These people were usually suspected members of Resistance groups, civilians in villages that were targeted for supporting or hiding members of Fretilin/Falintil, or the family or associates of members of Fretilin/Falintil or other Resistance groups.

81. The Indonesian security forces were named as the direct perpetrator in 64% of reported torture cases and 55% of reported ill-treatment cases. Different institutions within the security apparatus played prominent roles at different times. Early in the occupation members of combat battalions and officers were involved in most cases of torture, particularly intelligence officers. Between 1985 and 1987, Kopasandha/Kopassus was involved directly in many cases of torture. In the late 1990s the involvement of the police in torturing detainees increased and peaked in 1999.
82. East Timorese auxiliaries were also heavily involved in the torture of victims. They were named as responsible for 35% of reported torture cases and 40% of reported cases of ill-treatment. In many cases victims were tortured by auxiliaries on the orders of the military or carried out together with the military. Auxiliaries played a significantly less prominent role than the military in all years apart from 1999. In 1999 they were the main perpetrators of violence against victims.
83. The majority of acts of torture and ill-treatment were carried out during or after arrest or while in detention. Some victims were tortured and ill-treated outside of a place of detention including being assaulted in public, in their homes, in a field or on the journey to a place of detention.
84. The purpose of torture was to obtain information from the victim, to punish the victim, to threaten the victim, to humiliate the victim, to intimidate the victim or others sharing the victim's political allegiance or to force a change in a victim's loyalties.
85. Torture and other cruel, inhuman and degrading treatment usually took place when detainees first arrived in a detention centre, or during interrogation. It was perpetrated in the cells, sometimes in front of other detainees, and sometimes in specific interrogation rooms. In the early years of the occupation the Indonesian military used some buildings specifically for the torture of prisoners.
86. Public torture and ill-treatment occurred frequently over the course of the occupation, but particularly marked in 1999. Not only did it cause pain and humiliation to the victim, it was intended to terrorise those who witnessed it. Conversely much torture and ill-treatment was carried out in secret, away from the eyes of the victim's loved ones or the eyes of the international community.
87. Over the course of the occupation, the correlation between torture or ill-treatment and detention increased. During the period 1985-98, although there were fewer people detained, those detained had a much higher chance of being tortured than during the period 1975 to 1984 when there were frequent mass arrests.
88. The following acts of torture and other cruel, inhumane and degrading treatment were commonly used by the security forces:

- Beating with fists or with implements such as a wooden club or a branch, an iron bar, a rifle butt, chains, a hammer, a belt, electric cables
 - Kicking, usually while wearing military or police boots, including around the head and face
 - Punching and slapping
 - Whipping
 - Cutting with a knife
 - Cutting with a razor blade
 - Placing the victim's toes under the leg of a chair or table and then having one or more people sit on it
 - Burning the victims flesh, including the victim's genitalia with cigarettes or a gas lighter.
 - Applying electric shocks to different parts of the victim's body, including the victim's genitalia
 - Firmly tying someone's hands and feet or tying the victim and hanging him or her from a tree or roof
 - Using water in various ways, including holding a person's head under water; keeping a victim in a water tank for a prolonged period, sometimes up to three days; soaking and softening a victim's skin in water before beating the victim; placing the victim in a drum filled with water and rolling it; pouring very hot or very cold water over the victim; pouring very dirty water or sewage over the victim
 - Sexual harassment, sexual forms of torture and ill-treatment or rape while in detention. Women were the main victims of this kind of abuse
 - Cutting off a victim's ear to mark the victim
 - Tying the victim behind a car and forcing him or her to run behind it or be dragged across the ground
 - Placing lizards with sharp teeth and claws (*lafaek rai maran*) in the water tank with the victim and then goading it to bite the softened skin on different parts of the victim's body including the victim's genitalia
 - Pulling out of fingernails and toenails with pliers
 - Running over a victim with a motor-bike
 - Forcing a victim to drink a soldier's urine or eat non-food items such as live small lizards or a pair of socks
 - Leaving the victim in the hot sun for extended periods
 - Humiliating detainees in front of their communities, for example by making them stand or walk through the town naked
 - Threatening the victim or the victim's family with death or harming a member of the victim's family in front of them
89. There are other examples of forms of torture and cruel and inhumane treatment that were not widely reported but nevertheless confirm the general pattern of widespread and systematic physical abuse of detainees. These include:

- Rubbing chillies in the victim's eyes
 - Forcing the victim to sweep the floor with his or her body
 - Forcing the victim to carry a decapitated head around the victim's village
 - Beating two male victims while their genitals were tied together
 - Cutting off of the victim's ear and forcing him to eat it
 - Tying the victim inside a sack filled with snakes
 - Dousing a group of prisoners with petrol and threatening to burn them alive
90. As well as physical abuse, detainees were also subject to mental and emotional torture and cruel, inhuman and degrading treatment. Methods included:
- Keeping prisoners in detention indefinitely without access to family and friends
 - Keeping prisoners for extended periods in solitary confinement or in cells with no light and little ventilation
 - Taking a detainee to a place used for extra-judicial executions and pretending to the victim that they were going to be killed, even to the point of firing a shot in the victim's direction
 - Verbal abuse and insults
 - Forcing victims to beat each other
 - Torturing a family member in an adjoining room so that the victim could hear the screaming, or torturing or threatening to torture a family member in front of the victim
 - Blindfolding or placing a black cloth, helmet or bucket over a victim's head during interrogation and torture
 - Using symbolism to humiliate and break the spirit of the victim such as forcing the victim to drink water in which an Indonesian flag had been soaked, writing "I am Fretilin" on detainees foreheads, making detainees sing well-known Fretilin or Portuguese songs or conversely the Indonesian national anthem, forcing detainees to sit on the Fretilin or Portuguese flag, beating a detainee with a Portuguese or Fretilin flag, or tying victims to the flag-pole of an Indonesian flag
 - Insulting a victim's religion such as by tearing off the victim's crucifix or tying the victim to a cross
 - Spitting on the victim
 - Sleep deprivation by methods such as playing loud music throughout the night in detention centres.
 - Stripping the detainees, both male and female, and touching their genitals.

Release

- 91. The Indonesian security forces rarely released political prisoners absolutely.
- 92. In some cases political detainees were forced to make some form of statement of allegiance to Indonesia including:

- Signing a declaration (“clearing list”) in which they pledged allegiance to the Indonesian flag and promised no longer to engage in clandestine activities
 - Drinking water in which an Indonesian flag had been soaked
 - Participating in traditional blood oaths by drinking animal and human blood. This was a powerfully symbolic act in East Timorese culture that was co-opted by the military, and later the militias, for their own purposes.
93. A payment in cash or kind was often demanded on release. The incidence of extortion increased significantly in 1999.
94. The security forces also developed ways of monitoring detainees after they were released. These included using them as forced labour or recruiting them into the security forces, civil defence organisations or paramilitaries, or forcing them to find their relatives who had not yet surrendered. Others were given the status of “outside detainees” (*tahanan luar*) which meant that they were still under close supervision.
95. Most detainees were required to report to a military base, police stations or other agency regularly after their release, sometimes for several years (*wajib lapor*).

¹ Article 3 UDHR, Article 9 ICCPR and customary law: Human Rights Committee General Comment 24, para 8.

² See UN High Commissioner for Human Rights Fact Sheet No 26 on the Working Group on Arbitrary Detention; see also for example the 2003 Opinions adopted by the Working Group on Arbitrary Detention, E/CN.4/2004/3/Add.1.

³ Human Rights Committee, General Comment 8 para 2; See also *Jijon v Ecuador* (1992) HRC Comm. No. 227/88 where a delay of five days in bringing a prisoner before a judge was held to breach Article 9(3).

⁴ Article 9(3) ICCPR.

⁵ Article 5 UDHR, Article 7 ICCPR, and customary law: Human Rights Committee, General Comment 24, para 8.

⁶ See for example Article 1(1) Convention Against Torture and Cruel, Inhuman or Degrading Treatment or Punishment.

⁷ See for example HRC General Comment No 20, para 2.

⁸ *Mukong v Cameroon* (1994) HRC Comm. No. 458/91 at para 9.4.

⁹ Concluding observations of the Committee against Torture on Israel, A/52/44, 9/5/97 at para 257; see also *Ireland v UK* (1978) ECHR Applic No 5310/71, at paras 96 and 167.

¹⁰ Concluding observations of the Committee against Torture on Israel, A/52/44, 9/5/97 at para 257.

¹¹ Concluding observations of the Committee against Torture on Israel, A/52/44, 9/5/97 at para 257; see also *Ireland v UK* (1978) ECHR Applic No 5310/71, at paras 96 and 167.

¹² Concluding observations of the Committee against Torture on Israel, A/52/44, 9/5/97 at para 257.

¹³ Article 5 UDHR, Article 7 ICCPR, and customary law: Human Rights Committee, General Comment 24, para 8.

¹⁴ In violation of Article 5 UDHR; Article 7 ICCPR, Article 16 CAT.

¹⁵ Article 10(1) ICCPR, and customary international law: Human Rights Committee, General Comment 29, para 13(a). See also the Standard Minimum Rules for the Treatment of Prisoners; the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment and the Basic Principles for the Treatment of Prisoners.

¹⁶ Human Rights Committee, General Comment 21, para. 3.

¹⁷ Human Rights Committee, General Comment 20, para. 6; Human Rights Committee, General Comment 7, para 2, *El-Megreisi v Libyan Arab Jamahiriya* (1990) HRC Comm. No. 440/90, para 5.4; *Mukong v Cameroon* (1994) HRC Comm. No. 458/91 at para 9.3-9.4.

¹⁸ HRVD Statements 7659; 2399; 1123; 5606; 8354; 6155; 4677; 5036; 3751 and 3728.

¹⁹ José Ramos-Horta, *Timor Leste: Amanha em Dili*, Dom Quixote, Lisbon, 1994, pp. 107-113.

²⁰ CAVR Interview with Armindo Soares Mariano, Kupang, West Timor, Indonesia, 20 July 2004.

²¹ CAVR Interview with José Catarino Gregório Magno Trindade de Mello (Labut Mello), Kupang, West Timor, Indonesia, 23 July 2004.

²² Paul Freitas, testimony to the CAVR Public Hearing on The Internal Political Conflict 1974-1976, Dili, 15-18 December 2003.

²³ Francisco Xavier do Amaral, testimony to the CAVR Public Hearing on The Internal Political Conflict 1974-1976, Dili, 15-18 December 2003.

²⁴ João Carrascalão, testimony to the CAVR National Public Hearing on The Internal Political Conflict 1974-1976, Dili, 15-18 December 2003.

²⁵ CAVR Interview with Mário (Marito) Nicolau dos Reis, Dili, 27 July 2003.

²⁶ HRVD Statement 2447. João Lopes did not provide the dates of his detention.

²⁷ HRVD Statement 2412. See also HRVD Statement 5408.

²⁸ CAVR Interview with Lucio Dias Marques, Maliana, Bobonaro, 13 June 2003.

²⁹ CAVR Interview with Manuel Agustino Freitas, Bobonaro, Bobonaro, 12 June 2003.

³⁰ Mário Carrascalão, testimony at the CAVR National Public Hearing on The Internal Political Conflict 1974-1976, Dili, 15-18 December 2003.

³¹ CAVR Interview with Lucio Dinis Marques, Maliana, Bobonaro, 13 June 2003.

³² CAVR Interview with Marito Nicolau dos Reis, Dili, 27 July 2003.

³³ CAVR Interview with Lucio Dinis Marques, Maliana, Bobonaro, 13 June 2003.

³⁴ HRVD Statement 5062.

³⁵ CAVR Interview with Marito Nicolau dos Reis, Dili, 27 July 2003.

³⁶ Xanana Gusmão, "The Coup and Civil War, 10 August 1975" in Xanana Gusmão, *Timor Leste: Um Povo, Uma Patria*, Lisbon, Editora Colibri, 1994.

³⁷ CAVR Interview with Miguel Agostinho Freitas, Carabau, Bobonaro, 12 June 2003. Manuel gave his testimony at the CAVR National Public Hearing on The Internal Political Conflict 1974-76, Dili, 15-18 December 2003.

³⁸ HRVD Statement 5036.

³⁹ HRVD Statement 5694.

⁴⁰ HRVD Statement 5699.

⁴¹ HRVD Statement 3745.

⁴² HRVD Statement 5698.

⁴³ HRVD Statement 3784.

⁴⁴ CAVR Community Profile, Fatukero Village, Railaco Sub-district, Ermera District, 27 March 2003.

⁴⁵ CAVR Interviews with Lourenço dos Santos, Ermera, 25 August 2003; Manuel Duarte, Hatulia, Ermera 23 September 2003; Florentino de Jesus Martins, Ermera 25 June 2003. See also HRVD Statement 6442.

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- ⁴⁶ HRVD Statements 6203. Eufrasia de Jesus also says that 32 Fretilin delegates were killed in detention. See Chapter 7.2: Unlawful Killings and Enforced Disappearance.
- ⁴⁷ HRVD Statements 8330.
- ⁴⁸ CAVR Interview with Adelino Soares, Ermera, Ermera, 12 October 2003.
- ⁴⁹ HRVD Statement 8346.
- ⁵⁰ Manuel Duarte, testimony to the CAVR National Public Hearing on The Internal Political Conflict 1974-1976, Dili, 15-18 December 2003.
- ⁵¹ HRVD Statements 1084; 6202; 1039 and 6155.
- ⁵² HRVD Statements 1080; 1730; 5102 and 1663.
- ⁵³ HRVD Statements 3570; 3596; 3541; 3502; 3559; 2107 and 3570.
- ⁵⁴ HRVD Statements 4568 and 8262.
- ⁵⁵ HRVD Statement 8262.
- ⁵⁶ HRVD Statement 1071.
- ⁵⁷ HRVD Statement 1772.
- ⁵⁸ HRVD Statement 1088.
- ⁵⁹ HRVD Statement 1745.
- ⁶⁰ HRVD Statement 1077.
- ⁶¹ Ibid.
- ⁶² CAVR Interview with Lay Konen (Manisera), Mandarin-Dili, 2003.
- ⁶³ CAVR Interviews with José Guterres, Dili, 19 July 2004; and João Godinho Dili, 26 July 2004.
- ⁶⁴ HRVD Statement 2455 and CAVR Interview with João Godinho, Dili, 26 July 2004.
- ⁶⁵ CAVR Interview with João Godinho, Dili, 26 July 2004.
- ⁶⁶ CAVR Interview with José Pinto Guterres, Bairro Maravilha, Maliana, 19 July 2004.
- ⁶⁷ HRVD Statements 2414; 2455 and 2412.
- ⁶⁸ HRVD Statement 2600.
- ⁶⁹ HRVD Statement 2412.
- ⁷⁰ HRVD Statements 2412; 4355; 8992; 5606; 5639; 2600; 5622 and 2454.
- ⁷¹ HRVD Statement 3703.
- ⁷² HRVD Statement 5606.
- ⁷³ CAVR Interview with Adriano João, Dili, 10 June 2004; HRVD Statement 8992.
- ⁷⁴ HRVD Statement 5622.
- ⁷⁵ CAVR, Community Profile, Guda Village, Lolotoe Sub-district, Bobonaro District, 26 August 2003.
- ⁷⁶ HRVD Statements 5472 and 5486.
- ⁷⁷ HRVD Statement 5472.
- ⁷⁸ HRVD Statement 5486.
- ⁷⁹ HRVD Statement 1585.

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- ⁸⁰ CAVR Interview with Santina de Jesus Soares Ly, Baucau, Baucau, 10 October 2003; HRVD Statements 6119; 2399; 7634 and 7764.
- ⁸¹ HRVD Statement 7634.
- ⁸² HRVD Statement 6119.
- ⁸³ HRVD Statement 2399.
- ⁸⁴ HRVD Statement 1994.
- ⁸⁵ HRVD Statement 0293.
- ⁸⁶ HRVD Statement 5904.
- ⁸⁷ HRVD Statement 1994.
- ⁸⁸ CAVR Interview with Edmundo da Conceição Silva, Bali, Indonesia, 3 August 2004.
- ⁸⁹ CAVR Interview with José da Conceição, Kupang, West Timor, Indonesia, 24 August 2004.
- ⁹⁰ HRVD Statement 3447.
- ⁹¹ CAVR Interview with Adriano João, Dili, 10 June 2004.
- ⁹² HRVD Statement 5904.
- ⁹³ HRVD Statement 5450.
- ⁹⁴ James Dunn, *A People Betrayed*, 1966, p. 187
- ⁹⁵ CAVR Interview with Rogério Tiago de Fatima Lobato (Rogério Lobato), 26 August 2003.
- ⁹⁶ CAVR Interview with Lucas da Costa, Dili, 21 June 2004.
- ⁹⁷ CAVR Interviews with Rogério Tiago de Fatima Lobato, Dili, 26 August 2003; and Lucas da Costa, Dili, 21 June 2004.
- ⁹⁸ CAVR Interview with Filomeno Pedro Cabral Fernandes, Dili, 5 May 2004.
- ⁹⁹ CAVR Interview with Lucas da Costa, Dili, 21 June 2004.
- ¹⁰⁰ CAVR Interview with Paul Freitas da Silva, former President of the Trabalhista Party, Dili, 9 July 2003.
- ¹⁰¹ HRVD Statements 8152 and 4987.
- ¹⁰² CAVR Interview with Assis dos Santos, Dili, 17 July 2003.
- ¹⁰³ Rogério Lobato, testimony to the CAVR National Public Hearing on The Internal Political Conflict 1974-76, Dili, 15-18 December 2003.
- ¹⁰⁴ Ibid.
- ¹⁰⁵ CAVR Interview with Francisco Gonçalves, Dili, 14 June 2003.
- ¹⁰⁶ HRVD Statement 3764.
- ¹⁰⁷ HRVD Statement 9081.
- ¹⁰⁸ CAVR Interview with Mari Alkatiri, Dili, 25 June 2004.
- ¹⁰⁹ Mari Alkatiri, testimony to the CAVR National Public Hearing on The Internal Political Conflict 1974-76, Dili, 15-18 December 2003.
- ¹¹⁰ International Committee of the Red Cross, *East Timor Relief Operation, 16 September 1975*. Email from Noel Barrow, archivist of Australian Red Cross, National Office, Melbourne to CAVR, 8 October 2004. Due to the confidential nature of ICRC records regarding the organisation's visits to prisons, no specific details are available.

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- ¹¹¹ HRVD Statement 6146.
- ¹¹² HRVD Statements 3764 and 9081.
- ¹¹³ CAVR Interview with Frederico Almeida Santos, Dili, 2003.
- ¹¹⁴ CAVR Interview with Anselmo dos Santos, Maubara, Liquiça, 9 March 2004.
- ¹¹⁵ CAVR Interview with Monis da Maia, Dili, 5 December 2004.
- ¹¹⁶ CAVR Interview with Rafael dos Nascimento, Aileu, June 2003.
- ¹¹⁷ HRVD Statement 1413.
- ¹¹⁸ CAVR Interview with Monis da Maia, Dili, 5 December 2003.
- ¹¹⁹ CAVR Interviews with João da Costa, Same, Manufahi, 24 June 2003 and Monis da Maia, Dili, 5 December 2003.
- ¹²⁰ CAVR Interview with Monis da Maia, Dili, 5 December 2003; Monis da Maia, testimony to the CAVR National Public Hearing on The Internal Political Conflict 1974-76, Dili, 15-18 December 2003.
- ¹²¹ CAVR Interview with João da Costa, Same, Manufahi, 24 June 2003.
- ¹²² See for example HRVD Statement 3595.
- ¹²³ HRVD Statement 2156.
- ¹²⁴ HRVD Statement 3594.
- ¹²⁵ HRVD Statement 6146.
- ¹²⁶ HRVD Statement 6357.
- ¹²⁷ HRVD Statement 3568.
- ¹²⁸ HRVD Statement 9062.
- ¹²⁹ HRVD Statement 8300.
- ¹³⁰ HRVD Statement 6409.
- ¹³¹ HRVD Statement 6409.
- ¹³² HRVD Statements 8337; 2220; 8371.
- ¹³³ HRVD Statements 4971; 5975; 7201; 5982.
- ¹³⁴ HRVD Statement 2694.
- ¹³⁵ HRVD Statements 2375; 7658; 9056.
- ¹³⁶ HRVD Statement 8040.
- ¹³⁷ HRVD Statement 9056.
- ¹³⁸ Clementino dos Reis Amaral, testimony to the CAVR National Public Hearing on The Internal Political Conflict 1974-76, 15-18 December, 2003.
- ¹³⁹ HRVD Statement 2375.
- ¹⁴⁰ Paul Freitas, testimony to the CAVR National Public Hearing on The Internal Political Conflict 1974-76, Dili, 15-18 December 2003.
- ¹⁴¹ CAVR Community Profile, Rasa Village, Lospalos Sub-district, Lautém District, 1 March 2004.
- ¹⁴² CAVR Interview with Edmundo da Conceição Silva, Bali, Indonesia, 3 August 2004.
- ¹⁴³ Ibid.

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- ¹⁴⁴ CAVR Community Profiles, Bauro Village, Lospalos Sub-district, Lautém District, 26 January 2004.
- ¹⁴⁵ HRVD Statements 5919; 4541; 5853; 5930.
- ¹⁴⁶ HRVD Statement 5919.
- ¹⁴⁷ HRVD Statement 4541.
- ¹⁴⁸ HRVD Statement 5853.
- ¹⁴⁹ HRVD Statement 6018.
- ¹⁵⁰ Paul Freitas, testimony to the CAVR National Public Hearing on The Internal Political Conflict 1974-76, Dili, 15-18 December 2003.
- ¹⁵¹ HRVD Statements 6502; 7995; 8025; 8025; 1918; 6501; 8021.
- ¹⁵² HRVD Statement 6502.
- ¹⁵³ HRVD Statement 7946.
- ¹⁵⁴ CAVR Community Profile, Carabau, Cotabot, Tebabui, Maliubu and Colimau Villages, Bobonaro Sub-district, Bobonaro District, 24 October 2003, and Community Profile of Lourba Village (Bobonaro, Bobonaro)
- ¹⁵⁵ HRVD Statement 02540.
- ¹⁵⁶ HRVD Statement 1082. See also HRVD Statement 8347.
- ¹⁵⁷ HRVD Statement 5546.
- ¹⁵⁸ HRVD Statement 8152.
- ¹⁵⁹ HRVD Statement 5524.
- ¹⁶⁰ HRVD 0186; 5546; 1162; 8152.
- ¹⁶¹ Mari Alkatiri, testimony to the CAVR National Public Hearing on The Internal Political Conflict 1974-76, Dili, 15-18 December 2003.
- ¹⁶² HRVD 3666.
- ¹⁶³ HRVD 8025.
- ¹⁶⁴ HRVD 8021.
- ¹⁶⁵ HRVD Statement 2510.
- ¹⁶⁶ HRVD Statement 2375.
- ¹⁶⁷ CAVR Interview with Monis da Maia, Manleuwana, Dili, 5 Desember 2003.
- ¹⁶⁸ CAVR Interview with Edmundo da Conceição Silva, Bali, Indonesia, 3 August 2004.
- ¹⁶⁹ CAVR Interviews with Assis dos Santos, Dili, 17 July 2003; Filomeno Pedro Cabral Fernandes, Dili, 5 May 2004; Luis Antonio de Aquino Caldas, Dili, 21 May 2004, José Catarino Gregório Magno de Mello (Labut Mello), Kupang, West Timor, Indonesia, 23 July 2004; Armindo Soares Mariano, Kupang, West Timor, Indonesia, 20 July 2004.
- ¹⁷⁰ Apodeti campaign in Timor Radio, Dili. Audio Tape is at CAVR Archive.
- ¹⁷¹ Mari Alkatiri, testimony to the CAVR National Public Hearing on The Internal Political Conflict 1974-76, Dili, 15-18 December 2003.
- ¹⁷² HRVD Statement 0826.
- ¹⁷³ HRVD Statement 8950.
- ¹⁷⁴ HRVD Statement 6243.

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- ¹⁷⁵ HRVD Statement 9034.
- ¹⁷⁶ CAVR Interview with Luis Antonio de Aquino Caldas, Dili, 21 May 2004.
- ¹⁷⁷ CAVR Interview with Frederico Almeida Santos, President of Apodeti Pro-Referendum, Dili, 2003.
- ¹⁷⁸ Testimony of former detainee at Sub-district prison in Same; CAVR Interview with Monis da Maia, Manleuana, Dili, 5 December 2003, João da Costa, Letefoho-Same, 24 June 2003, Bento Reis, Same, 2004.
- ¹⁷⁹ CAVR Interview with Bento Reis, Same, Manufahi 2004.
- ¹⁸⁰ Monis da Maia, testimony to CAVR National Public Hearing on The Internal Political Conflict 1974-76, 15-18 December 2003.
- ¹⁸¹ CAVR, research papers on the theme of the Party Conflict: Case 7, A Collection of Case Reviews, January 2004.
- ¹⁸² HRVD Statement 3265.
- ¹⁸³ Monis da Maia, testimony to CAVR National Public Hearing on The Internal Political Conflict 1974-76, 15-18 December 2003.
- ¹⁸⁴ CAVR Interview with Eufrazia de Jesus Soares, Gleno, Ermera, October 2003.
- ¹⁸⁵ CAVR Interview with José Maukabae, Maubara, Liquiça, 9 March 2004.
- ¹⁸⁶ CAVR Interview with Rafael do Nascimento, Aileu, June 2003.
- ¹⁸⁷ CAVR Interviews with Monis da Maia, 5 December 2003; Rafael Nascimento, Aileu, June 2003.
- ¹⁸⁸ CAVR interview with Amelia Mesquita, Selo-Malere, Aileu, 27 June 2003
- ¹⁸⁹ CAVR Interview with Francisco Xavier do Amaral, ASDT/Fretelin leader 1974-1977, First President of the RDTL 1975-1977, Dili, 28 August 2003.
- ¹⁹⁰ Antonio Serpa, testimony to the CAVR National Public Hearing on The Internal Political Conflict 1974-76, 15-18 December 2003.
- ¹⁹¹ CAVR Interview with João da Costa, Letefoho, Same, Manufahi, 24 June 2003.
- ¹⁹² CAVR Interview with Monis da Maia, Dili, 5 December 2003.
- ¹⁹³ CAVR Interview with Edmundo da Conceição Silda, Bali, Indonesia, 3 August 2004; José de Conceição, Kupang, West Timor, Indonesia, 24 August 2004.
- ¹⁹⁴ CAVR Interview with Edmundo da Concaição Silva, Bali, Indonesia, 3 August 2004.
- ¹⁹⁵ HRVD Statements 1082 and 8347.
- ¹⁹⁶ HRVD Statement 6416.
- ¹⁹⁷ HRVD Statement 2375.
- ¹⁹⁸ Paul Freitas, testimony to the CAVR National Public Hearing on The Internal Political Conflict 1974-76, 15-18 December 2003.
- ¹⁹⁹ CAVR Interviews with Assis dos Santos, Dili, 17 July 2003; Luis Antonio de Aquino Caldas, Palapaço-Dili, 21 May 2004; José Maukabae, Maubara, Liquiça, 9 March 2004; and Filomeno Pedro Cabral Fernandes, Dili, 5 May 2004.
- ²⁰⁰ Xanana Gusmão, testimony to the CAVR National Public Hearing on The Internal Political Conflict 1974-76, 15-18 December 2003.
- ²⁰¹ CAVR Interview with José Maukabae, Maubara, Liquiça, 9 March 2004.
- ²⁰² Antonio Ximenes Serpa, testimony to the CAVR National Public Hearing on The Internal Political Conflict 1974-76, 15-18 December 2003.

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- ²⁰³ The statement in this box constitutes a summary of the CAVR Interview with Anselmo dos Santos, Maubara, Liquiça, 9 March 2004, as well as the CAVR Interview with Frederico Almeida Santos, Dili, 2003.
- ²⁰⁴ CAVR Interview with Monis da Maia, Dili, 5 December 2003.
- ²⁰⁵ Francisco Xavier do Amaral, testimony to the CAVR National Public Hearing on the The Internal Political Conflict 1974-76, 15-18 December 2003.
- ²⁰⁶ Antonio Serpa, testimony to the CAVR National Public Hearing on the The Internal Political Conflict 1974-76, 15-18 December 2003.
- ²⁰⁷ CAVR Interview with José Maukabae, Maubara, Liquiça, 9 March 2004.
- ²⁰⁸ Assis dos Santos, *Relatorio da Tortura na Prisão de Fretilin 1975, 1976, 1977* . [Report of the Torture at Fretilin Prisons 1975, 1976, 1977] A copy is available at CAVR Archive.
- ²⁰⁹ CAVR Interviews with Filomeno Pedro Cabral Fernandes, Dili, 5 May 2004 and Assis dos Santos, Dili, 17 July 2003, Monis da Maia, Dili, 5 December 2003; Bento Reis, Same, Manufahi 2004.
- ²¹⁰ CAVR Interviews with Filomeno Pedro Cabral Fernandes, Dili, 5 May 2004 and Assis dos Santos, Dili, 17 July 2003, Monis da Maia, Dili, 5 December 2003.
- ²¹¹ CAVR Interview with Luis Antonio de Aquino Caldas, Dili, 21 May 2004.
- ²¹² Monis da Maia, testimony to the CAVR National Public Hearing on The Internal Political Conflict 1974-76, 15-18 December 2003.
- ²¹³ CAVR Interviews with Filomeno Pedro Cabral Fernandes, Dili, 5 May 2004, and Assis dos Santos, *Relatório da Tortura Na Prisão de Fretilin 1975, 1976, 1977*, Museu Dili, Taibessi, Aileu, Maubisse, Same, Uatu-Lari, nahareca, Ossu. A copy is available at CAVR.
- ²¹⁴ CAVR Interview with José Maukabae, Maubara, Liquiça, 9 March 2004.
- ²¹⁵ CAVR Interviews with Filomeno Pedro Cabral Fernandes, Dili, 5 May 2004; Assis dos Santos, Dili, 17 July 2003.
- ²¹⁶ CAVR Interview with Assis dos Santos, Dili, 17 July 2003.
- ²¹⁷ CAVR Interview with José Maukabae, Maubara, Liquiça, 9 March 2004.
- ²¹⁸ CAVR Interview with Egas da Costa Freitas, Dili, 19 May 2004.
- ²¹⁹ CAVR Interviews with Egas da Costa Freitas, Dili, 19 May 2004 and Marito Reis, Dili, 21 September 2004.
- ²²⁰ CAVR Interview with Egas da Costa Freitas, Dili, 19 May 2004.
- ²²¹ Ibid.
- ²²² CAVR Interview with João Veinas, the person responsible for the village in 1975, testimony to the CAVR National Public Hearing on Political Imprisonment, Dili, 17-18 February 2003.
- ²²³ CAVR Interview with Egas da Costa, 19 May 2004.
- ²²⁴ CAVR Interview with Xanana Gusmão, Dili, 30 June 2004.
- ²²⁵ Ibid.
- ²²⁶ CAVR Interview with Egas da Costa Freitas, Dili, 19 May 2004.
- ²²⁷ CAVR Interviews with Marito Reis, Dili, 21 September 2004 and José Manuel Monteiro, Remexio, Aileu, 6 October 2004.
- ²²⁸ CAVR Interview with Pedro Faria, Lospalos, Lautém, ND.

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- ²²⁹ João Vianas, testimony to the CAVR National Public Hearing on Political Imprisonment, Dili, 17-18 February 2003.
- ²³⁰ HRVD Statement 1697.
- ²³¹ CAVR Interview with Modesto de Jesus Sanches, former person in charge Secai in Zona Iliomar, Lospalos, Lautém, 10 September 2004.
- ²³² CAVR Interview with Orlando Silva Correia Belo, Lospalos, Lautém, 10 September 2004.
- ²³³ CAVR Interview with Miguel da Silva, Ossu, Viqueque, 23 February 2003.
- ²³⁴ CAVR with Interview Luis da Costa, Lisbon, Portugal, 15 October 2003.
- ²³⁵ CAVR Interviews with António da Silva and Raquel da Silva, Ossu, Viqueque, 10 June 2003.
- ²³⁶ HRVD Statement 4872.
- ²³⁷ CAVR Interview with Celestino de Carvalho Alves, Fatubesi, Ermera, 6 October 2003.
- ²³⁸ CAVR Interviews with Celestino Alves, Fatubesi, Ermera, 27 June 2004, Fatubesi Ermera, 6 October 2003.
- ²³⁹ CAVR Interview with Celestino de Carvalho Alves, Fatubesi, Ermera, 6 October 2003.
- ²⁴⁰ CAVR Interview with Jeronimo Albino da Silva, Ermera, Ermera, 10 September 2003.
- ²⁴¹ CAVR Interview with Eduardo de Deus Barreto, Gleno, Ermera, 26 August 2004; CAVR Interview with Celestino Alves, Fatubesi, Ermera, 6 October 2003.
- ²⁴² CAVR, Community Profile, Tirilolo Village, Iliomar Sub-district, Lautém District, 4 July 2003.
- ²⁴³ Constantinho Hornay, testimony to the CAVR National Public Hearing on Children and Conflict, Dili, 29-30 March 2004.
- ²⁴⁴ Francisco Xavier do Amaral, testimony to the CAVR National Public Hearing on The Internal Political Conflict 1974-76, Dili, 15-18 December 2003. See also CAVR Interview with Xanana Gusmão, Dili, 7 July 2004.
- ²⁴⁵ Francisco Xavier do Amaral, testimony to the CAVR National Public Hearing on The Internal Political Conflict 1974-76, Dili, 15-18 December 2003. See also CAVR interview with Xanana Gusmão, Dili, 7 July 2004.
- ²⁴⁶ CAVR Interview with Francisco Xavier do Amaral, Dili, 18 June 2004.
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- ⁵⁰¹ Abilio dos Santos Belo, testimony to the CAVR National Public Hearing on Forced Displacement and Famine, Dili, 28-29 July 2003.
- ⁵⁰² Ibid; [see also Appendix: I.0, Violation of Women's Rights from the Community's Perspective: Mauchiga Community, 1982-1987, Mauchiga, 27 May s/d 1 June 2003].
- ⁵⁰³ Abilio dos Santos Belo, testimony to the CAVR National Public Hearing on Forced Displacement and Famine, Dili, 28-29 July 2003; [see also Appendix: I.0, Violation of Women's Rights from the Community's Perspective: Mauchiga Community, 1982-1987, Mauchiga, 27 May s/d 1 June 2003].
- ⁵⁰⁴ CAVR, The Massacres Research Project, Field Report VI, Ainaro, 15-18th December 2003.
- ⁵⁰⁵ Ibid.
- ⁵⁰⁶ CAVR and Fokupers, Women's Research Team Report, Appendix I.0. *Abuse of Women's Human Rights from a Community Perspective: Mauchiga 1982-1987*, Mauchiga, Ainaro, 2003, p. 10.
- ⁵⁰⁷ Ibid.
- ⁵⁰⁸ HRVD Statements 7149.
- ⁵⁰⁹ HRVD Statements 4720; 4109; 4708 and 7252.
- ⁵¹⁰ HRVD Statement 2050.
- ⁵¹¹ HRVD Statements 7193; 7194; 7258; 7259; 7270; 8901; 8038 and 8047.
- ⁵¹² HRVD Statement 4712.
- ⁵¹³ CAVR, Massacres Research Team, Field Report VI: Ainaro, 15-18 December 2003.
- ⁵¹⁴ Abilio dos Santos Belo, testimony to the CAVR National Public Hearing on Forced Displacement and Famine, Dili, 28-29 July 2003; CAVR Interview with Rui Soares de Araújo, Ataúro, Dili, 26 October 2003; HRVD Statements 7193; 7259; 7270; 8047 and 7382.
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- ⁵¹⁷ Abilio dos Santos Belo, testimony to the CAVR National Public Hearing on Forced Displacement and Famine, Dili, 28-29 July 2003; CAVR Interview with Rui Soares de Araújo, Ataúro, Dili, 26 October 2003; HRVD Statements 7193; 7259; 7270; 8047 and 7382.
- ⁵¹⁸ HRVD Statement 7193.

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- ⁵²⁰ CAVR Interviews with Francisca Barbosa, Mauchiga, Ainaro, 28 May 2003; Laurentina de Orleans, Mauchiga, Ainaro, 31 May 2003; Joantina Britos, Mauchiga, Ainaro, 30 May 2003 and Zelia da Conceição, Dare, Ainaro, 1 June 2003.
- ⁵²¹ CAVR Interview with Manuel Martins, Dare, Ainaro, 1 June 2003 and Joantina Britos, Mauchiga, Ainaro, 30 May 2003.
- ⁵²² CAVR Interview with Amelia dos Santos, Mauchiga, Hatu Bulico, Ainaro, 28 May 2003.
- ⁵²³ CAVR Interview with Bernardino dos Reis Tilman, Mauchiga, Hatu Bulico, Ainaro, 15 January 2003.
- ⁵²⁴ HRVD Statement 8047.
- ⁵²⁵ HRVD Statement 4708.
- ⁵²⁶ HRVD Statement 7269
- ⁵²⁷ CAVR Interview with Rui Soares de Araújo, Ataúro, Dili, 26 October 2003.
- ⁵²⁸ CAVR Interview with RN, Mauchiga, Hatu Bulico, Ainaro, 28 May 2003.
- ⁵²⁹ CAVR Interview with Leonel Cardoso Pereira, Mauchiga, Hatu Bulico, Ainaro, 30 May 2003.
- ⁵³⁰ CAVR Interview with Adelino de Araújo, Mauchiga, Hatu Bulico, Ainaro, 29 May 2003.
- ⁵³¹ Annex 1.0 of Violations of Women's Rights from a Community's Perspective: The Community of Mauchiga, 1982-1987, Mauchiga, 27 May to 1 June 2003.
- ⁵³² HRVD Statement 7252.
- ⁵³³ Ibid.
- ⁵³⁴ Ibid.
- ⁵³⁵ HRVD Statement 2316.
- ⁵³⁶ HRVD Statement 0853-2.
- ⁵³⁷ HRVD Statements 6788 and 6013.
- ⁵³⁸ HRVD Statement 1061.
- ⁵³⁹ CAVR Interview with Jose de Conceição, Kupang, West Timor, Indonesia, 24 August 2004.
- ⁵⁴⁰ CAVR, Massacres Research Project, Field Report IV, 12-15 December 2003.
- ⁵⁴¹ HRVD Statements 6008 and 6013.
- ⁵⁴² CAVR, Community Profile of Mehara Village, Tutuala Sub-district, Lautém District, 10 September 2002; CAVR Interviews with Pedro Faria, former head of Fretilin in Lautém District, Iliomar, Lautém, 1 June 2003; Gaspar Seixas, former Deputy Sub-district Administrator of Iliomar 1979-1985, Iliomar, Lautém, 29 May 2003; Fernando Amaral, Village Head of Fuad Village, Iliomar, Lautém, 28 May 2003.
- ⁵⁴³ CAVR Interview with Domingos Alves Fernandes, Lospalos, Lautém, 21 March 2003.
- ⁵⁴⁴ CAVR, Community Profile of Mehara Village, Tutuala Sub-district, Lautém District, 10 September 2002.
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- ⁵⁴⁹ Democratic Republic of East Timor - Fretilin, Report, 1985. pp. 3-6.
- ⁵⁵⁰ CAVR, Massacres Research Project, Field Report IV: Viqueque, 12-15 December 2003, p. 7.
- ⁵⁵¹ CAVR Interview with Thomás Gueterres of Afolocai, Uatu-Lari, Viqueque, CAVR Massacres Research Project, *Field Report II*, 27 November - 1 December 2002.
- ⁵⁵² CAVR, Massacres Research Team, Field Report IV: Viqueque, 12-15 December 2003, p. 7.
- ⁵⁵³ Mariano Soares, testimony to the CAVR National Public Hearing on Political Imprisonment, Dili, 17-18 February 2003.
- ⁵⁵⁴ HRVD Statement 8045.
- ⁵⁵⁵ HRVD Statement 0417-03.
- ⁵⁵⁶ HRVD Statement 6015-04
- ⁵⁵⁷ Antonio Tomás Amaral da Costa (Aitahan Matak), testimony to the CAVR National Public Hearing on Political Imprisonment, Dili, 17-18 February 2005.
- ⁵⁵⁸ CAVR, Massacres Research Project, Field Report IV: Viqueque, 12-15 December 2002, p. 7.
- ⁵⁵⁹ *Ibid.*, pp. 6-7.
- ⁵⁶⁰ Mariano Soares, testimony to the CAVR National Public Hearing on Political Imprisonment, Dili, 17-18 February 2003; HRVD Statements 0007; 8045; 4203; 6015; 6016 and 6023.
- ⁵⁶¹ HRVD Statements 6015; 6016 and 6023.
- ⁵⁶² CAVR Interview with Thomás Guterres of Afolocai, Uatu-Lari, Viqueque, CAVR Massacres Research Project, *Field Report II*, 27 November - 1 December 2002.
- ⁵⁶³ CAVR Interview with Father Maubere (Domingos Soares), Dili, 22 September 2003.
- ⁵⁶⁴ Mariano Soares, testimony to the CAVR National Public Hearing on Political Imprisonment, Dili, 17-18 February 2003; see also Jill Joliffe, *Cover Up: The Inside Story of the Balibo Five*, Scribe Publications, Victoria, 2002, p 292.
- ⁵⁶⁵ HRVD Statement 7523.
- ⁵⁶⁶ HRVD Statement 7332.
- ⁵⁶⁷ Fretilin, hand-written list of victims in Lautém, Viqueque, Baucau and Dili, late 1983-84, prepared for the Fretilin Delegation for External Services (*Delegasaun Fretilin im Servicos Na Exterior*), Doc. No4/Ag/84, Timor-Leste, 20 August 1984. CAVR Archive.
- ⁵⁶⁸ Ernest Chamberlain, 2003, p. 30.
- ⁵⁶⁹ HRVD Statements 2113; 3930; 3934; 3972; 3977; 4371; 4407; 4408; 3925; 3938; 3947; 3949; 3951; 3972; 3986; 3989; 4376; 4387; 4393; 4397; 4399; 4436 and 4445.
- ⁵⁷⁰ HRVD Statements 3951 and 4402.
- ⁵⁷¹ HRVD Statement 7591.
- ⁵⁷² Ernest Chamberlain, 2003, p. 30.
- ⁵⁷³ For arrests in which T389 [East Timorese] was involved, see HRVD Statements: 2113; 3918; 3930; 3947; 3950; 3952; 3972; 3977; 3985; 3990; 4371; 4387; 4397; 4399 and 4408 For T390, see HRVD

Statements: 3918; 3930; 3952; 3977; 3985; 4371; 4387; 4397; 4399 and 4408. For T801 [East Timorese], see HRVD Statements: 3930; 3952 and 4402. For T802 [East Timorese], see HRVD Statements: 3930; 3952; 4402 and 3989.

⁵⁷⁴ Community Profile of Mehara Village, Tutuala Sub-district, Lautém District, 10 September 2002.

⁵⁷⁵ CAVR Interview with Domingos Alves Fernandes, Lospalos, Lautém, 21 March 2003.

⁵⁷⁶ Grasilda Quimaraes, testimony to the CAVR National Public Hearing on Political Imprisonment, Dili, 17-18 February 2003.

⁵⁷⁷ CAVR, Community Profile of Porlamanu in Mehara Village, Tutuala Sub-district, Lautém District, 10 September 2002.

⁵⁷⁸ HRVD Statements 1609; 1611; 0741; 0784 and 0787.

⁵⁷⁹ HRVD Statements 0717; 0731; 0739 and 0782.

⁵⁸⁰ HRVD Statements 0717 and 0731.

⁵⁸¹ CAVR, Community Profile of Porlamanu in Mehara Village, Tutuala Sub-district, Lautém District 10 September 2002.

⁵⁸² Ibid.

⁵⁸³ CAVR Interviews with Filipe José Dias de Castro, Tutuala, Lautém, 10 January 2003 and Edmundo da Cruz, the village head of Com Village, in Lospalos Sub-district, Lautém, 10 January 2003. See also CAVR Interviews with Justino Valentim and Albino da Silva, Dili, 17 April 2004.

⁵⁸⁴ CAVR Interview with Abraham Thomás Martino, CAVR Massacres Research Project, *Field Report II*, 1 December 2002.

⁵⁸⁵ For example from Viqueque see HRVD Statements: 0417; 4128; 8045; 6015; 6023; 4160; 6016; 6957; 7344 and 7340. From Lautém see HRVD Statements: 7591; 0800 and 7607.

⁵⁸⁶ CAVR Interview with Isabel da Silva, Beaço Village, Viqueque, Viqueque, 14 December 2002.

⁵⁸⁷ HRVD Statement 6023.

⁵⁸⁸ HRVD Statement 6016.

⁵⁸⁹ HRVD Statement 7607.

⁵⁹⁰ HRVD Statements 0007 and 8045; CAVR Interview with Carlos Alfredo da Costa Soares, Ataúro, Dili, 28 October 2003.

⁵⁹¹ Mariano Soares, testimony to the CAVR National Public Hearing on Political Imprisonment, Dili, 17-18 February 2003; CAVR Interview with Antonio Tomás Amaral da Costa (Aitahan Matak) Dili, 1 November 2002.

⁵⁹² CAVR, Massacres Research Project Field Report IV Viqueque, 12-15 December, 2002, p. 5.

⁵⁹³ HRVD Statements 3986; 4387.

⁵⁹⁴ HRVD 3927.

⁵⁹⁵ HRVD Statements 3949; 3951; 3985; 4003; 4371; 4408; 4436 and 2291.

⁵⁹⁶ HRVD Statements 0755; 0760; 0762; 0763; 0771; 0793; 0741 and 0758.

⁵⁹⁷ HRVD Statement 0755.

⁵⁹⁸ HRVD Statement 3927.

⁵⁹⁹ HRVD Statement 0778; HRVD Statement 0778. The letter was identified as: Surat Perintah [Letter of Order] of Kodim Commander 1629 Lospalos, Nomor Sprin/028/V/1984, dated 27 May 1984.

⁶⁰⁰ HRVD Statement 5164.

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- ⁶⁰¹ HRVD Statements 7810; 6148; 7819; 3883 and 0567.
- ⁶⁰² See for example HRVD Statements 2323 and 2370.
- ⁶⁰³ HRVD Statements 2323; 2370; 2371; 2387.
- ⁶⁰⁴ HRVD Statement 2371.
- ⁶⁰⁵ HRVD Statement 5244. Pernyataan lain dari Manatuto saat ini juga menggambarkan korban penahanan sewenang-wenang dipukuli dengan ikan pari di Manatuto Kodim. SENTENCE TO TRANSLATE FROM INDO.
- ⁶⁰⁶ Ibid.
- ⁶⁰⁷ CAVR, Community Profile of Fatisi Village, Laulara Sub-district, Aileu District, 9 October 2002.
- ⁶⁰⁸ HRVD Statement 1437.
- ⁶⁰⁹ HRVD Statement 1483.
- ⁶¹⁰ HRVD Statement 1454.
- ⁶¹¹ HRVD Statement 5045.
- ⁶¹² HRVD Statement 1407.
- ⁶¹³ HRVD Statement 1420.
- ⁶¹⁴ HRVD Statement 1483.
- ⁶¹⁵ Assepol Submission, 2003, p. 7.
- ⁶¹⁶ CAVR Interview with Marito Nicolau dos Reis, Baucau, 17 November 2002.
- ⁶¹⁷ CAVR Interview with Marito Nicolau dos Reis, Baucau, 17 November 2002.
- ⁶¹⁸ José Antonio de Jesus das Neves, Submission to the CAVR, 29 September 2004.
- ⁶¹⁹ CAVR Interview with Antonio Tomás Amaral da Costa (Aitahan Matak), Dili, 28 April 2004.
- ⁶²⁰ CAVR Interview with Antonio Tomás Amaral da Costa (Aitahan Matak), Dili, 16 October 2003.
- ⁶²¹ CAVR Interviews with Henrique Belmero, Dili, 25 May 2004 and Antonio Tomás Amaral da Costa (Aitahan Matak), Dili, 1 November 2002; Mariano Soares, testimony to the CAVR National Public Hearing on Political Imprisonment, Dili, 17-18 February 2003.
- ⁶²² CAVR Interview with Antonio Tomás Amaral da Costa (Aitahan Matak), Dili, 1 November 2002.
- ⁶²³ CAVR Interview with Francisco Miranda Branco, Dili, 30 July 2004.
- ⁶²⁴ Mariano Soares, testimony to the CAVR National Public Hearing on Political Imprisonment, Dili, 17-18 February 2003.
- ⁶²⁵ CAVR Interview with Marito Nicolau dos Reis, Baucau, 17 November 2002.
- ⁶²⁶ CAVR Interview with Xanana Gusmão, Dili, 10 August 2004.
- ⁶²⁷ CAVR Interview with João Freitas da Camara, Dili, 5 June 2004.
- ⁶²⁸ CAVR Interview with Antonio Tomás Amaral da Costa (Aitahan Matak), Dili, 1 November 2002; CAVR Interview with Antonio Tomás da Costa (Aitahan Matak), Dili, 16 October 2003; CAVR Interview with Antonio Tomás da Costa (Aitahan Matak), Dili, 28 April 2004
- ⁶²⁹ CAVR Interview with Justo dos Santos, Dili, 3 November 2002.
- ⁶³⁰ Assepol Submission to the CAVR, 2003, p. 8.
- ⁶³¹ CAVR Interview with Caetano Guterres, Dili, 22 May 2004.

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- ⁶³² CAVR Interview with Marito Nicolau dos Reis, Dili, 17 November 2002.
- ⁶³³ CAVR Interview with Caetano Guterres, Dili, 22 May 2004.
- ⁶³⁴ Military Regional Command XVI Udayana, Sub Regional Military Command 164/Wira Dharma, Prosedur Tetap (Protap) No. PROTAP/01-B/VII/1982 regarding the procedure for the Interogation of Prisoners, dated July 1982
- ⁶³⁵ CAVR Interview with Aquilino Fraga Guterres, Baguia, Baucau, 17 May 2004.
- ⁶³⁶ HRVD Statements 1265; 5157; 5169; 5156; 6681; 8182 and 8187.
- ⁶³⁷ HRVD Statement 5121.
- ⁶³⁸ CAVR Interview with Lucio Dinis Marques, Maliana, 14 June 2003.
- ⁶³⁹ See list of 45 victims - “Daftar Nama Korban Yang Dibantai Tahun 1984 di Bobonaro.” (“List of Victims Who Were Slaughtered in 1984 in Bobonaro”) Provided by Olandino Guterres, in Bobonaro District Report (11-14 June 2003).
- ⁶⁴⁰ HRVD Statements 7172; 8143; 6715; 7168; 5203 and 3695.
- ⁶⁴¹ CAVR Interview with Dinis de Araújo, Maliana, Bobonaro, 14 June 2003.
- ⁶⁴² HRVD Statement 1265.
- ⁶⁴³ CAVR Interview with Armando dos Santos, Maliana, Bobonaro, 14 June 2003.
- ⁶⁴⁴ HRVD Statements 5751 and 5817 (Aileu); HRVD Statements 7233 and 2803 (Ainaro); HRVD Statements 7028; 7060; 7662; 7764; 7092; 7735 and 2401 (Baucau); HRVD Statement 6681 (Bobonaro); HRVD Statements 1265; 5156 and 5203 (Covalima); HRVD Statements 3747; 5016 and 3785 (Dili); HRVD Statements 2142; 5356; 4433; 5333; 5393; 5394; 8726; 8754; 2797; 4439 and 4459 (Lautém); HRVD Statements 0902; 0922; 0932; 0981; 0992 and 0993 (Liquiça); HRVD Statements 6515; 1913; 1560 and 3452 (Manatuto); HRVD Statements 3080; 6798; 7331; 7515; 7465; 9180; 4123; 4163 and 6037 (Viqueque).
- ⁶⁴⁵ HRVD Statement 0922.
- ⁶⁴⁶ HRVD Statement 9180.
- ⁶⁴⁷ See Keputusan Presiden Republik Indonesia, Nomor 62 Tahun 1988 Tentang Penyelenggaraan Pemerintahan dan Pembangunan di Propinsi Daerah Tingkat I Timor Timur [Decision of the President of the Republic of Indonesian, Number 62, 1988, Regarding the Implementation of Governance and Development in the Province of East Timor].
- ⁶⁴⁸ HRVD Statement 7603.
- ⁶⁴⁹ Ibid.
- ⁶⁵⁰ HRVD Statement 3338.
- ⁶⁵¹ HRVD Statement 5049.
- ⁶⁵² HRVD Statement 6987.
- ⁶⁵³ HRVD Statement 0483.
- ⁶⁵⁴ HRVD Statement 6235.
- ⁶⁵⁵ HRVD Statement 4873. See also HRVD Statement 4874 in which the victim suffered the same period of arbitrary detention in the Dili Kodim because Infantry Battalion 723 members disbelieved his identity card was his.
- ⁶⁵⁶ HRVD Statements 7213; 7220; 1012; 3334 and 9175.
- ⁶⁵⁷ HRVD Statements 3778; 5049; 6025; 4209; 4126 and 4189.

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- ⁶⁵⁸ CAVR Interview with Januario Freitas Ximenes, Baucau, 3 September 2004.
- ⁶⁵⁹ CAVR Interview with Mário Filipe, Baucau, 3 September 2004.
- ⁶⁶⁰ CAVR Interview with David da Conceição Thon, detained in Becora Prison in 1991, Dili, 13 August 2004. Interview with Dominggos Martins Pereira, Aileu, 15 October 2004.
- ⁶⁶¹ CAVR Interview with Octavio da Conceição, Dili, 3 November 2002.
- ⁶⁶² CAVR Interview with Eduardo Lopes, detained in the Maliana Prison 1995-99, Maliana, 28 August 2004 (detained in the LP Maliana between 1995 and 1999).
- ⁶⁶³ Ibid.
- ⁶⁶⁴ CAVR Interview with José da Costa Ximenes (detained in the LP Buruma, Baucau on 10 July 1994), Baucau, 3 September 2004.
- ⁶⁶⁵ CAVR Interview with Felismina da Conceição, Dili 4 May 2004 (detained in Becora Prison in 1992).
- ⁶⁶⁶ CAVR Interview with Julio Araújo Martins, Gleno, Ermera, 26 August 2004.
- ⁶⁶⁷ CAVR Interviews with Jacinto Alves and Gregório Saldahna, Dili, 4 June 2004. (Both were detained in Becora Prison in 1992).
- ⁶⁶⁸ CAVR Interview with Felismina da Conceição, Dili 4 May 2004 (detained in Becora Prison in 1992).
- ⁶⁶⁹ CAVR Interview with David da Conceição Thon, Dili, 13 August 2004. (detained at the SGI building in Colmera in 1988).
- ⁶⁷⁰ CAVR Community Profile of Darulete Village, Liquica Sub-district, Liquiça District, 13 February 2003; mentions 15 people arrested.
- ⁶⁷¹ HRVD Statements 0907; 2989; 1985 and 2874.
- ⁶⁷² Interrogation by SGI: HRVD Statement 2989. Interrogation at the Liquiça Koramil described in CAVR Community Profiles of Liquiça Loidahar, Luculai, and HRVD Statement 1985.
- ⁶⁷³ CAVR Community Profile of Luculai Village, Liquica Sub-district, Liquica District 19 February 2003; and HRVD Statement 1985.
- ⁶⁷⁴ The Submission by Elsam to the CAVR notes that Gadapaksi was founded around March 1994, and Geoffrey Robinson Report noted July 1995, p. 154.
- ⁶⁷⁵ HRVD Statement 2874.
- ⁶⁷⁶ CAVR Interview with José da Silva Amaral, Uatu-Carbau, Viqueque, 18 September 2003.
- ⁶⁷⁷ Amnesty International, Statement to the UN Special Committee on Decolonisation, ASA 21/14/91, August 1991.
- ⁶⁷⁸ HRVD Statements 4779 (40 people) and 4790 (46 people).
- ⁶⁷⁹ HRVD Statement 4779.
- ⁶⁸⁰ CAVR Community Profile of Vatuvou Village, Maubara Sub-district, Liquica District, 5 June 2003; and HRVD Statement statement 1996.
- ⁶⁸¹ CAVR Community Profile of Vatuvou Village, Maubara Sub-District, Liquica District 26 June 2003 HRVD Statements 3004; 5892; 2994; 5882; and 1996. Amnesty International, *Indonesia and East Timor: Twenty years of violations, statement before the United Nations Special Committee on Decolonization*, July 1995 AI Index: ASA 21/33/95.
- ⁶⁸² HRVD Statement 1996.
- ⁶⁸³ CAVR Community Profile of Vatuboro Village, Maubara Sub-district, Liquiça District, 5 June 2003; HRVD Statements 5882 and 1996.

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- ⁶⁸⁴ HRVD Statement 6739.
- ⁶⁸⁵ HRVD Statement 8098.
- ⁶⁸⁶ CAVR Interview with Chiquito da Costa Guterres (alias Michael Savio, alias Kaiwua), Dili, 14 June 2004.
- ⁶⁸⁷ Amnesty International, Indonesia/East Timor: Possible "disappearance", 4 July 1991, AI Index: ASA 21/12/91; Amnesty International, Extrajudicial Execution/Arrest/Fear of Torture, 30 October 1991, AI Index: ASA 21/18/91.
- ⁶⁸⁸ Amnesty International, Legal Concern/Fear of Torture, 22 November 1991, AI Index: ASA 21/26/91.
- ⁶⁸⁹ Amnesty International, Further information on UA 408/91 (ASA 21/26/91, 22 November 1991) and follow-up ASA 21/28/91, 29 November 1991 - Legal Concern/Fear of Torture, 10 December 1991, AI Index: ASA 21/29/91.
- ⁶⁹⁰ Amnesty International Statement to the UN Special Committee on Decolonisation, ASA 21/14/91, August 1991.
- ⁶⁹¹ CAVR Interview with José Antonio de Jesus das Neves, Dili, 3 May 2004.
- ⁶⁹² Constancio Pinto and Matthew Jardine, *East Timor's unfinished struggle: inside the Timorese struggle*, South End Press, Boston, 1997, p. 108.
- ⁶⁹³ CAVR Interview with Gregório Saldanha, Dili, 10 November 2002.
- ⁶⁹⁴ CAVR Interview with, José Manuel da Silva Fernandes, Dili, 31 October 2002.
- ⁶⁹⁵ Ibid. See also testimony of Gregório Saldanha to the CAVR National Public Hearing on Political Imprisonment 17-18 February 2003.
- ⁶⁹⁶ Kodam IX Kolakops, "Rencana Operasi 'Halo Kapaz,'" dated 31 August 1991, secret), cited in Samuel Moore, "The Indonesian Military's Last Years in East Timor: An Analysis of its Secret Documents," *Indonesia* 72, October 2001), p. 21.
- ⁶⁹⁷ CAVR Interview with Alfonso Maria, Dili, 1 November 2002.
- ⁶⁹⁸ HRVD Statement 1970.
- ⁶⁹⁹ HRVD Statement 1970. The deponent did not tell the Commission the fate of his friends Calisto and Amadeo.
- ⁷⁰⁰ HRVD Statement 5070.
- ⁷⁰¹ CAVR Interview with David da Conceição, Dili, 13 August 2004.
- ⁷⁰² Amnesty International Urgent Action 04/92, ASA 21/01/92, 3 January 1992.
- ⁷⁰³ HRVD Statement 5070.
- ⁷⁰⁴ CAVR Interview with José Manuel da Silva Fernandes, Dili, 31 October 2002.
- ⁷⁰⁵ HRVD Statement 8046.
- ⁷⁰⁶ HRVD Statement 8088.
- ⁷⁰⁷ CAVR Confidential Interview, by source not to be named, Dili, 15 November 2004.
- ⁷⁰⁸ HRVD Statement 5070.
- ⁷⁰⁹ CAVR Interview with José Manuel da Silva Fernandes, Dili, 20 December 2004.
- ⁷¹⁰ Constancio Pinto and Matthew Jardine, *East Timor's Unfinished Struggle, Inside the Timorese Struggle*, 1997, South End Press, Boston, MA, p. 112.
- ⁷¹¹ Amnesty International, ASA 21/01/90.

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- ⁷¹² HRVD Statement 8084/4.
- ⁷¹³ HRVD Statements 2989; 8384/4 and 8304.
- ⁷¹⁴ HRVD Statement 0195.
- ⁷¹⁵ HRVD Statements 2726; 6731; 7157; 7420; 5071; 9126; 6352; 0921; 4169; 4217/3; 7736; 4705; 0195/4; 1996 and 0634.
- ⁷¹⁶ See testimonies of Simplisio Celestino de Deus to the CAVR National Public Hearing on Massacres, 28-29 November 2003; and Alexandrino da Costa to the CAVR National Public Hearing on Children and the Conflict 28-29 March 2004.
- ⁷¹⁷ HRVD Statements 6731, 7157 and 4217/3; CAVR Interview with Simplicio Celestino de Deus, Dili, 8 October 2004.
- ⁷¹⁸ HRVD Statement 5071.
- ⁷¹⁹ CAVR Interview with José Manuel da Silva Fernandes, Dili, 31 October 2002.
- ⁷²⁰ Amnesty International, *Indonesia/East Timor: A new order? Human rights in 1992*.
- ⁷²¹ HRVD Statement 2726.
- ⁷²² CAVR Interview with Simplicio Celestino de Deus, Dili, 5 December 2003.
- ⁷²³ For arrests in Liquiça, see for example HRVD Statements 0634; 0195; 1996 and 4705 (They were arrested by head of intelligence Duranto and Tomé Diogo). For arrests in Bobonaro, see for example HRVD statements 8634 and 5615/2. For arrests in Baucau, see for example HRVD statement 2363/4 and Neil Barrett interview with Saturnino Belo, Dili, as part of *The Comarca Video Project*, Submission to CAVR, August 2002.
- ⁷²⁴ CAVR Community Profiles of Uma-Anaico Village and Uma-Analu Village, Venilale Sub-district, Baucau District, 12 June 2003; CAVR Community Profile of Bahamori Village, Venilale Sub-district, Baucau District, 29 May 2003; CAVR Community Profile of Tasi Village, Vemasse Sub-district, Baucau District, 28 March 2003.
- ⁷²⁵ CAVR Community Profile of Uatu-Haco Village, Venilale Sub-district, Baucau District, 8 June 2003.
- ⁷²⁶ CAVR Community Profile of Quelicai Town, Baucau District [undated].
- ⁷²⁷ CAVR Interview with Simplicio Celestino de Deus, Dili, 5 December 2003.
- ⁷²⁸ Asia Watch, *Remembering History in East-Timor, the trial of Xanana Gusmão and a follow-up to the Dili Massacre*, April 1993, Vol.5, No.8, p. 22.
- ⁷²⁹ Ibid, p. 23.
- ⁷³⁰ CAVR Interview with Simplicio Celestino de Deus, Dili, 5 December 2003.
- ⁷³¹ For arrests in connection with the visit in Ainaro, see section on Team Sukarelawan which was founded to counter preparations for visit.
- ⁷³² CAVR Interview with Adriano João, Dili, 10 June 2004.
- ⁷³³ CAVR Interview with Julio Araújo Martins, Gleno, Ermera, 26 August 2004.
- ⁷³⁴ Lembaga Studi dan Advokasi Masyarakat (Elsam), *Kerangka Pencarian dan Pengumpulan Data Operasi Militer ABRI di Wilayah Timor Timur: Periode 1974-1999*, Jakarta, March 2001. [Institute for Study and People Advocacy, Elsam, *Framework for Finding and Collecting Military Operation Data of ABRI in East Timor Period of 1974-1999*]. The Commission was told of several cases where individuals were forcefully recruited into these teams, see for example HRVD Statement 0745.
- ⁷³⁵ HRVD Statements 1887; 1106; 1172; and 1108.
- ⁷³⁶ CAVR, Community Profile of Atabai Village, Atabae Sub-district, Bobonaro District, 8 October 2002.

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- ⁷³⁷ HRVD Statement 1115.
- ⁷³⁸ HRVD Statement 1106.
- ⁷³⁹ HRVD Statement 1140.
- ⁷⁴⁰ CAVR, Community Profile of Atabai Village, Atabae Sub-district, Bobonaro District, 8 October 2002.
- ⁷⁴¹ CAVR, Community Profiles of Manetu Village (8 July 2003), Hohoraikik Village, Maubisse Sub-district, Ainaro District.
- ⁷⁴² CAVR, Community Profiles of Maulau Village (26 May 2003), Manelobas Village (23 May 2003), Manetu Village (8 July 2003), Maubisse Sub-district, Ainaro.
- ⁷⁴³ CAVR, Community Profiles of Manutassi Village, Ainaro Sub-district, Ainaro District, 17 February 2003.
- ⁷⁴⁴ CAVR, Community Profile of Maulau Village, Maubisse Sub-district, Ainaro District, 26 May 2003; CAVR, Community Profile of Manelobas Village, Maubisse Sub-district, Ainaro District, 23 May 2003; CAVR, Community Profile of Manetu Village, Maubisse Sub-district, Ainaro District, 8 July 2003; CAVR, Community Profile of Cassa Village, Ainaro Sub-district, Ainaro District, 18 February 2003.
- ⁷⁴⁵ HRVD Statement 2682.
- ⁷⁴⁶ CAVR Community Profile of Manelobus Village, Maubisse Sub-district, Ainaro District, 23 May 2003.
- ⁷⁴⁷ CAVR, Community Profile of Manetu Village, Maubisse Sub-district, Ainaro District, 8 July 2003; CAVR, Community Profile of Cassa Village, Ainaro Sub-district, Ainaro District, 18 February 2003.
- ⁷⁴⁸ HRVD Statement 2683.
- ⁷⁴⁹ HRVD Statement 3379.
- ⁷⁵⁰ HRVD Statements 3309; 3342; 4911; 5956; 5006; 3378; 3386; 3387; 3389; 4919; 4930; 5971; 3307; 4983; 5000; 5977; 3379; 3383; 4950; 4964; 5003 and 4921; CAVR, Community Profile of Manelobas Village, Maubisse Sub-district, Ainaro District, 23 May 2003; CAVR, Community Profile of Manetu Village, Maubisse Sub-district, Ainaro District, 8 July 2003; CAVR, Community Profile of Maubisse Village, Maubisse Sub-district, Ainaro District.
- ⁷⁵¹ CAVR, Community Profiles of Ainaro Village, Ainaro Sub-district, Ainaro District; CAVR, Community Profiles of Maubisse Village, Maubisse Sub-district, Ainaro District; CAVR, Community Profiles of Manetu Village, Maubisse Sub-district, Ainaro District all in May-July 2003.
- ⁷⁵² CAVR, Community Profiles of Ainaro Village, Ainaro Sub-district, Ainaro District; CAVR, Community Profiles of Maubisse Village, Maubisse Sub-district, Ainaro District; CAVR, Community Profiles of Manetu Village, Maubisse Sub-district, Ainaro District; CAVR, Community Profiles of Manutasi Village, Ainaro Sub-district, Ainaro District all in May-July 2003.
- ⁷⁵³ CAVR, Community Profile of Hohoraik Village, Maubisse Sub-district, Ainaro District May-June 2003.
- ⁷⁵⁴ CAVR Interview with José Manuel da Silva Fernandes, Dili, 31 October 2002, Assepol submission.
- ⁷⁵⁵ Assepol Submission to the CAVR (17 February 2003), confirmed in CAVR Interview with José Manuel da Silva Fernandes, Dili, 20 December 2004.
- ⁷⁵⁶ Ibid.
- ⁷⁵⁷ CAVR Interview with José Manuel da Silva Fernandes, Dili, 20 December 2004.
- ⁷⁵⁸ Ibid.
- ⁷⁵⁹ HRVD Statement 7157.
- ⁷⁶⁰ CAVR Interview with Francisco Miranda Branco, Dili, 24 November 2002; CAVR Interview with Jacinto Alves 5 June 2005.

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- ⁷⁶¹ HRVD Statement 7420.
- ⁷⁶² HRVD Statement 0921.
- ⁷⁶³ HRVD Statement 9126.
- ⁷⁶⁴ HRVD Statement 5071.
- ⁷⁶⁵ HRVD Statement 7736.
- ⁷⁶⁶ Ben Anderson, Douglas Kammen and Arif Djati interview with Mário Carrascalão, Dili, 20 March 2002. CAVR Archive.
- ⁷⁶⁷ CAVR Interview with José Manuel da Silva Fernandes, Dili, 20 December 2004.
- ⁷⁶⁸ CAVR Interview with Gregório Saldanha, Dili, 4 June 2004.
- ⁷⁶⁹ CAVR Interview with João Freitas da Camara, Dili, 5 June 2004.
- ⁷⁷⁰ CAVR Interview with Virgilio da Silva Guterres, Dili, 5 November 2002.
- ⁷⁷¹ CAVR Interview with Domingos Barreto, Dili, 6 May 2004.
- ⁷⁷² CAVR Interview with Virgilio da Silva Guterres, Dili, 5 November 2002. CAVR Interview with João Freitas da Camara, Dili, 05 June 2004.
- ⁷⁷³ CAVR Community Profile of Bidau Santana & Meti Aut Villages, Nain Feto/Dili Oriental Sub-district, Dili District, 29 August 2003; HRVD Statements 3076-8; 5066; 5674; 9189 and 6982-2.
- ⁷⁷⁴ AFP, Jakarta, July 12 1994.
- ⁷⁷⁵ HRVD Statement 5066.
- ⁷⁷⁶ HRVD Statements 5674
- ⁷⁷⁷ East Timor Human Rights Centre (ETHRC) Annual Report 17 February 1998, <http://www.asia-pacific-action.org/southeastasia/easttimor/resources/reports/ethrc97.htm>.
- ⁷⁷⁸ Amnesty International ASA 21/86/97, ASA 21/88/97, ETHRC Annual Report 17 February 1998, <http://www.asia-pacific-action.org/southeastasia/easttimor/resources/reports/ethrc97.htm>.
- ⁷⁷⁹ Confidential Elsam Submission to the CAVR.
- ⁷⁸⁰ HRVD Statements 7530 and 7465.
- ⁷⁸¹ HRVD Statement 8177.
- ⁷⁸² HRVD Statement 8177.
- ⁷⁸³ CAVR Interview with Hernani Deolindo de Araújo, Maliana, 28 August 2004.
- ⁷⁸⁴ CAVR Interview with Eduardo Lopes (Lorico Lopes), Maliana, 28 August 2004.
- ⁷⁸⁵ HRVD Statement 2436.
- ⁷⁸⁶ CAVR Community Profile of Macadique Village, Uatu-Lari Sub-district, Viqueque District (undated); Amnesty International 1997 *Indonesia/East Timor: Further information on fear of torture/medical concern*, AI Index: ASA 21/06/97.
- ⁷⁸⁷ Amnesty International 1997 *Indonesia/East Timor: Further information on fear of torture/medical concern*, AI Index: ASA 21/06/97.
- ⁷⁸⁸ Detained in the Sub-district police station (Polres): Balthasar SH Belo (Amnesty International, *Indonesia: Fear of torture*, AI Index: ASA 21/01/97, 8 January 1997); Detained in District police station (Polda): José Maria Geronimo, João Budiono C Moraes, Gregório Sequira, Luis Afonso, Abel Fernandes and Bobby Xavier (Amnesty International, *Indonesia: Fear of torture*, AI Index: ASA 21/01/97, 8 January 1997.); Detained in SGI Colmera: Armanda C Soares (Amnesty International, *Indonesia: Fear of torture*, AI Index: ASA 21/01/97, 8 January 1997); Detained in Becora Prison: HRVD Statement 5075; CAVR

Community Profiles of Bidau Santana & Meti Aut Villages, Nain Feto/Dili Oriental Sub-district, Dili District, 29 August 2003; CAVR Community Profile of Hera Village, Cristo Rei/Dili Oriental Sub-district, Dili District, 1 September 2003; CAVR Community Profiles of Benamauk, Kamea, Fatu-Ahi Villages, Cristo Rei Sub-district, Dili District, [undated]; Amnesty International, *Indonesia: Further information on fear of torture*, AI Index: ASA 21/16/97, 18 March 1997.

⁷⁸⁹ Amnesty International, *Indonesia: Fear of torture*, AI Index: ASA 21/01/97, 8 January 1997.

⁷⁹⁰ HRVD Statement 3739.

⁷⁹¹ Amnesty International, *Intimidation/Fear for Safety: 29 Abducted by "Ninja" Gangs in Dili* 13 February 1995, AI index: ASA 21/14/95.

⁷⁹² Amnesty International, *Indonesia and East Timor: Political prisoners and the "rule of law"* . AI Index, ASA 21/16/95.

⁷⁹³ Reuters 21 February 1995.

⁷⁹⁴ HRVD Statement 8069.

⁷⁹⁵ Ibid.

⁷⁹⁶ HRVD Statement 9082.

⁷⁹⁷ *Tapol Bulletin*, No. 102, December 1990, p. 16.

⁷⁹⁸ HRVD Statements 2698; 3342; 9321 and 2687 (Ainaro), 5719; 0076/8. 0445/7+8; 3139/4; 7375/2 and 6741.

⁷⁹⁹ HRVD Statements 1346; 2698; 3342; 9321 and 2687.

⁸⁰⁰ John G Taylor, *Indonesia's Forgotten War: The Hidden History of East Timor*, Zed Books, 1991.

⁸⁰¹ HRVD Statement 2687.

⁸⁰² HRVD Statement 2006.

⁸⁰³ HRVD Statement 7375/2.

⁸⁰⁴ HRVD Statements 5719; 0076 and 6983.

⁸⁰⁵ HRVD Statement 5768.

⁸⁰⁶ HRVD Statement 6269.

⁸⁰⁷ HRVD Statements 3139/4 and 3076/9.

⁸⁰⁸ HRVD Statements 4736 and 4733.

⁸⁰⁹ HRVD Statement 4733.

⁸¹⁰ HRVD Statements 4173/3; 4169/3 and 4137.

⁸¹¹ HRVD Statements 0154/3; 8006; 3123/6 and 7681.

⁸¹² CAVR, Community Profile of Bualale Village, Quelicai Sub-district, Baucau District, 16 December 2003.

⁸¹³ HRVD Statement 9321.

⁸¹⁴ Asia Watch, "Remembering History in East Timor: The Trial of Xanana Gusmão and a Follow-up to the Dili Massacre", Vol. 5 No. 8, April 1993, p. 8.

⁸¹⁵ CAVR Interview with Xanana Gusmão, Dili, 10 August 2004, p. 1.

⁸¹⁶ Ibid, p. 5.

⁸¹⁷ Amnesty International, *East Timor: Xanana Gusmao—A Briefing* , AI Index: ASA/21/58/97, August 1997.

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- ⁸¹⁸ Commission on Human Rights, Forty-Ninth Session, “Situation in East Timor: Report of the Secretary-General”, 10 February 1993, p. 14.
- ⁸¹⁹ Ibid.
- ⁸²⁰ Assepol submission to the CAVR, 18 February 2003.
- ⁸²¹ Asia Watch, “Remembering History in East Timor: The Trial of Xanana Gusmão and a Follow-up to the Dili Massacre”, Vol. 5 No. 8, April 1993, p. 9.
- ⁸²² Ibid, p. 10.
- ⁸²³ CAVR Interview with Armandina Gusmão, Dili, 3 September 2004.
- ⁸²⁴ CAVR Interview with Alfonso Maria, Dili, 1 November 2002.
- ⁸²⁵ HRVD Statement 3120. See also HRVD Statements 3127, 7375 0445/7+8 and 3139/4 for arrests in the Ossu region in 1992.
- ⁸²⁶ CAVR Interview with Olga Corte-Real, Datina, Same, Manufahi, 3 June 2003.
- ⁸²⁷ HRVD Statements 4005; 4385 (1985) 4009; 7584 (1986) and 4075 Manufahi (1987).
- ⁸²⁸ HRVD Statement 7091.
- ⁸²⁹ HRVD Statements 8375 and 8342.
- ⁸³⁰ HRVD Statement 8342.
- ⁸³¹ HRVD Statement 8342.
- ⁸³² Ibid.
- ⁸³³ HRVD Statement 8375.
- ⁸³⁴ CAVR Interview with Reinaldo Marcal, Dili, 10 July 2004.
- ⁸³⁵ Human Rights Watch, *Deteriorating Human Rights Situation in East Timor*, CAVR Archives at HRW East Timor\reports\1997\indtimor\index.html.
- ⁸³⁶ CAVR Interview with, Francisco da Costa, Dili, 7 May 2004.
- ⁸³⁷ Amnesty International mentions other arrestees: José Acacio, João Angelo, Francisco Magno. ASA 21/38/97.
- ⁸³⁸ ETHRC Urgent Action, 4 June 1997, Amnesty International Urgent Action 2 June 1997.
- ⁸³⁹ HRVD Statement 8005.
- ⁸⁴⁰ CAVR Interview with Reinaldo Marcal, Dili, 10 July 2004.
- ⁸⁴¹ HRVD Statement 8005.
- ⁸⁴² HRVD Statement 5074, Romeo da Conceição [In HRVD Statement, the date is 31 July, but it is very clear from context that it is 31 May].
- ⁸⁴³ CAVR Interview with Mariano da Costa Sarmiento Soares, Dili, 10 July 2004, 10 July 2004.
- ⁸⁴⁴ CAVR Interview with Reinaldo Marcal, Fatumeta, 10 July 2004
- ⁸⁴⁵ Ibid, and CAVR Interviews with Mariano da Costa Sarmiento Soares, Dili, 4 May 2004 and 10 July 2004
- ⁸⁴⁶ Ibid.
- ⁸⁴⁷ CAVR Interview with Reinaldo Marcal, Dili, 10 July 2004; CAVR Interview with Mariano da Costa Sarmiento Soares, Dili, 10 July 2004.
- ⁸⁴⁸ CAVR Interview with Vasco da Gama, Dili, 18 May 2004; CAVR Interview with Luis Maria da Silva (Maukiak), Dili, 16 December 2003; CAVR Interview with Francisco da Costa, Dili, 7 May 2004.

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- ⁸⁴⁹ HRVD Statements 7815 and 7783; CAVR Community Profiles of Bualale Village, Guruca Village, Uaitame Village, and Lelalai Village, Quelicai Sub-district, Baucau District.
- ⁸⁵⁰ HRVD Statement 7783.
- ⁸⁵¹ CAVR Interview with Vasco da Gama, Becora, Dili, 18 May 2004; CAVR Interview with Luis Maria da Silva (Maukiak), Dili, 16 December 2003; CAVR Interview with Francisco da Costa, Dili, 7 May 2004; HRVD Statements 7707; 7098 and 3702.
- ⁸⁵² CAVR Interview with Francisco da Costa, Dili, 7 May 2004.
- ⁸⁵³ CAVR Interview with João Bosco, Quelicai, 2 September 2004.
- ⁸⁵⁴ CAVR Statement 8046.
- ⁸⁵⁵ CAVR Interview with Mário Filipe, Baucau, 2 September 2004.
- ⁸⁵⁶ CAVR Interview with Vasco da Gama, Dili, 18 May 2004.
- ⁸⁵⁷ CAVR Interview with Mário Filipe, Baucau, 2 September 2004.
- ⁸⁵⁸ CAVR Interview with Francisco da Costa, Dili, 7 May 2004.
- ⁸⁵⁹ Ibid.
- ⁸⁶⁰ CAVR Interview with Luis Maria da Silva (Maukiak), Dili, 16 December 2003.
- ⁸⁶¹ CAVR Interview with Vasco da Gama, Dili, 18 May 2004.
- ⁸⁶² Ibid.
- ⁸⁶³ CAVR Interview with Constancio da Costa Santos, Balide, Dili, 7 July 2004.
- ⁸⁶⁴ CAVR Community Profile of Maumeta Village, Bazartete Sub-district, Liquiça District; HRVD Statements 1974; 1987 and 1984.
- ⁸⁶⁵ HRVD Statement 1974.
- ⁸⁶⁶ HRVD Statement 1987.
- ⁸⁶⁷ HRVD Statement 1984.
- ⁸⁶⁸ HRVD Statement 1984.
- ⁸⁶⁹ Ibid.
- ⁸⁷⁰ HRVD Statements 3446; 3472 and 1558.
- ⁸⁷¹ HRVD Statement 3446.
- ⁸⁷² HRVD Statement 3472.
- ⁸⁷³ HRVD Statement 3472; 1558 and 3446.
- ⁸⁷⁴ HRVD statements 1531; 9019; 1566.
- ⁸⁷⁵ HRVD Statement 9033.
- ⁸⁷⁶ HRVD Statements 1581; 1586; 1580; 1575; 1601; 1602; 1558; 1510; 1568; 1550; 1526; 1589; 1530; 1549; 1557; 1521 and 1531.
- ⁸⁷⁷ HRVD Statement 1558.
- ⁸⁷⁸ HRVD Statements 1550; 1526 and 1589. According to HRVD Statement 1526, T541 is the village head; according to HRVD Statement 1589, T541 a commander of the Ablai. It is likely that the same person held both positions.
- ⁸⁷⁹ HRVD Statement 1526; 1530; 1549; 1557 and 1575.

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- ⁸⁸⁰ HRVD Statement 1526.
- ⁸⁸¹ HRVD Statement 1557.
- ⁸⁸² HRVD Statement 1521.
- ⁸⁸³ HRVD Statements 1526 and 1550.
- ⁸⁸⁴ HRVD Statements 1549; 1530; 1557; 1580; 1531.
- ⁸⁸⁵ HRVD Statement 8124 and 1549.
- ⁸⁸⁶ HRVD Statement 1549.
- ⁸⁸⁷ HRVD Statement 8124.
- ⁸⁸⁸ For mention of Koramil members, see. HRVD Statements 1505; 1518; 1520; 1540; 1559 and 9022. For intelligence section head T434, see HRVD Statements 3407; 3436 and 3437.
- ⁸⁸⁹ HRVD Statements 1568 and 1523.
- ⁸⁹⁰ HRVD Statements 1505; 1518; 3467 and 4029.
- ⁸⁹¹ HRVD Statement 1507.
- ⁸⁹² HRVD Statements 1510, 1514; 1559 and 3437.
- ⁸⁹³ HRVD Statements 1540 and 1514.
- ⁸⁹⁴ HRVD Statement 1514.
- ⁸⁹⁵ Ibid.
- ⁸⁹⁶ Alas Koramil: see HRVD Statements 1505; 1518; 1573; 1593 and 3480; Alas Nanggala Post: see HRVD Statements 1564 and 3473; police station: HRVD Statements 1507 and 3436; private homes: see HRVD Statements 9015 and 1541.
- ⁸⁹⁷ HRVD Statement 1559.
- ⁸⁹⁸ HRVD Statement 1568.
- ⁸⁹⁹ HRVD Statement 9022.
- ⁹⁰⁰ HRVD Statement 6861.
- ⁹⁰¹ HRVD Statement 1079.
- ⁹⁰² HRVD Statements 2645; 5298; 5922 3515; 8405; 5934; 4633; 5789; 5794; 4191.
- ⁹⁰³ HRVD Statement 8046.
- ⁹⁰⁴ HRVD Statement 3245; 2019; 5602; 1021; 6887.
- ⁹⁰⁵ HRVD Statement 3245.
- ⁹⁰⁶ HRVD Statement 5602.
- ⁹⁰⁷ HRVD Statements 03691; 3692; 02543 1866; 2637; 0804; 5133; 8619; 0093; 5492; 0929; 3298; 5592; 2681; 5133; 3691, 2021, 3679, 5151, 3690, 3692, 8893; 1866; CAVR, Community Profile of Saboria village, Aileu Vila Sub-District, Aileu District, 14 March 2003.
- ⁹⁰⁸ HRVD Statements 5133; 8619; 0093; 5492; 0929; 3298; 5592; 2681.
- ⁹⁰⁹ HRVD Statements 2637; 0804.
- ⁹¹⁰ HRVD Statement 5133.
- ⁹¹¹ CAVR, Community Profile of Saboria Village, Aileu Vila Sub-district, Aileu District, 14 March 2003.
- ⁹¹² Ibid.

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- ⁹¹³ Robinson, *East Timor 1999*, OHCHR submission to CAVR, April 2004. pp. 201-205.
- ⁹¹⁴ HRVD Statement 5888; 9158
- ⁹¹⁵ Information from Dave Savage in an e-mail to the CAVR, 2 November 2004. CAVR Archive.
- ⁹¹⁶ HRVD Statements 7134, 6277, 6349, 6348.
- ⁹¹⁷ HRVD Statement 6348.
- ⁹¹⁸ HRVD Statement 1179.
- ⁹¹⁹ HRVD Statement 8221.
- ⁹²⁰ HRVD Statement 6631.
- ⁹²¹ Robinson, *East Timor 1999*, OHCHR submission to CAVR, April 2004. p. 169.
- ⁹²² CAVR, Community Profile of Rainaba Sub-Village, Guguleur Village, Maubara Sub-district, Liquiça District, 12 June 2003.
- ⁹²³ HRVD Statements 04697; 4610; 4615; 4638; 5855; 5920 (Gugleur); HRVD Statements 4642; 4659; 4689; 4608; 4654 (Vatuboro); 5908; 5909; 5934; 5908; 5909; 5943 (Vatuvou); 4666; 4646; 4613; 4622; 4651; 4629; SR1/99-43 (Guico).
- ⁹²⁴ HRVD Statement SR2/98 (ETHRC).
- ⁹²⁵ HRVD Statement SR1/99-63.
- ⁹²⁶ HRVD Statement 5168.
- ⁹²⁷ HRVD Statement 5908.
- ⁹²⁸ HRVD Statement 6260.
- ⁹²⁹ HRVD Statements 5133, 04628, 02934, 04920, 1954, 3670, 3692.
- ⁹³⁰ HRVD Statement 5133.
- ⁹³¹ CAVR, Community Profile of Rai Fun Village, Maliana Sub-district, Bobonaro District, 3 February 2003.
- ⁹³² Robinson, *East Timor 1999*, OHCHR submission to CAVR, April 2004.p. 189.
- ⁹³³ HRVD Statement 0408.
- ⁹³⁴ HRVD Statement 0411.
- ⁹³⁵ Robinson, *East Timor 1999*, OHCHR submission to CAVR, April 2004.p. 144
- ⁹³⁶ Ibid.
- ⁹³⁷ HRVD Statement 3692.
- ⁹³⁸ HRVD Statements 8495; 7418; 1233; 3582; 0643; 4986.
- ⁹³⁹ HRVD Statements 3858; 8162; 2036; 0225; 1204.
- ⁹⁴⁰ HRVD Statements 6396; 6912.
- ⁹⁴¹ HRVD Statement 1554.
- ⁹⁴² Robinson, *East Timor 1999*, OHCHR submission to CAVR, April 2004 . p. 149, see also The Deputy General Prosecutor for Serious Crimes vs Sedyono et al indictment (case number 14-2003) April 8, 2003.
- ⁹⁴³ HRVD Statements 3690, 3699
- ⁹⁴⁴ HRVD Statements 3691, 2021, 3679, 3699, 3670, 5138, 3688, 8893, 7419, 3698, 5151 and CAVR Community Profile Fatuleto, Zumalai Sub-district, Covalima District, 21 May 2003.

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- ⁹⁴⁵ HRVD Statements 5152, 7419, 2021, 7422, 3670, 5130, 3698, 3690.
- ⁹⁴⁶ HRVD Statements 3691, 2021, 3679, 5151, 3690, 3692, 8893.
- ⁹⁴⁷ HRVD Statement 2976.
- ⁹⁴⁸ HRVD Statement 4644.
- ⁹⁴⁹ HRVD Statement 0276.
- ⁹⁵⁰ CAVR, Community Profile of Loidahar Village, Liquiça Sub-district, Liquiça District, 4 March 2003.
- ⁹⁵¹ Robinson, *East Timor 1999*, OHCHR submission to CAVR, April 2004.
- ⁹⁵² HRVD Statements 4644; 5865; 4633; 5884; 5903.
- ⁹⁵³ HRVD Statements 3509; 2103.
- ⁹⁵⁴ HRVD Statements 9025; 9027.
- ⁹⁵⁵ HRVD Statement 6157.
- ⁹⁵⁶ Ibid.
- ⁹⁵⁷ HRVD Statements 2193; 2224.
- ⁹⁵⁸ HRVD Statement 2193.
- ⁹⁵⁹ Ibid.
- ⁹⁶⁰ HRVD Statement 3578.
- ⁹⁶¹ HRVD Statements 4594; 4544.
- ⁹⁶² HRVD Statement 6174.
- ⁹⁶³ HRVD Statement 4594. See also HRVD Statement 4544.
- ⁹⁶⁴ HRVD Statement 8295; 8296.
- ⁹⁶⁵ HRVD Statements 3510; 8295; 8296; 9471.
- ⁹⁶⁶ HRVD Statement 6401.
- ⁹⁶⁷ HRVD Statement 8296.
- ⁹⁶⁸ Deputy General Prosecutor for Serious Crimes, Indictment of Vasco da Cruz, Domingos Alves, Guilhermino de Araújo, Napoleon dos Santos, Simao Tasion, Lino Barreto and Cancio Lopes de Carvalho, 29 November 2004, at p 6.
- ⁹⁶⁹ HRVD Statement 3670.
- ⁹⁷⁰ HRVD Statements 5177; 5155; 3699; 5151; 5148.
- ⁹⁷¹ HRVD Statement 5155.
- ⁹⁷² HRVD Statement 7399.
- ⁹⁷³ HRVD Statement 5535. mengatakan bahwa seorang anggota Koramil, bernama Angelino. **Needs translation**
- ⁹⁷⁴ Robinson, *East Timor 1999*, OHCHR submission to CAVR, April 2004 . The Deputy General Prosecutor for Serious Crimes vs Burhanuddin Siagian indictment (case number 2-2003) 3 February 2003.
- ⁹⁷⁵ HRVD Statements 4321; 5532; 5535.
- ⁹⁷⁶ HRVD Statements 4281; 4341.
- ⁹⁷⁷ HRVD Statements 4321; 4281; 4341; 5532; 5535; 4235. Deputy General Prosecutor vs Burhanuddin Siagian et al Indictment 3 February 2003.

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- ⁹⁷⁸ HRVD Statements 8992; 5626.
- ⁹⁷⁹ HRVD Statements 2930, Community Profile Abani, Passabe Sub-district, Oeussé, 10 September 2003.
- ⁹⁸⁰ Robinson, *East Timor 1999*, OHCHR submission to CAVR, April 2004.p.184.
- ⁹⁸¹ HRVD Statement 0354.
- ⁹⁸² HRVD Statements 2930; 6888; 2852; 6895; 0326; 0378; 0401; 2931; 2622; 2921; 2622; 2921; 2935; 2947; 6832; 6840; 6899; 6898; 6890; 6897; 2934; 2848; 2957; 2950; 2953; 2930 2936; 6884; 2851; 6837; 6892.
- ⁹⁸³ HRVD Statements 0337, 9183, 0093; 2857.
- ⁹⁸⁴ HRVD Statements 2852; 6888; 0336; 2614; 2957; 2637; 2852; 2950; 2947.
- ⁹⁸⁵ HRVD Statements 2921; 2935; 2947; 2934; 2950; 2930.
- ⁹⁸⁶ HRVD Statements 6890; 6897; 2848; 2936; 6884; 2851; 6837.
- ⁹⁸⁷ HRVD Statements 6892; 6898; 6840; 6832.
- ⁹⁸⁸ HRVD Statements 2851; 6892.
- ⁹⁸⁹ CAVR, Community Profile of Abani Village, Passabe Sub-district, Oeussé District, 10 September 2003.
- ⁹⁹⁰ HRVD Statements 2931; 2622; 2921; 2935; 2934; 2957; 2950.
- ⁹⁹¹ HRVD Statements 6832; 6888; 6895; 6899; 6897; 6892; 6837; 2851.
- ⁹⁹² HRVD Statements 6888; 2852; 6899.
- ⁹⁹³ HRVD Statements 2953; 2950; 2930; 6899; 2957.
- ⁹⁹⁴ HRVD Statements 6888; 2848; 6892; 6837; 2930.
- ⁹⁹⁵ HRVD Statement 0354.
- ⁹⁹⁶ HRVD Statement 4661.
- ⁹⁹⁷ HRVD Statements 5736; 5726.
- ⁹⁹⁸ Amnesty International, *Indonesia (East Timor): Further information on Fear for Safety* , AI Index: ASA 21/35/99, 26 April 1999.
- ⁹⁹⁹ HRVD Statements 3757; 615; 6952.
- ¹⁰⁰⁰ CAVR Community Profile of Ahic Village, (Lacluta, Viqueque) 22 November 2002.
- ¹⁰⁰¹ HRVD Statement 0469.
- ¹⁰⁰² HRVD Statements 0471; 0404.
- ¹⁰⁰³ HRVD Statement 0471.
- ¹⁰⁰⁴ HRVD Statement 6697.
- ¹⁰⁰⁵ OHCHR submission to CAVR, April 2004 p. 184.
- ¹⁰⁰⁶ HRVD Statement 1866.
- ¹⁰⁰⁷ Robinson, *East Timor 1999*, OHCHR submission to CAVR, April 2004.p. 145.
- ¹⁰⁰⁸ CAVR, Community Profiles of Opa and Daudet Villages, Lolotoe Sub-district, Bobonaro District, 14 July 2003.
- ¹⁰⁰⁹ HRVD Statements 5641; 7127; 5580; 5639. pertama dibawa ke sebuah pos KMP di Lolotoe dimana ia dipukuli bingga babak belur, kemudian ke kantor polisi, kemudian ke Koramil, di sana ia diinterogasi oleh

seorang komandan BTT; Pernyataan HRVD 7164 ditahan di Koramil tersebut sampai UNAMET tiba.

Needs translation

¹⁰¹⁰ The General Prosecutor of UNTAET, against João Franca da Silva et al Indictment (Case No: 4a-2001), 25 May 2001.

¹⁰¹¹ HRVD Statements 6428; 6393; F9425; 6429.

¹⁰¹² See also HRVD Statement 6371.

¹⁰¹³ HRVD Statement 6405. See also HRVD Statements 6403; 6441.

¹⁰¹⁴ HRVD Statement 1754; 1747; 1719; 1755.

¹⁰¹⁵ HRVD Statement 7419.

¹⁰¹⁶ HRVD Statements 5824; 4850; 5790; 5753; 5752.

¹⁰¹⁷ HRVD Statement 5824

¹⁰¹⁸ HRVD Statement 2576.

¹⁰¹⁹ HRVD Statement 6647.

¹⁰²⁰ HRVD Statement 1833.

¹⁰²¹ HRVD Statement 5602.

¹⁰²² CAVR Community Profile of Laclo Village, Atsabe Sub-district, Ermera District, 16 June 2003.

¹⁰²³ HRVD Statements 1325; 3688; 3670; 1260; 6912; 3508; 02957.

¹⁰²⁴ HRVD Statements 0643; 5298; 7904.

¹⁰²⁵ Robinson, *East Timor 1999*, OHCHR submission to CAVR, April 2004.p. 176.

¹⁰²⁶ HRVD Statement 5298.

¹⁰²⁷ HRVD Statements 03670; 3858.

¹⁰²⁸ CAVR, Community Profile of Gildapil Aldeia, Lebos Village, Lolotoe Sub-district, Bobonaro District, 9 September 2003.

¹⁰²⁹ CAVR Community Profile of Sabarai Village, Maliana Sub-district, Bobonaro District, 13 January 2003.

¹⁰³⁰ CAVR, Community Profile of Saboria Village, Aileu Town, Sub-district, Aileu District, 14 March 2003.

¹⁰³¹ HRVD Statements 0225; 2868; 1954; 4652.

¹⁰³² HRVD Statement 0225.

¹⁰³³ HRVD Statement 8204.

¹⁰³⁴ HRVD Statement 1294.

¹⁰³⁵ See: "Surat Pengembalian," [letter of return] July 8, 1999 (HRU Collection, Doc. BOB#9) Robinson, *East Timor 1999*, OHCHR submission to CAVR, April 2004. p 209.

¹⁰³⁶ HRVD Statement 00227.

¹⁰³⁷ HRVD Statement 3754.

¹⁰³⁸ CAVR Community Profile of Ahic Village, Lacluta Sub-district, Viqueque District, 22 November 2002.

¹⁰³⁹ HRVD Statement 7023.

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- ¹⁰⁴⁰ HRVD Statement 7203.
- ¹⁰⁴¹ HRVD Statement 6333.
- ¹⁰⁴² HRVD Statements 6994; 7007; 7009; 7010.
- ¹⁰⁴³ HRVD Statements 2953; 2957; 7007; 7009.
- ¹⁰⁴⁴ HRVD Statement 2957.
- ¹⁰⁴⁵ HRVD Statement 7007.
- ¹⁰⁴⁶ CAVR, Community Profile of Fohoren Village, Fohoren Sub-district, Covalima District, 22 January 2004; HRVD Statements 6272; 8933.
- ¹⁰⁴⁷ Ibid.
- ¹⁰⁴⁸ HRVD Statement 8933.
- ¹⁰⁴⁹ HRVD Statements 3726; 4884; 4886; 5687; 0170; 3711; 0122.
- ¹⁰⁵⁰ HRVD Statement 4837.
- ¹⁰⁵¹ HRVD Statement 8626.
- ¹⁰⁵² CAVR Community Profile of Ahic Village, Lacluta Sub-district, Viqueque District, 22 November 2002.
- ¹⁰⁵³ HRVD Statements 8738; 8743; 8734.
- ¹⁰⁵⁴ HRVD Statement 0143.
- ¹⁰⁵⁵ HRVD Statement 2412.
- ¹⁰⁵⁶ HRVD Statement 7398, see also HRVD Statement 8958.
- ¹⁰⁵⁷ HRVD Statement 2008; See also HRVD Statement 2676.
- ¹⁰⁵⁸ HRVD Statements 8278, 6178, 4450, 4657, 4630, 0235, 3446, 5787, 3298,4322, 7151, 4321, 1803, 8629, 5149, 1243, 7387, 5138, 7006, 6158, 7009, 3510, 7007.
- ¹⁰⁵⁹ HRVD Statement 3510.
- ¹⁰⁶⁰ HRVD Statements 01777; 00230; 06225; 2895; 5601; 0988; 4082; 7156; 6749; 2427; 1139; 5127; 2193.
- ¹⁰⁶¹ HRVD Statement 01777.
- ¹⁰⁶² HRVD Statements 4082; 6749; 1139; 5127.
- ¹⁰⁶³ HRVD Statement 0988.
- ¹⁰⁶⁴ HRVD Statement 5168.
- ¹⁰⁶⁵ HRVD Statement 4667.
- ¹⁰⁶⁶ HRVD Statements 2950, 0411, 4192, 5790, 5835, 1119, 7024, 6752, 0414, 5756, 4986, 3229, 7405, 4341, 5132, 3508, 4651, 0378, 0410, 1817.
- ¹⁰⁶⁷ HRVD Statements 2950-1; 0411; 4192-2; 5835; 1119; 6752-3; 0414-6 & 7; 5756; 4986; 3229; 7405-2; 4341-6; 5132; 3508; 4651; 0378-1; 0410; 1817.
- ¹⁰⁶⁸ HRVD Statement 8313.
- ¹⁰⁶⁹ HRVD Statement 6279; 0091.
- ¹⁰⁷⁰ HRVD Statement 8294.
- ¹⁰⁷¹ HRVD Statement 6751.

¹⁰⁷² HRVD Statement 0145.

¹⁰⁷³ HRVD Statement 6272. See also HRVD Statement 8933.

¹⁰⁷⁴ Robinson, *East Timor 1999*, OHCHR submission to CAVR, April 2004, p. 54.

¹⁰⁷⁵ HRVD Statements 03670; 3858.

¹⁰⁷⁶ HRVD Statement 6348.

¹⁰⁷⁷ HRVD Statement 7418.

¹⁰⁷⁸ HRVD Statement 3743.

¹⁰⁷⁹ HRVD Statement 3769.

¹⁰⁸⁰ HRVD Statement 7399.