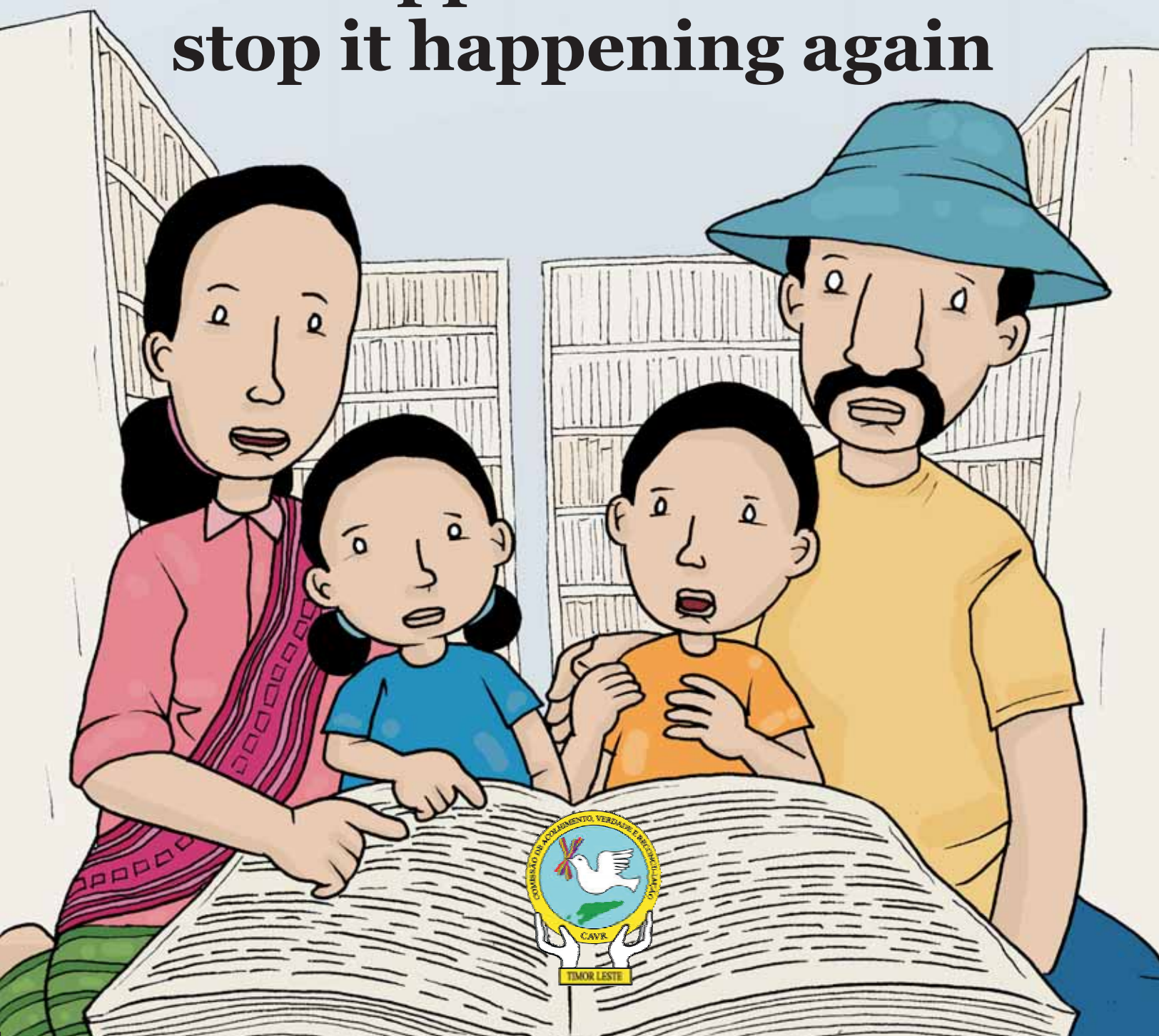


CHEGA!

Book 1

**What happened and how to
stop it happening again**



CHEGA!

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happening again**

CHEGA!

Book 1 **What happened and how to stop it** **happening again**



2015

Chega!

Book 1 – What happened and how to stop it happening again

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INTRODUCTION

Priscilla Hayner, March 2015

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

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

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

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

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

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

EDITOR'S NOTE TO TEACHERS

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

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

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

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

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

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

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

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

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

Pat Walsh
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LIST OF ABBREVIATIONS AND ACRONYMS

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

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

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MAP OF TIMOR-LESTE



In a village lives a small family; a father, mother, and their two children.

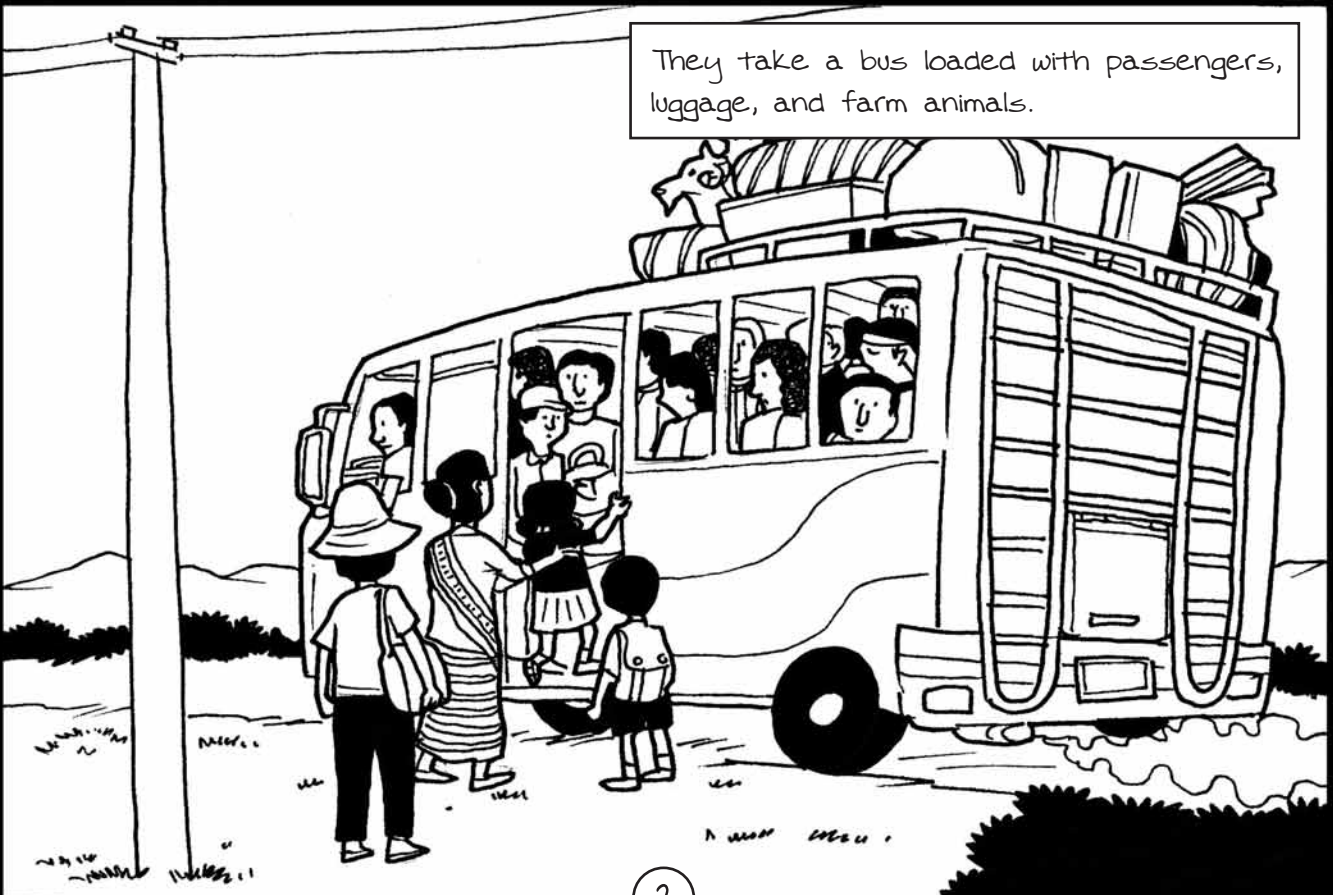
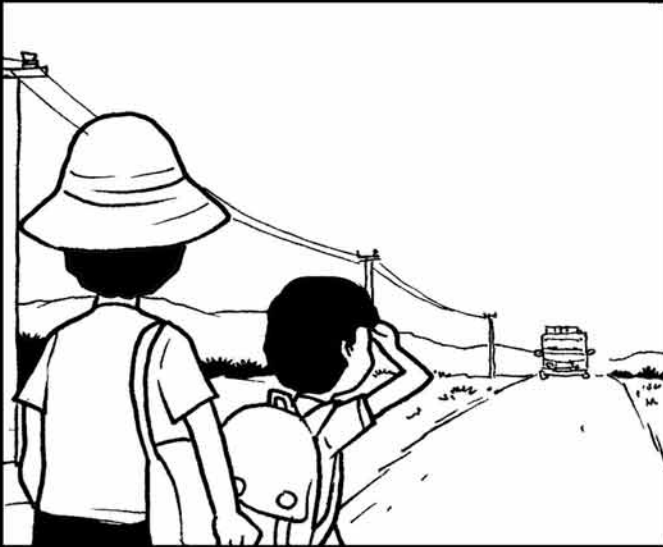
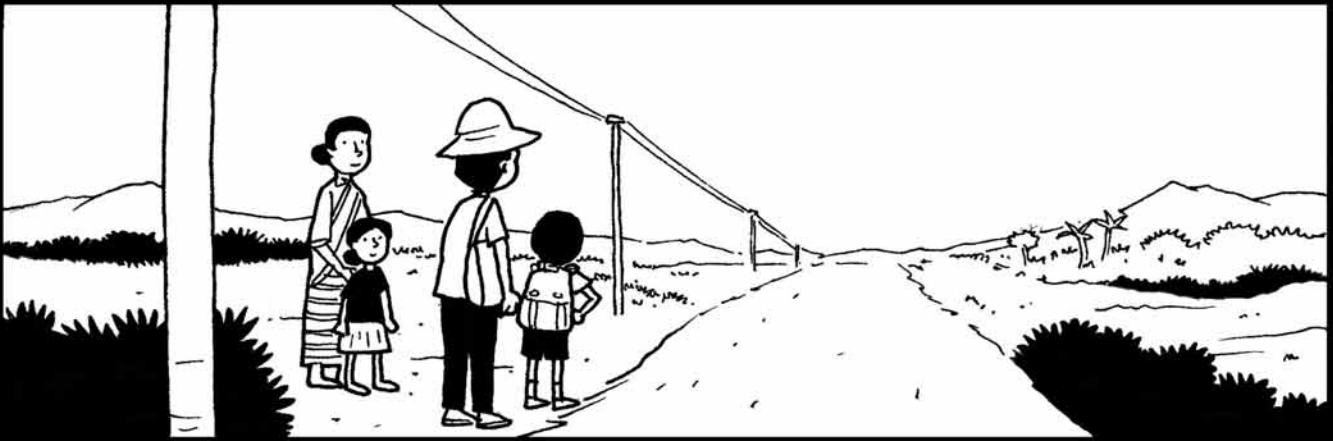


The father's name is Remigio; he's a history teacher at the primary school. The mother's name is Olga; she's also a teacher at the school.

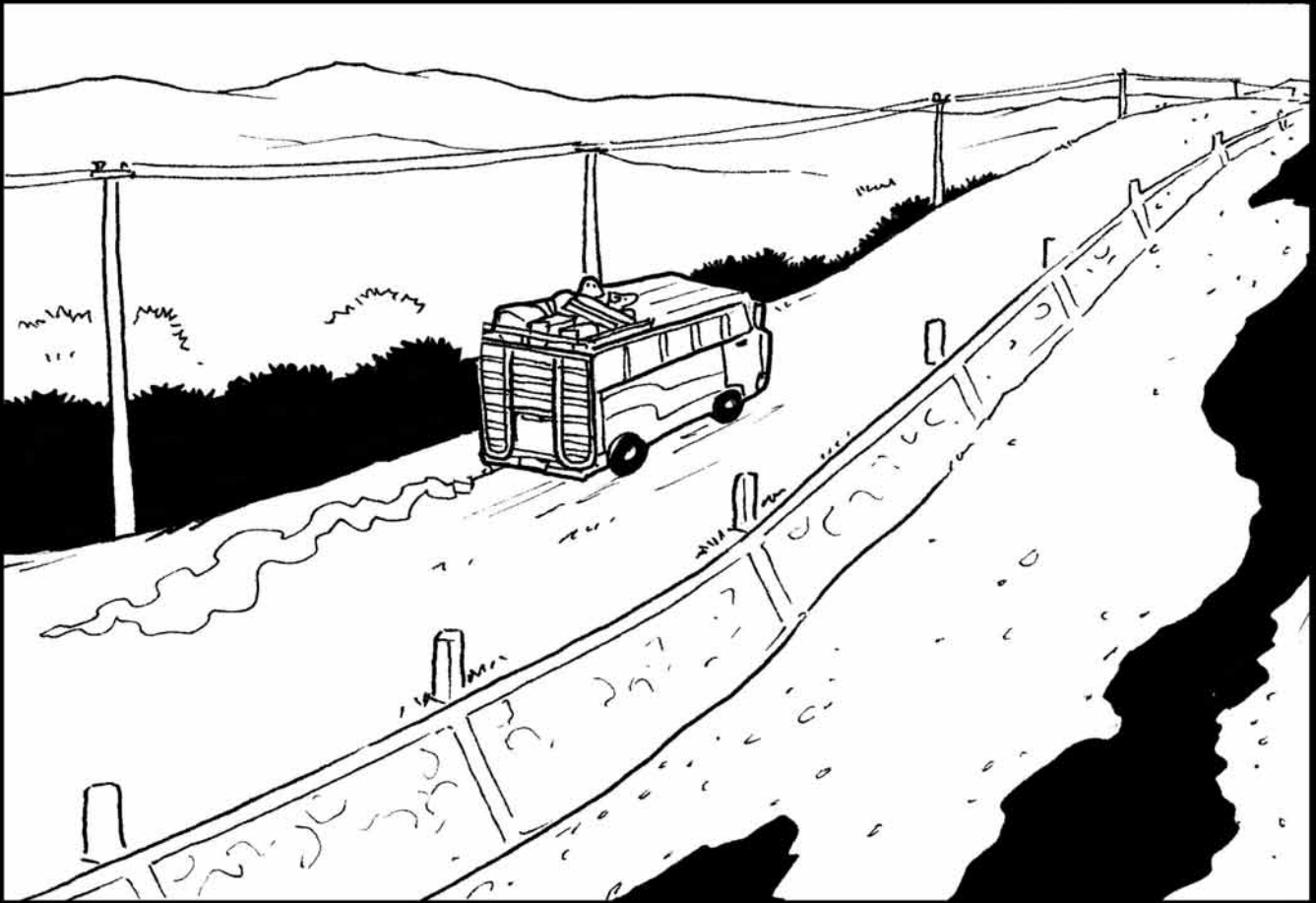


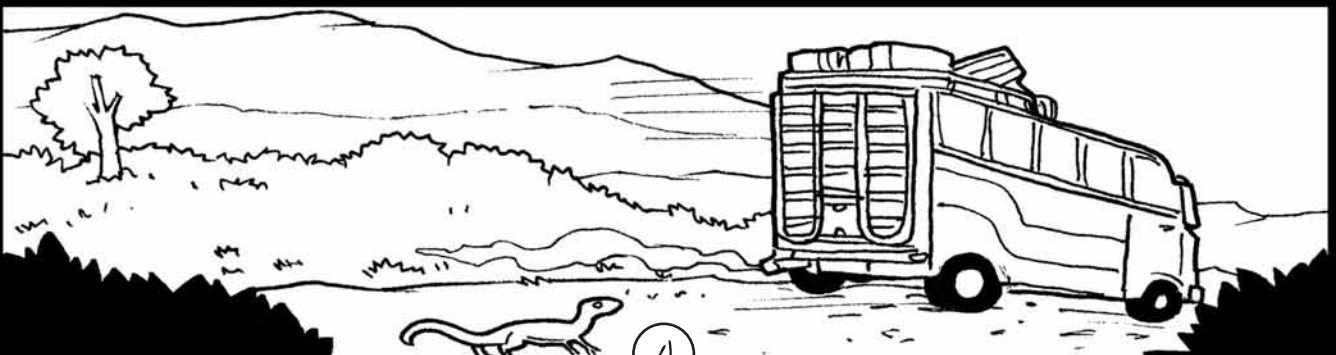
The father invites their two children, Raimundo and Azia, to go to Dili.





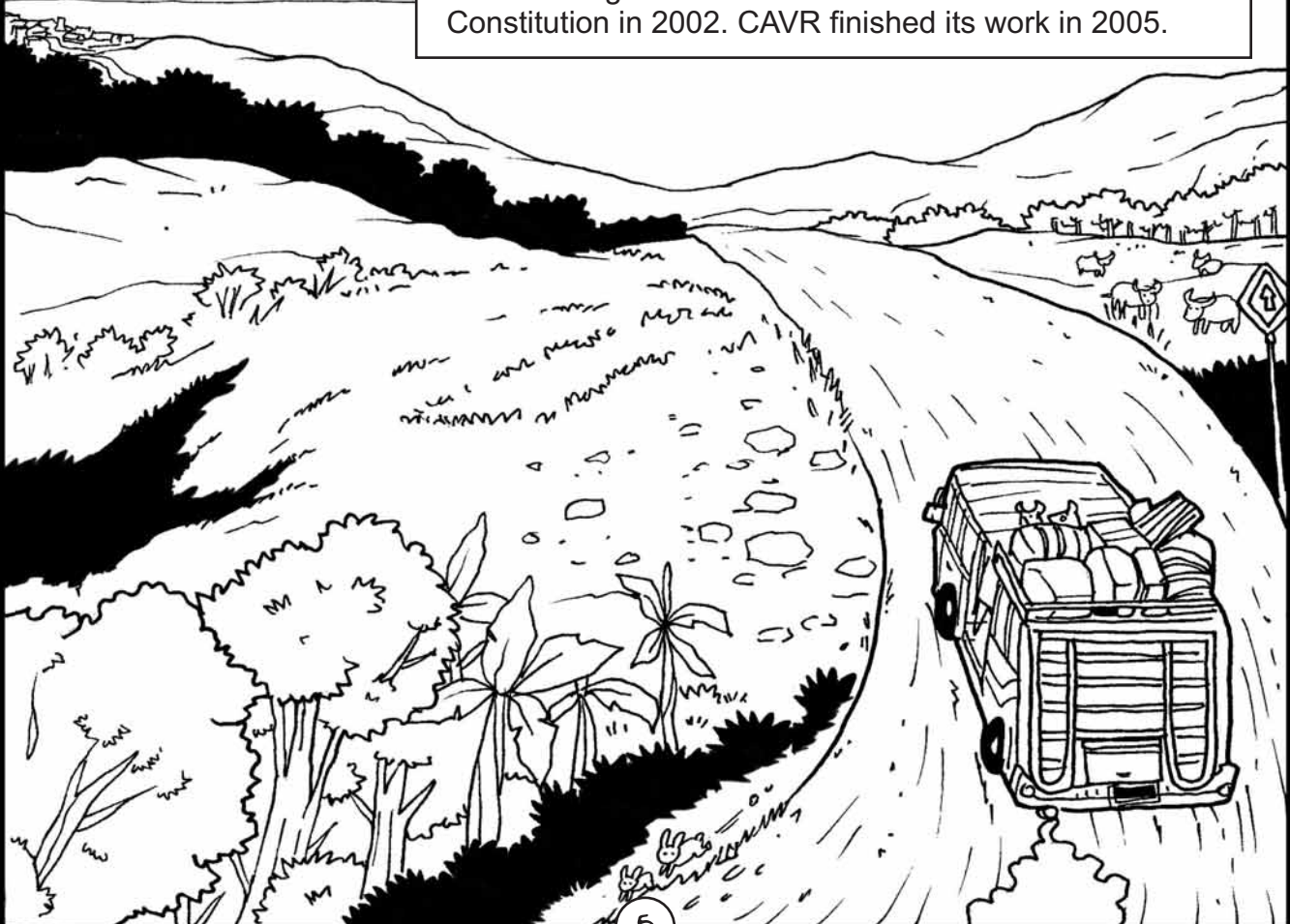
They take a bus loaded with passengers, luggage, and farm animals.

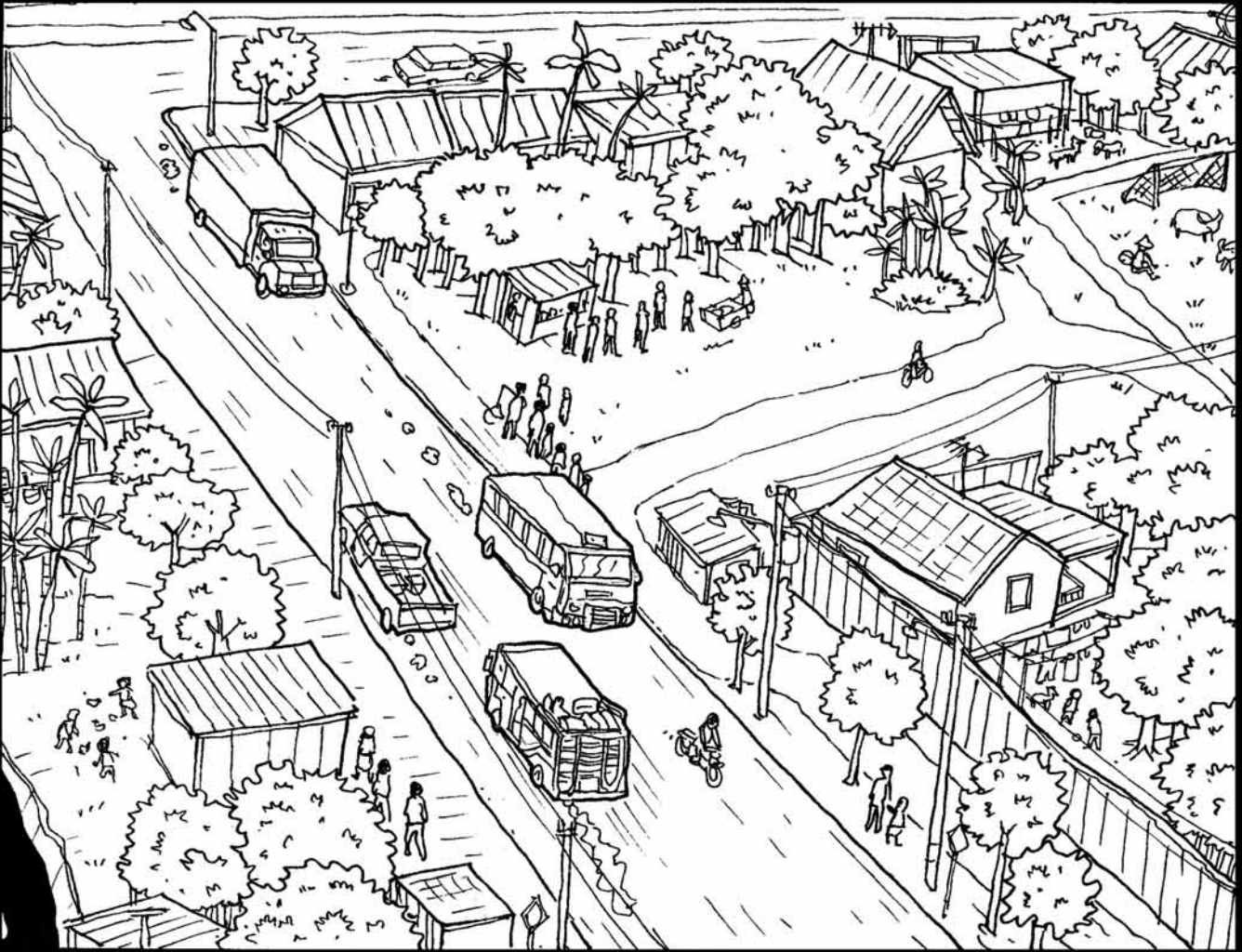






CAVR is the Portuguese acronym for the Commission for Reception, Truth and Reconciliation. CAVR was established during the time of the United Nation's transitional government in 2001 and written into the RDTL Constitution in 2002. CAVR finished its work in 2005.





Why are we going there
Dad? Won't you both
feel sad?

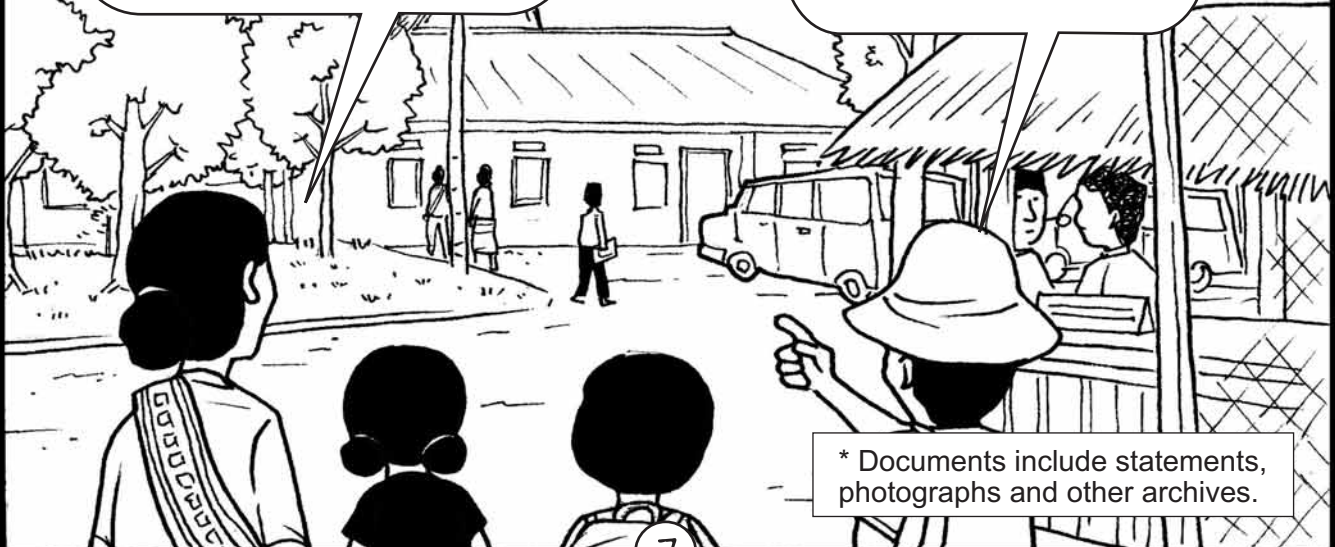
It's difficult. We always feel
sad when we remember those
times. But we want you to know
about the suffering that
occurred then.





Do you still remember when those people came to our village? They were CAVR staff members who were collecting information about the suffering that us Timorese went through.

All that history has been written down and stored at the CAVR office. You can see the documents* there and reflect on those dark times.

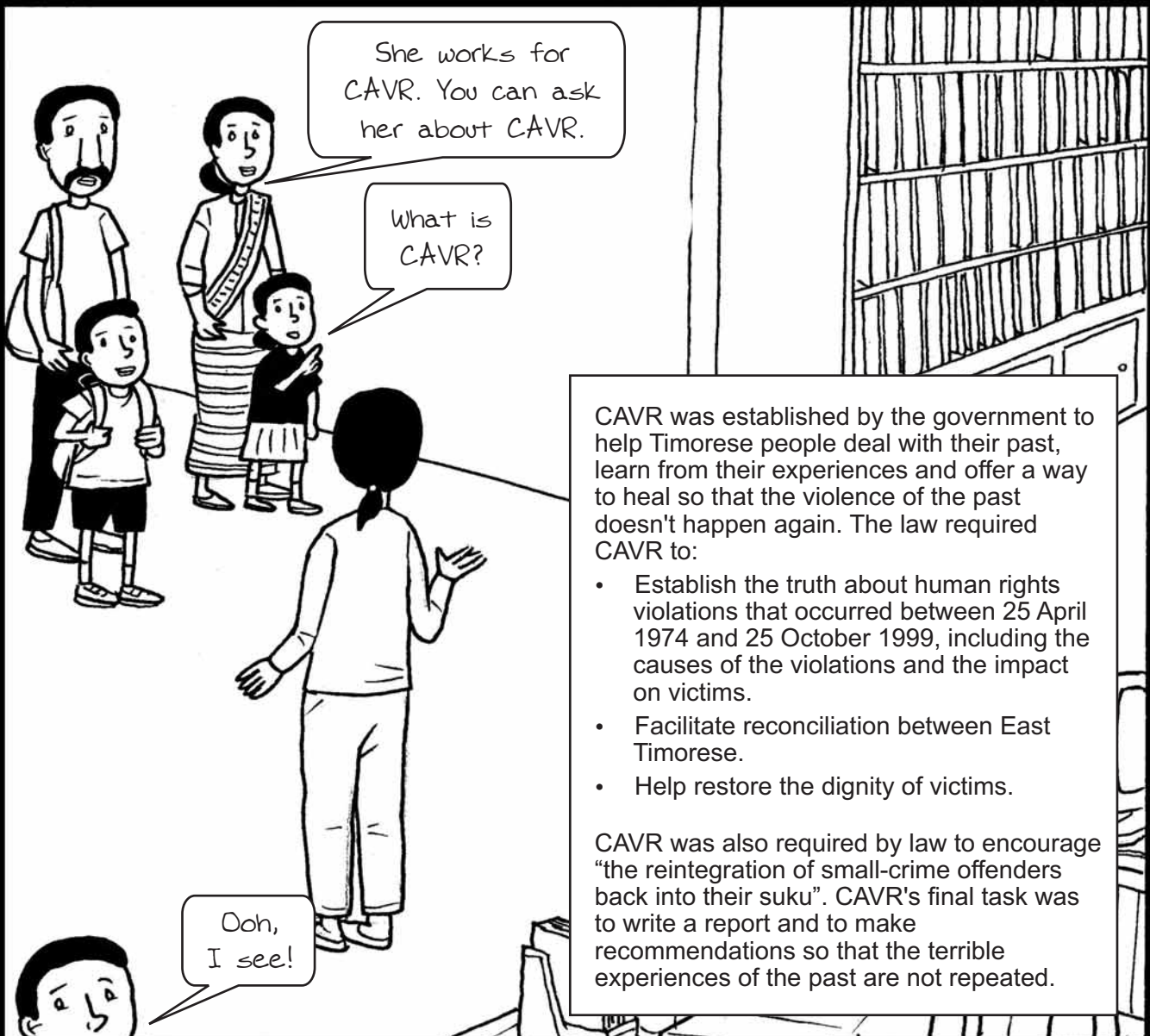


* Documents include statements, photographs and other archives.



WELCOME TO CAVR, THE FORMER BALIDE PRISON






Truth commissions like CAVR have been established in other countries that have been through conflict. The work they did was similar: to investigate what happened during the time of conflict, what caused the conflict and the human rights violations that occurred. The aim is to rehabilitate the community after the trauma of conflict.

CAVR'S PROGRAMME OF WORK





So what CAVR found is based on information and interviews?

Yes. These are the steps CAVR took to find the truth.

TRUTH-SEEKING

- Collected 8000 testimonies from victims and their families.
- Conducted discussions in villages (aldeia) to document any human rights violations that occurred and the impact they had.
- Researched different types of violations including torture, murder, famine, sexual violence during war, and the impact of the conflict on women and children.
- Calculated the total number of civilians who died because of the conflict.
- Collected reports, photos, film footage and other evidence from experts and organisations in many places.
- Archived the data that was collected so that it can be studied, particularly by future generations of East Timorese. This will ensure the past is not forgotten and contributes to a better future.



FACILITATING RECONCILIATION

Reconciliation means repairing relationships that have broken down. Reconciliation is possible if the parties to the conflict are committed to change, honest and open with each other. A principal part of CAVR's work was the Community Reconciliation Process (CRP). This process was intended to build peace in local communities by facilitating reconciliation between those responsible for less serious crimes committed in 1999, such as burning down a house or intimidating others, and their victims.

THE CRP CYCLE



The perpetrator of a crime asked CAVR to run a CRP in their suku.



The Prosecutor General's Office examined the case to determine if it was truly a less serious crime that could be dealt with by CAVR or a serious crime that had to go court.



A public hearing was conducted in the suku by a panel of local leaders and a CAVR regional commissioner.



At the hearing, perpetrators had to confess what they had done. The victims and other participants could ask questions and make comments

These hearings were called *nahe biti bo'ot* (laying out the big mat) because they used a traditional Timorese practice of resolving problems together. Usually the community would talk about the impact the conflict had on them and try to understand the behaviour of the perpetrator who was asking for forgiveness. Following this, the panel helped the community and the perpetrator to come to an agreement and decide on a punishment. Often this involved requiring an apology from the perpetrator, a commitment not to offend again and sometimes community service or assistance to rebuild or replace what they had destroyed. This agreement was registered at the district court so that the perpetrator could not be prosecuted again for that offence.



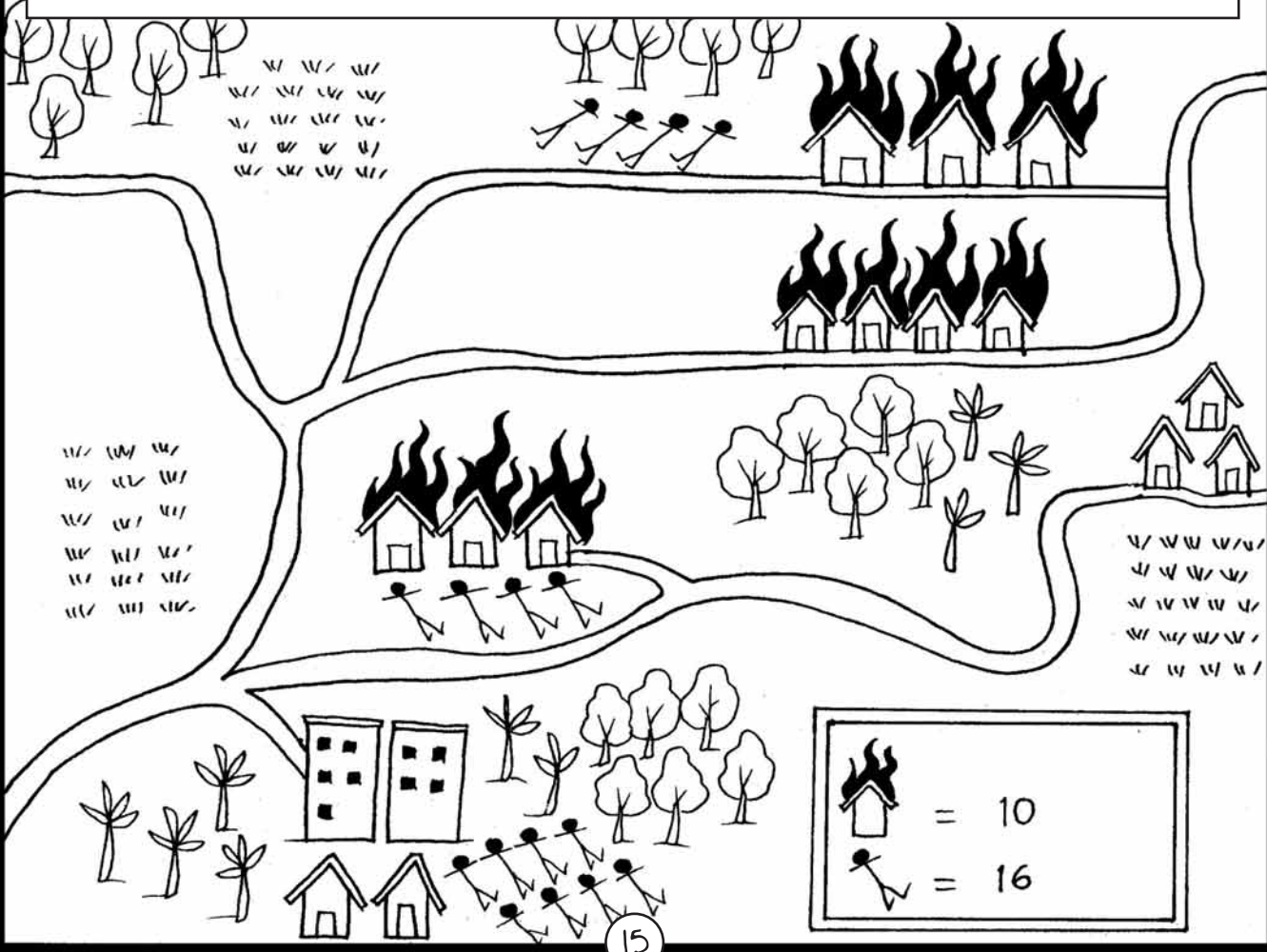
RESTORING THE DIGNITY OF VICTIMS

CAVR developed a number of programmes to assist the healing of individuals, families and communities who were seriously damaged by the conflict. These programmes included national and local public hearings at which victims spoke openly for the first time of their experiences and were listened to with great respect and honoured by the nation. CAVR also documented, preserved and used the stories of thousands of individual victims and helped communities meet to profile their experiences and understand the impact of violations on them as a community. The Commission also felt an obligation to assist the most vulnerable victims in practical ways. It ran an urgent reparations program and brought some of the most vulnerable victims to Dili for healing workshops. CAVR's reconciliation programme and assistance to refugees who returned from West Timor also directly benefited victims. These activities contributed to a climate of grassroots peace and stability that allowed victims to feel more secure and hopeful for themselves and their children.



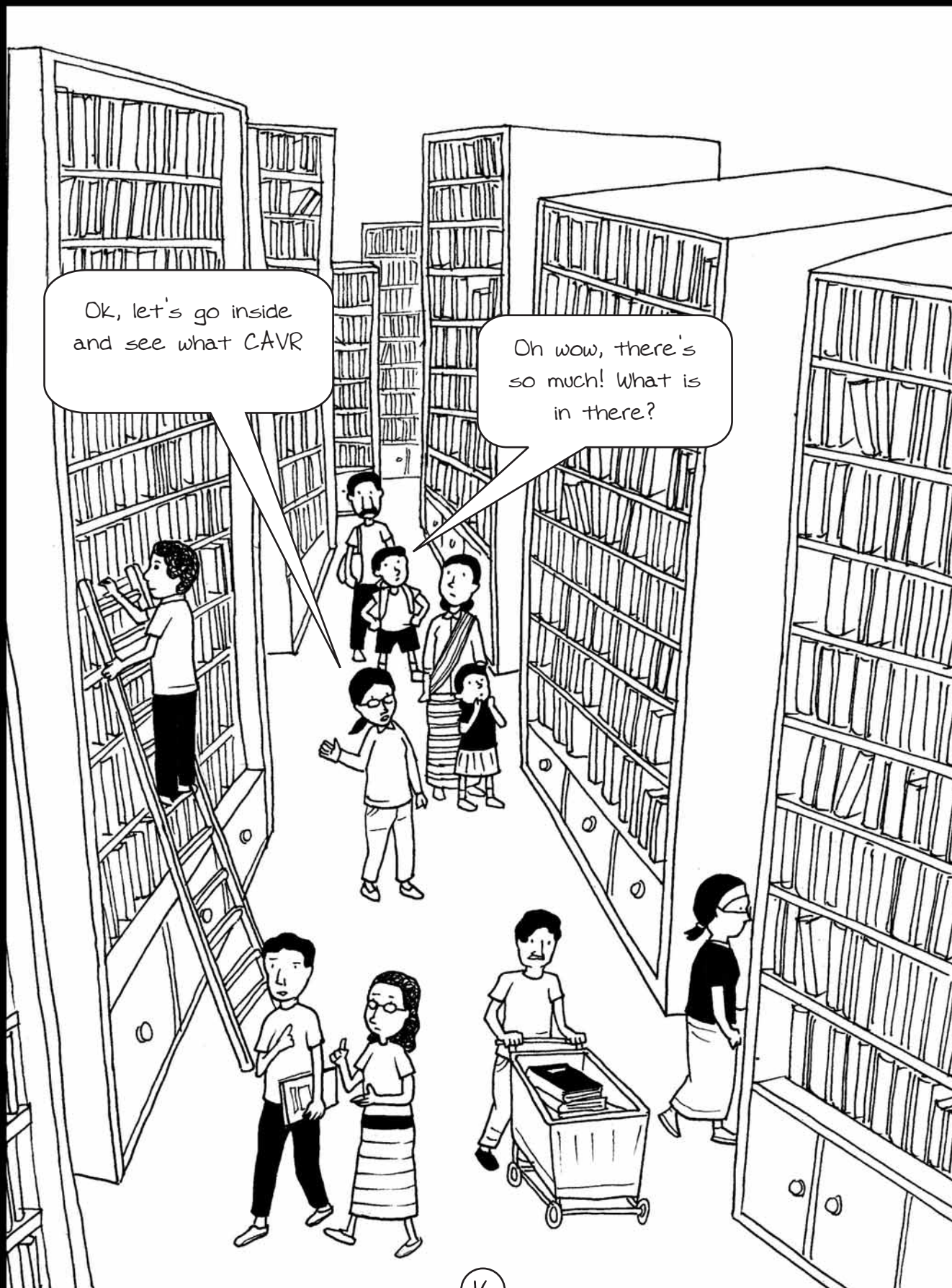
CAVR worked with NGOs and religious organisations to provide short term health assistance to very vulnerable victims in ten districts in Timor-Leste. This assistance included the provision of medicine, medical consultations, and counselling and was supplemented in some instances by the healing workshops mentioned above. CAVR also gave financial support to 712 victims of violations whose needs were especially urgent.

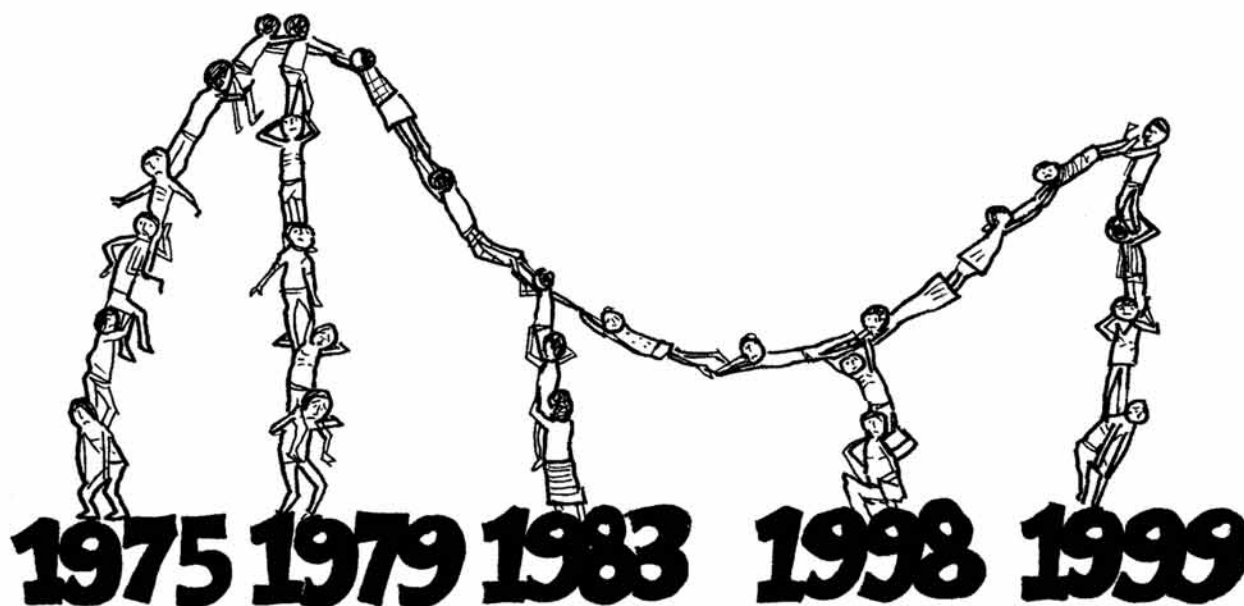
CAVR also facilitated processes during which communities could speak about the impact of human rights violations and conflict on their suku. With this research on the history of the conflict, the suku communities could better understand their current situation and plan a better future.



VIOLATIONS OF HUMAN RIGHTS

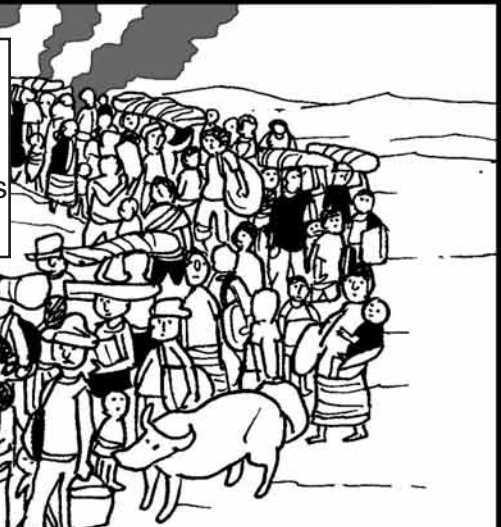
1975-1999





Number of deaths. A minimum of 102,800 civilians died as a result of the conflict between 1974 and 1999. From this total, it is estimated that 18,600 people disappeared or were killed, the majority by the Indonesian military. A further estimated 84,200 people died from hunger and illness, most during major military operations in 1978 and 1979. CAVR could not establish the total number of civilian deaths but it believes that it may have been as high as 183,000.

Forced displacement. From 1975 to 1999 many East Timorese were repeatedly forced by the fighting to move from their homes and localities into the mountains or to seek refuge outside Timor-Leste. This caused great hardship and even death.



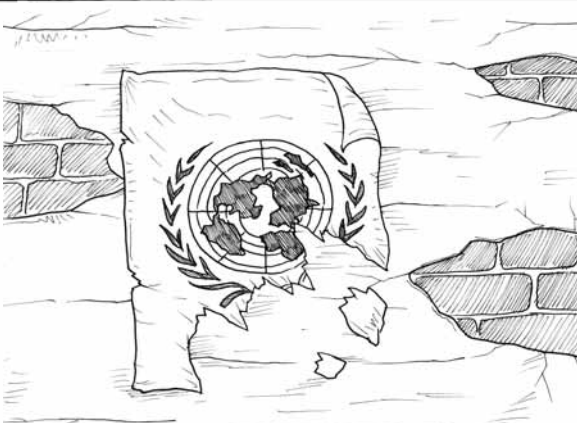
Sexual violence. The Indonesian military and their East Timorese collaborators were responsible for systematic and widespread sexual violence throughout the occupation. This happened with the knowledge of their commanders and the government. Members of Fretilin, UDT, and Falintil also committed sexual offences, although fewer than the Indonesian side.





Illegal detention. Illegal detention and torture were the most common violations in Timor-Leste from 1974 to 1999. All groups involved in the conflict engaged in these practices but the Indonesian military and pro-Indonesia militia groups were the worst offenders.

Political trials. Trials for Timorese considered Indonesia's political enemies were conducted unjustly and violated human rights and Indonesian law. Court trials were another way of repressing Timorese resistance to Indonesia.



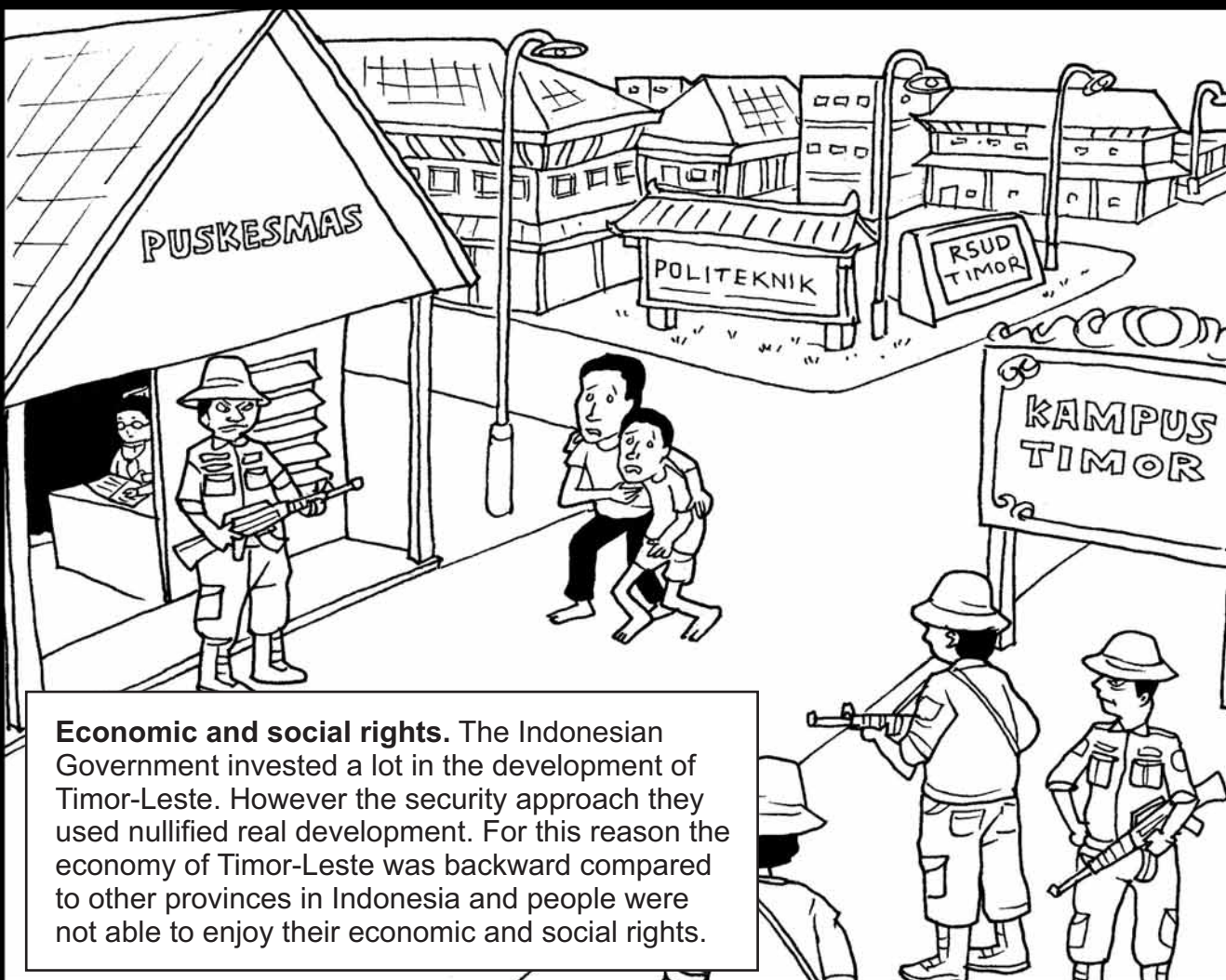
The right to self-determination. Most members of the UN, including permanent members of the Security Council, failed to uphold the East Timorese peoples' right to self-determination in practice during the Indonesian occupation. This was particularly true of countries that provided weapons and support to the Indonesian military at that time.

The laws of war. The Indonesian military systematically violated the laws of war (the Geneva Conventions) in many places. They did not distinguish between military targets and civilian populations, they killed prisoners, and they stole and destroyed peoples' food sources. Fretilin/Falintil also violated the laws of war but to a lesser degree.



Children. Many children were killed, were victims of sexual violence, became refugees, and were detained, forcibly recruited, and forcibly taken to Indonesia.





Economic and social rights. The Indonesian Government invested a lot in the development of Timor-Leste. However the security approach they used nullified real development. For this reason the economy of Timor-Leste was backward compared to other provinces in Indonesia and people were not able to enjoy their economic and social rights.



Reparations for victims. Victims of human rights violations have a right to reparations of various kinds. The most vulnerable should be given priority - such as those with mental and physical disability, victims of sexual violence, widows and single mothers, children affected by the conflict and communities who suffered badly. The most vulnerable victims of the resistance movement also have a right to reparations.



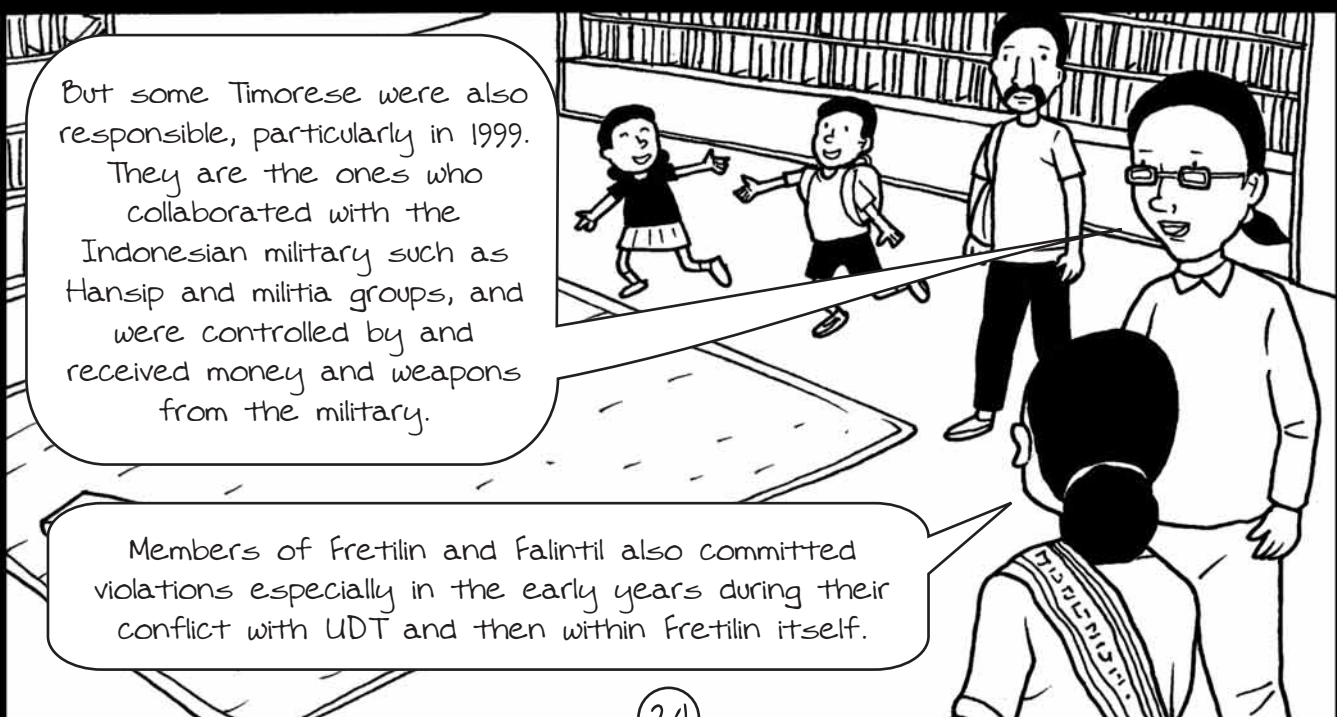
CAVR heard thousands of testimonies, collected evidence, and wrote up what they found. What they wrote is the history of the Timorese people.

What CAVR did was like weaving a tais. CAVR tied together and wove thousands of threads to create an image.





WHO COMMITTED HUMAN RIGHTS VIOLATIONS?



UDT also committed violations during their armed conflict with Fretilin in 1975. Then, following the conflict, UDT and smaller parties like Apodeti also helped the Indonesian military who did terrible things during the invasion and the occupation.



Mum, now I am getting it! This is about the history of violence in Timor-Leste.



Yes. We will also learn that, besides being victims, East Timorese were also perpetrators of violence.



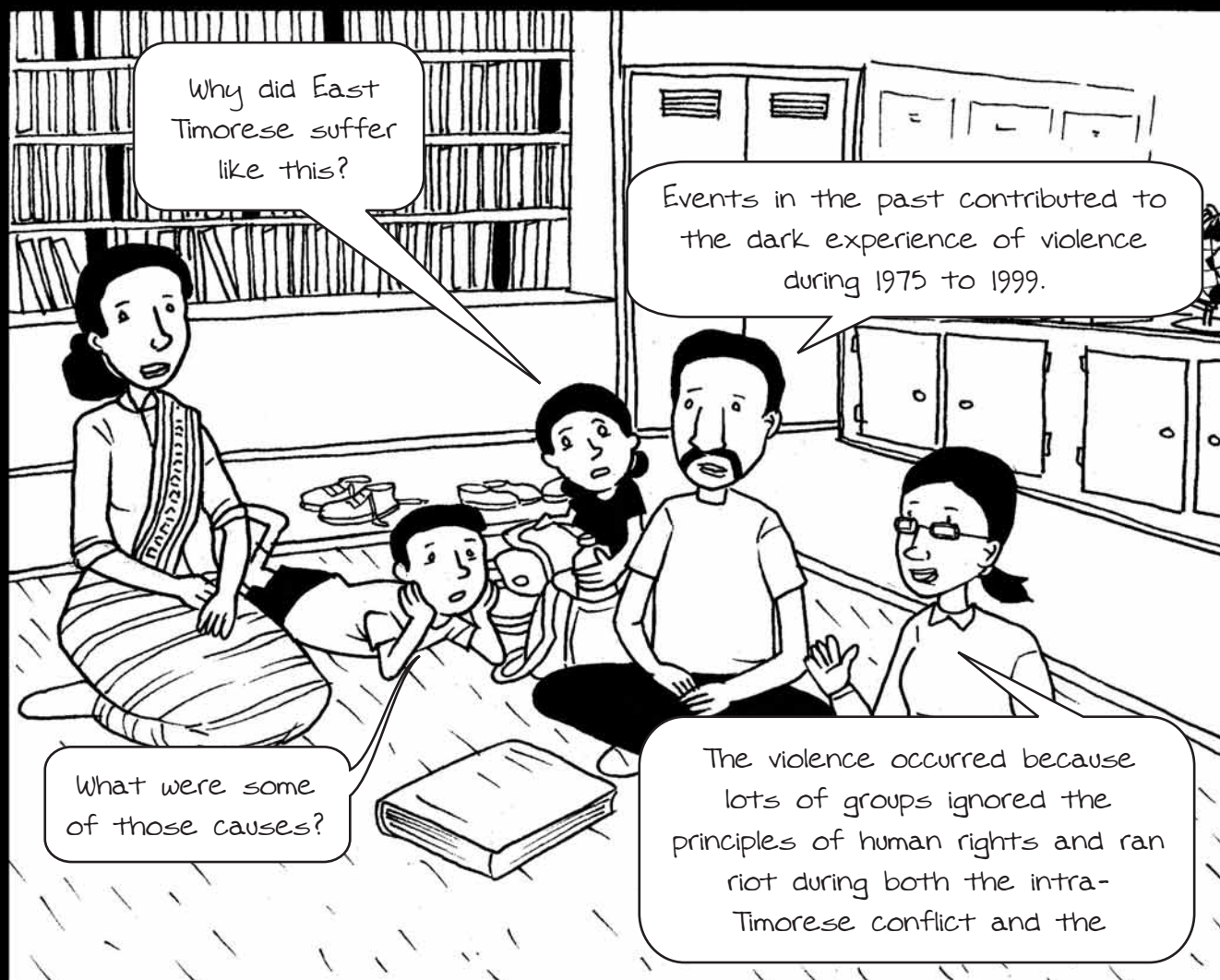
Such violence must end, even though there are different views on how to deal with it.

All this violence has had a terrible impact on the victims. And now we are all trying to heal the wounds.

It would be good if we also knew what caused the violence.



WHY DID THESE VIOLATIONS OCCUR?




Internal conflict

CAVR concluded that contributing factors to the violence during the internal conflict included:

- Lack of experience on the part of the newly established political parties who failed to control and even encouraged violence.
- Lack of tolerance between the political parties.
- The formation of armed militia by political parties.





We don't know
what to do...

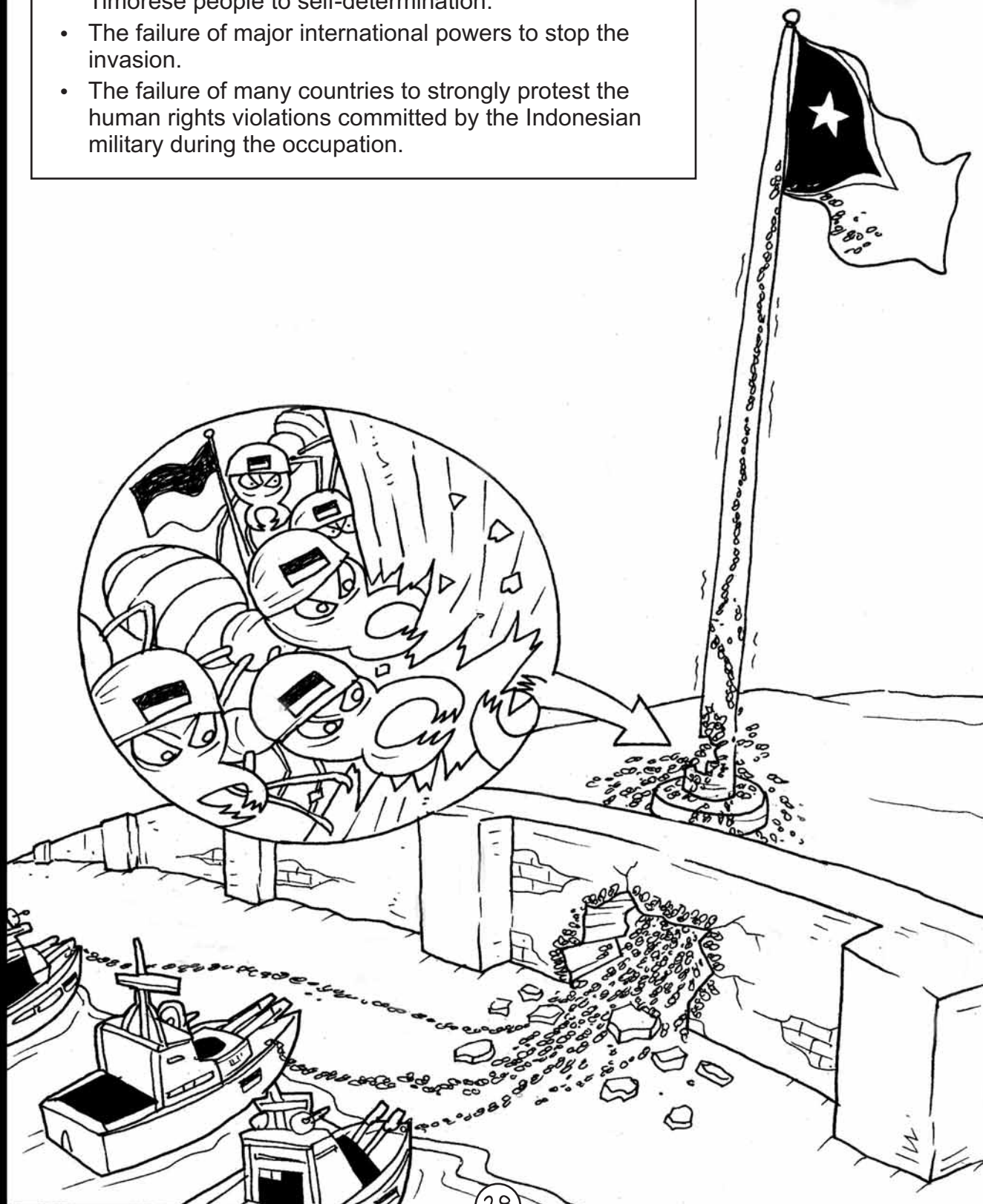
- Portugal was very late in determining the time-frame for decolonisation.
- Portugal failed to provide sufficient resources for the decolonisation process, to anticipate the violence that started on 11 August 1975, and to ask the international community for help in controlling the situation.

- Indonesia interfered in the internal affairs of Portuguese Timor and contributed to the conflict.
- East Timorese members of the Portuguese military and the Portuguese police chief did not stay politically neutral.

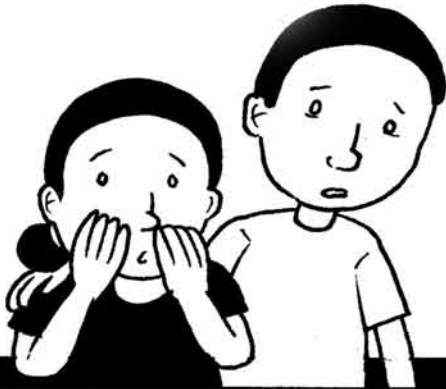
The Indonesian occupation

CAVR found that human rights violations occurred on a widespread and systematic scale during the Indonesian occupation. Factors responsible for these violations included:

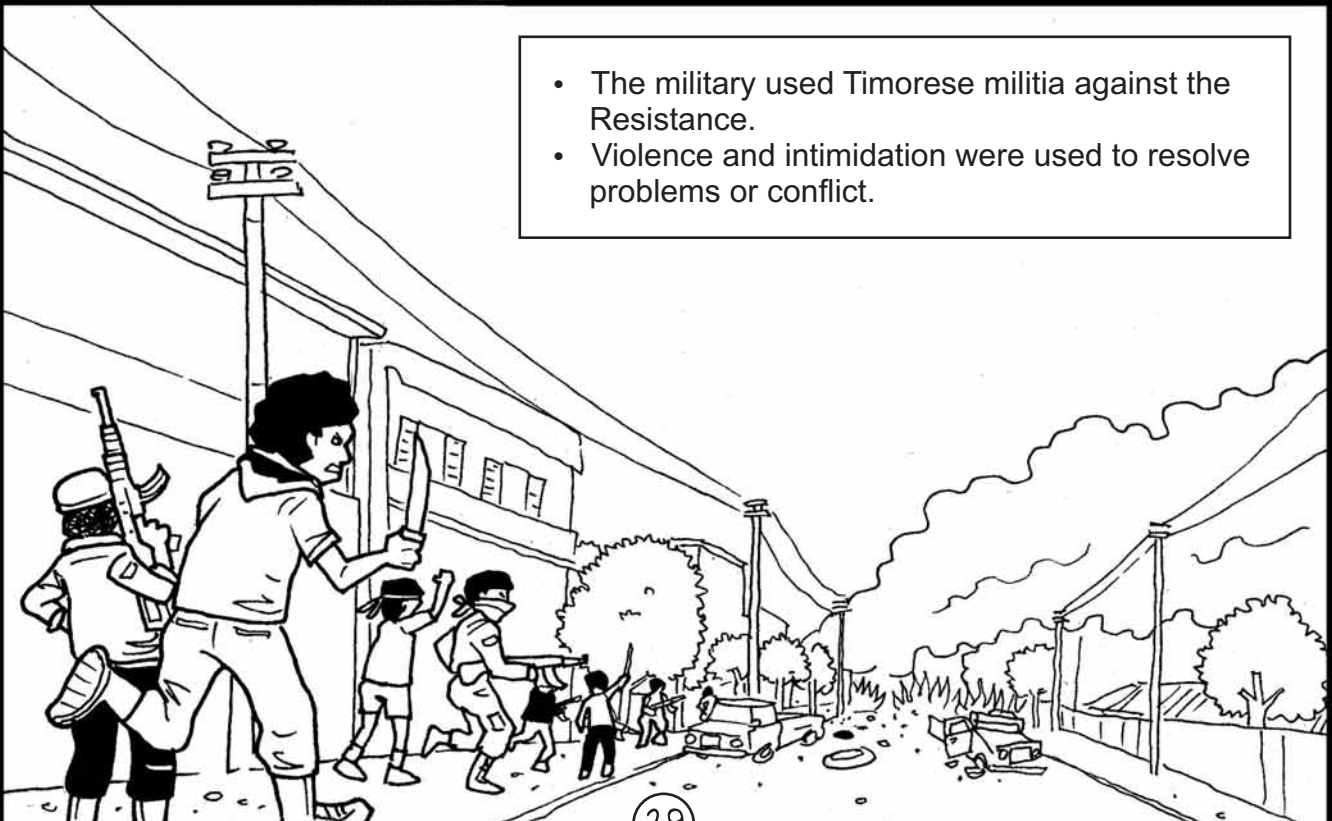
- Indonesia's invasion in violation of the right of the East Timorese people to self-determination.
- The failure of major international powers to stop the invasion.
- The failure of many countries to strongly protest the human rights violations committed by the Indonesian military during the occupation.



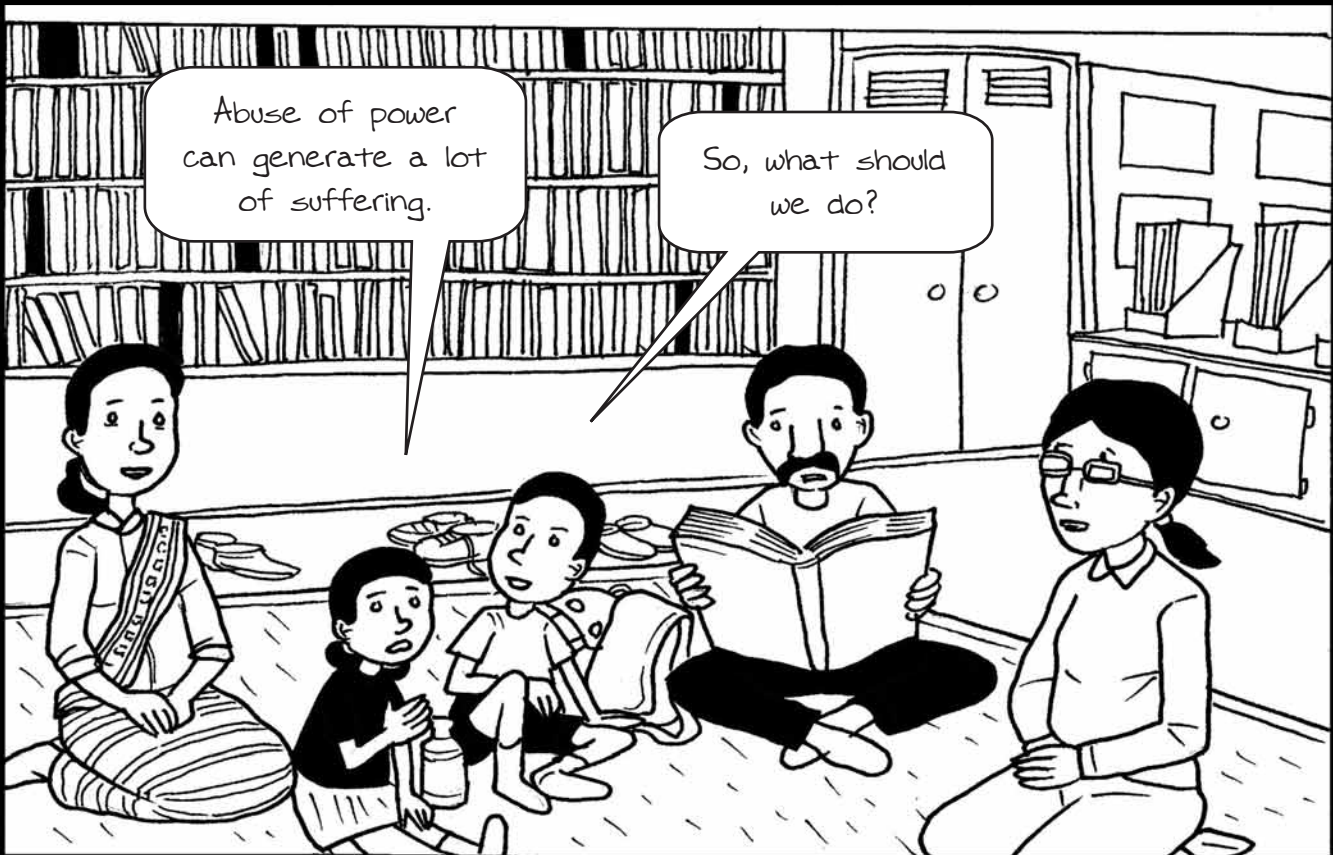
- Indonesia prioritised military objectives over the economic, social and political rights and needs of the Timorese community.
- East Timorese could not participate freely in governance.
- ABRI's doctrine of 'dual functions' gave the military a significant role in governing. As a result, military interests were paramount in institutions such as the parliament and the courts and these bodies were used to deepen the military and political control of Timor-Leste.
- The military controlled internal security and the police who were subordinate to the military.
- The courts were controlled by the military and did not function independently.
- The military and police abused their power and did not follow even Indonesian law.



- The military used Timorese militia against the Resistance.
- Violence and intimidation were used to resolve problems or conflict.



RECOMMENDATIONS



Well, our leaders should implement CAVR's recommendations to ensure that the suffering and violence of the past doesn't happen again. The recommendations are for all sections of Timorese society, Indonesia and other countries. State officials must also be held accountable to the law and must be responsive to the will of the people.



You mean that back then state officials didn't follow the law?







It is important to understand that it is easy for a country recovering from the wounds of its past to return to conflict and violence. This is especially the case when strong democratic institutions to protect the people from being abused are still being developed.

That's why CAVR's recommendations are important for all parts of our lives. The recommendations have been written to develop a future where there is no violence and where human rights are respected and strong democratic processes prevail in Timor-Leste.





The government and community of Timor-Leste must uphold and care for everyone's rights, and especially those most vulnerable to violence, by:

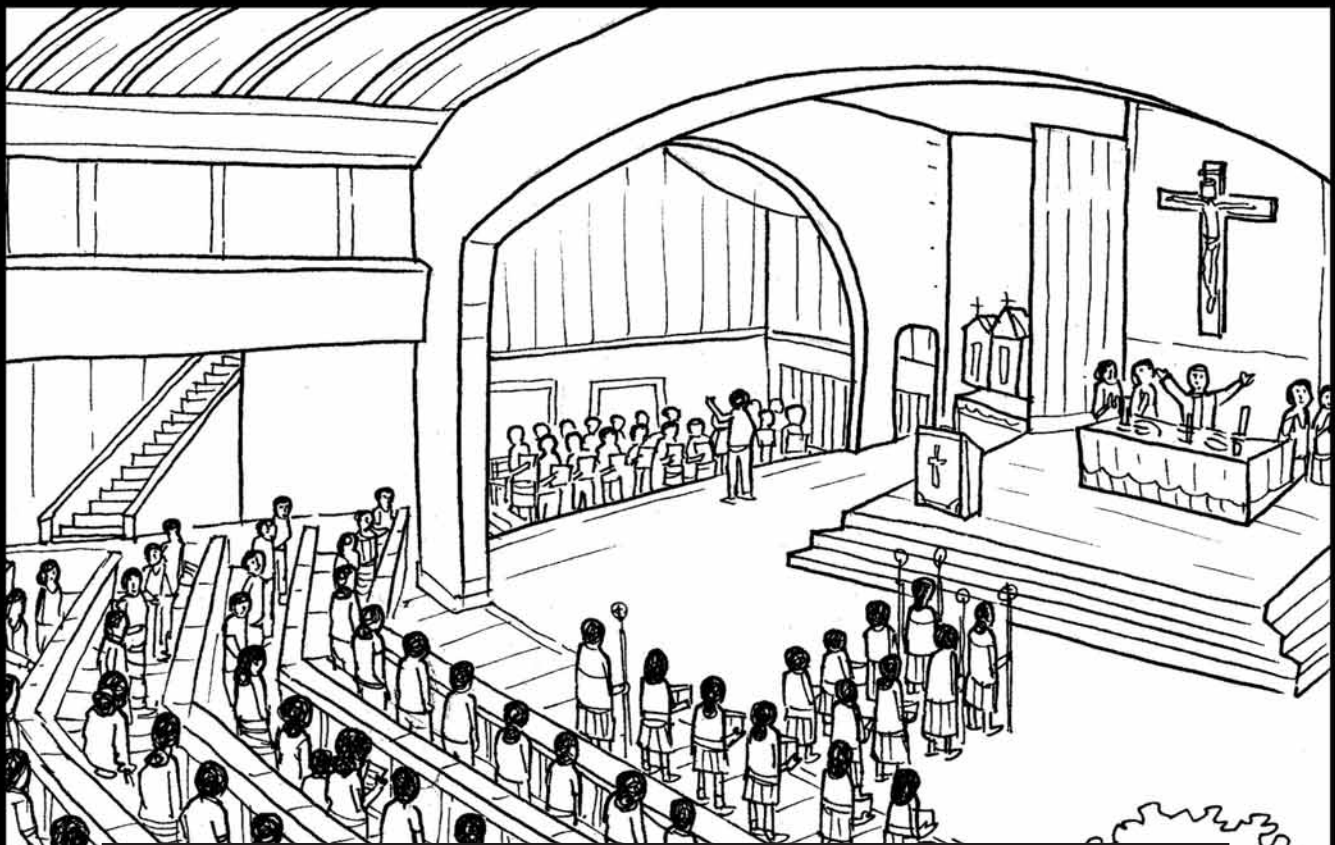
- promoting and protecting rights to life, personal security, peace, non-violence, education, health and a sustainable environment.
- giving everyone access to good quality education and health services.
- teaching the lessons from CAVR about human rights and East Timorese history in schools.



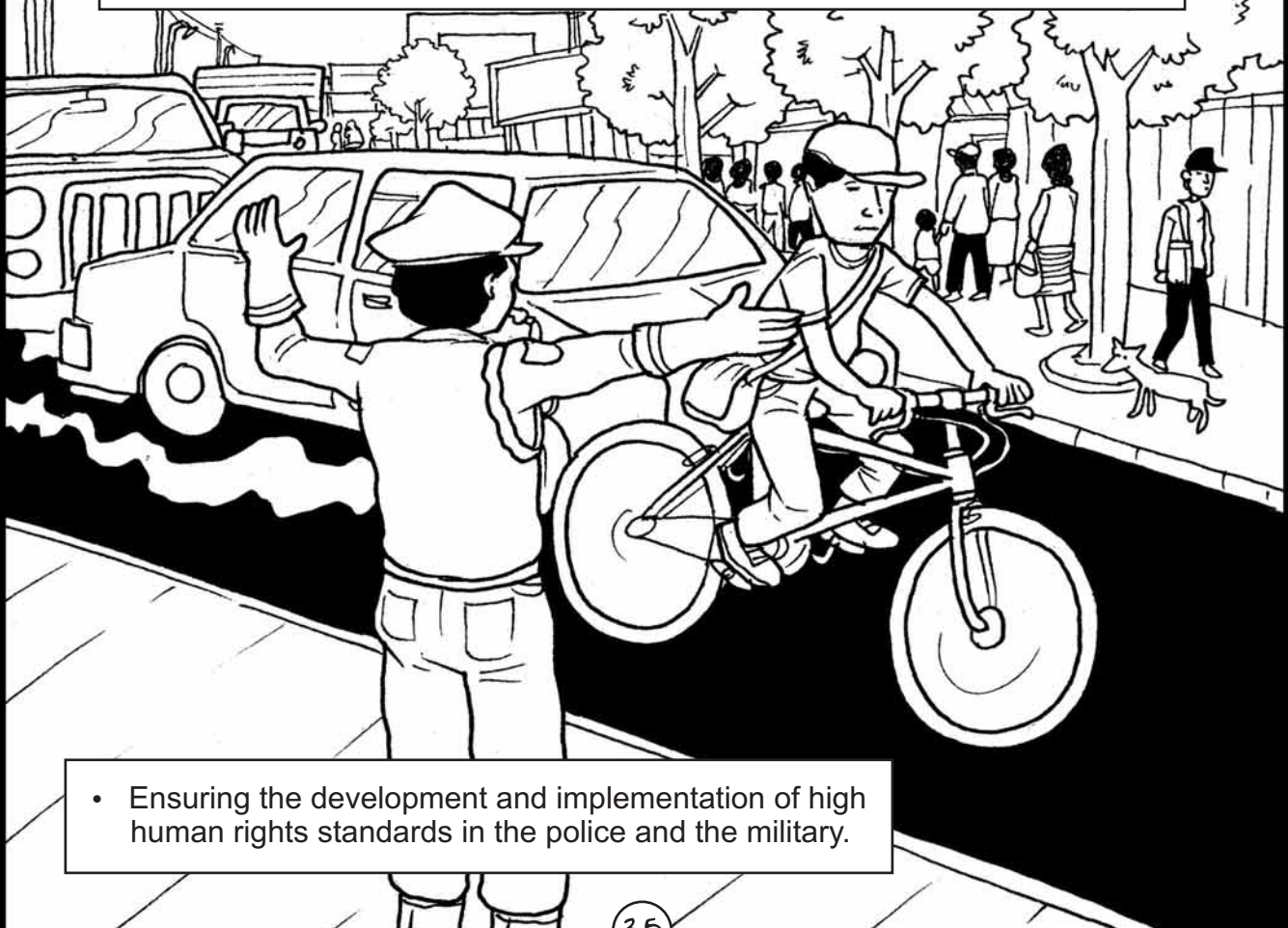


- Completely ending violence and intimidation in political life.
- Ensuring that all East Timorese citizens participate fully in the life of the nation.





- Developing a universal culture of human rights and strengthening civil society, including the church and faith communities, so they can monitor the government to ensure it respects human rights.



- Ensuring the development and implementation of high human rights standards in the police and the military.



- Ensuring the independence and capacity of the nation's human rights commission or Provedor.
- Establishing a permanent national memorial centre for victims and human rights that will continue some of CAVR's work, including the preservation and use of its archives.



- Ensuring through national mechanisms, and if necessary, international mechanisms, that there is justice and accountability for the serious crimes that were committed over 25 years in Timor-Leste. Measures taken should respond to the needs of victims, show that human rights violations will not be tolerated, and ensure that the law in Timor-Leste is implemented effectively.
- Developing a judicial system that is independent and respects human rights.



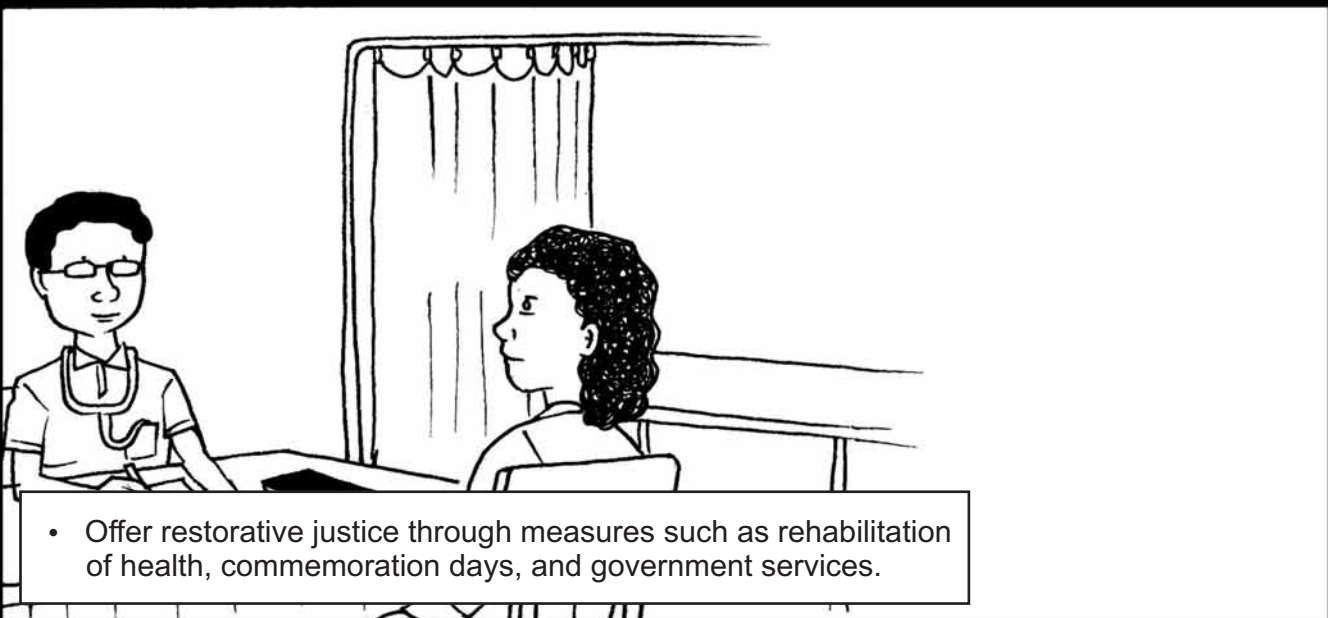
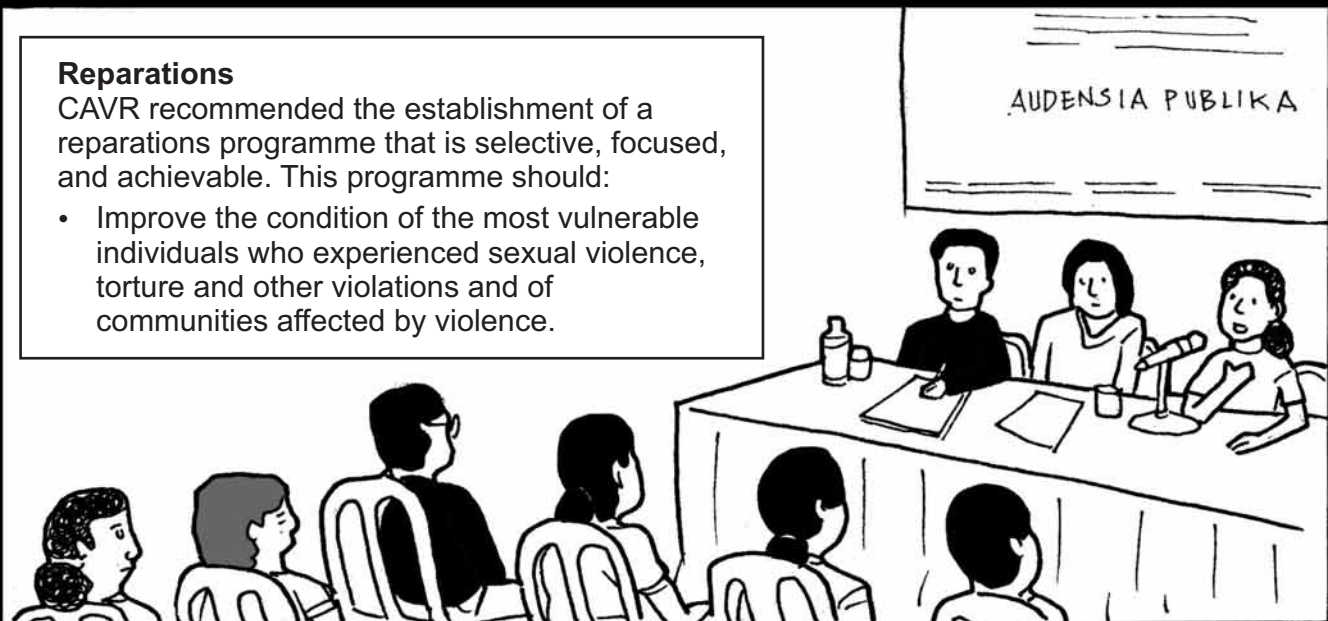
- Ensuring that rights to freedom of information, expression, association and participation are upheld.
- Combatting any signs of corruption and abuse of power in the civil service.



Reparations

CAVR recommended the establishment of a reparations programme that is selective, focused, and achievable. This programme should:

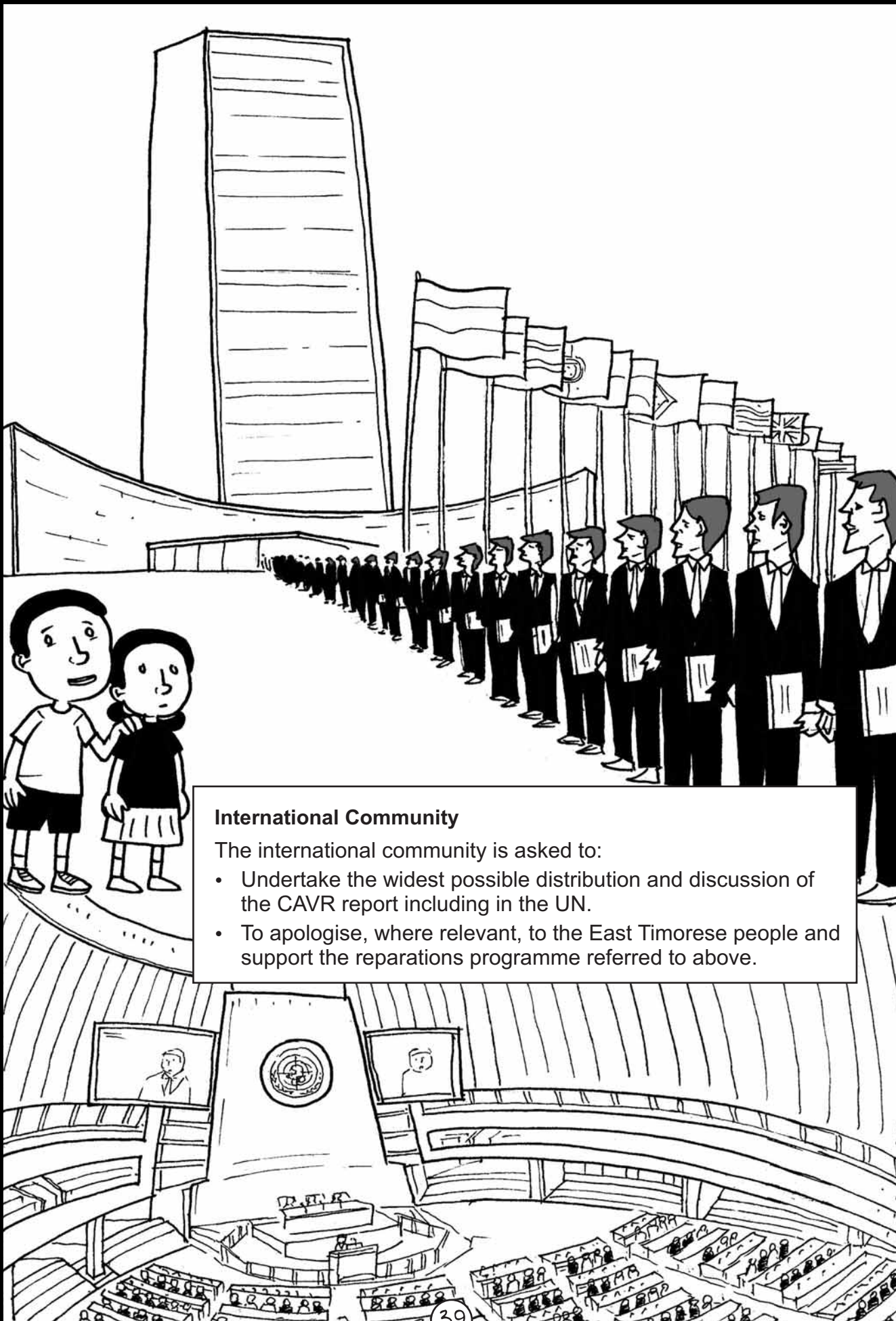
- Improve the condition of the most vulnerable individuals who experienced sexual violence, torture and other violations and of communities affected by violence.



- Offer restorative justice through measures such as rehabilitation of health, commemoration days, and government services.

- Seek financial reparations from Indonesia and the international community, particularly from those corporations and governments that provided assistance to the Indonesian military.
- Establish an institution to implement and coordinate a reparations programme.



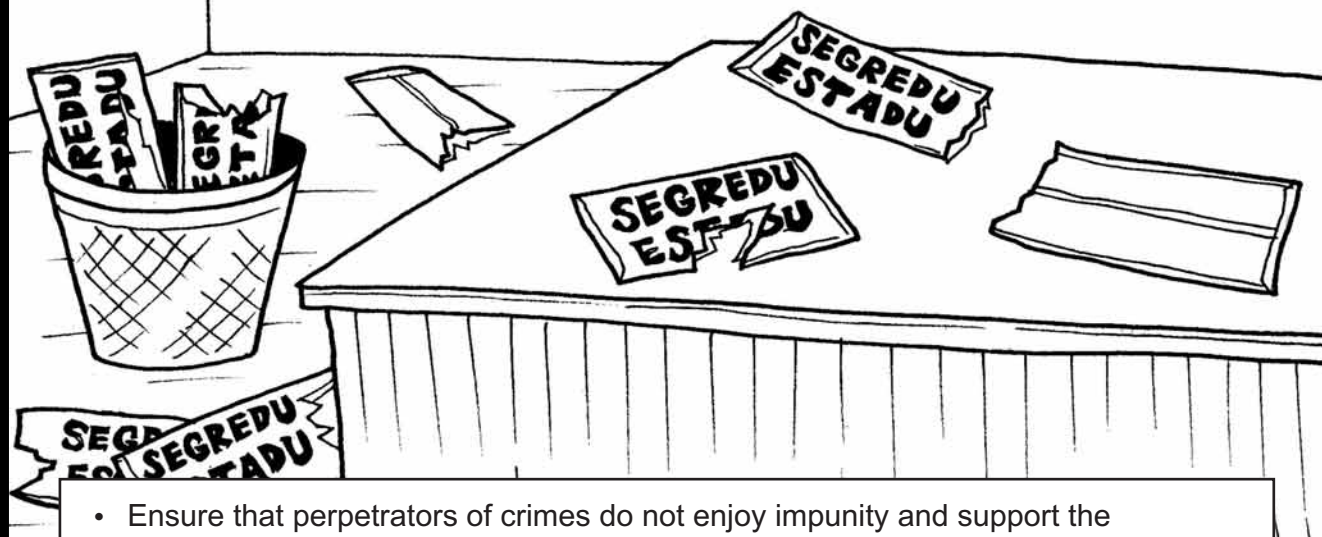


International Community

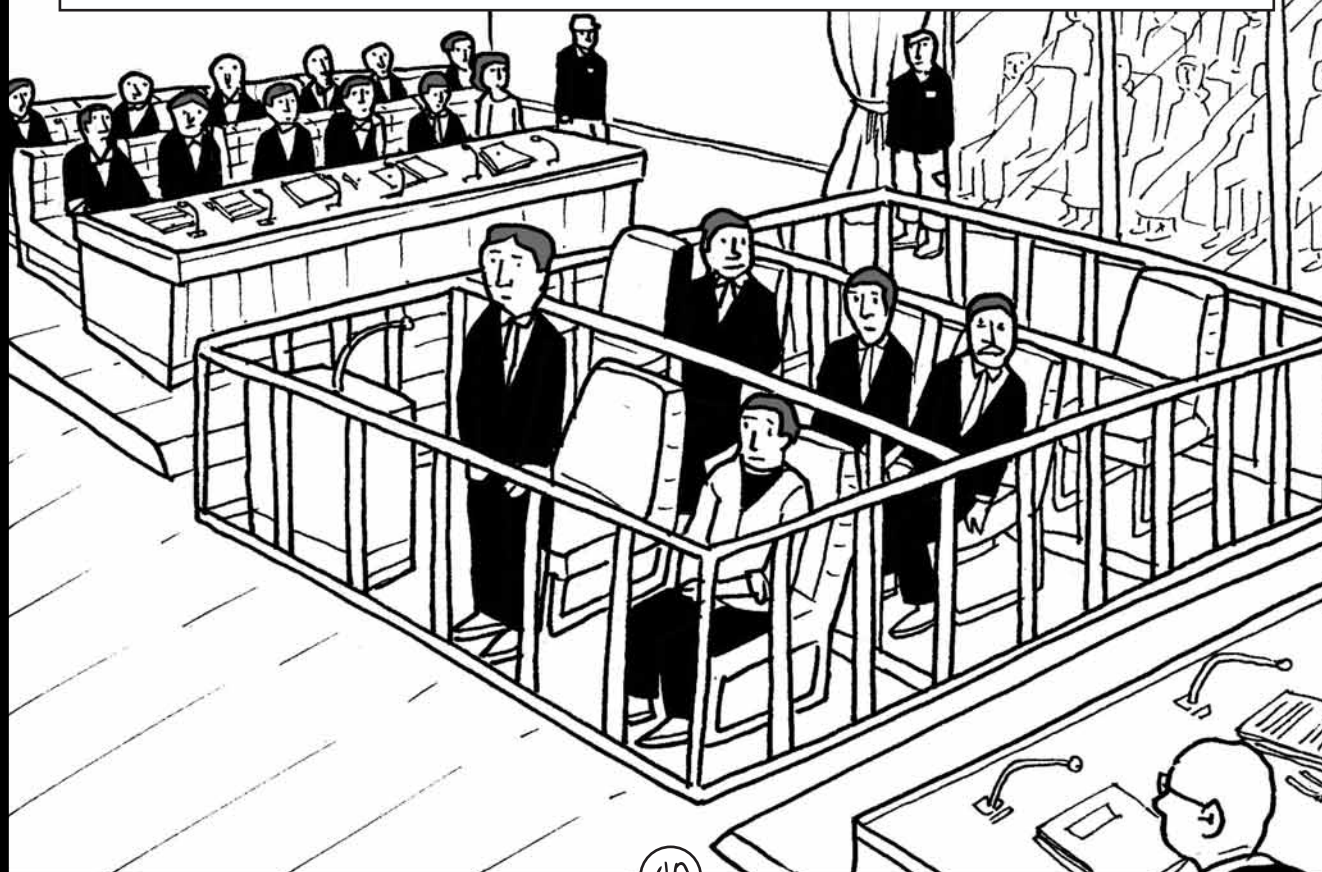
The international community is asked to:

- Undertake the widest possible distribution and discussion of the CAVR report including in the UN.
- To apologise, where relevant, to the East Timorese people and support the reparations programme referred to above.

- Release confidential information to support further truth-seeking and to return any cultural items taken from Timor-Leste.



- Ensure that perpetrators of crimes do not enjoy impunity and support the continuation of the Serious Crimes process and widen it to include crimes that occurred before 1999.
- Support, if necessary, the establishment of an International Tribunal on Timor-Leste.





Indonesia

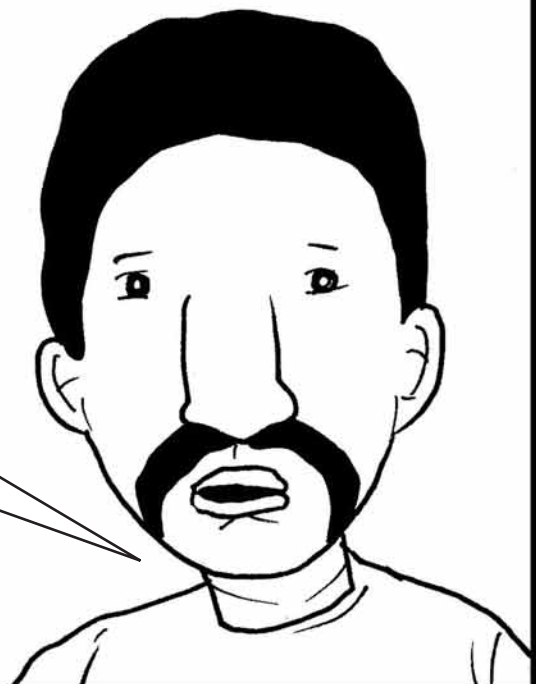
The Indonesian government should:

- Officially acknowledge the CAVR report, apologise to the people of Timor-Leste for the violations committed, and support a reparations programme for East Timorese victims.
- Ensure that information in Indonesia on human rights violations during the period 1974-1999 is based on historical fact.
- Put on trial those accused of human rights violations and cooperate with court processes in Timor-Leste, including providing complete information about military operations that resulted in human rights violations.
- Release information on the whereabouts of missing people and remove from official files the names of Timorese and other activists who were imprisoned or blacklisted for their activities.
- Facilitate relationships between West and East Timor, uphold the rights of children who were separated from their parents and inform East Timorese and Indonesian families about the deaths and whereabouts of relatives who served in the Indonesian military in Timor-Leste.

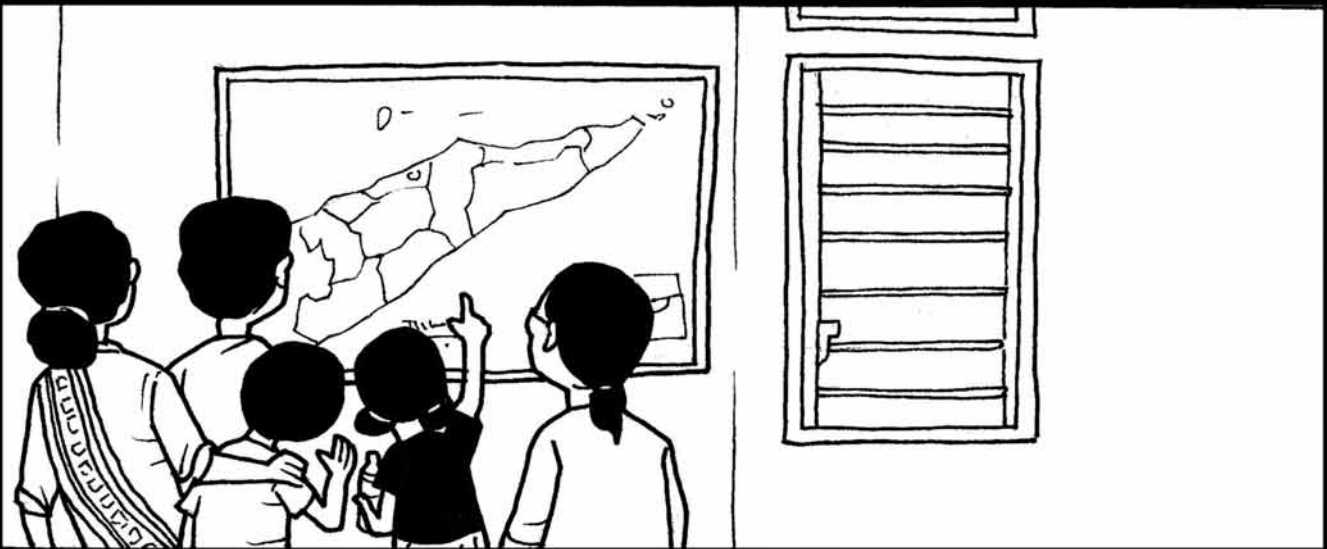
These CAVR recommendations will assist reconciliation with Indonesia, Portugal, and those members of the international community who failed to comply with the UN Charter during the Indonesian occupation. CAVR also recommended that the terrible acts committed in the past must be acknowledged and commemorated, and that the right of victims to justice must be respected.



If we allow personal ambition, greed, corruption, nepotism and poor governance to become the norms in our society, Timor-Leste will be weak and ordinary people will suffer. We must insist that our leaders and our people act on these recommendations and fight against corruption and selfishness in both the public and private sectors. That way we can build a strong and healthy new society.







People who are downtrodden and poor are the most vulnerable victims. The conflict split communities. People became divided by clan loyalties and political ideologies.



If you would like to know more about CAVR's work and its findings and recommendations you can read the Chega! report, or visit www.cvar-timorleste.org, www.chegareport.net. You can also visit the CAVR exhibition and former prison which is now the CAVR office in Dili.



