

EAST TIMOR

In October 2005, EAAF carried out a preliminary mission to East Timor to begin an investigation into the Santa Cruz massacre of 1991.

BACKGROUND

Nine days after East Timor declared its independence from Portugal on November 28, 1975, Indonesia invaded and annexed the country. Subsequently, Indonesia began fighting against pro-independence insurgencies as it sought to maintain control of the territory and its natural resources, including coffee, sandalwood, marble, and oil.¹ Within the first year, a reported 60,000 people had been killed in the conflict.² During the 24-year occupation, to suppress the independence movement and its armed wing, *Falintil* (The East Timorese National Liberation Army), the Indonesian military reportedly carried out massacres, torture, forced starvation, and forced relocation of the local population.³ According to the human rights organization, East Timor Action Network (ETAN), approximately one-third of the population (an estimated 200,000 East Timorese) was killed during the occupation.⁴ The Indonesian military retained near complete control of the province. Civilians were resettled from the highlands to camps on the coast, where they reportedly were subject to inhumane military supervision.⁵ A significant source of the casualties during this time was reportedly the “fence of legs,” in which some 80,000 persons were forced to march in a line across the island in front

of Indonesian troops. While the tactic failed to root out the *Falintil* guerrilla movement, it led to large civilian casualties from starvation and exhaustion.⁶

As Indonesia’s twenty-seventh province, East Timor was a “closed colony” of the military from 1975 until 1989. During that time, visitors, including foreign reporters and Indonesian civilians, were repeatedly denied access to East Timor.⁷ After 1989, even though Indonesia was undergoing periods of political opening, it continued to implement military tactics of violence and intimidation in East Timor despite increasing international criticism.⁸

Santa Cruz Massacre

According to ETAN, on November 12, 1991, in Dili, the capital of East Timor, nearly 3,000 unarmed civilians were marching to the Santa Cruz cemetery to com-

memorate the death of Sebastião Gomes Rangel, a pro-democracy activist who had been killed two weeks earlier by Indonesian troops.⁹ At the same time, members of the Portuguese Parliament cancelled an official visit to Dili in protest of Indonesia’s refusal to allow journalists, including Jill Jolliffe and Rui Araújo, to be part of the delegation.¹⁰ Tensions were heightened among the East Timorese since independence marches had already been planned around the inter-



Dili, East Timor, September 2001. Large metal cross at the Santa Cruz cemetery where, for decades, East Timorese have grieved for those killed or disappeared, but whose bodies have never been found and, thus, lack a proper grave. The image was taken on September 14, 2001, after hundreds of Timorese spontaneously brought flowers and lit candles for U.S. people who lost loved ones on September 11th. Photo by Charles Scheiner, La'o Hamutuk.



Dili, East Timor, November 1998. Outside of Santa Cruz cemetery a crowd shouts "Viva" after reenacting the Santa Cruz massacre to show their determination for independence. Photo courtesy of Mark Rhomberg/ETAN.

national visit. During the peaceful march, Indonesian troops allegedly opened fire on the crowd in what became known as the Santa Cruz massacre. The incident has been widely reported by international NGOs and the Indonesian government. Estimates of the death toll range from 50 to over 200.¹¹

According to witnesses, the dead and wounded were brought to the military hospital in Dili, where some of the injured people were reportedly executed by Indonesian troops.¹² Later, many of the bodies were allegedly buried in a mass grave near an Indonesian military base in Tibar, approximately thirty minutes by car from Dili. However, the remains have never been found. There are also reports of other graves, but the locations are unknown. According to ETAN, the government made no attempts to identify the dead or inform their families.¹³ While the Santa Cruz

massacre was not the largest massacre that happened during the Indonesian occupation of East Timor, it captured the most international attention, largely because a foreign filmmaker, Max Stahl, managed to document the violence.

Transition to Democracy

In 1998, President Suharto resigned due to the severe depression of Indonesia's economy and the resulting large-scale popular protests for political reform, thus creating an opening for the independence of East Timor.¹⁴ After several months of protests and under significant international pressure, especially from the United Nations and Portugal, Indonesia's new president, B.J. Habibie, approved the holding of a referendum on East Timor's independence.



Dili, East Timor, Santa Cruz cemetery. On May 20, 2002, after 24 years, East Timor restored its independence. Many people gathered at the cemetery on that day to pay their respects to the more than 100,000 Timorese who lost their lives in this struggle. Photo by Charles Scheiner, La'o Hamutuk.

The U.N. Mission to East Timor (UNAMET), which had been present in the country since June 1999 and began administering the area in October 1999, ran the referendum, but Indonesia insisted that its own forces control security during the vote.¹⁵ In October 1999, the East Timorese population voted overwhelmingly in favor of independence, rejecting alternative proposals to be an autonomous province of Indonesia.¹⁶ This historic vote for independence was achieved despite a widely reported repressive campaign by Indonesian security forces leading up to the elections.

According to the U.N., the vote and the announcement of its results set off waves of

intimidation and violence by Indonesian troops and pro-Jakarta militias in East Timor.¹⁷ This included the widespread destruction of homes, public works and buildings, and communication systems in the capital of Dili and elsewhere. According to Amnesty International, security forces and pro-Jakarta militias murdered and raped hundreds of people, displaced a vast portion of the population, and destroyed a significant part of the country's infrastructure.¹⁸ In response to the violence, the U.N. authorized the creation of a multinational peacekeeping force made up of 9,900 troops from seventeen countries. On May 20, 2002, East Timor became an independent nation.¹⁹ The new president, Xanana Gusmão, who had long been a leader in the

resistance movement, easily defeated his opponent in a U.N.-administered election with high turnout rates and few irregularities.

In May 2006, factional violence reportedly spread within the military.²⁰ In response, an Australian peacekeeping force was deployed and Prime Minister Mari Alkatiri was forced to resign from his post. The Nobel Peace Prize laureate, José Ramos-Horta, has taken his place until new U.N.-administered elections can be held in 2007.²¹

EAAF Participation

From October 3 to 8, 2005, at the request of the director of the Victorian Institute of Forensic Medicine of Australia (VIFMA), EAAF traveled to East Timor to evaluate the possibility of exhuming a suspected mass grave believed to contain the remains of between 50 and 100 people killed in the 1991 massacre at the Santa Cruz cemetery.

The mission was led by Dr. Stephen Cordner, a forensic pathologist and Director of VIFMA. Dr. Soren Blau, a forensic anthropologist from VIFMA, who visited Dili in 2003 to collect information on the massacre and developed the investigation plan, was also part of the mission. Dr. Cordner, former forensic coordinator of the International Committee of the Red Cross project, *The Missing*, participated in the organization of the Medical Examiner's Office in Dili for the U.N. Serious Crimes Unit (SCU). SCU was created under the Office of the General Prosecutor of East Timor to investigate war crimes committed in the country between January 1 and October 25,

1999. While no longer active, SCU investigated and indicted several hundred Indonesians.²² EAAF worked with the unit on and off for over three years.

The mission was organized by VIFMA. The Commission for Reception, Truth and Reconciliation in East Timor, an independent authority created in January 2002 to investigate human rights violations between April 1974 and October 1999, also helped to coordinate EAAF's activities.²³ Established in April 2001, the Commission is run by a steering committee comprised of representatives of the National Council of Timorese Resistance, six East Timorese NGOs, the U.N. High Commissioner for Refugees, and the United Nations Transitional Administration in East Timor Human Rights Unit, assisted by two international experts in

reconciliation. In addition to receiving the endorsement of the National Council and the cabinet, the steering committee conducted consultations in every district on the proposed Commission before its establishment.²⁴

National Commissioner Jacinto Alves served as the focal point for EAAF's visit, facilitating meetings with officials and relatives of victims of the Santa Cruz massacre. Activities in Dili included interviews with a variety of people related to the case and two visits to the alleged grave in the town of Tibar. The delegation held meetings with: Mr. Alves; the Chief of the ICRC delegation; the Attorney General of East Timor; fifty relatives of

victims of the Santa Cruz massacre; the Governor of East Timor at the time of the incidents; filmmaker Max Stahl; the Australian adviser to the Commission's final report; a member of the Indonesian Commission of Inquiry, created two

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weeks after the massacre; two witnesses who saw three trucks entering the area where the grave is located and later accompanied the delegation to identify the alleged burial site; and personnel from the Dili morgue. The team also held conference calls with two local NGOs and the President of the Timorese Parliament.

When the Commission initially organized the meeting with relatives of victims, they expected very few of them to come; however, fifty attended. The families were unanimous in their desire to find the remains of their loved ones and to build a national memorial commemorating the massacre. All of the families that the delegation met with strongly supported the investigation of the Santa Cruz massacre, including relatives of the victims and Commissioner Jacinto Alves, a leader in the governing party, an ex-guerrilla, and principal organizer of the march that preceded the massacre. Furthermore, the Commission, in its final report to Parliament presented in January 2006, recommended that the SCU and Special Panel continue to

investigate and try human rights cases related to the massacre, as well as all human rights violations that occurred from 1974 to 1999.²⁵

Pending government approval, the next steps of an EAAF-VIFMA investigation of the Santa Cruz massacre will include:

- Organizing a joint follow-up two-month mission to: 1) seek other relatives who did not participate in the initial meeting, gather pre-mortem information about the victims, and take samples for DNA testing; 2) excavate the alleged grave; and 3) begin laboratory analysis of the recovered remains.
- Training local forensic professionals. This measure is strongly supported by the government given that there are no official anthropologists or archaeologists—only a pathologist and social workers—currently working on preliminary investigations related to the case.

ENDNOTES

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