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7.2 Unlawful Killings and Enforced Disappearances

7.2.1 Introduction

1. The Commission estimates that about 18,600 unlawful killings and disappearances occurred during the period of its mandate. The vast majority of them were perpetrated by the Indonesian security forces. The proportion of the total number of killings and disappearances which were attributed to the Indonesian security forces increased steadily over the years of the occupation, although from the mid-1980s their absolute number declined in most years until 1999.

7.2.1.1 Definitions

2. The arbitrary deprivation of human life is prohibited under international human rights law. Even where an emergency threatens the life of a nation, obligations in respect of the right to life may not be limited in any way (“derogated from”). The right not to be arbitrarily deprived of life also applies during an armed conflict. During such a conflict the question of whether a deprivation of life is arbitrary is to be determined by applying the rules of international humanitarian law. The most important of these rules for the purposes of this chapter are the following.

- The intentional killing of civilians is always prohibited
- It is prohibited to intentionally kill combatants who are no longer taking part in combat because they are wounded or sick, have been captured, or have laid down their arms.

3. In this chapter the Commission has adopted certain terminology to refer to the violations discussed. The terms “extra-judicial executions” or “unlawful killings” are used, interchangeably, to refer to any intentional killings in violation of the right to life as set out above. For the sake of brevity, this chapter uses the term “killings” or “executions” to carry the same meaning.

4. The terms “mass execution” and “massacre” are also used throughout this chapter. The Commission has defined “mass execution” as meaning the killing of five or more people who have been specifically targeted as individuals, carried out in one place and as part of a single operation, where the victims are effectively defenceless. “Massacre” is defined by the Commission as meaning the indiscriminate killing of five or more people, carried out in one place and as part of a single operation, where the victims are effectively defenceless. The use of "indiscriminate" proposed in this definition is not meant to imply that the group that is the object of attack has been chosen totally randomly, only that the individuals within the group are not being targeted individually. Thus in a number of the massacres described in this chapter, such as the massacres that followed the Kraras incident in August 1983, the Santa Cruz Massacre of 12 November 1991 and the Suai Church Massacre in September 1999, the attackers were not acting indiscriminately in the sense that their actions were not targeted against a particular group of people or not triggered by some event, but only in the sense that they did not target particular individuals within the group under attack.

5. Although a “massacre” defined in this way is not a discrete violation of a particular rule of international law (rather, it is a group of violations) the Commission considers that it is important to refer to massacres because they demonstrate the scale and gravity of killings of this kind.

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1 Universal Declaration of Human Rights, Article 3; International Covenant on Civil and Political Rights, Article 6; and customary law: see Human Rights Committee General Comment 24, para 8.
2 International Covenant on Civil and Political Rights, Article 4(2); Human Rights Committee, General Comment 6, para.1.
6. The Commission has adopted the draft definition of enforced disappearances used by the United Nations Working Group on a Draft Legally Binding Normative Instrument for the Protection of all Persons from Enforced Disappearances. Accordingly the Commission defines a “enforced disappearance” as:

[T]he arrest, detention, abduction or any other form of deprivation of liberty committed by agents of the State or by persons or groups of persons acting with the authorisation, support or acquiescence of the State, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which places such a person outside the protection of the law.†

7. Carrying out enforced disappearances is prohibited by international law.‡ The UN Declaration on the Protection of All Persons from Enforced Disappearance provides that no one shall be subjected to enforced disappearance, and that no exceptional circumstances whatever, whether a war, threat of war, internal instability or other emergency, may be invoked as a justification for enforced disappearances.§ States are obliged to take specific measures to prevent the enforced disappearance of individuals and must investigate and prosecute disappearances when they do occur.★ As well as the right to life, disappearances violate the victim’s rights to liberty and security of the person, to be free from torture and ill-treatment, to be treated humanely when deprived of liberty, and to be recognised as a person before the law.†† Disappearances may also “cause mental anguish in the victim’s relatives sufficient to amount to a violation of the prohibition on torture and cruel, inhuman or degrading treatment or punishment”.★★

8. The peculiar abhorrence attached to disappearances arising from the uncertainty surrounding the fate of the victim and the consequent suffering caused to those close to the victim are also recognised in the UN draft declaration where it states that “acts constituting enforced disappearance shall be considered a continuing offence as long as the perpetrators continue to conceal the fate and the whereabouts of persons who have disappeared and these facts remain unclarified”.

9. In practice the distinction between executions and disappearances was often not clear-cut during the years of conflict in Timor-Leste. In the course of its research the Commission sometimes received multiple testimonies about the same case in which one person testified that the victim had disappeared, while another stated on the basis of having had more direct access to the event that the person had been executed. Whether the victim is said to have been executed or to have disappeared, the common thread running through these cases and a cause of

† The definition remains a topic of disagreement in the Working Group’s deliberations, however the source of that disagreement is whether the definition should be expanded so as to include non-state actors who do not have the authorisation, support or acquiescence of the state. Since disappearances in Timor-Leste were not carried out by such persons, this difficulty does not affect the Commission’s use of the Working Group definition.


§ Declaration on the Protection of All Persons from Enforced Disappearances, General Assembly Resolution 47/133, 18 December 1992, Article 2.


Human Rights Committee, General Comment 6, para.4; Declaration on the Protection of All Persons from Enforced Disappearances, General Assembly Resolution 47/133, 18 December 1992, Articles 3 and 4.


continuing deep anguish to relatives and friends is that the victim’s remains have never been recovered. Relatives of the disappeared who testified to the Commission, some of whom are quoted below, frequently highlighted the distress caused by the fact that there may well be individuals who could identify where bodies were disposed of and who could assist in their recovery.

7.2.1.2 Methodology

10. In order to gain an accurate picture of the killings and disappearances which took place in Timor-Leste during the years of the conflict, the Commission adopted a number of different approaches:
The Commission collected 7,669 narrative statements from all 13 districts of Timor-Leste and from refugees living in West Timor. Deponents in the Commission’s statement-taking process reported a total of 5,120 unique killings and 835 disappearances.

In the early phase of its work, the Commission conducted consultations in each sub-district to identify events in which major human rights violations had occurred. During this consultation, many people spoke about massacres and killings that took place in their community. Based on this information and other sources, Commission staff conducted close to 1,000 interviews of witnesses and survivors of killings and disappearances in all 13 districts.

Seventeen victims and two expert witnesses gave testimony at the CAVR Public Hearing on Massacres held in Dili on 19-23 December 2003. Survivors were able to describe the brutality they witnessed or experienced during the 25-year period of conflicts. Some provided recommendations to the Commission on how to ensure that these gross violations never occur again.

The Commission conducted community-level discussions in 216 villages, to document communities’ collective experiences of human rights violations. During these discussions, people spoke of killings and disappearances which took place in their community.

The Commission, together with statistical experts, conducted a special project to estimate the total number of deaths from all causes, including killings, during the conflict. This project consisted of two information-gathering exercises: a census of marked and unmarked gravestones found in 492 cemeteries across the country (the Graveyard Census Database – the GCD); and a survey of 1,322 randomly selected households, on deaths and displacements in their family during the duration of the conflict (the Retrospective Mortality Survey – the RMS). In the survey respondents were asked to specify cause of death, which could include killing. To arrive at its estimate of the death toll the Commission combined the data from the GCD with those collected through its statement-taking process.

The Commission also received submissions on this topic. For example, the United Nations Office of the High Commissioner on Human Rights provided an important study on Massacres held in Dili on 19-23 December 2003. Survivors were able to describe the brutality they witnessed or experienced during the 25-year period of conflicts. Some provided recommendations to the Commission on how to ensure that these gross violations never occur again.

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The Commission also received submissions on this topic. For example, the United Nations Office of the High Commissioner on Human Rights provided an important study on the violence which took place in 1999. The Commission also had access to data gathered by international and national human rights NGOs on killings and disappearances throughout the period of the conflict.

11. The analysis in this chapter is based both on quantitative analysis of data collected by the Commission through its statement-taking process, the Graveyard Census Database and the Retrospective Mortality Survey, as well as on interviews conducted by the Commission with witnesses and, occasionally, perpetrators, and secondary sources. While the Commission has used the quantitative data to illuminate important patterns in the violence over time and space, it recognises that a comprehensive understanding of the killings that occurred in Timor-Leste during the mandate period requires that they be placed in the context in which they occurred and that can be done only through interviews conducted with that purpose in mind.

7.2.1.3 Quantitative overview

12. On the basis of its quantitative analysis the Commission found that of the approximately 18,600 unlawful killings and enforced disappearances of East Timorese non-combatants

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HRDAG is a division of Benetech Inc in Palo Alto, California, USA. HRDAG staff include statisticians, computer programmers, and record linkage experts. HRDAG team members have worked in large-scale human rights documentation and analysis projects on five continents, in more than a dozen countries over the past 20 years. HRDAG has worked with official truth commissions in Haiti, South Africa, Guatemala, Peru, Ghana and Sierra Leone; with the International Criminal Tribunal for the Former Yugoslavia; and with non-governmental human rights groups in El Salvador, Cambodia, Guatemala, Colombia, Afghanistan, Sri Lanka and Iran. For more information see http://www.hrdag.org.
perpetrated between 1974 and 1999, the overwhelming majority, 70%, were committed by the Indonesian security forces, including East Timorese auxiliaries. Unlawful killings and enforced disappearances were perpetrated by the Resistance as well as by Indonesian security forces. The temporal profile of the killings and disappearances attributed to the Resistance is very different from that of those attributed to the Indonesian security forces. Killings and disappearances reported to have been committed by members of the Resistance are heavily concentrated in the early years of the conflict, primarily during and after the inter-party conflict known as “the civil war” and during the Fretilin intra-party purges of 1976 and 1977-78. While 49.0% (561/1,145) of all documented killings and disappearances in 1975 were attributed to Fretilin/Falintil, the percentage (although in 1976-84 not the absolute number of killings and disappearances) falls sharply in each succeeding period, decreasing to 16.6% (563/3,398) of documented killings and disappearances in 1976-84, to 3.7% (18/488) in 1985-1998 and to 0.6% (5/898) in 1999. There is a corresponding increase in the percentage of killings and disappearances attributed to the Indonesian security forces and their East Timorese auxiliaries.

7.2.1.4 Killings and disappearances perpetrated by the Resistance

13. The Commission in no way seeks to minimise violations committed by the Resistance. In the early stages of the conflict many senior figures in the political and military leadership of the Resistance behaved with extreme brutality not only towards their political opponents but also towards ordinary civilians. However, during the 1980s and 1990s, both the quantitative and the qualitative evidence confirm that the number of killings and disappearances attributed to the Resistance declined sharply. In addition, for a number of reasons the Commission has often found it difficult to be sure that the Resistance always bears institutional responsibility for the unlawful killings and disappearances attributed to it. Because East Timorese society became so heavily militarised during this period, the status of many of the civilians who were killed by Fretilin/Falintil was often ambiguous. Further complicating the attribution of responsibility is the fact that victims included people who were forcibly put at risk by the Indonesian security forces. Moreover, particularly during armed attacks, it is also not always clear from the available information that a particular victim was specifically targeted. Finally, in at least some cases, particularly but not only in 1999, the Commission received credible information, including from persons who had been censured for their actions, that the Falintil High Command did not institutionally condone violations committed by its personnel.

7.2.1.5 Killings and disappearances perpetrated by the Indonesian security forces

14. By contrast the Indonesian military consistently resorted to killings and disappearances during the whole period of its occupation of Timor-Leste. This consistency is one indication that killings and disappearances had an overall strategic purpose, namely that of eliminating opposition to the occupation by terrorising the general population. The general character of the killings and disappearances committed by the Indonesian security forces, the specific methods they employed and the impunity enjoyed by those who carried them out are others.

15. The nature and scale of the killings and disappearances perpetrated by the Indonesian security forces changed over time as Indonesia’s occupation of Timor-Leste and the resistance to it went through different phases. Killings and disappearances perpetrated by the Indonesian security forces reached peak levels in 1975-79, 1983-84 and 1999. However, while there were years between 1975 and 1999 when there were relatively few killings, the fact that first and final years of the occupation were also peak years for killings and disappearances is perhaps one indication that throughout the years of the occupation the Indonesian security forces were consistently prepared to resort to executions.

*Auxiliaries comprise “civil defence” groups (including Hansip, Ratih, Wanra and Kamra), members of the local administration acting in a “security” role, paramilitary groups (such as Tonsus and the various “Teams” that were forerunners of the militia groups formed in 1998-99), and the militia groups themselves.*
16. The killings committed by the Indonesian security forces had a particularly horrific character. The methods used ranged from death by severe deprivation in a prison cell to public executions committed using the most extreme brutality, in which villagers were sometimes forced to participate, to at supposedly secret sites, which in fact became widely notorious, to indiscriminate shooting of large numbers of persons in confined spaces.

17. The fact that executions were frequently public provides strong evidence that the practices were systematic and an accepted practice within the Indonesian military, either ordered or condoned by the senior officers. Direct perpetrators and their commanding officers enjoyed almost total impunity for their actions.

18. In the years immediately after the invasion Indonesian forces were engaged in operations to gain control of the territory first by occupying towns and villages of strategic importance and then by destroying the Resistance bases in the interior and forcing the civilian population under Fretilin control into Indonesian-controlled resettlement camps. The Commission received many reports that during this phase of the conflict Indonesian forces killed non-combatants. Sometimes those killed had been denounced as members of Fretilin, but many of the victims of these killings were randomly targeted members of the civilian population. Ordinary civilians were targeted in a variety of other circumstances: while looking for food or going about their daily activities, when encountered by Indonesian security forces on operations, in retaliation for Falintil attacks, and on suspicion of having contact with or having knowledge about Fretilin/Falintil.

19. While engaged in offensives against Fretilin/Falintil bases and attacks on their positions and in the aftermath of such operations Indonesian security forces killed civilians and others not engaged in combat, including surrendered and captured combatants. The majority of reports of this nature which it received related to the period 1977-79, when many of those who had fled to the mountains and came into the custody of the Indonesian forces through surrender or capture were summarily executed. The Commission received information indicating that violations of this kind continued to be committed during later operations, such as during the Operasi Kikis of June-September 1981.

20. During the early years of the occupation, but in particular in 1978-1979 and in 1983-84, ABRI commanders, troops and auxiliaries committed systematic and widespread unlawful killings and enforced disappearances of persons who had been active members of the Resistance and persons suspected of having clandestine contacts with members of Fretilin/Falintil still fighting.

21. Throughout the occupation, but in particular in the early 1980s, ABRI commanders, troops and auxiliaries committed unlawful killings and enforced disappearances of civilians to punish communities collectively that were suspected of supporting Falintil forces. The indiscriminate punishment of persons known to have previously been involved with the Resistance movement and the collective punishment of communities were particularly severe in the aftermath of Falintil attacks on Indonesian troops and military targets, such as those that occurred in Dili in June 1980, in and around Mauchiga (Hatu –Bulico, Ainaro) in August 1982 and in Kraras (Viqueque) in August 1983.

22. In the period 1985-1998 the number of killings and disappearances committed by ABRI and its auxiliaries declined relative to the earlier years of the occupation. During the whole period 1985-98, excluding the Santa Cruz Massacre, the Commission received reports of about 250 killings and disappearances, less than 20 a year. However, there were a number of continuities with the past. The Indonesian security forces continued to kill and cause the disappearance of civilians with real and suspected association to groups resisting the occupation, including members of Fretilin/Falintil, the clandestine networks and other pro-independence groups. As in earlier years, during this period Indonesian security forces also continued to perpetrate random killings of members of the civilian population who had been forcibly recruited for military operations or as they were going about their daily activities or; and to commit reprisal killings, as after Falintil attacks in Alas (Manufahi) in October 1998. Reflecting a shift in Resistance strategy,
they also targeted demonstrators, most famously at the Santa Cruz Cemetery but also before and during the visit of European Union ambassadors in June 1997.

23. In 1999 killings and disappearances returned to levels not seen since the late 1970s. In several respects they bore marked similarities of method and purpose to those committed in the earlier years of the occupation, targeting both political activists and the wider civilian population with the aim of intimidating the population, this time into voting for integration with Indonesia. In two respects they differed from the killings and disappearances committed in earlier phases of the conflict. The first was the reliance of the Indonesian security forces on its auxiliaries acting alone to carry out the campaign against the civilian population. The second was that after the result of the ballot became known killing became purely punitive and vindictive, divorced from any overriding purpose.

7.2.2 Unlawful killings and enforced disappearances during the internal conflict: 11 August – 24 September 1975

24. The Commission received reports of 1,070 non-combatant killings in 1975. Of these reports, only 73.6% (787/1070) recorded the month during which the event took place. The Commission received 348 statements relating fatal violations which took place in the months of August and September of 1975, or about 44.2% (348/787) of statements which report the month of the event. The relatively low number of cases reported to the Commission demonstrated the limitations of the statement-taking process. The Commission believes that between 1500-3000 people died during the internal conflict. ICRC observers reported at the time:

The loss of human lives is very hard to establish. The number dead is...3,000 for the whole island. The majority of the victims seem to be non-combatants who it seems have been killed during the street fighting or executed in reprisal from the Fretilin as well as from the UDT. The actual state of mind is one of vendetta (feud.)

25. Based on statements reported to the Commission, the following graph shows the pattern of unlawful killings, by perpetrator and victim groups which took place in 1975-1976.

graph b100perp_vict75.pdf

26. The internal conflict of August-September 1975 occurred in the context of rising tensions between political parties that had formed in late 1974. After the breakdown of the UDT-Fretilin coalition in May 1975, political chaos and violence took hold in communities throughout the country. Several external influences encouraged this violence, including an Indonesian covert destabilisation campaign mounted from West Timor, and the faltering decolonisation process run by Portugal. East Timorese political parties themselves encouraged antagonistic and violent partisan behaviour. Some individuals or groups also used this as an opportunity to resolve long-standing feuds quite unrelated to the political conflict.†


† See Part 3: History of the Conflict for a detailed account of the period preceding the internal armed conflict. This background section simply highlights several elements within the context of the internal conflict.
27. In his testimony before the Commission, Xanana Gusmão described the atmosphere of increasing violence and impunity in the months before the August armed movement:

We noticed a lack of will on the part of the party leaders to reduce the level of violence, to address what was going on. Sometimes we noticed that the parties were quite happy when their supporters would come and say, “We beat up this person” or “We killed that person”, it was regarded as a small victory…If a party had the most number of people in a sub-district, they didn’t let other parties campaign in that area. And so when other parties would go to those places people would attack, block their way, boycott, throw rocks at each other and beat each other.
Radio programmes: taking-sides and inciting violence

The Commission notes that a striking feature of the internal violence in 1975 was the use of radio programmes by political parties to incite violence and spread hatred. During the Commission’s National Public Hearing on the Internal Political Conflict, East Timorese leaders described how both UDT and Fretilin used radio programmes to make both personal attacks and attack the political parties throughout the brief decolonisation period, and the damage caused by these attacks.

Domingos de Oliveira, Secretary General of UDT at the time, remembered how opposing parties used the radio to slander each other shortly after the decolonisation process allowed the establishment of political associations:

A new situation arose which created problems. The first communications like this came from the radio, from the Timorese students who had come from Portugal. They spoke strongly against UDT. They said that UDT were ultra-conservatives, that they just wanted to maintain the situation and did not want independence…This was not true, so UDT responded. ASDT then responded and the topsy-turvy relations between the two parties began…I have to admit that this unhappy situation got worse and worse. On the radio, and the relations between old friends deteriorated so that we did not see each other as friends any more. What had been calm discussions became very nervous and edgy. I think this is something in our culture, we argue, we want to hit each other and then we hit our own foreheads and ask how can this happen to our land…we attacked each other using the radio programme.2

João Carrascalão, also a UDT leader at the time, re-affirmed the use of radio to incite divisions:

[In April 1975, the two parties had already split apart. They were attacking each other. They were already saying bad things about each other, abusing each other. The radio programmes were just slinging abuse, provoking each other – “this one is red rooster, that one is a fascist”, “this one is Indonesia’s lacky”. Constant abuse, always seeking to start fires with lightning like this. 3]

Mari Alkatiri, a senior political commissar of Fretilin at the time, highlighted the personal nature of many attacks over the radio:

So many things went the wrong way, because of this or because of that. We didn’t control things, we tried to control them but couldn’t control everything…like the radio, everyone talked just as they wanted…Radio Maubere was used just to name people. I had to go there myself to control them from using people’s names.4

Mário Carrascalão, a senior political leader of UDT at the time, described how attacking political opponents over the radio became an obstacle to dialogue to resolve differences:

I think something that was a big problem for us was that there was no communication. People did not sit and talk together. There were no discussions. There was no-one to promote discussions, only insulting each other over the radio.5

Francisco Xavier do Amaral, then President of Fretilin, recalled that once the UDT 11 August movement was underway radio became an important tool to incite violence across the territory:
Radio Dili sent UDT to attack Bucoli [Baucau, Baucau]. They said “Arrest Fretilin, go and arrest them in Cairui [Laleia, Manatuto], go and arrest the communists.” I thought, what communists?...it’s impossible that all of Fretilin were communists...[F]rom then on, I listened to the radio all the time...I heard that they attacked in Aileu, attacked in Ermera, attacked in Letefoho, those from Atsabe came and attacked the Central Committee in Aileu. People from Turiscai, Funar, Fatumakeré, Laklubar, Soibada, 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”\(^6\)

The Commission was received testimony about how Indonesian intelligence operators also used radio programmes to spread propaganda from West Timor. Domingos Oliveira told the Commission that information gathered across the territory by Indonesian agents was used as the basis of daily propaganda from radio programmes broadcast from Kupang, West Timor:

The radio programme from Kupang attacked Fretilin as communist. [It] attacked UDT as neo-colonialist because it wanted a continuation of links with Portugal...Whatever Fretilin was doing, that same day it would be broadcast over Radio Kupang. Whatever UDT was doing, the same day it would be broadcast over Radio Kupang.\(^7\)

Mari Alkatiri told the Commission of the message from radio programmes in Kupang after the 11 August armed movement by UDT:

[After the coup] Indonesia began to think that UDT had really won, and so Indonesian radio from Kupang accused UDT of being pro-Soviet communist and Fretilin of being pro-China communist. [They said] that everyone was communist...we can see that communists or no communists, Indonesia was going to enter Timor-Leste. Not because of that [accusation]...\(^8\)

28. By mid-1975 there was rising tension between the political parties, incitement by all sides through radio programmes and increased lawlessness. One key factor that influenced the expansion of the violence from an attempted political coup into a wider conflict was that both parties distributed arms to their civilian members. Mário Carrascalão described the arming of civilians throughout Dili:

When I got to Dili (on 14 August 1975) I could see that just one group was in command, the military. There were no political commanders in Dili. Who commanded the movement? I did not see any political direction. There was no political direction of this movement. It was a military movement. You could say that the masses followed it...with old men and young boys carrying guns all over Dili...

In the interior it was a different situation. In the interior the UDT party leaders really took control. They took control and commanded. I think there was a link with the military and operational commanders. I do not know who did the nomination...

In Palapasso [Moteal (Dome Aleixo, Dili) UDT headquarters] I found old men and young boys and young men...twelve-year-olds carrying guns. I saw the son of a friend of mine, 12 or 13 years old, carrying a G-3...
A small amount of guns were taken from sub-district administrations. Fretilin took some, UDT took some. But in relation to the larger amount that UDT had, I was not in Dili though I heard information that they were from the police in Dili.9

29. Repeating the same point, former Fretilin Central Committee member Mari Alkatiri described the chaos resulting from uncontrolled arms distribution:

In Dili, Fretilin and Apodeti were together against UDT. There was a lot of confusion and guns were distributed without criteria. But because guns had been distributed without criteria the [Fretilin] Central Committee sent me to go down from Aileu [to Dili] on the 20th or 21st of August. At this time, at the time for breakfast all of Fretilin and Apodeti would go to the Quartel to eat. I placed a paper on the door for people to go to breakfast. They came to breakfast, and formed a line and everyone [Apodeti] handed over their guns.10

30. Further deteriorating the situation, many of the East Timorese members of the Portuguese armed forces abandoned their neutrality. Although some joined UDT and supported its action on 11 August, the majority supported Fretilin when it mounted its counter-coup on 20 August. This was partly a result of the two political parties having long targeted members of the military, seeking their loyalty. Former Portuguese army Lieutenant Rogério Lobato later recalled:

I can say that UDT made a campaign to get the support especially from the military graduates, the sergeants. But Fretilin also made an open campaign, not hidden, amongst the forces to mobilise the soldiers.11

31. A substantial supply of weapons existed in Portuguese Timor, as Portugal kept NATO-issue arms in the territory. The Portuguese did not intervene in the civil war, which meant that the parties were able to commandeer the weapons once the soldiers joined the conflict.

32. The table below summarises the experiences of six villages during the internal conflict, as they recalled them in community discussions organised by the Commission:12

<table>
<thead>
<tr>
<th>Community</th>
<th>Summary</th>
</tr>
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<tbody>
<tr>
<td>Mulo, Hatu Builico, Ainaro</td>
<td>1975: Two Fretilin delegates from (the neighbouring sub-district of) Maubisse came and told the local Fretilin delegates to sell (party identity) cards to the us. Because we were afraid, we paid one escudo to buy a card. Then Fretilin told us to greet each other by saying &quot;Camarada&quot;, to show that we greatly respected each other. August 1975: Fretilin raised its flag in a delegate’s house below the clinic in Wisei, Dare, Mulo village, (Hatu-Builico, Ainaro). From that time, Dare became divided between those on the bottom road (Fretilin) and those on the upper road (UDT). A Fretilin member detained two catechists for a day, during which they did not receive food or drink, and then captured six other UDT supporters. They were taken to the Dare elementary school where they were punished. UDT supporters living in Maubisse made a plan to send forces to enter Mulo from Nunu Mogue to rescue the UDT detainees. Soon after Fretilin brought 200 men from Maubisse “to kill us all”. When the Fretilin group reached Tatiri, Mulo (Hatu-Builico, Ainaro) a community leader brought a buffalo to be slaughtered in Dare and appealed for an end to the hatred between Fretilin and UDT. After the Fretilin group had eaten, a Fretilin cadre visited the six detained UDT members. We, the womenfolk, wept because we thought the six had been killed, though they had not been.</td>
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</tbody>
</table>
Then a Fretilin leader went on to Nunu Mogue where he captured and killed a UDT supporter, though his body was never found. UDT and *malae* (outsider) forces then went into Dare and cut down the Fretilin flag.

<table>
<thead>
<tr>
<th>Location</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kasabau (then Maudemo), Tilomar, Covalima</td>
<td>1974: Life was generally calm and happy. However the <em>liurai</em>, Saneti, punished those who did not do labour in the fields. 1975: Fretilin distributed party cards. Local Fretilin cadre told the people it was better to join Fretilin. Only two people joined UDT, but many joined Apodeti. After the Fretilin counter-coup the Apodeti people were arrested and told to join Fretilin, and several were recruited to Falintil in Tilomar.</td>
</tr>
<tr>
<td>Uaitame, Quelecai, Baucau</td>
<td>1974: There were two political parties in this community, Fretilin and UDT. 1975: After the August UDT coup, local UDT leaders took around 50 UDT supporters to Dili. There was no significant response by local Fretilin members in Uaitame after the counter-coup by Fretilin in Dili. 11 September 1975: Fretilin leaders visited Quelecai telling supporters to set up civilian and military structures. Six UDT leaders were arrested by Fretilin and taken to the <em>Descascadeira</em> (a detention centre in the town of Baucau) where they were held for one month.</td>
</tr>
<tr>
<td>Orlalan/ Batara, Laclubar, Manatuto</td>
<td>1975: UDT used its dominant position to intimidate people into joining a force being recruited to attack the Fretilin base in Turiscai, the neighbouring sub-district. UDT supporters from Laclubar joined forces with others from Soibada and Barique and assembled a 300-strong force at Fatumakerek. From there, they left to attack Turiscai. Their attack failed because Fretilin forces were better armed. Fretilin from Turiscai (Manufahi) soon counter-attacked Laclubar. The Fretilin-Turiscai forces confiscated people’s belongings and the livestock, killing some and taking the rest to Turiscai. They also captured five UDT party leaders in Laclubar and took them bound to Turiscai where they were punished. Only Raja Monis [the <em>liurai</em>] returned; the rest were killed in Turiscai.</td>
</tr>
<tr>
<td>Bibileo, (Viqueque, Viqueque)</td>
<td>1974: A small majority favoured UDT over ASDT/Fretilin and Apodeti. Party cards were handed out in the village head’s office. People felt ambivalent about the parties. 1975: After the UDT coup, everyone rallied to UDT as the winners. Then, after the Fretilin counter-coup, the population divided into two forces: one to await the arrival of Fretilin forces in Sukaer Oan, Caraubalu (Viqueque, Viqueque); and one to wait in Natarbora. After Fretilin forces won the civil war, the people rallied to Fretilin.</td>
</tr>
<tr>
<td>Saburai, Maliana, Bobonaro</td>
<td>1974: The majority of the population joined Fretilin, but the village head was a UDT member. Before the formation of parties there was already growing sentiment against the village head. 11 August 1975: After the UDT coup all Fretilin supporters were arrested and detained in the district administrator’s office before being transferred to Corluli (a building in Maliana that was used by UDT as a prison after the coup). UDT ordered everyone to go to Maliana Town. 30 August 1975: Troops from (the Portuguese army’s) Cavalry Squadron No 5, based in Bobonaro, came down to Maliana. UDT and Apodeti supporters were forced to evacuate to West Timor for one month. About 500 people from the aldeia of Masage moved to Tahon, West Timor. Several were tortured, killed and hung. Around 50 women were raped. Many children died from disease. 16 October 1975: Indonesian troops crossed the border at Memo (Akidiru Laran). 17 October 1975: The Indonesians took control of Maliana.</td>
</tr>
</tbody>
</table>

7.2.2.1 Unlawful killings before the UDT armed action of 11 August

33. The Commission received testimony about several killings during the two weeks immediately preceding the UDT movement of 11 August. Several of these killings were perpetrated by Fretilin in Ermera and around Maubisse (Ainaro). These appear to have been isolated killings, and reflect the tensions developing in these two areas where support for both parties was strong.

34. The Commission heard corroborated evidence of the killing by Fretilin forces of between ten and 25 people in Maulau village (Maubisse, Ainaro) on 7 August 1975. According to the collective
testimony to the Commission, the people of Maulau had become divided in their political allegiances. They recalled a series of events which led to the outbreak of violence. In September 1974 a group of Fretilin supporters moved to the neighbouring sub-district of Turiscai (Manufahi). In January 1975, a conflict broke out between a UDT supporter and a Fretilin delegate during a traditional harvest ceremony in Maulau. In August 1975 tensions increased when a Fretilin leader visited the nearby sub-districts of Turiscai (Manufahi) and Liquidoe (Aileu) and made speeches inciting communal violence. The leader urged Fretilin supporters to “clear the thorns in Lumoluli”, an aldeia of the village of Maulau. According to the people of Maulau, this eventually led to an attack by Fretilin forces from Liquidoe, Turiscai and Manumera, (Turiscai, Manufahi) on 7 August. The attackers targeted three aldeias - Maleria, Lumoluli and Ussuli. According to this collective testimony many were killed, hundreds of houses were burned, and livestock were slaughtered or stolen. UDT supporters fled to Maubisse, leaving behind the elderly and children in Maulau.14

35. The Commission also received testimony about an unlawful killing by UDT forces. On 10 August a Fretilin delegado named Armando Barros was killed by UDT forces in Lisapat, Aifu (Hatulia, Ermera).15 On the same day another Fretilin delegado was captured and detained by UDT forces in Gleno (Ermera). The UDT forces attempted to kill him, but he was able to escape.16

7.2.2.2 Killings on 11 August, the day of the UDT armed movement

36. On the night of 10 August UDT launched its armed movement in Dili. On 11 August there was a spate of unlawful killings across the central and western districts. Most of these cases were perpetrated by UDT members in Liquiça and Ermera.
### Days of chaos and armed clashes in Dili

The residents of Dili witnessed firsthand the events surrounding the armed conflict between the political parties in August 1975. The Commission heard community members from villages and neighbourhoods in Dili recall their memories from this time.

#### Colmera (Vera Cruz, Dili)

The people of Colmera recalled that on 11 August 1975 three UDT companies from Baucau, Lospalos and Laclubar came to Dili. The western part of Dili was controlled by UDT. The Fretilin leadership withdrew to the area of Mota Ulun in Bemori on 11 August. The following day, 12 August 1975, Fretilin leaders in Dili “sought the help of the people and Fretilin Regional Committee in Aileu”. On 13 August a vehicle came to meet the leadership in Balibar to take them to Aileu. On that day UDT supporters burnt down Francisco Xavier do Amaral's house in Audian, took down the Fretilin flag, and arrested (key Fretilin leaders). On 17 August 1975, Fretilin attacked the Companhia de Instrução (the Portuguese army training centre in Aileu) and took weapons and other material. By 21 August 1975, the Fretilin leadership had established a commission, working with the women’s and youth organisations, OPMT and OPJT, to “exercise control and help people who needed food.” According to the people of Colmera:

*There was no food, and everyone was hungry. All economic activities came to a halt. There was no schooling, no medical services. During that time we could only get medical assistance in Lahane.*

#### Asucai Lorosae (Nain Feto, Dili)

The residents of Asucai Lorosae recalled the days after UDT launched its armed movement:

On 11 August we woke to find that UDT had launched its coup. [Security forces] gathered at the house of a Fretilin leader by the Chinese Cemetery...On 16 August Lemos Pires and the Portuguese chief of staff, Marcelino Barreto, tried to meet [Fretilin leaders] to resolve the conflict...[Fretilin leaders] had already told the troops in Aileu to revolt and disarm the [Portuguese army], and UDT were intent on taking power.

The troops in Dili at the Quartel Geral in Taibessi and PM near Palapaço [were organised] to launch a counter-coup at midnight on 18 August. On 20 August Rogério Lobato was given authority by Lemos Pires to take command of the East Timorese troops and hand over the weapons in the arsenal to him. Civilians received weapons from the Quartel Geral on 22-24 August to reinforce the troops.

UDT followers fled to West Timor and Fretilin started detaining UDT and Apodeti followers in the Quartel Geral in Taibessi and in the Comarca Balide, Dili. Members of the Fretilin Central Committee came and beat them arbitrarily. In September a Comissão de Policía de Segurança Pública Inquerito Política Militar (CIPM, Military Police Commission for Police and Security) was formed to “organise the situation”. Many in the Comarca died of illness and many were injured.

#### Bemori (Nain Feto, Dili)

The people of Bemori described the disruption to ordinary people’s lives:

*In 1975 the situation became heated. People began to throw stones at each other, to fight each other using spears and machetes. Some people dug cellars as a place to hide. Between October and December, everyone had left their homes and hid in neighbouring areas. Some fled to hide in caves for three months. The food situation was difficult. Many grew hungry, but nobody died of starvation.*
Unlawful killings by UDT in Liquiça

37. The Commission received corroborated evidence that on 11 August 1975, UDT forces, led by M1, conducted a series of attacks in the village of Darulete (Liquiça, Liquiça), an area near Fazenda Kaitugloa, owned by the Carrascalão family. According to witness testimonies, the attacks, which were aimed at apprehending a local Fretilin leader named Afonso dos Santos, resulted in the death of two civilians, known as Mau Manu and Lakucai.

38. An eyewitness to the killing, the son of the victim Mau Manu, told the Commission that eight armed members of UDT, including M1, M2, M3, M4, and M5, shot and killed Mau Manu, a local villager who was running away from his house towards the hills. Guilherme Martins told the Commission about his father’s death:

*It was around 8.00am on 11 of August, Senhor M1 and his members came over with four guns; FBP, two Mauser and a pistol...After arriving at our house, my father, Mau Manu, went out of the house and started to walk toward the hill. Senhor M1 and his members then started shooting from the direction of the road. A bullet went through my father’s neck and it came out of his forehead. Instantly, my father collapsed to the ground although he was not yet dead. Then, a member of Senhor M1’s group, M4 found my father and gashed his left shoulder three times, once in his left side of his neck, waist and three times behind his knee with a machete. Then my father died.*

39. Immediately after the killing of Mau Manu, the same group of armed men killed another villager, named Lakucai. Lakucai was an elderly man, who was blind in one eye. He worked as a cook and washer for a clerk in the local court. According to testimony provided by his wife, Adelina Freitas, Lakucai was killed after Mau Manu’s murder. He was beheaded, and his head was put on a stake in front of the house of Alfonso dos Santos in Darulete. The armed men took Alfonso’s car when they did not find him at home. Adelina Freitas told the Commission she had to collect her husband’s head from the front of Alfonso’s house. She wrapped the head in a Timorese woven cloth, a tais, reunited his head with his body which lay about 500 metres away, and buried her husband in a grave next to their house in Darulete.

40. In another incident, UDT detained Fretilin supporters, leading to at least one killing. On 11 August UDT forces entered an area called Pukemenan, in the village of Leotela (Liquiça, Liquiça). They detained seven Fretilin supporters. According to Marcal da Conceição, one of the seven men, Paul Madeira, was stabbed to death. The others were brought to the village of Dato.(Liquiça, Liquiça).

Killings by UDT in Manufahi, Ermera and Aileu

41. In some districts UDT’s 11 August movement directly led to violent clashes and killings. Some of these killings were clearly of armed party supporters. Others involved the killing of unarmed civilians.

42. The Commission heard testimony about a killing in Manufahi District. UDT leaders and supporters actively went looking for Fretilin members. They found Carlito da Silva, a Fretilin supporter, and killed him in a place called Fore-Udo in Letefoho (Same, Manufahi) on 11 August 1975.

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1 The distinction between civilian and an armed party supporter during this period in many cases is difficult to conclusively establish.
43. In Ermera, on the same day, a local UDT leader, M6, reportedly arrested and killed Maumanu, a Fretilin supporter at Talitu on the border of Railaco Kraik.\(^{25}\)

44. In Aileu on 11 August there were violent clashes that resulted in three people, Mali Bere, Mariano and Antonio, being killed. In the chaos, the killers were not identified. However, civilians in Henrian, Madabeno (Laulara, Aileu) later suspected that three members of UDT were responsible for the killing. They arrested a man named Martinho, who at that time was the local liurai, and two others, Domingos and Basco.\(^{26}\)

7.2.2.3 Unlawful killings following the UDT armed movement, 12-17 August

45. In the week between the UDT armed movement and the launching of the Fretilin counter-coup on 18 August, unlawful killings occurred regularly in several of the central and western districts. Most of these killings were perpetrated by UDT members. In some cases local Fretilin leaders were targeted.

**Killings by UDT supporters in Liquiça**

46. Starting with the killings described above on 11 August, over the next three days marauding bands of armed UDT forces killed at least eight civilians. Two out of the eight were beheaded, and the heads displayed, in separate incidents, in front of the houses of local Fretilin leaders. Only one of the eight victims was a Fretilin leader. From witness accounts the other victims seemed to be innocent bystanders.

47. On 13 August 1975 UDT supporters killed and beheaded a local Fretilin leader in the village of Leotela (Liquiça, Liquiça). According to the testimony of Brigida Martins, the daughter of the victim, four armed members of UDT came looking for João Martins, a local Fretilin leader, in his house in Banitur, Leotela (Liquiça, Liquiça). Discovering that he was not at home, the armed men torched his house. He was later captured by another UDT supporter in an area of the village called Pukemenaro. In front of his brother, wife and child, he was tied up and forced to walk. One of his captors, M10, took his spear and stabbed João Martins from behind. As a result João Martins collapsed from loss of blood in an area called Rai Robu. M10 beheaded João Martins, calling out “Long live UDT, I have cut the head of Fretilin”. He took the head to the Kaituglao plantation (Durulete, Liquiça, Liquiça). According to witness testimonies, an elderly woman member of UDT known as M11, played a role in inciting this killing by encouraging or ordering the killer to act.\(^{27}\)
Rising tensions in Maubisse, Ainaro

Many of the cases of unlawful killings were the result of disputes between neighbouring communities. In some cases the violence was politically motivated. However, in others local disputes were behind the violence as much as the UDT-Fretilin political divide.

The people of the villages of Manelobas, Manetu, and Edi, in separate discussions with the Commission, recalled a clash in Manelobas and Manetu during August between UDT forces from Ermera and Fretilin forces from Turiscai. The community in Manelobas told the Commission that after this initial clash Fretilin forces shot and killed two members of the UDT forces from Ermera in Ernaro, Manelobas (Maubesse, Ainaro). UDT forces then burned houses and killed livestock in Manelobas. Fretilin captured two UDT supporters and brought them to Turiscai where they were killed. Another UDT supporter was killed at the village centre in Ernaro. He was beheaded and his head was brought to Turiscai. Fretilin supporters fled to Turiscai.28

In Manetu, most people joined ASDT and then Fretilin. The liurai, however, established a UDT branch. The community of Manelobas remembered that UDT forces from Ermera came and burned houses, killed and stole livestock. In a shoot-out on the river border with Manelobas, two UDT soldiers were killed. Fretilin supporters fled to Turiscai. At the mouth of the river in the aldeia of Boro Ulu, Manetu (Maubesse, Ainaro) bordering Turiscai, Fretilin killed a villager who had worked for the liurai of Manetu.29

The people of Edi recalled the same event. However, they described a four-day attack conducted by UDT forces from Ermera, Atsabe and Maubisse, in which many houses were burned and livestock killed. They also recalled the killing of two Fretilin supporters, one of whom was beheaded. They told the Commission of the disappearance of the local liurai who fled to Aileu where he was detained by Fretilin. He was never seen again.30

In the village of Maulau, on 14 August, Fretilin supporters from Turiscai burned eight houses in Laka Malikau, Maulau (Maubesse, Ainaro). This attack took place a week after the previous attack by Fretilin forces on 7 August on this village (see above), and as a reaction to the UDT armed movement on 11 August. A group of 30 UDT forces were summoned from Ermera to support the attack of 14 August in Maulau. Eventually, a Fretilin leader, Januario Soares, and the company commander and his men arrived and told the people: “There are no longer parties, but everyone belongs to the Maubere people’s party (Fretilin), and there will be no more killing.” By that time 37 people, mostly UDT supporters, had been killed.31

48. In a separate incident on 13 August 1975, UDT supporters in the neighbouring village of Asumano (Liquiça, Liquiça) gathered at the house of M12, the local UDT leader. They raised the UDT flag.32 According to testimony received by the Commission, this group of men, which included M13, M14, M15, M16, M17, M18 and M19, walked to the house of the village head of Asumano, bringing with them an elderly man who was believed to hold sacred powers (lulik). They conducted a ritual ceremony underneath a flagpole and became increasingly agitated. At this time, a man named Mau Besi approached the crowd and the group suddenly assaulted him. He was chased down with a spear and machetes, and finally captured and beheaded. His head was put on a stake under the flagpole in front of the house of the village head. The ritual ceremony resumed. When it was over, the head of Mau Besi was brought to the house of M12.33

49. The Commission also heard that on the same day up to six others were killed in the aldeias of Siskualema (Liquiça, Liquiça) and Hatumatiliu, Asumano (Liquiça, Liquiça), and that arrests of Fretilin members and others followed the killings.34
Isolated killings by Fretilin and UDT supporters in Aileu and Manufahi

50. The Commission received testimony that on 13 August two members of UDT, Manuel de Jesus and Alberto Sousa, were arrested by a group of Fretilin supporters (M20, M21, M22, and others). The two victims were to be taken to Remexio in Aileu. After meeting with another group of Fretilin members, the two victims were executed at the river between Acumau (Remexio, Aileu) and Darlau.35

51. Francisca Bere-Sera told the Commission of the killing of her father, Maubere, in the aldeia of Betulalan, Alitutu (Hatu Bullico, Ainaro) on 14 August 1975. UDT forces killed him, then burned his house. Francisca Bere-Sera buried the remains of her father.36

Killings by UDT supporters in Ermera

52. On 11 August UDT members arrested a group of Fretilin supporters including Anacleto Pires, Martinho dos Santos, Antonio de Deus, Abel Pinto and José Bosco. They were tied to a flagpole by UDT, then detained for 40 days. On 14 August the local UDT leader, M6, took the local Fretilin secretary, named Vicente, to Aifu where he was killed. This provoked a violent clash between UDT and Fretilin members at Dukurai (Letefoho, Ermera), leading to the death of at least one civilian, named Mau Bere Mencoi.37

53. Another killing occurred in the sub-district of Hatulia (Ermera) on 15 August. UDT forces captured five men, Marcelino, Rasi Batu, Maumeta, Maubuti Maubere and a Fretilin delegate named Julião. They were tied together and brought to a location called Guntur, Leimea Kraik (Hatulia, Ermera). Julião was then taken to the river bed and shot dead.38

Mass killings by UDT and Fretilin in Turiscai and Laclubar

54. In a cycle of violence and counter-violence UDT and Fretilin supporters killed each other in the village of Fatumakerek (Laclubar, Manatuto) and the sub-district of Turiscai (Manufahi). In August 1975, UDT forces from Soibada, Laclubar and Barique assembled 300 men in Fatumakerek to attack the Fretilin base in Turiscai on 19 August. Fretilin was better armed, and defeated the attack. However, according to Francisco Barbosa, the UDT attack killed three Fretilin supporters—Antonio Barbosa, Tito Manuel and a man known as Jacinto.39

55. According to witness testimony, Fretilin forces attempted to intervene to stop the violence. In an interview with the Commission, Francisco Xavier do Amaral recounted that he sent 11 members of Fretilin from the Sub-district of Turiscai to meet UDT supporters in the neighbouring village of Foholau (Turiscai, Manufahi). According to him, the delegation was sent to Foholau to prevent further fighting between members of the two communities, who had close familial ties but opposing political affiliations.40 Mateus Soares, one of the survivors of the killing that followed, described to the Commission:

*When the political party conflict broke out in August 1975, I was in Turiscai. During that time UDT organised attacks in various areas including Laclubar, Soibada and Turiscai. I don’t know why the attacks were made or how many people died. After they had finished they went back to Foholau in Turiscai, where UDT made their headquarters.*
Francisco Xavier do Amaral initiated a mission involving 11 Fretilin fighters, led by Geraldo Barbosa. The goal of the mission was to go to Foholau to talk with UDT about the two parties working together. We walked to Foholau, but as soon as we arrived UDT militants attacked and captured us. They gave us no chance to explain why we had come. They just tied our hands and began to torture us.

Later we were taken to Laoda in Fatumakerek, Laclubar where the torture continued. We were not given any food or drink. In the area of Laoda there was a traditional house. Outside this house UDT supporters were sharpening their weapons on a whetstone. They proudly displayed their machetes, spears, swords and arrows. Then someone inside the house started a traditional ritual. He came out and started running, jumping and shouting according to the ritual. We were still tied up and we were very afraid. When the ritual ended they pulled us onto a mound near the house and then toward the edge of a gorge. They stabbed my friends with spears and pushed them toward the gorge. I was tied to a friend. The [UDT] supporters threw a machete in our direction. It missed and cut the rope that tied us together. I threw myself into the gorge even though my hands were still tied behind my back. They threw rocks and spears into the gorge. One of them hit...our leader, Geraldo Barbosa, who was still alive when he fell into the gorge. Only three of my friends survived this massacre, José Morena, Gaspar and one other.⁴¹

56. After this incident, Fretilin supporters from Turiscai retaliated, reportedly killing six people.⁴²

7.2.2.4 Unlawful killings between 18-20 August

57. On 18 August Fretilin mounted its response to the UDT movement of 11 August. Although UDT continued to commit unlawful killings, from this point onwards Fretilin became the major perpetrator.

**Mass killings by Fretilin in Aileu**

58. One district where a number of unlawful killings occurred during the days following Fretilin’s armed insurrection was Aileu, where Fretilin had set up its headquarters after the 11 August movement. Domingos da Silva Soares told the Commission that on 19 August a Fretilin leader named M23 and a group of Unetim (Fretilin youth wing) members arrested Afonso Mesquita. He was taken to the detention centre in Unmenlau (Laulara, Aileu). Afonso Mesquita’s father, Mau Loe, arrived to enquire about his son, and was himself arrested and detained. Afonso Mesquita managed to escape. As a result, his father was killed by a Unetim member. His body was thrown into the Berloi River Fatisi, (Turiscai, Manufahi).⁴³

59. Joanico Pereira told the Commission that a group of eight men were detained in Fatisi (Laulara, Aileu) by Fretilin on suspicion of being UDT spies. On 20 August the eight were taken out, and five of them killed at the Berloi-Fatisi River. The remaining three were killed near Fatisi. The eight killed were Mannusa, Antonio, Leandro, Mausoko, Maukuta, Laubelam, Maimeta and Manuel.⁴⁴
**Revenge killings by Fretilin in Liquiça**

60. *In a discussion* with the Commission, the people of Asumano (Liquiça, Liquiça) recalled that Fretilin members began to retaliate against the killings perpetrated by UDT the week before (See account in sub-section entitled "Killings following the UDT armed action, 12-17 August"). On 20 August Fretilin forces raised their flag in the aldeia of Hatumatilu Asumano (Liquiça, Liquiça). Fretilin captured and detained 40 UDT followers and then took them to Leorema (Bazartete, Liquiça). Most of them were later released on the orders of Graciano da Silva, a Fretilin leader who had been detained by UDT. However, eight detainees were killed in an area called Fatubesi, in the aldeia of Hatumatilu, Asumano.45

61. On 20 August 1975 Fretilin forces from Aileu abducted seven members of UDT who were at the Kaitugloa plantation in Liquiça, the scene of previous killings by UDT. They were brought to Darulete where they were executed in an area called Mampatia, Darulete (Liquiça, Liquiça). The seven victims included four men named Evaristo, Mau Loe, Maubuti and Maulaku.46 One of the witnesses to the killings, Carlos Vicente de Sousa, was wounded during the UDT attack in Darulete. He explained his view of the violent events to the Commission:

> We must speak objectively. That a war took place is part of our history. UDT started it, then Fretilin avenged the killings during the "counter coup." At the time, there was little respect for humanity or justice. Seven people were killed in Darulete.47

62. This incident was corroborated by the community in Darulete during a discussion with the Commission.48 The people of Darulete also recalled that in addition to those killed, 50 others were detained. But as in Asumano, the intervention of the local Fretilin leader, Afonso dos Santos, secured their release.

**A Killing by UDT forces in Ermera**

63. In his testimony to the Commission Abel de Oliveira Pinto told about the killing of a man named Mausoco Meugoco in Sandato (Letefoho, Ermera). He was shot by UDT forces led by M24. Mausoco was beheaded and his head brought to the town of Letefoho.49

7.2.2.5 Killings between 21 August and 30 August, the major period of the internal armed conflict

64. During the conflict with UDT, Fretilin had the support of most of the East Timorese members of the Portuguese military, and the armed conflict was fought primarily in Dili. Its military superiority meant that Fretilin quickly gained the upper hand. By early September UDT forces were in retreat and fighting between the two sides had virtually ended. However, the killing of civilians continued. These killings were perpetrated by both sides, but primarily by Fretilin. Both sides are known to have perpetrated mass killings during this period.

**Killings of detainees by UDT in Palapaço, Dili**

65. After UDT took control of Dili on 11 August, Fretilin supporters were detained at the UDT headquarters in Palapaço, Dili. The Commission has received evidence regarding the deaths of

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1 *Fazenda Kaitugloa* was a coffee plantation owned by the Carrascalão family. A number of killings occurred in the surrounding area during the period of the internal conflict. See accounts in sub-section Killings on 11 August, the day of the UDT armed action, and Killings following the UDT armed action, 12-17 August.
three men in the UDT-controlled detention centre in Palapaço. The three men were: José Siqueira, Domingos Conceição and José Espírito Santo.60

66. The Commission has received corroborated evidence regarding the killing of one of these detainees, José Siqueira, a member of the Fretilin Central Committee, on 24 August 1975. According to Márito Reis, who witnessed the killing, José Siqueira was agitated because while in detention he had been unable to take the medicine he needed for a specific medical condition he suffered. He began shouting. This drew the attention of the prison guards who were from Ermera. One of them opened fire, killing José Siqueira instantly. The body remained in the prison until the following morning.61

67. The following day, 25 August 1975, Marito Reis again witnessed the apparently accidental shooting death of two men, Domingos Conceição and José Espírito Santo. Marito Reis told the Commission that at about 5.00pm that afternoon he, the two men, and another elderly man left the area where they were held to go to the toilet, escorted by an armed UDT guard. Suddenly, a mortar shell from Falintil forces dropped somewhere near Palapaço. The armed guard was surprised by the noise and pulled his trigger. The bullet went through José Espírito Santo’s body and entered Domingos Conceição’s body. Both prisoners died.62

Portuguese nationals killed during the internal conflict

Although the majority of the Portuguese nationals withdrew to a “neutral zone” in Farol and played no part in the armed conflict, some became involved. The most prominent of these was Lieutenant Colonel Rui Maggiolo Gouveia, the head of PSP (Policia Seguranca Publica, Public Security Police). He was captured by UDT on 11 August, and three days later formally declared his support for UDT.63 After the Fretilin armed insurrection, Colonel Maggiolo Gouveia was arrested and detained by Fretilin, first in Dili, then at Aileu, until his execution by Fretilin in December.64 Although Colonel Maggiolo Gouveia was the highest ranking Portuguese national killed, there were other executions. One of these was Lino “Cowboy”, who was killed by Fretilin in Same in January 1976.65

Mass killings by Fretilin in Ermera

68. In their collective testimony to the Commission, the community of Laclo Village (Atsabe, Ermera) recalled a massacre perpetrated by Fretilin on 22 August. They told the Commission that Fretilin troops from Aileu and Maubisse entered the village of Paramin (Atsabe) and killed 11 people falsely accused of being members of Apodeti.66

69. Also in Ermera, a UDT member named Antonio Exposito was killed in Tokoluli (Railaco, Ermera) on 30 August. The local Fretilin leader, M25, arrested three UDT members. Later, Antonio arrived, and was beaten and then shot. His body was thrown into his house and burnt.67

The killing of a detainee by UDT in Ermera

70. The Commission heard testimony regarding the unlawful killing of a detainee in Ermera towards the end of August by UDT forces. The killing occurred on 26 August when a Fretilin member named Antonio Salsinha escaped his UDT captors in the village of Poetete (Ermera, Ermera). He was in a bad condition, having been beaten by UDT forces. He returned home to get medical attention. However when the UDT forces discovered his escape, they went to rearrest him and on 27 August shot him dead.68

1 See section on Fretilin Killings.
Massacre of detainees by UDT in Wedauberek (Mahaquidin, Alas, Manufahi)

71. The Commission heard evidence on the killing of 11 Fretilin supporters at a beach called Meti Oan, in Wedauberek on 27 August 1975. According to Ildio Maria de Jesus, the son of one of the victims, UDT forces detained 11 Fretilin supporters in Alas on 11 August. The detainees included members of the Fretilin youth organisation, Unetim. The UDT members who made the arrest included M26, M27, M28 and M29. The Fretilin detainees were held in Alas from 11 to 16 August. On 17 August they were moved to Same. On learning that Falintil forces from Aileu were approaching, the UDT supporters took the detainees south to the coast and killed them. Ildio Maria de Jesus, who saw the bodies immediately after the killings, described them to the Commission:

The UDT coup d'état occurred and UDT started arresting people. Among those taken prisoner was my father, José Maria. He was held in Alas from 11 to 16 August and then taken to Same until 24 August. When Falintil was advancing on Same from Aileu, UDT members fled to Natarbora, Manatuto, taking 11 Fretilin prisoners with them. Their original plan was to kill the prisoners in Natarbora but the people of the area refused to allow it.

On the morning of 27 August a truck was driven past our house with the 11 prisoners in the back. The prisoners were surrounded by armed guards, but apparently they were not tied up. My father raised his arm and made a fist as they drove past. We heard that they were being taken to Besusu [Alas, Manufahi]...UDT had warned us that if we didn’t want to be killed we should flee to the forests, so my mother, younger brothers and sisters and I fled to a nearby hilltop. While we were there we heard gunfire coming from Meti Oan beach, Wedauberek.

Four days later, on 31 August, Falintil troops from Same found the bodies on the beach in Meti Oan. The other prisoners who had been killed with my father were the Regional Secretary, Nurse Ponciano; the Vice Secretary, Sabino Soares Pereira who was a veterinarian’s assistant; the Second Vice Secretary, Bernardino Hornay; the Deputy Delgado, António Guterres; Domingos Lobato, the president of the student organisation Unetim; Chiquito Kadauak, Francisco, Domingos Ribeiro and Alexandre da Costa, all members of Unetim; and Tonito Ribeiro, another member of Unetim who was just 17 years old. Tonito and Domingos [Ribeiro] were the sons of Nurse Ponciano. That same day we went to the site of the massacre at Meti Oan beach and found ten bodies, including my father’s. My father had been shot in his stomach. His hands were covered by his own intestines which had come out of the hole in his stomach. Domingos Ribeiro’s hand had been severed from his body.  

Killing of Apodeti leader by Fretilin in Same (Manufahi)

72. Fretilin forces entered Same on 27 August. By then most of the UDT forces had fled east towards Baucau and Viqueque Districts. Monis da Maia, then Second Secretary for Apodeti in
Manufahi District, told the Commission about the detention and killing of Celestino da Silva, Regional Secretary of Apodeti:

On 27 August, the Fretilin army entered Same. UDT had fled east. We remained in Same and went to witness the army’s arrival. As soon as the Fretilin soldiers saw me they caught me and beat me until I fainted. I was taken to a school along with several others, including Celestino da Silva. M30, a Fretilin leader, came to the school. He ordered Celestino to clean up the mess in the toilet. When Celestino was carrying out this task, a Fretilin soldier shot him dead with a Mauser [rifle]. The rest of us were held in the school for two days.60

73. Monis da Maia also told the Commission about an incident where he thought the detainees were about to be executed, including himself. However, unexpectedly, the Fretilin commander, Mauhunu, changed his mind and the execution was halted:

At the flag raising ceremony, 11 of us were brought out of the prison to be killed. At the last minute Mauhunu changed his mind, saying, “If they are all killed, who will we govern after independence, trees and stones?” So we were taken back to prison. 61

Unlawful killings by Fretilin supporters in Aileu

74. On 22 August 1975, Luis Casimiro, a UDT supporter, was shot in the hip by M31, a Fretilin member. At the time, he was hiding underneath a bed in his in-laws’ house in Nunurema (Maubisse, Ainaro). According to his wife, Rosa Pina Meneses, he was dragged along the street towards the local hospital. His wounds were treated by a doctor. Against medical advice, Fretilin militia took Luis Casimiro to Aileu. Luis Casimiro’s family believe that he was later executed in Aisirimou (Aileu Vila, Aileu) on 26 August 1975, based on information given to them by a neighbour, a Fretilin supporter, who said he witnessed the killing. They also suspect that a family member with a personal vendetta was involved in the murder.62 However, according to Lucas da Costa, who was in charge of guarding Portuguese prisoners in Aileu, Luis Casimiro died in detention in Aisirimou from the gunshot wound he suffered in Maubessi.63 Francisco Xavier do Amaral, a distant relative to Luis Casimiro, described this case in his testimony to the Commission. According to his testimony:

I know he died because I was always with him since he was the in-law of my older sibling I asked my brother to go to Maubisse to save him, but he was not there, he had run away...Generally [people were killed because of the] political problem, [but] there were people who used this politics to take their own actions…and Luis’s case is one of these cases64

75. In another case described to the Commission, on 30 August Fretilin killed two men, Francisco de Araújo and Duarte de Araújo in Ainaro. These killings were carried out by Fretilin forces commanded by M33. The victims’ bodies were thrown into the river at Surale-Barele.65

7.2.2.6 Execution of detainees and other killings in September

76. The pattern of killings in September is closely linked to the withdrawal of UDT through the western districts of Timor-Leste towards West Timor. On 24 September, the UDT forces crossed
the border at Batugade into West Timor. The majority of reported killings during this period occurred in Ermera, including a mass execution on 1 September.

**Mass killings of detainees by UDT in Klaek Reman (Ermera, Ermera)**

77. As advancing Fretilin forces gained control of Dili and Aileu, UDT forces in Ermera resorted to increasingly desperate measures. Early in September UDT had been defeated in Dili. Although UDT was still strong in Ermera, Fretilin forces were pushing westwards. The Commission was told that on 1 September 1975 at least 30 detainees were executed by retreating UDT forces in Ermera, four in Klaek Reman (Ermera, Ermera) and 26 in Aifu (Ermera, Ermera). Manuel Duarte survived the killing in Klaek Reman. He told the Commission about this incident:

*On the morning of 12 August 1975, I was captured and taken with four others to Aifu. In Aifu 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. M6 moved us from the prison in Aifu to a prison in Ermera. We were kept there for five days. We were packed in on top of one other with 70 people in one cell. The toilet was just a drum in the middle of the cell.*

*On 1 September, a UDT commander ordered the armed forces take Lorenço dos Santos, Armando Barros, Miguel Salsina, Vicente, Armando and myself to Aifu to be killed. Before we arrived in Aifu we met members of the [UDT] armed forces and their commander coming from the direction of Aifu and we were ordered to go to Klaek Reman, Ermera.*

*In Klaek Reman they took our wristwatches and money, and we thought we were going to be killed. We met a second group of prisoners there who had also been heading for Aifu. We didn’t speak to each other. We just prayed. A group of 70 prisoners was taken to Aifu. There were two children in this group. They were my relatives. That group was shot with rifles. Some were killed and some survived.*

*Six of us were taken to Klaek Reman. Lorenço asked for time to pray before we were killed. Then they stabbed us with spears. We rolled down a cliff into a coffee plantation by the river. The soldiers followed us and hit my jaw until it broke. Then they lay us all in a row, covered our bodies with a tarpaulin, branches and pieces of wood, and left us there to die. My hands were tied with wire but I managed to push aside the branches and wood and get up. I drank some water which made me sick and then hid in a small cave made by a dried up waterfall…In the early evening I found some tall grass nearby and collapsed, totally exhausted.*

78. Manuel Duarte managed to crawl to the house of a friend. A local nurse gave him medical treatment. The following day, 2 September, Fretilin forces arrived and he was transported to Dili where he received medical treatment from the Red Cross. According to Manuel Duarte, two of the
six among the group executed at Klaek Reman survived, Lorenço dos Santos the Fretilin Regional Secretary for Ermera and himself. 67

Mass killings of detainees by UDT in Aifu (Ermera)

79. Florentino de Jesus Martins was in the group of detainees taken by UDT to Aifu to be executed. In his testimony to the Commission, he corroborated the chance meeting with the six detainees who were brought to Klaek Reman to be killed. He related the story of the execution of at least 26 detainees in Aifu, on that same day, 1 September 1975:

_M34 was the person who gave orders to kill the detainees. But Senhor M34 received the mandate to murder the detainees from M6 and Senhor M35. As we arrived at the residence of M35 in Aifu, they told us to take a break first. Then we were brought out in small groups, of around four people, to clean the grass in front of the house. We were just sitting…_

_[All of a sudden] my friend, Virgilio Exposto, and another one, were taken to the corner of the warehouse and were shot. The gun fired and we started to cry. We thought "this is it, we're all going to die". Then another four people were taken out to be killed, and the gun fired. Those people who were taken to be killed, their hands were all tied, and then they were shot with a Mauser (rifle)._

_After those people were killed, there were 30 of us left. Then M34 gave an order to stop the killing for a moment. We were still sitting on the terrace. I think it was because M34 received a card from Pedro Lemos [Falintil, Ermera] that said, "Senhor M34, you must release the 70 or so prisoners immediately. Tonight, Aifu has been surrounded, and our forces are coming from Hatulia and Loerema." I and the other remaining detainees were released the following morning. But some had escaped that evening. According to witness testimonies, 26 people were executed in Aifu. Added to the four people who were killed in Klaek Reman, this means that at least 30 detainees from the UDT prison in Ermera were killed on 1 September 1975._

Killing of a UDT detainee and disappearance of Apodeti leader by Fretilin forces in Railaco (Ermera)

80. The Commission received evidence indicating that as Fretilin established its ascendancy in Ermera during early September, it too resorted to killing. In September 1975 Fretilin forces entered the sub-district of Railaco (Ermera). Approximately 50 UDT supporters, including a man named Mateus Soares, sought protection at the house of Daniel Carvalho, the Regional Secretary of Apodeti in Ermera. Eufrazia de Jesus Soares, the wife of Daniel Carvalho, recalled how her husband told her to put a white cloth in front of the house to indicate their neutrality in the conflict. Daniel Carvalho wrote a letter to the Fretilin commander, pleading that Fretilin forces not use violence in Railaco. When Fretilin entered Railaco, Daniel Carvalho surrendered the 50 UDT supporters to Fretilin troops. However, without any warning, Mateus Soares was taken from the group and executed. Eufrazia de Jesus Soares told the Commission what her husband told her about the incident:
My husband said, "I didn't know it would turn out like this. I thought if they surrendered they would be safe. But then someone was killed. I feel guilty. I shouldn't have given them over, I should have let them go...now I feel terrible, because they shot someone."\(^{60}\)

81. According to Eufrázia de Jesus Soares, a few days later, Daniel Carvalho was captured by Fretilin troops and brought to Aileu. Later on, he was moved together with other detainees to Same in Manufahi. His family never saw him again.

**Killings of detainees by Fretilin in Aileu**

82. The Commission was told of a series of killings perpetrated during early September. On 28 August a Fretilin group arrested and detained nine UDT members in Aileu. On 3 September the Fretilin group arrested eight more UDT members. Two people were killed, one named Major Lorenço, and another, a member of Apodeti. A third victim, Simplicio, was killed at Soibada (Manatuto) and was beheaded. Another man, Abílio Amaral, was also killed by Fretilin at Daisoli, Fatubosa (Aileu Town, Aileu).\(^{71}\)

**Unlawful killings by Fretilin forces in Manatuto**

83. The Commission received testimony about the killing of ten UDT members in Manatuto in September 1975. On 4 September Fretilin forces attacked the village of Hatukonan, Laku Mesak (Laclo, Manatuto) and arrested 12 UDT members. Nine of them were taken to Makati and killed. On 7 September another victim, Pascoal Bernardo, was detained by Fretilin and then tied beneath a flagpole. He was shot and then beheaded.\(^{72}\)

**Mass killing of UDT detainees by Fretilin in Katrai-Kraik and Ermera (Ermera)**

84. The Commission has received corroborated evidence regarding the killing of seven UDT supporters on 15 September by Fretilin forces in the village of Katrai-Kraik (Letefoho, Ermera). These killings appear to have been cases of Fretilin taking revenge for the UDT executions on 1 September. According to an eyewitness to the killings, Adelino Maia, Fretilin forces led by a man M36, and two Fretilin militia named M37 and M38, detained seven UDT supporters in the village of Katrai-Kraik. The UDT members included Teti Mau, Mau Saka, Lequimau, Caetano, Maurema, Saka Bere and Mau Bere. They were brought to a location called Germano, in the village of Katrai - Leten, where they were executed.\(^{73}\)

85. The killing of a captured UDT commander was described to the Commission. Captain Miguel Martins was a UDT commander from Ermera who was captured by Fretilin in Cailaco (Ermera) while attempting to escape to Indonesian West Timor on 15 September. He was taken to Bobonaro and then back to Ermera. On 25 September he was brought before a “popular justice” hearing by Fretilin. The Fretilin leader, M39, asked the assembled people: “If you answer ‘Go to Aileu!’ he lives. If you answer ‘Stay in Ermera’ he dies.”\(^{74}\) Most of the people, among the crowd were families of victims of UDT violence, and they answered ‘Stay in Ermera’. Then M39 ordered two Fretilin members to tie Captain Miguel Martins up. Captain Miguel Martins asked permission to pray, thanked the public for the cross he was given, and asked his oldest child to look after her younger brothers and sisters. The two Fretilin members then took him to Dadesan in Ermera and shot him.\(^{75}\)
7.2.2.7 Other killings

86. The Commission received reports of unlawful killings during this period that do not seem to fit into the general patterns described above. One example was the killing of 12 Apodeti members by Fretilin supporters in Bobometo (Oesilo, Oecusse), some time in September.\textsuperscript{76} Another was the arrest of 11 Fretilin members on Ataúro by a village head, Antonio Maria Gomes, a UDT supporter. Four of these men were killed by UDT.\textsuperscript{77} These killings appear to be isolated incidents that occurred in districts that otherwise experienced little violence during that period. They demonstrate the impact of the internal conflict on Timor-Leste society, and the fact that it provoked killings in places across the territory.
Political responsibility for the internal armed conflict

At the Commission’s National Public Hearing on the Internal Political Conflict of 1974-76, both UDT and Fretilin party leaders addressed the sensitive issue of responsibility for the internal conflict and its large death toll. The following are some excerpts of what they had to say.

Domingos Oliveira, then Secretary General of UDT:

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

João Carrascalão, then a member of the Central Committee of UDT:

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

There was no order to arrest Fretilin members and take them to prison. We were surprised to see that the prison was suddenly full. There was no order from the [UDT] Central Committee. This action was spontaneous…and many people acted for their own personal reasons, [because of what had happened in] earlier years, and they grasped this opportunity and just took people arbitrarily…Every day I went to the UDT prisons and released 50 to 60 people.

So there was no control. Who is at fault? I am at fault. I accept this. You do not need to look for many people to blame. So many people killed, close to 1,200…We forgot our biggest responsibility…I did wrong, because I did not understand the Timorese people."

Francisco Xavier do Amaral, then President of Fretilin:

There was a lot of confusion. Everybody was heated, their blood ran hot, and because of this they beat each other, violence happened. When this one won he would take vengeance on that one. When that one won he would take his vengeance on this one. This is what happened in 1975. This is a problem in our country. For example, some people who worked in a place and were fired. They took vengeance on their superiors when they had this chance. They took out their hatred. They beat each other until they were killed…This is part of the Timorese character. When your blood is hot, these things happen. We say that yesterday you beat my father, my child, my younger brother, without any reason, and so the hatred begins. This is always here.

Mari Alkatiri, then a senior political commissar of Fretilin:

[During] the earlier aggression in August and September, so much happened and many people were killed. We killed each other…as I said in my earlier testimony…During the war between UDT and Fretilin many people died. Some people say up to a maximum of 3,000. I do not believe 3,000 people died in this war, but we will know more clearly in the future.
7.2.3 Unlawful killings and enforced disappearances during the Indonesian occupation (1975-1999)

7.2.3.1 Unlawful killings by Indonesian military before the invasion in December 1975

**Western districts (August–December 1975)**

87. Indonesian military incursions into the western districts of Timor-Leste began in late August 1975. They were conducted by three groups of special forces troops, named Team Susi, Team Tuti and Team Umi. These units worked in conjunction with a group of East Timorese known as Partisans, which was trained, armed and led by ABRI.\(^7^8\)

88. The covert operations undertaken by the Special Forces teams and the Partisans took place between August and December 1975. The three teams entered Timor-Leste through the border with West Timor. They operated separately and then regrouped in Atabae (Bobonaro) in December 1975. The Commission has documented at least 20 unlawful killings of civilians during these months, in the Bobonaro sub-districts of Atabae, Cailaco, Maliana, Balibo and Bobonaro.\(^7^9\)

89. Claudio Vieira, a Partisan who took part in the covert operations as a member of Team Umi, told the Commission about the killing of two civilians near Mount Taroman by a Partisan named M41 who accompanied Team Umi on their advance on Suai in September 1975. The two unidentified civilians, one man and one woman, were captured and killed by machete. Their bodies were abandoned on the side of the road.\(^8^0\)

90. In 1975 ABRI soldiers and a Partisan unit led by M42 killed at least two civilians in the sub-districts of Balibo and Atabae. In an area called Litete in Balibo, the armed group captured a civilian named Bau-Mau. According to a witness's testimony, Bau-Mau refused to surrender the bow and arrow he was carrying. He was then captured, his house was burned and his livestock stolen. He was killed and his body dumped in an area called Aipasrah.\(^8^1\)

91. From data gathered by the Commission, the largest number of deaths from pre-invasion covert military operations took place in the district of Ermera. According to Marciana Gracia, Indonesian forces infiltrated the sub-district of Atsabe in September 1975, coming through Cailaco (Bobonaro). In the aldeai of Coileki Baboe Leten, in the village of Baboe Leten (Atsabe, Ermera) they captured and killed four UDT prisoners being held by Fretilin, Mau Butar, Berleki, Beremau and Mausico. They were beaten and killed in Haulete, Malabe Village (Atsabe, Ermera), under orders from the commander of Battalion 403 and the Partisan commander, M43.\(^8^2\) The Commission received testimony from the same deponent about the killing of four other civilians, Casimiro Soares Gomes, Letisiga, Berhali and Loe Mau in four separate incidents in Atsabe. Two of the four were working in the fields when they were killed.\(^8^3\)

92. The Commission received corroborated evidence regarding a large number of civilian deaths on 8 September 1975, in Aifu (Atsabe, Ermera). According to Florentino de Jesus, Team Susi under the command of M44 entered Ermera, at dawn. In Hatulia (Ermera) fighting broke between them and Falintil forces. Two people were killed, one on each side. Team Susi, which was made up of ABRI and Partisan members, retreated to Haekesak (Atambua, West Timor, Indonesia), then returned to Ermera by way of Asulau and Matarobu-Borro (Ermera). Florentino de Jesus told the Commission that dozens of civilians were killed when Team Susi arrived in Aifu. Among the casualties were Helder Varela, the son of the former Sub-district administrator. Florentino de Jesus also told the Commission that a Falintil soldier, Celestino Soares, was killed during this.

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1. This witness also told the Commission of a combatant casualty. Talo Bere, who was a Falintil soldier, was shot dead by this group in Pona Ahi (Balibo, Bobonaro).
The killing of five journalists at Balibo

93. In the early morning of 16 October 1975, a covert Indonesian military force led by Team Susi under the command of Captain M44 (codenamed Major Andreas) launched an attack to take the town of Balibo (Balibo, Bobonaro). Tomás Gonçalves estimated that some 700 men in total were involved in the attack, including hundreds of East Timorese auxiliaries and a para-comando force backing up Team Susi itself. Indonesian forces first bombarded Balibo from both the north coast and from the direction of Maliana, and then launched a ground attack from three directions. During the attack, five journalists from two Australian television networks were killed. Greg Shackleton (29) and Tony Stewart (21) were both Australians, who with Gary Cunningham (27) from New Zealand worked for Melbourne's Channel Seven network. Brian Peters (26) and Malcolm Rennie (29), both British, worked for the Sydney-based Channel Nine network. The journalists had been in Balibo since 13 October covering the story of the Indonesian covert operations inside Timor-Leste and in anticipation of an Indonesian attack on the town.

94. The deaths of the journalists in Balibo have subsequently attracted a great deal of international attention. The Australian government commissioned two inquiries into the deaths, in 1995 and 1998 led by Tom Sherman. Two recent books investigating the deaths of the five journalists—Cover-Up (2001) by Jill Jolliffe and Death at Balibo, Lies in Canberra (2000) by Desmond Ball and Hamish McDonald—both contain important new information. Ken Conboy’s Kopassus (2003) provides information on the military operation to seize Balibo based on interviews with Indonesian military sources who took part in it. In mid-2000 the UNTAET civilian police (Civpol) established a Historical Crimes Unit within the National Investigation Unit (NIU) and began an investigation into the deaths in Balibo. As part of this investigation, on 22 March 2001 the Special Representative for the Secretary-General for UNTAET, Sérgio Vieira de Mello, wrote to the Attorney General of Indonesia requesting interviews with nine suspects believed to be in Indonesia. The Attorney General turned down this request on the grounds that the Indonesian Parliament had not ratified a memorandum of understanding on witness cooperation between UNTAET and his office, thereby effectively ending the Civpol investigation.

95. All inquiries into the deaths have been limited by the fact that the remains of the journalists, buried at the Tanah Kusir Cemetery in Jakarta, have not been subjected to scientific investigation and that key witnesses in Indonesia have declined to give testimony to the various official inquiries. The material presented here concentrates on witness testimony provided to the Commission on the circumstances of the journalists’ deaths.

Guido dos Santos

96. Guido dos Santos, then a 24-year Fretilin medical orderly, has long been a central witness to the events at Balibo. He gave his first eye-witness account soon after the event. In August 2000 he participated in a re-enactment in Balibo organised by Jill Jolliffe. Guido dos Santos was not interviewed by Tom Sherman as he was in Timor-Leste at the times of the Australian government initiated inquiries.

97. The Commission interviewed Guido dos Santos in July 2004 and recorded a video interview with him at the square in Balibo in September 2004. In this video interview he explained that the journalists beckoned to him while he was standing near the large banyan tree at the point where the Cova Road enters into the square. He was defending the square against the attacking troops coming over the Portuguese Section, but then realised that enemy soldiers were already at the Maliana road on the opposite side of the square. He then saw one journalist fall. He thought
that the journalist was shot, although he is now not sure whether he had dropped to a lying position in an attempt to avoid the gunfire. At almost the same time as he saw the journalist fall, Guido dos Santos also saw and heard the remaining journalists shouting “Australia, Australia” with their hands up. Rather than go in the direction of the journalists, he instead ran towards the backyard of another Chinese shop-house facing the square, along the edge of the football field of the school and behind the large banyan tree, and then climbed up the side slope of the fort. He continued to hear the journalists shouting for about two minutes until he reached a path where he felt secure. Guido dos Santos confirmed to Commission, as he had said in earlier interviews, that the man he saw fall down was “big and bald”, a description that fits Brian Peters. In his video-recorded interview with the Commission Guido dos Santos was confident in pointing to the first house on the Maliana road as the place where the journalists were actually killed.

Olandino Guterres

98. Olandino Guterres was a UDT supporter who fled to Indonesian Timor from Balibo, trained in Haekesak in West Timor, and then returned to Balibo with the attacking force. The Commission interviewed Olandino Guterres in June 2004 in Dili. He told the Commission that he was standing behind the house where the journalists had been staying:

> There was a voice, “Tembak. Maju.” (Shoot! Advance!). I heard the sound of AKs firing. They began to shoot. It was already light…Moving back a little, I saw them all enter the house. I also entered. I saw there three Australian journalists, inside the house. The bodies were on the chairs, one precisely at the window. When I was still standing looking like that, Yunus ordered, “Heiho, get out. You go there. Guard down there. Don’t stay here.”

99. Olandino Guterres told the Commission that he then went to the back of the house. He said that all the doors of the house were open and he could see what was going on inside. He heard an Indonesian soldier saying: “If you don’t come out, I will throw a grenade”:

> Maybe the Australian journalist heard the word “grenade” [granat in Indonesian], and he came out with his hands raised…I heard him say: “I am sorry, I am tourist” [in English]. It was M45 who got him out. When he’d got him out, he immediately struck him with his commando knife. The fifth one came out of the bathroom…[and] he [M45] stabbed him in the back.

100. Olandino added that Captain M44 had ordered M45 to take out his knife.†

Tomás Gonçalves

101. In 1975 Tomás Gonçalves was the commander of Apodeti troops at Balibo who were attached to the para-comando group led by Captain Ali Musa.‡ In April 1999 he fled to Macau

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† In an interview by CAVR with Elias Lopes, a UDT member who joined the attacking force on Balibo, he stated that he saw one foreigner had come down from the residence alone. However, he claims that he was ordered away by the Indonesian troops, and then subsequently heard firing. [CAVR Interview with Elias Lopes, Kampung Merdeka, Comoro, Dili, 27 July 2004].

‡ CAVR Interview with Olandino Guterres. “M45” has been identified as a local assembly member between 1992 and 1997 in Baucau [Jill Jolliffe, op. cit., pp. 281-301].

‡ He had told Jill Jolliffe that he was with Kirbiantoro, but in his interviews with the Commission he consistently said that he had been part of the group that had attacked from behind the Portuguese Section and that this group was led by Captain Ali Musa.
after he refused to lead a militia group. The Commission interviewed Tomás Gonçalves in October 2003, May 2004 and September 2004. He also gave testimony to the CAVR National Public Hearing on the Internal Political Conflict of 1974-76 in December 2003. According to Tomás Gonçalves, at about 6.00am he saw four men come out of the house, one in front and three behind. He could not hear what they were saying but thought they were surrendering. Then he saw soldiers firing. He saw M44, Ali Musa, and Kirbiantoro in the group of soldiers surrounding the house. He believes that they too were firing, but he could not recognise exactly who was firing. At that time there was no shooting coming from the Fretilin position. Continuing to fire, the soldiers went into the house, and then dragged the bodies of the journalists inside where they were burnt to ashes on a pile of wood fuelled by gasoline.

Possible sequence of events

102. While these witness accounts are not entirely consistent with each other and they differ in some respects from what the same witnesses have said on other occasions, the Commission believes that it is possible on the basis of these witness testimonies to draw together a coherent account of what happened on that morning. The Commission believes that the following is a credible account based on these testimonies.

103. Around 6.00am, one journalist, possibly Brian Peters, was shot in front of the first house at the Maliana road. The gunfire came from the attacking troops advancing along the Maliana road, who were just about to reach the square when Guido dos Santos saw the journalist fall.† One possible reason why the journalist was on the road was that he had just come down with a camera from the hill and tried to go back to the house when he accidentally came across the advancing troops.† The journalist at the house shouted “Australia, Australia” with their hands up and they continued to shout for about two minutes. Tomás Gonçalves said he saw four persons being fired at in the doorway of the house, one in front and three behind. It was impossible for him to see the first journalist fall down because it occurred when Guido dos Santos was still at the edge of the square and Tomás Gonçalves was not there at that time. What he saw was the Indonesian soldiers deliberately firing on the remaining journalists and then enter the house while firing continued. Some of the journalists might have fallen at the doorway. But at least one journalist escaped into the house and was killed at the rear of the house, possibly by M45.

104. The Commission also believes that members of ABRI dressed up the dead journalists bodies, some or all, in uniforms and then photographed them with machine guns. While there is little consistency in the witness accounts given to the Commission regarding the disposal of the journalists’ bodies, all sources agree that they were burnt in Balibo.93

Conclusions

105. The Commission believes that this account is consistent with the information available to it. It implies that the five journalists were not killed in crossfire or as an unfortunate side-effect of the Indonesian operation to take Balibo. In addition to the attempts of the journalists to identify themselves to the Indonesian soldiers, there is considerable evidence that the attacking force had prior knowledge of the presence of Australian journalists in Balibo, including an admission from General Moerdani that he had received reports to that effect.94 The Commission also believes that official and semi-official Indonesian accounts of the events in Balibo suggesting that members of the attack force found the bodies of the journalists after they had taken the town are not consistent with any of the evidence that it has received.95 The Commission does not claim on the basis of its own limited inquiry into these events that it is in a position to reach definitive

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1 The account of Lucas Jeronimo, although his statement was not recorded as evidence, supports this hypothesis.
2 Lucas Jeronimo’s account that he saw a journalist filming and then falling down is also consistent with this version of events. See the article reproduced in Tom Sherman, Report on the Deaths of Australian based journalists in East Timor in 1975, 1996, pp. 31-32.
conclusions on what happened in Balibo on 16 October 1975. However, it does believe that its own findings support the case for further investigation of the elusive truth of this matter.

7.2.3.2 Unlawful killings by Indonesian military during the invasion in Dili 7-8 December 1975

106. The Indonesian military launched a full-scale invasion of Dili at dawn on Sunday, 7 December 1975. Indonesian warships fired mortar and cannon rounds into Dili for about one hour, after which Indonesian troops parachuted into the heart of Dili and marines landed at Kampung Alor (Dom Aleixo, Dili), to the west of the city centre. Troops from the Special Warfare Command (Kopassandha) were divided into three teams, each of which was assigned to secure a particular strategic location.

107. At 4.30am several hundred Indonesian marines in amphibious tanks and personnel carriers landed on the beach at Kampung Alor. Just before dawn on 7 December the first sortie of nine Indonesian air force planes entered their drop formation over Atauro Island, flew west toward the Wetar Straight, and then approached Dili from the east. At 5.45am paratroopers began to jump. Indonesian paratroopers who landed to the west of the Governor's building along José Maria Marques Street also encountered strong resistance. There were several Fretilin militia posts in the area. One of these posts was on the ground floor of the Red Cross building, from where a Fretilin militia engaged in heavy fighting with the invading paratroopers.

**Unlawful killings of ethnic Chinese civilians in Colmera, 7 December 1975**

108. On the morning of 7 December Indonesian troops approached the Toko Lay building, located next to the Red Cross building on José Maria Marques Street. An Indonesian paratrooper whose parachute had gotten caught on the top of the building some time earlier was hanging dead in front of the building. The Indonesian troops ordered the occupants of Toko Lay to come out of the building. The Commission has received information that there were about 20 people staying in the building, all of whom were ethnic Chinese. An ethnic Chinese man named Tsam Yi Tin and his son (possibly named Tsam Meu Tang) came out of the building next door. The Commission received information that the Indonesian soldiers shot Tsam Yi Tin dead and that his son was wounded by a bullet but survived. The individuals who had been staying in Toko Lay were taken to the port.

109. The Commission received corroborating evidence regarding this incident. Erminio da Silva da Costa told the Commission that when he accompanied Brigadier General Benny Moerdani around the city later on that day or the following day, they encountered an ethnic Chinese woman near the Lay store whose husband had been shot. Erminio told the Commission that the woman asked for help burying her husband and Moerdani replied: “I am sorry if there was a mistake. I am responsible, and I am sorry.”

**Victims next door to Toko Lay, morning of 7 December 1975, reported to CAVR**

<table>
<thead>
<tr>
<th>Name</th>
<th>Profession</th>
<th>Personal Data</th>
<th>Violation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Tsam Yi Tin</td>
<td>Shop assistant</td>
<td>Age ~50, from Turiscai</td>
<td>Killed</td>
</tr>
<tr>
<td>2. Tsam Meu Yang</td>
<td></td>
<td>Son of No. 1</td>
<td>Injured</td>
</tr>
</tbody>
</table>

110. That morning Indonesian troops in Colmera ordered all residents to come out of their homes and places of business. According to witness testimony, the Indonesian soldiers, wearing green berets, wanted to search for weapons in their homes. While conducting this search, the troops found a group of ethnic Chinese people who were hiding in a gutter behind the house of Li Nheu Ki on Sebastião da Costa Street. A witness told the Commission that he heard that people had
been killed at a house nearby and wanted to bury them. When he looked out of the doorway of the house where he was staying he saw the corpses, but was afraid and went back inside.\textsuperscript{100}

<table>
<thead>
<tr>
<th>Name</th>
<th>Profession</th>
<th>Personal Data</th>
<th>Violation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Li Nheu Ki</td>
<td></td>
<td>Age ~60</td>
<td>Killed</td>
</tr>
<tr>
<td>2. Pu Kim Seong</td>
<td>San Tai Hoo employee</td>
<td>Age ~48</td>
<td>Killed</td>
</tr>
<tr>
<td>3. Lay Siu Siong</td>
<td></td>
<td></td>
<td>Killed</td>
</tr>
<tr>
<td>4. Yong Yung Nhang</td>
<td></td>
<td>Age ~60</td>
<td>Killed</td>
</tr>
<tr>
<td>5. wife of Yong Yung Nhang</td>
<td></td>
<td>Age ~60</td>
<td>Killed</td>
</tr>
<tr>
<td>6. A Fa [Lay Kim Fa?]</td>
<td>Cook/store clerk</td>
<td>Age ~22</td>
<td>Killed</td>
</tr>
<tr>
<td>7. Li Chap Pin</td>
<td>Carpenter</td>
<td>Age ~30</td>
<td>Killed</td>
</tr>
<tr>
<td>8. Jong Kui Jung</td>
<td>wife of Li Chap Pin</td>
<td>Age ~30</td>
<td>Killed</td>
</tr>
<tr>
<td>9. Li Chap Kang</td>
<td></td>
<td>Age ~40</td>
<td>Killed</td>
</tr>
</tbody>
</table>

111. The Commission has received information about at least five other ethnic Chinese people killed in the Colmera area on 7 December. Around midday a businessman named Lay Kim Chang, aged about 38, came out of his store and was immediately shot dead by Indonesian soldiers, who then took his expensive wrist watch. In the afternoon an Indonesian military informer identified a shop-owner named Lay Chung To, aged about 60, as being a Fretillin member and having a Fretillin flag. He was immediately shot dead. Three other individuals are also reported to have been executed.\textsuperscript{101}

<table>
<thead>
<tr>
<th>Name</th>
<th>Profession</th>
<th>Personal Data</th>
<th>Violation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Lay Kim Chang</td>
<td>Store owner</td>
<td>Age ~38</td>
<td>Killed</td>
</tr>
<tr>
<td>2. Lay Chung To</td>
<td>Store owner</td>
<td>Age ~60</td>
<td>Killed</td>
</tr>
<tr>
<td>3. Jong Kong Yi</td>
<td>Businessman</td>
<td>Age ~60</td>
<td>Killed</td>
</tr>
<tr>
<td>4. Wong Seu Fa</td>
<td>Employee of Fa Qui</td>
<td>Age ~50</td>
<td>Killed</td>
</tr>
<tr>
<td>5. Lay Si Leong</td>
<td></td>
<td></td>
<td>Killed</td>
</tr>
</tbody>
</table>

112. The ethnic Chinese people staying in Toko Lay were taken to the waterfront. In 1984 a man named Chong Kui Yan told Amnesty International that the occupants of Toko Lay were taken to the Sporting Club, where they were threatened at gun point, then led to the entrance to the harbour, where they were again threatened. The women and children were told to go to the Chinese school in Bairo Central and a group of 16 men were ordered to dig a large grave in the park, in which dead Indonesian soldiers were later buried.\textsuperscript{102}

**Killings at the Assistencia building, 7 December 1975**

113. At the time of the Indonesian invasion of Dili many families were living in the newly constructed Portuguese Department of Social Affairs (Assistencia) building, located on the southeast corner of Albuquerque Street and Caicoli Street. These families had taken refuge in the new Assistencia building because their homes in Vila Verde and other neighbourhoods had been burned down in August during the armed conflict between UDT and Fretillin.

114. On the morning of 7 December Fretillin sympathisers who had previously received military training gathered at the 15th Hunter Infantry Company (Companhia 15) building in Caicoli to look for weapons and munitions. The commander of Companhia 15 was not present. Alberto de Oliveira Camara told the Commission that the Fretillin militia members fired on the descending Indonesian paratroopers. The fighting continued until the Fretillin militia members ran out of bullets and fled.\textsuperscript{103}

115. Early in the afternoon Indonesian soldiers approached the Assistencia building. The soldiers discovered an Indonesian paratrooper who had become entangled in the electrical cables in the
morning and had been shot. According to Francisco da Cunha, a former Portuguese military police officer:

A Captain was shot dead by the Falintil of Caicoli Company- Casa Quinze. We were beginning to exchange fire with ABRI/TNI at the time. Our forces were no longer able to hold, however, so we retreated to join the Balide Company.¹⁰⁴

116. The soldiers lowered the dead soldier. At the time a Freti/lin flag was flying on the flag pole next to the garage, to the west of the old Assistencia building. After securing the area, the soldiers brought the dead soldier over to the flag pole, lowered the Freti/lin flag, then ordered all of the civilians to come out of the new Assistencia building.

117. The family of Bernardo Muniz was staying on the second floor at the back of the building, and so were among the last to leave the building. Bernardo’s daughter, Felismina dos Santos da Conceiçao, who was 12 years old at the time, told the Commission that from the second floor of the building she looked across the street and could see two dead Indonesian soldiers and a dead Freti/lin soldier near the flag pole next to the ambulance garage at the old Assistencia building.¹⁰⁵

118. The Indonesian soldiers ordered the civilians to gather in the field across the street from the new Assistencia building. Indonesian soldiers also ordered civilians in the Villa Verde neighbourhood to gather in the field. Francisco Soriano told the Commission that he and his family hid in the house of a Portuguese Military Police officer named Santos because the house was well built and could withstand bullets. However in the early afternoon the house was hit by a bullet and the inhabitants of the house went outside. Indonesian soldiers told them to gather in the field across the street from the Assistencia building.

119. The soldiers separated the men from the women and children. The women were told to pray and the Indonesian soldiers searched the group of up to 80 men.¹ The soldiers then told the group of men to go to the Companhia 15 building, next door to the old Assistencia building, where they were ordered to bring all goods out of the building. Felismina dos Santos da Conceiçao, who was in the field with the women and children, told the Commission that she saw her father and Sergeant Mesquito carrying goods from Companhia 15 outside. After this, the men were taken to the side of the building. Francisco Soriano told the Commission that he saw two dead Indonesian paratroopers there.¹⁰⁶ The men were told to line up in rows. Francisco Soriano told the Commission:

[After] leaving the Company, ABRI ordered us to form lines…ABRI pointed their guns at us and ordered us to move, and we lined up. Three rows, or three lines. We were ordered into lines, but we didn’t understand Indonesian. Once we were in lines, they [ABRI] began discussing something. All I could make out was the writing on their shirts – 501. Green hats…we were in three lines, and they were long lines.¹⁰⁷

120. The Indonesian soldiers had a discussion for ten to 15 minutes. Three of the soldiers then aimed their weapons at the group of East Timorese men. When he saw this, Francisco turned around to run. The soldiers then opened fire on the men. As he ran, Francisco could see that two

¹ CAVR Interview with Francisco Soriano, Dili, 4 July 2004. See also CAVR Interview with Alberto de Oliveira Camra, Dili17 August 2004, who told the Commission that he heard from Josefinha Pereira Noronha that Josefinha’s husband, Lourenço Pereira, had been shot by Indonesian soldiers in Vila Verde on the morning of 7 December 1975.

² CAVR telah menerima berbagai informasi tentang jumlah laki-laki yang terlibat. Francisco Soriano, yang diwawancarai pada tanggal 4 Juli 2004, menuturkan kepada Komisi bahwa ketika itu ada 60-80 laki-laki di sana.
of his friends had been hit by bullets. Domingos Pinto Faria was hit in the head and fell. Manuel was shot in the thigh. After running for about 100 metres, Francisco was hit by a bullet in the back.

121. Domingos Soares told the Commission that he was among the group of men when the shooting took place. He stated:

I was in the first line. After I fell, [I realised] that a bullet had hit me right in the arm. A Chinese friend was in line with me, he was also shot, and fell down dead across my body, and I saw that there were many dead. But I only know a few names: Jacinto Candido and Tomás Conceição – both of them my teachers – and Domingos Urbano.108

122. Felismina dos Santos da Conceição told the Commission that shortly after the group of men had been taken to the Companhia 15 building, she could hear gunfire that lasted for 15 to 20 minutes, as well as the sound of several grenades exploding. After some time, one of Felisima’s friends, a girl named Isabel, stood up and took some water to the location of the shooting. When Isabel arrived at the location the Indonesian soldiers were moving away in the direction of a building called Sang Tai Hoo, in Colmera. Isabel returned to the group of women and reported that all of the men had been killed.

123. Hearing this, Felismina and several women went to see what had happened. When Felismina reached the Assistencia building, she saw that the men had been shot and body parts were strewn about the location. Felismina found her brother, Jacinto Fereira Simões, aged 17:

I lifted up my brother’s head straight away and placed him on my lap. I gave him some water. Soon after, my lap was wet. Then I realised that the water I had given my brother had spilled out through his neck onto my lap. Not long after, he died in my lap.109

124. Felismina and her friends then returned to the field, and together with the other women and children went in the direction of Vila Verde. On the way she saw her father, Bernardo Muniz, coming from the direction of the Military Police headquarters on Albuquerque Street. He was covered in blood. Bernardo Muniz told his daughter that he was not injured; the blood was from the other men who had been killed.

125. The Commission received information from several informants about the number of victims at the Assistencia building. The figures range from 23 individuals to a high of 60 to 70 individuals. The Commission has been able to identify the following victims:

<table>
<thead>
<tr>
<th>Name</th>
<th>Profession</th>
<th>Personal Data</th>
<th>Violation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Domingos Pinto Faria</td>
<td>Killed</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Domingos Xavier</td>
<td>Military Police</td>
<td>from Viqueque</td>
<td>Killed</td>
</tr>
<tr>
<td>3. Antonio Mesquita</td>
<td>2nd Sergeant</td>
<td></td>
<td>Killed</td>
</tr>
<tr>
<td>4. Manuel</td>
<td>Servant in Santos home</td>
<td></td>
<td>Killed</td>
</tr>
<tr>
<td>5. Graciano de Carvalho</td>
<td>Nurse</td>
<td></td>
<td>Killed</td>
</tr>
<tr>
<td>6. Rosa Lay</td>
<td>Ambulance driver</td>
<td></td>
<td>Killed</td>
</tr>
</tbody>
</table>

---

1CAVR Interview with Alexandrino do Rego, Dili 22 August 2004. He said that he counted 23 corpses at the scene. Felisima dos Santos da Conceição, interviewed by the CAVR in November 2003, and Filomeno Gomes, interviewed 25 June 2004, both said that there were “tens” of victims; see also CAVR Interview with anonymous informant [A3], Dili, 16 August 2004, who said there were 40 victims, both men and women; see also James Dunn, Timor: a People Betrayed, Jacaranda Press, The Jacaranda Press, Milton, Queensland, 1983, p. 284. See also Amnesty International, East Timor Violations, pp. 27-29.
126. Domingos Freitas told the Commission that two days after the Indonesian invasion of Dili he went with a woman named Candida and her child to look for Candida’s husband, who was a Portuguese Military Police officer. Behind the Companhia 15 building they found dozens of decomposing corpses that had been partially eaten by animals.110

127. On 9 December members of the Indonesian military ordered several East Timorese civilians to burn the bodies behind the Companhia 15 building. According to Filomeno Gomes, Indonesian military personnel forced him to burn decomposing corpses at a location between the Companhia 15 building and the current EDTL (Electricity Services) building.111 Similarly Alexandrino do Rego told the Commission that he burned 23 bodies next to the old Assistencia building. He could only identify two corpses: Rosa Lay, an ambulance driver, and Graciano de Carvalho, a nurse.112

**Corpses at the Portuguese Military Police compound**

128. The Commission has received information about corpses seen at the Military Police compound, located next to the new Assistencia building on Albuquerque Street. Sebastiana Henrique Guteres Soares Belo, who was a Unetim member, told the Commission that on 8 December 1975 she went from Taibessi to the Caicoli neighborhood to look for food. She said that she saw two Hino trucks enter the Military Police complex. Curious about what was going on inside the complex, Sebastiana said that she climbed a tree so that she could see into the compound. There she saw Indonesian soldiers and East Timorese civilians loading corpses onto the truck.113

**Executions in Matadouro, 7 December 1975**

129. On the afternoon of 7 December Indonesian troops approached the Matadouro building, a public slaughterhouse for cattle during the Portuguese time, located about 400 metres south of the Assistencia building at the end of Albuquerque Street. After seizing power in August 1975, Fretilin established a militia post there.114

130. The Commission received various information about individuals executed in the vicinity of this building, with some variation in detail. One informant told the Commission that after Indonesian troops landed on 7 December local residents remained in the area and some of the men assisted the Indonesian troops, who had set up a post on a hill overlooking the area.115

131. Mid-afternoon on 7 December some of the women, children and old men who had remained in the field across from the old Assistencia building made their way south to Matadouro. Late in the afternoon, however, Indonesian troops ordered many of the locals out of their homes.
According to Maria Filomena Godinho, her father showed the Indonesian soldiers “an Apodeti membership card and flag.” She told the Commission that late in the afternoon on 7 December:

ABRI came straight to our house and ordered us to get out…In Matadouro we were split into two groups, men in one group and women in the other. Then the men were all shot dead. I saw ABRI shooting them. I witnessed that with my own eyes.\footnote{116}

132. Three individuals were killed together, including Maria Filomena’s father, Vicente Godinho, her older brother, Teodoro Godinho, and the owner of the house in which they were staying, Lourenço. According to another informant:

Four members of ABRI came to Lourenço’s house, and began to beat him, along with two of his friends, Teodoro Godinho and Vicente Godinho, using their rifle butts. One of Lourenço’s children, Domingos Pereira, arrived, and begged the perpetrators to cease torturing the victims. So one of the four ABRI members dragged Lourenço, Teodoro and Vicente out to the garden and shot them dead. Then Fransisco Xavier arrived, and began protesting the perpetrators’ actions. So one of the perpetrators shot Fransisco Xavier dead also, in the garden of the Matadouro house.\footnote{117}

133. Acacio da Costa Carvalho told the Commission that on 10 December 1975 he heard that several of his family members had been shot by Indonesian soldiers at 4.00pm on 8 December. Acacio heard about the killings from his mother and aunt, both of whom witnessed the killings. They described how Indonesian troops set up a post on the hill south of Matadouro, called the men outside, searched each house, and then executed three individuals: Acacio’s father, Julio da Costa, one of Acacio’s uncles and Francisco Xavier (also know as Mausale).\footnote{118}

134. Another witness provided information about three more individuals killed in the Matadouro area on the afternoon of 8 December:

On 8 December at 4.00pm, José dos Santos, who had just got out of hospital [in Lahane], with two of his friends, Manuel Febu and Duarte da Silva, were killed by ABRI/TNI in Matadouro. My child, Liberatu dos Reis Soriano, witnessed the incident. Their bodies were not buried.\footnote{119}

135. A number of other informants told the Commission that they had heard about the executions at Matadouro. One informant said that he was with a group of Kostrad soldiers which arrived at Matadouro at about 4.00pm on 8 December and saw three corpses at the location.\footnote{120}

136. The Commission has found that the individuals listed below were killed by Indonesian troops in the vicinity of the Matadouro building:

\begin{table}[h]
\centering
\begin{tabular}{lllll}
\hline
\textbf{Name} & \textbf{Profession} & \textbf{Personal Data} & \textbf{Violation} & \\
1. Vicente Godinho & Public servant & Age ~50 & Killed & \\
\hline
\end{tabular}
\end{table}

\footnote{1 Other possible victims include Antonio dos Reis, aged 30, Zeca, and Inacio, a former Military Police officer from Viqueque. See CAVR Interviews with anonymous informant [A5], Dili, 16 August 2004; Calistro de Jesus Brito, Dili, 29 June 2004 and Iria de Araujo, Dili, 4 August 2004, Dili.}

- 39 -
2. Teodoro Godinho  
   Son of no. 1  
   Killed
3. Lourenço da Conceição  
   Home near Matadouro  
   Killed
4. Francisco Xavier Luis Pereira  
   Adult relative of no. 5  
   Killed
5. Julio da Costa  
   Age ~50  
   Killed
6. José dos Santos  
   Killed
7. Duarte dos Santos  
   Killed
8. Manuel Febu  
   Killed

**Maloa River killings, 7 December 1975**

137. João Díaz Ximenes told the Commission that he was at home in Bairro Pite on the morning of 7 December. He said that he and his family stayed in their house all morning, but that at 2.00pm Indonesian soldiers entered Bairro Pite and told everyone to come out and line up. At about 3.00pm the local residents heard that a number of civilians had been killed at the Maloa River (Bairro Pite, Dom Aleixo, Dili). At 4.00pm João Ximenes accompanied Indonesian soldiers to the site. He saw eight male corpses, but could only identify one of the bodies, that of Crissogno Fraga. Indonesian soldiers told the civilians to douse the bodies with gasoline and burn them. According to João Ximenes, the eight men were killed because an Indonesian soldier had been killed by Fretelin forces.

138. Other informants have also provided information about corpses in the same area. Felismina dos Santos da Conceição told the Commission that on the afternoon of 8 December she was among a group of woman who moved from Villa Verde to Guarda Colmera, in the Tuanalaran neighbourhood. Near Guarda Colmera the women encountered Indonesian soldiers. The soldiers put one woman into a vehicle that drove away. The soldiers then took five men away with them. When the five men returned they told the group of women that the soldiers had forced them to bury a group of dead civilians at the Maloa River. Similarly, Iria de Araújo told the Commission that on the afternoon of 8 December, following the mass execution in Alok Laran, Bairro Pite (Dom Aleixo, Dili) she walked down the Maloa River to Bairro Pite and saw a number of corpses at the Maloa River.

**Dili wharf on 8 December 1975**

139. On the night of 7 December Indonesian paratroopers from both Kostrad and Kopassus stayed in what is now the Hotel Timor building, which had not yet been completed, facing the Dili port facility. An East Timorese informant told the Commission that he and several friends who had been detained by Fretelin at the police headquarters near the Old Market slept at the Hotel Timor on 7 December, where they met with an Indonesian platoon commander named F. Sinaga. On the morning of 8 December a large number of Kostrad and Kopassus were present at the building, having spent the previous night sleeping in the empty building.

140. One witness, who was among a group of six former Fretelin detainees who had slept in the small park in front of Hotel Timor, told the Commission that at 6.00am on 8 December he approached a soldier near the park and asked for permission to wash his face. The soldier gave him permission to go to the large park 50 metres to the west. The witness said that in the large park he saw a dead East Timorese man, aged about 25, wearing civilian clothes and lying face down.

141. On the morning of 8 December, the group of 16 ethnic Chinese men who had been detained in the customs house the previous night were ordered by Indonesian soldiers to continue digging in the park, eventually burying about 20 Indonesian soldiers.

142. On the morning of 8 December Indonesian soldiers told civilians in various locations in central Dili to go to the port. One informant told the Commission that he was in Colmera with a
group of about 20 ethnic Chinese who intended to move to the Taiwanese embassy. The group walked from Colmera to the waterfront, where they were stopped by Indonesian soldiers and told to stay in the street. “We sat there, facing the ocean. We were not allowed to look back at Hotel Timor. There were a lot of soldiers.”

143. Sometime after 8.00am on the morning of 8 December relatives of Fretilin Prime Minister Nicolau Lobato, including his wife, Isabel, were at a house on the corner of Fernando and Formosa Streets, located directly behind the Bank Nacional Ultramarino (BNU). This group of 15 people decided to walk to Motael and take refuge at Fr Monteiro’s house. In a recent interview Laurinda Guterres Barreto Ximenes, the younger sister of Isabel Lobato, told a local journal:

We were trying to get to the church at Motael, to seek sanctuary there. When we arrived at the Sporting building intersection, Dili harbour was full of Indonesian soldiers. Our group was ordered to assemble in the Camara Ecclesiastica park.\(^{126}\)

144. Several witnesses recall seeing Isabel Lobato in front of the port. One stated: “[I] saw Nicolau’s wife arrive…She was wearing tais [traditional cloth].”\(^{127}\)

145. The Commission received information from a number of sources about how Indonesian military personnel treated the civilians gathered in front of Hotel Timor. One source said that Indonesian troops gave the civilians drinks and cigarettes, and asked who belonged to Fretilin:

[They] asked, “whoever is Fretilin raise your hand?” “Can anyone speak bahasa [Indonesian]?”…nobody raised their hand, but there was someone who spoke Indonesian and they pointed out [who was Fretilin].\(^{128}\)

146. The Commission has determined that several of the Apodeti members who had been interned by Fretilin from October until 7 December and who slept at the Intendencia building and in or near the port the previous night acted as interpreters for the Indonesian military on 8 December. Furthermore, the Commission believes that several of these former prisoners pointed out individuals in the large crowd of civilians to the Indonesian military. The civilians were pointed out on the basis of their membership in Fretilin or its affiliated associations (for example Unetim), or on the basis of their family relations to prominent Fretilin leaders. Frederico dos Santos Almeida, who was detained by Fretilin in Comarca Balide until 7 December, told the Commission:

We arrived at [Hotel Timor]. They told us to assemble in front of the hotel. Soon afterwards, Dr. Gonçalves’s wife arrived and sat with us. Not long after that, bapak [ABRI soldiers] took Arnaldo [dos Reis Araújo] inside [the hotel]. Then they took Nicolau’s wife down to the beach.\(^{1}\)

147. The Commission has determined that Isabel Lobato was escorted through the east gate into the port area.\(^{2}\) Minutes later the sound of gun shots was heard. A number of other Fretilin

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\(^{1}\) CAVR Interview with anonymous informant [W2], Dili, 24 August 2004. See also CAVR Interview with Alexandrino de Rego, Dili, 4 February 2004, who told the Commission that he arrived at the Colmera area at about 12.30pm on 8 December and saw Indonesian soldiers ordering people to loot the stores; See also CAVR Interview with Erminio da Silva da Costa, Jakarta, 9 August 2004.

\(^{2}\) CAVR Interview with Frederico dos Santos Almeida, Dili, 29 August 2003. It is important to note that the Commission received conflicting information about who identified Isabel Lobato to the Indonesian troops.

\(^{3}\) CAVR Interview with anonymous informant [A3], Dili, 13 August 2004, who told the Commission: “And then they took Mr. Lobato’s wife to the port. I saw she was escorted to the port. But I thought at that time they wanted to ask her the whereabouts of her husband.” In 1984 Isabel Lobato’s sister, Laura Barreto, told Amnesty International that the
members or relatives of Fretilin members were also selected out of the crowd at this time and all were escorted into the port. According to Erminio da Silva da Costa:

_The person I saw down there [in the harbour] was Senhora Isabel. Her child was crying, still pulling at his mother’s skirt. Then Rosa Bonaparte, Borja da Costa and another person [were taken into the harbour]. There were three or four people._

148. An eye-witness told the Commission that shortly after Isabel Lobato was taken into the harbour, he was approached by her sister, Laurinda Barreto, who said that she had heard a shot and asked him to help find out what had happened. He approached a soldier in front of the hotel and was escorted to the harbour. When he went into the port area he saw “dozens” of corpses near the west entrance, including the corpses of two or three women, among which was the body of Isabel Lobato, who had been shot in the back.

Table 3 - Identified victims killed or last seen at the harbour on 8 December 1975, reported to the Commission

<table>
<thead>
<tr>
<th>Name</th>
<th>Profession</th>
<th>Personal Data</th>
<th>Violation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Isobel Lobato</td>
<td>Housewife</td>
<td>Wife of Nicolau Lobato</td>
<td>Killed</td>
</tr>
<tr>
<td>2. Rosa Muki Bonaparte</td>
<td>CCF member</td>
<td></td>
<td>Killed</td>
</tr>
<tr>
<td>3. Bernardino Bonaparte</td>
<td>CCF member</td>
<td></td>
<td>Killed</td>
</tr>
<tr>
<td>4. Francisco Borja da Costa</td>
<td>CCF member</td>
<td></td>
<td>Killed</td>
</tr>
<tr>
<td>5. Bimba da Silva</td>
<td>Unetim member</td>
<td></td>
<td>Disappeared</td>
</tr>
<tr>
<td>Roger East*</td>
<td>Journalist</td>
<td>Australian</td>
<td>Disappeared</td>
</tr>
<tr>
<td>Silvinia Epifania M. da Silva</td>
<td>Unetim member</td>
<td></td>
<td>Disappeared</td>
</tr>
</tbody>
</table>

149. After Isabel Lobato, Rosa Muki Bonaparte and Francisco Borja da Costa were escorted into the harbour area there were a number of important movements:

---

Commission informant A3 personally escorted Isabel into the port. See Amnesty International interview “Interview with Laura Barreto – 4 July 1984, Lisbon” (mimeograph, 3 pages).

• Several informants have told the Commission that sometime after 9.00am they were taken from the harbour to Kampung Alor, where they met with an Indonesian “commander.”

• Sometime on the morning of 8 December Major General L.B. Moerdani arrived at the Dili airport on a Twin Otter aircraft, and then proceeded by BTR-50 amphibious vehicle to inspect Dili. He met with Colonel Dading Kalbuadi, Colonel Sinaga and naval Colonel R. Kasenda near the Governor’s office.

• Some time after 10.00am Erminio da Costa da Silva accompanied Major General Benny Moerdani on a tour of Dili. They visited Toko Lay, where a Chinese woman told them that her husband had been killed by Indonesian troops.

• Another eye-witness told the Commission that at about 10.00am he and several pro-Apodeti friends volunteered to join Indonesian troops on patrol in Dili. He said that his group went from the harbour to the Governor’s office, to Toko Lay, to Foromosa Street behind the Governor’s office, to the Assistencia building, to Matadouro, to Balide, and then returned to the harbour.

Mass executions, early afternoon

150. The Commission has received information from a number of individuals about mass executions on the Dili wharf on 8 December. Alexandrino do Rego, who was a military nurse posted at the Lahane Hospital, provided the Commission with detailed information about events at the port in the early afternoon on 8 December. He said that he arrived in Colmera at about 12.30pm and did not see any corpses in the area. Two Kopassandha soldiers then escorted him to the port. On the way, he overheard other Kopassandha soldiers asking an East Timorese man where the communists were, and saw the East Timorese man point at the Chinese shop-houses across the street.

151. Alexandrino do Rego told the Commission that he and the two Kopassandha soldiers arrived at the park in front of the harbour, “then I saw a group of ethnic Chinese being told to prepare the grassy fields in front of the port to be made into graves.” He explained that after entering the port facility:

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

152. Alexandrino do Rego explained that he was then escorted under the pier to meet with an Indonesian doctor who was in a rubber speed boat:

After I had witnessed the killing of two groups of people, I was carried under the pier to meet with a doctor, Hadi Santoso, whose rank was Lieutenant-Colonel. Two of his staff accompanied me. It was dark, and they were using candles. They were there in a rubber boat — the doctor along with four members of Tanggo Platoon… I got into the…rubber boat and was ordered to speak with the doctor. So I told him that I was a staff member of the military hospital. The doctor seemed pleased, and gave me some tasks to do…[I] could still hear shooting, and there were still people falling into the water.
153. According to Alexandrino do Rego, the two groups of civilians he saw shot on the wharf were indigenous East Timorese, not ethnic Chinese. Alexandrino do Rego told the Commission that after speaking with Dr. Santoso, he returned to the military hospital in Lahane.

154. Alexandrino do Rego’s account of several groups being executed is supported by testimony of Alberto de Oliveira Camara, who told the Commission that from the Motael Church, located about 300 metres from the port, he could see several large groups executed on the Dili wharf.

_Only after we heard the gunfire did we go out [of the church] and see the people being lined up and shot…They were shot all at once, because the military were in rows by the wall, and they [the victims] were ordered to stand on the pier…Around 25 to 30 people at a time were shot…They were in a line, or a group — 25 to 30 people at once. While we were watching, perhaps one or two groups had already been shot. Then a new line was formed – a third row, and a fourth._

155. Because of the distance, Alberto Camra could not tell if the victims were indigenous East Timorese or ethnic Chinese.

156. The Commission has been unable to identify any of the individuals executed on the edge of the wharf. However, the Commission has received information about a number of corpses seen on 9 December along the beach and in the sea to the east of the port, and believes that some of these corpses are individuals who were killed at the port in the early afternoon on 8 December.

**Disappearance of ethnic Chinese work party, late afternoon on 8 December**

157. On the morning of 8 December a group of 16 ethnic Chinese men (who had been detained in the customs house the previous night) were ordered by Indonesian soldiers to dig a large grave in the park in front of the harbour. Alexandrino do Rego told the Commission that he arrived at the harbour at about 1.00pm he saw the men working in the park. After meeting with Indonesian military doctor Hadi Santoso, Alexandrino do Rego was told to return to Lahane. He reached Lahane at about 2.30pm, where he met with his family, and then at about 3.00pm left Lahane with several friends in two vehicles. The group reached the harbour at about 3.30pm. When he arrived he saw the group of ethnic Chinese men were still digging in the park.

_I didn’t see any more bodies. I couldn’t see anyone there [at the harbour]. There was only one person, a Chinese person, outside [in the park]. [They] were still in front of the harbour, digging pits. Still the same [people]._

158. Another witness told the Commission that he was in the park in front of Hotel Timor from morning until late afternoon on 8 December. At about 4.00pm Indonesian military personnel told him to lead 127 ethnic Chinese people to Kampung Alor.

_[ABRI] told all us Chinese people to go to Kampung Alor. We left the Hotel Timor, then [I] saw some people burying [Indonesian] soldiers. About ten people._

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159. Sometime thereafter some of the ethnic Chinese men in the work party were disappeared. The Commission believes that they were executed in the harbour area. The witness who led the 127 ethnic Chinese to Kampung Alor told the Commission that he heard that eight of these individuals were killed and two were released. In a testimony to the Commission, a survivor of these killings, now living in Melbourne, Australia, said:

My uncle Lay Pin Leung, cousin Lai Siu Xian and brother-in-law Leong Yun Fa were taken and we never saw them again. Later I was told that they had been killed. We do not know what they did with the bodies and whether or not they were thrown in the ocean. A soldier grabbed my shoulder - I assumed to take me to where they were killing people. I spoke to him in Indonesian and told him I was from Kupang and that I wanted to return to Kupang one day. The soldier said “you are one of us” and let me go. My brother also spoke Indonesian to the soldier and was let go.  

160. The Commission has determined that the following members of the ethnic Chinese work party in the park were disappeared, and are presumed to have been executed in the harbour area, late in the day on 8 December.

<table>
<thead>
<tr>
<th>Name</th>
<th>Profession</th>
<th>Personal Data</th>
<th>Violation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lay Pin Leung</td>
<td>Businessman</td>
<td>Aged 17; son of 1</td>
<td>Disappeared</td>
</tr>
<tr>
<td>Lay Siu Xian (Assio)</td>
<td></td>
<td>Age 19; son of 1</td>
<td>Disappeared</td>
</tr>
<tr>
<td>Lay Siu Chang</td>
<td></td>
<td>Age 30; son of 1</td>
<td>Disappeared</td>
</tr>
<tr>
<td>Lay Su Chean</td>
<td></td>
<td>From Aileu; age 25</td>
<td>Disappeared</td>
</tr>
<tr>
<td>Chung Tjeo Ching</td>
<td></td>
<td>Age ~40, from Liquiça</td>
<td>Disappeared</td>
</tr>
<tr>
<td>Lay Mi Fon</td>
<td>Driver</td>
<td>Aged 40s</td>
<td>Disappeared</td>
</tr>
<tr>
<td>Lay Kian Pau</td>
<td>Student</td>
<td>Aged 19</td>
<td>Disappeared</td>
</tr>
<tr>
<td>Leung Yung Fa (A Fa Qi)?</td>
<td></td>
<td>Aged 17; son of 6</td>
<td>Disappeared</td>
</tr>
<tr>
<td>Lay Su Po</td>
<td>Shop assistant</td>
<td>From Aileu; age 18</td>
<td>Disappeared</td>
</tr>
<tr>
<td>Lay To Su</td>
<td>Shop assistant</td>
<td>From Suai</td>
<td>Disappeared</td>
</tr>
<tr>
<td>Lay Tin Chang</td>
<td></td>
<td>Age 22; from Bobonaro</td>
<td>Disappeared</td>
</tr>
<tr>
<td>Yong Tsai Sin</td>
<td></td>
<td></td>
<td>Disappeared</td>
</tr>
<tr>
<td>Lay Tso In</td>
<td>Student</td>
<td>Aged 17</td>
<td>Disappeared</td>
</tr>
</tbody>
</table>

161. Of the 16 ethnic Chinese in the work party in the park, the Commission has been able to identify three survivors. The Commission was unable to determine the fate of the other members of the group of 127 Chinese-Timorese people detained in Kampung Alor.

**Executions in Ailok Laran, 8 December 1975**

162. The Commission received information about extra-judicial killings along the Maloa River in the Ailok Laran neighbourhood, about one kilometre southwest of the Matadouro building. Iria de Araújo, who was 25 years old at the time, told the Commission that late in the afternoon on 8 December her uncle, Daniel de Araújo, appeared from the direction of the Assistencia building. He was wounded. According to Iria, her uncle told his relatives that they should retreat to the south, but Iria’s father, Alfredo de Araújo, disagreed and they remained at their home. Iria de Araújo told the Commission that on 8 December Indonesian soldiers killed a group of men at the Maloa River:
At around 5.30pm they [ABRI] reached the [Maloa] river bank. We stood up and faced them. We surrendered just like that, we surrendered to them...We faced them and they immediately split us up — men in one group, women and children in the other. The men were driven uphill, and the women were pushed down, onto the road to Matadouro. Then we came to the river in front of Sr. Tomás Ximenes’ house. Once there, I looked back. ABRI had begun to gather them [the men] together. 141

163. Curiously, the Indonesian troops then pulled Iria de Araújo’s brother out of the group and questioned him.

My brother Antonio, who was in Fifth Year [of school], was pulled out of the group of men. I was far away, but I could clearly see them pulling him out and separating him from the group. 142

164. Iria de Araújo explained that the soldiers spoke with Antonio, then executed him. Then the soldiers opened fire on the group of men, killing all of them. Iria explained:

Next [ABRI] surrounded them and then they fired a series of shots at the men. I saw this with my own eyes. I saw with my own eyes that Indonesian [soldiers] shot them. 143

165. The Commission has determined that 17 individuals were killed and only one survived. Most of the victims were from Ainaro, and many were members or followers of the monarchist party KOTA.

Table 5 - Identified victims from Ailok Laran on 8 December 1975, reported to the Commission†

<table>
<thead>
<tr>
<th>Name</th>
<th>Profession</th>
<th>Personal Data</th>
<th>Violation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Antonio de Araújo</td>
<td>Former Tropas</td>
<td>Age 26?</td>
<td>Killed</td>
</tr>
<tr>
<td>2. Pedro de Araújo</td>
<td></td>
<td>Age ~33</td>
<td>Killed</td>
</tr>
<tr>
<td>3. Francisco Xavier</td>
<td></td>
<td>Age 38, father of #4</td>
<td>Killed</td>
</tr>
<tr>
<td>Araújo</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. Abilio Israel Xavier Sousa</td>
<td></td>
<td>Age 17, son of #3</td>
<td>Killed</td>
</tr>
<tr>
<td>5. Salustiano de Araújo</td>
<td></td>
<td>Age 40, brother of #3</td>
<td>Killed</td>
</tr>
<tr>
<td>6. Albino Sousa da Silva</td>
<td></td>
<td>Age 15, son of #5</td>
<td>Killed</td>
</tr>
<tr>
<td>7. José Mendes</td>
<td></td>
<td>Age 42, brother of #3</td>
<td>Killed</td>
</tr>
<tr>
<td>8. Alcino de Araújo</td>
<td></td>
<td>Age 26</td>
<td>Killed</td>
</tr>
<tr>
<td>Sousa</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9. Alexandre de A. Carvalho</td>
<td>Former Tropas</td>
<td>Age ~26-28</td>
<td>Killed</td>
</tr>
<tr>
<td>10. Marcal de Araújo</td>
<td></td>
<td>Age 23, from Ainaro</td>
<td>Killed</td>
</tr>
<tr>
<td>Carvalho</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11. Antero da Conceição</td>
<td></td>
<td>Age 22, from Ainaro</td>
<td>Killed</td>
</tr>
<tr>
<td>12. Adelino de Araújo</td>
<td></td>
<td>Age ~29, from Ainaro</td>
<td>Killed</td>
</tr>
<tr>
<td>13. Luciano de Araújo</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14. Antonio dos Reis</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>15. Vasco da Silva</td>
<td></td>
<td>Age 56</td>
<td>Killed</td>
</tr>
<tr>
<td>16. Vidal de Araújo</td>
<td></td>
<td>Age 31</td>
<td>Killed</td>
</tr>
</tbody>
</table>

† This list of victims is based on a Portuguese language list titled “Nome de alguns massacrados pelos soldados indonésios n Zona da Malao, Ail Loc Laran e Bairro do Matadour, Dili nos primeiros dias (8-12-1975) do ataque indonésio a Dili, (Names of some people killed by Indonesian soldiers in Zona da Malao, Ail Loc Laran and Bairro do Matadouro, in Dili during the first days (8-12-1975) after the Indonesian attack on Dili). [Submission to the CAVR, Anthony Goldstone].

‡ One other possible victim is Afonso de Araújo, aged 39.
166. Francisco Soriano told the Commission that on 9 December Indonesian soldiers came to Manumeta Raihun and asked several men to help bury corpses. Although he did not bury them himself, his uncle was part of the group who came to Maloa River to bury the 12 people from Ainaro. 144

167. The Commission received information about a second incident at the same location later on the night of 8 December. According to Iria de Araújo, on the night of 8 December her father and uncle went to the river to see the corpses. Indonesian soldiers fired shots, one of which hit and killed Juvenção de Araújo, Iria’s 2-3 year old cousin, who was in the arms of his mother, some distance from the men. 145

**Individual executions and corpses found in Dili**

168. In addition to the major cases involving mass killings and executions discussed above, the Commission has also received information about numerous killings and corpses found in Dili during the first few days of the invasion. Less than half of these individuals can be identified by name. Table bellow shows the locations where these individuals were killed or where their corpses were seen.

**Table 6 - Civilians killed and corpses found in Dili, 7-10 December 1975, reported to the Commission**

<table>
<thead>
<tr>
<th>Location</th>
<th>7 Dec Killed</th>
<th>Corpse</th>
<th>8 Dec Killed</th>
<th>Corpse</th>
<th>9 Dec Killed</th>
<th>Corpse</th>
<th>10 Dec Killed</th>
<th>Corpse</th>
</tr>
</thead>
<tbody>
<tr>
<td>Becora</td>
<td></td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>1</td>
<td></td>
<td>-</td>
</tr>
<tr>
<td>Bidau Lecidere</td>
<td>2</td>
<td>1</td>
<td>-</td>
<td>2</td>
<td>-</td>
<td>4</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Bairro Grilhos</td>
<td></td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Bairro Formasa</td>
<td></td>
<td>-</td>
<td>-</td>
<td>5-6</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Audian</td>
<td>1</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Museum/waterfront</td>
<td></td>
<td>-</td>
<td>-</td>
<td>6-8</td>
<td>-</td>
<td>4</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Caicoli</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>2</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Villa Verde</td>
<td>1</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Lahane</td>
<td></td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>1</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Ponte</td>
<td>2</td>
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<td>-</td>
<td>1</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Caise/Harbour</td>
<td></td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Mandarin</td>
<td>5-6</td>
<td>2</td>
<td>-</td>
<td>1</td>
<td>-</td>
<td>1</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Moita</td>
<td></td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>2</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Palapano</td>
<td></td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Bairro Pite</td>
<td></td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Sungai Maloa</td>
<td></td>
<td>-</td>
<td>-</td>
<td>3</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Fatumetan</td>
<td></td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>2</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Kampung Alor</td>
<td></td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>No location</td>
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<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Total</td>
<td>14-15</td>
<td>8-9</td>
<td>15-17</td>
<td>-</td>
<td>11</td>
<td>4</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

169. Of these 52 to 56 individuals, 48 to 50 were men, 6 were women, and 11 to 12 were of ethnic Chinese origin. Combined with the major cases discussed in the previous sections, the Commission can provide the following overview of civilian deaths/executions reported to the Commission from 7 to 10 December 1975.

**Table 7 - Total number of civilians killed or executed, 7-10 December 1975, reported to the Commission**

<table>
<thead>
<tr>
<th>Location</th>
<th>Timorese</th>
<th>Chinese</th>
<th>Australian</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Colmera</td>
<td>-</td>
<td>1</td>
<td>-</td>
<td>1</td>
</tr>
<tr>
<td>Next to Toko Lay</td>
<td>-</td>
<td>5</td>
<td>-</td>
<td>5</td>
</tr>
<tr>
<td>Individual cases</td>
<td>-</td>
<td>8-9</td>
<td>-</td>
<td>8-9</td>
</tr>
<tr>
<td>Home of Li Nheu Ki</td>
<td>-</td>
<td>8-9</td>
<td>-</td>
<td>8-9</td>
</tr>
</tbody>
</table>
170. The Commission received information about several civilians who were reportedly wounded during the invasion. In addition to those individuals wounded at the Assistencia building and the one individual injured in the Ailok Laran mass execution, these include a nine-year-old ethnic Chinese boy seen near the Governor's building and a man named Orlando Costa.\footnote{On the number of detainees brought from Dili, see CAVR Interview with Assis dos Santos [transcript undated]; on the number held in Aileu after the evacuation of the prisoners from Dili, see CAVR Interview with Humberto Martins da Cruz, Dili, [undated].}

171. Finally, the Commission has received information about several individuals who are reported to have disappeared during this period, but it has not been possible to determine if these individuals were killed in Dili or fled into the mountains.

7.2.3.3 Unlawful killings by Fretilin after the Indonesian invasion (December 1975 and February 1976)

172. On the day of the full-scale Indonesian invasion on 7 December 1975, many of the senior Fretilin leaders in Dili evacuated to Aileu. With them went the detainees Fretilin had been holding in the Quartel Geral in Taibesse (Dili). On the same day the 100 or so prisoners who had been detained by Fretilin in the Comarca Balide were allowed simply to walk out of the prison; many of them then making common cause with the invading Indonesian force (see Chapter 7.4: Detention, and Torture and Ill-Treatment). In Aileu the approximately 900 detainees who were brought from Dili joined an existing detainee population variously estimated at between 1,000 and 3,000. The Commission has received evidence that several hundred of these detainees were killed in Aileu, Maubisse (Ainaro), and the area of Same (Manufahi) in December 1975 and January 1976 as Fretilin/Falintil retreated from the advancing Indonesian forces. It was also told that several senior Fretilin leaders were directly implicated in the killing. The Commission also received individual statements about executions that occurred in other districts at this time, including Manatuto, Ainaro, Ermera and Lautém, but was not able to investigate these reports further.

**Executions in Aileu, December 1976**

173. The Commission received testimonies about mass killings which took place in December 1975 at several execution sites near the warehouse in Aisirimou where Fretilin held most of its prisoners. Witnesses testified about killings in Saboria and Aituni, both about 3km from the prison, and in two locations in Aisirimou, both about 2km from the prison. The Commission was also told of two other places, another site in Aisirimou and the Chinese cemetery, where prisoners were reported to have been executed.

174. From the general accounts received from former prisoners held in Aileu, which describe regular night-time executions, it would appear likely that the executions were not confined to the specific events about which the Commission received testimony.
175. One witness, Miguel Fatima Soares, told the Commission that if the man in charge of the day-to-day running of the prison and carrying out of executions, Humberto Martins da Cruz, came to the warehouse where the prisoners were held with a sheet of paper in his hand, it meant that he would call out the names of prisoners to be taken out never to reappear. Two other prisoners, Alexander da Costa Araújo and Serafim do Nascimento, described seeing prisoners regularly being taken away in trucks with their hands tied behind their backs usually late at night. They were taken to a designated place where holes had already been dug and ordered to pray. Another witness told the Commission that in the afternoons it was routine for prisoners to be ordered to dig holes behind the Aileu church. 147

176. Alexandre da Costa Araújo, in his testimony during the Commission’s public hearing on massacres, described the killing of ten detainees in Saboria in December 1975, by a team under the command of Humberto Martins da Cruz:

*My brother Afonso Araújo and I were members of UDT. At the time of the coup d’etat I was living in the village of Saboria and didn’t know anything about it. When the Fretilin counter-coup occurred, I was captured and taken to Aisirimou where, along with hundreds of other prisoners from various areas, I was forced to work in the Fretilin communal garden. After some time I was officially freed from the prison. But for several weeks after that I still had to bring firewood to Aisirimou every afternoon and was still not allowed to sleep in my own house in Saboria. After several weeks of doing this I was given permission to sleep at home.*

*At 11 o’clock one night, when I was sleeping in my house, I heard the sound of a car followed by someone knocking on my door. I felt anxious and afraid. I opened the door and found the head of the prison, Humberto, standing there. I invited him in but he just told me to come with him. I realised then that he was drunk, but I had to do what he said. He took me to a place where a truck was parked with people in the back. There were ten people, but I only knew two of them. One was Maubale from Seloi [Village].*

*He ordered his men to get the people down from the truck. Then he stood the prisoners in a line, gave them time to pray, and fired a shot. As soon as he fired the shot his men fired their G3 weapons at the prisoners. The prisoners were only ten metres away and died instantly. Humberto then commanded me to call the people of the area to come and bury the bodies.* 148

177. In his testimony to the Commission Humberto Martins da Cruz, the head of the prison in Aisirimou who led the execution squads, gave a strikingly similar account of what appears to have been a separate mass execution that also took place one night in December 1975. The victims comprised between 23 and 26 detainees, and included the former head of the Portuguese police, Colonel Rui Maggiolo Gouveia, who had sided with UDT after the armed movement. The details of the execution—from the taking of bound prisoners at around 11.00pm to an execution site where a hole that would become their common grave had already been dug, to Humberto Martins signalling with a pistol shot for his squad to open fire—confirm the testimony of others that the executions followed a routine.
178. According to Humberto Martins, the decision to execute the detainees was taken over dinner by six Fretilin leaders, who included members of the Central Committee, as well as local leaders and the Falintil commander in Aileu. Humberto Martins recalled:

At 11.00 pm they called on me at my house...They came to my house on the way to the place where the prisoners were being held, because we were to take them out to be killed at Aisirimou...It had been agreed at the dinner the previous night that the prisoners would be killed...I carried out the order, and followed them to Aisirimou, to the place where the prisoners were to be executed.

Upon arrival, I saw between 23 and 26 prisoners standing there, over a pit which had been prepared for them. The prisoners were bound. The pit had been prepared in the afternoon, the day before they were executed. Before they were executed I said to them this is it now, so whoever wants to run away, go ahead. One of them answered me...we came here to die, not to live.\(^{149}\)

179. Humberto Martins da Cruz said that he then gave the signal to the others in the execution squad to open fire by himself firing a shot in the direction of the prisoners. The squad fired their G-3s and a grenade was thrown.

180. Alexandre da Costa Araújo gave testimony about another mass killing of detainees in an area called Manifunihun in Aisirimou.

One night the people of Saboria Village heard that more than 100 prisoners were being taken from the prison in Aileu to Manifunihun, Aisirimou. Among the prisoners was my son-in-law, Felisberto dos Santos, who had been captured by Fretilin in Soibada. When the people of Saboria heard about the transfer of the prisoners we were very distressed. Several of us went secretly to Aisirimou. Aisirimou is upstream from Saboria so we quietly waded up the river to where the prisoners were being kept. We stopped at a place where we could see the prisoners and several parked cars, but we were still some distance from them. Not long after that we heard gunfire and screaming. The gunfire lasted for about 15 minutes. We didn’t see exactly what happened after that because as soon as the screaming stopped we went back to Saboria. To this day no one knows exactly how many people died in that massacre. Some say 90, others say as many as 160 people were killed.\(^{150}\)

181. About 150 prisoners were moved to Maubisse on 8 December and confined in another warehouse. One prisoner believed that they were being taken there to be killed and were saved

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1 Humberto Martins said that the following people took the decision to execute the prisoners: José da Silva (Commander of the Aileu company and Falintil deputy chief of staff), Adão Mendonça (head of the Aileu Regional Committee), Alarico Fernandes (member of the Central Committee), Sebastião Sarmento (member of the Central Committee), Luis Castro, Pedro Aquino and Gildo Ribeiro. Other sources wholly or partially confirmed to the Commission that these individuals were ultimately responsible for the decision to execute prisoners (see, for example, CAVR interviews with Adelino Gomes, Dili, 11 June 2003; José Catarino Gregório Magno Trindade de Melo (Labut Melo), 23 July 2004, and Herminio da Silva da Costa, Jakarta, 9 August 2004).
because Fretilin troops in Maubisse vehemently opposed the plan. However, two groups of prisoners, one comprising UDT leaders, most of them mestigo, and the other consisting of 30-40 Apodeti leaders, were taken back to Aileu on separate occasions, and killed there. A member of the Central Committee, Helio Pina (Mau Kruma) who was in Aileu at the time reportedly attended the executions, which were carried out by teams under the command of Humberto Martins da Cruz and his assistant, Pedro Aquino.

**The unlawful killings of detainees by Fretilin in Maubisse (Ainaro)**

182. A group of 300-400 detainees were evacuated from Aileu on 27 December 1975, as Indonesian soldiers closed in on the town. The detainees were made to carry boxes of ammunition and several of them, weakened by hunger and ill-treatment, reportedly died on the journey. The group arrived in Maubisse the following day, 28 December 1975. João da Costa, a UDT supporter from Same who had been moved to Aileu with other prisoners in September, told the Commission about the execution of a group of detainees in Maubisse on the night of 28 December 1975. The group included Major Lorenço, a UDT leader from Same, Amadio Coelho, manager of the pousada in Maubisse, Celestino and Manuel Belo from Baucau, Jacques Pan and an unidentified Chinese man. They were taken out and executed at the crossroads that branches off to Turiscai.151

183. Another group of the prisoners who had been brought to Maubisse was also taken back to Aileu at around this time, apparently to be executed there. One member of the group believes that they were saved through the intervention of Nicolau Lobato:

> [At a bridge called Fatubosa], maybe one kilometre from Aileu...[there were] a lot of people and troops there, military police from the east...They said: “What are you going to do with them? They are our brothers. Why do you have to kill [them]?”...The person in charge...said: “You guys...I got a letter here from the Vice-President of Fretilin, Nicolau Lobato, asking the car to turn back [to Maubisse]...What happened was that when we were on our way [to Aileu], at the Maubisse-Turiscai crossroads, Nicolau Lobato and Eduardo dos Anjos were there with binoculars watching the [Indonesian] planes bombarding Aileu. He saw our car pass...I don’t know what happened, but after we had been in Fatubosa for 10 or 15 minutes the letter from the Vice-President came [instructing the troops] to send back the car.

**The killings in Same, end-January 1976**

184. The Commission has received corroborated evidence about a series of executions that took place in Same in late January 1976, as Indonesian forces captured the nearby village of Betano (Same, Manufahi) and began to advance on Same itself.
• On 27 January seven prisoners, including the Secretary General of Apodeti, José Fernando Osório Soares, were executed at Hat Nipah, Holarua

• On 29 January 11 prisoners were taken out of the elementary school building in Same detention for what they presumed was to be their execution; nine of them escaped en route but two were killed.

• On 29 January about 30 prisoners were killed in the elementary school building in Same.

185. On 29 December 1975 the remaining 300-400 detainees were evacuated south, from Maubisse to Same, with retreating Fretilin forces. They were forced to carry boxes of ammunition on the march to Same, where they arrived the following day. On 2 January 1976 the detainees were divided into groups based on Fretilin’s assessment of the level of threat they posed, although in the view of João da Costa, one of those deemed to belong in the “most dangerous (perigosissimo)” category, their jailers were not familiar enough with the individual prisoners to be able to make this judgement. The group thought to be most dangerous, which included the Secretary General of Apodeti, José Fernando Osório Soares, were detained in a cell below ground in the Sub-district administrator’s office (posto) in Same Town. Those thought to be less dangerous were held in the town’s elementary school.

186. On 27 January, after Betano had fallen to the Indonesians, all the prisoners were moved to Holarua to the house of Major Lorenço, the UDT leader who had been killed in Maubisse one month before. That same night the Central Committee member César Maulaka came to the house and ordered eight people to be taken out supposedly for investigation. The eight—José Fernando Osório Soares, the Secretary General of Apodeti, and seven other detainees, Domingos Osório Soares, Arlindo Osório Soares, Mário Zores, Monis da Maia, Saidi Musa, Manuel Jacinto and Peter Mu (also known as Peter Vong)—were brought to a place called Hat Nipah.

187. Monis da Maia, the only survivor from this group, told the Commission:

On 27 January ABRI entered Betano. Fretilin was struggling to cope with the situation and we were moved to Holarua. Our group stayed at the house of Major Lorenço. One day, after I had been praying in the house, someone called me to come outside. When I came outside the person who had called me ripped the buttons off my shirt. I was surprised and said: “Why are you tearing my shirt? What have I done? Am I going to be killed?” Someone else behind me said: “Stab him, so he shuts up.”

They blindfolded me, threw me in a car with some others, and took us away to be killed. When we arrived at Hat Nipah the car stopped. We were taken off one by one. The first to be taken off was Arlindo Osário. Arlindo shouted not to kill him yet, but the people shot him right away. Then they pulled down Domingos Osário and shot him. Then it was the turn of the Apodeti Secretary General, José Osório Soares. He said: "Don't kill us like this. Let us die on the battlefield." But they shot him dead.
Then they pulled out Saidi Musa, Peter Vong and Manuel Jacinto and shot them one by one. I got out of the car and said, “Let me pray first.” I knelt, closed my eyes, and gave myself over to God. The weapons were pointed at me. The shots were fired and I fell to the ground. I have no idea how, but the bullet just wounded the back of my head. Of the eight of us who were taken to be killed, six died on the spot. One other, Mário Zores, survived but was killed later.  

188. Monis da Maia was left to die. He crawled to safety, was able to find refuge with relatives in Same and survived his superficial head wound. Assis dos Santos, an Apodeti member, who had been arrested in Dili on 4 October and then followed the route taken by Fretilin and its detainees from Dili to Aileu to Maubisse to Same and then to Holarua, witnessed the death of Mário Zores, who had also survived the mass execution on 27 January. The following day Mário Zores came out of his hiding place near the house in Holarua where the prisoners were being held to look for food. A man saw him eating a piece of corn by the village well, and started shouting for people to come with their spears and bows. One man threw a spear which lodged in Mário Zores’s stomach. When it did not kill him, another man shot Mário Zores dead.  

189. During the night of 28 January 1976, 34 of the detainees were transferred by Fretilin forces led by (Central Committee Member) César Maulaka from Holarua to Same where they joined another ten prisoners being held in the elementary school building. From his regular visits it was evident to the prisoners that César Maulaka had been given responsibility for them. Several other national and local Fretilin leaders are also reported to have played a role in determining the fate of the prisoners. They included: the Central Committee members Nicolau Lobato, Lito Gusmão, Hamis Basarewan (Hata), Alarico Fernandes and Kanusa Bino and the local Fretilin leaders Pedro Cortereal, Adriano Cortereal and Antonio Cepeda.  

190. The next morning 11 of the detainees—João Pereira, Nicolau dos Santos, José Tilman, Miguel Pereira, Mateus de Araújo, Alfonso de Araújo, José Miquita, Lebeak Lobato, Paulo Pereira, João Pereira and Lino Cowboy—were taken from the elementary school in a vehicle, supposedly to attend a popular justice hearing. Assuming that they were about to be executed, when the rope by which they had been bound together came loose, they all tried to jump out of the vehicle. Lino Cowboy tripped and was shot dead. Paul Pereira was reportedly also killed.  

191. The escape of the rest of the group angered César Maulaka. He stormed into the school building. João da Costa, a survivor of the ensuing slaughter, told the Commission what took place:  

César Maulaka led the execution of the detainees. He entered the school room and shouted: “Get in line.” We stood up. He said: “Your friends who were to be tried, escaped. They have run to the Indonesians who now will come and kill us. Now, all of you, pray!” Before we finished praying, they began to shoot. Three people were shooting until they ran out of bullets. Then another three started shooting. And again, another three. When they left, they threw a grenade.  

I was underneath these corpses. I lifted myself out and stood in a corner. My brother held me from behind. He was not going to make it. I held his stomach, but blood was pouring out.
192. About 30 people died in this massacre. João da Costa watched as his brother bled to death. He, and three others, Filipe Antonio de Aquino Caldas, Bento dos Reis Fernandes and Nazario Cortereal, were the only survivors. They managed to escape by jumping out of the window.158

193. The executions stopped after a group of Falintil commanders from the eastern districts forced the issue. The commanders and their followers rushed to Holarua from Aileu and Viqueque, after hearing that Nicolau Lobato had ordered the execution of José Osorio Soares and the other Apodeti leaders. Witnesses told the Commission that the commanders included a sergeant called Guido, who had served in the Portuguese Military Police, Paulino Gama (Mauk Moruk), Ologari, Antonio Pinto (Kalohan), Moises Quina, Joaquim Ossu, Albino Gusmão and Julio Nicolau.159 According to Sera Malik, who was with the commanders when they arrived in Same, they argued that it was wrong for Fretilin to kill their fellow East Timorese and the dispute became so serious that a shoot-out between the two sides was narrowly averted.160 When the commanders left Same, they took with them a group of prisoners whose homes were in the east. In early 1976 the Fretilin Central Committee issued a directive that lifted all restrictions on UDT prisoners while retaining some on Apodeti prisoners.161 Thereafter some of the prisoners blended into the general population under Fretilin control; others went on to play active roles in the Resistance and yet others opted to move into Indonesian-controlled areas. In areas under Fretilin control former UDT and Apodeti members continued to be suspect and sometimes became the target of human rights violations, including killing (see below).

Levels of responsibility

194. Past and present Fretilin leaders have acknowledged that mass executions took place in December 1975 and January 1976, and that Fretilin as an institution bears political responsibility for them (see Box: Fretilin responsibility and the executions of December 1975 and January 1976, below).1 They also maintain that the execution of the prisoners did not occur as the result of a formal Central Committee decision but was the product of the chaotic conditions created by the Indonesian onslaught and the resulting loss of Fretilin control over events (see quotations from Mari Alkatri and Xanana Gusmão in Box: Fretilin Responsibility and the Mass Executions of December 1975 and January 1976, below).

195. The Commission accepts that the killings that took place in Aileu, Maubisse and Same did not have the formal backing of a Central Committee decision. However, it believes that the available evidence indicates that these actions did have the support not just of local Fretilin leaders but also of individual Central Committee members who were in the areas where the killings took place.

196. Witnesses to the killing that occurred in the two months after the Indonesian invasion on 7 December named members of the Fretilin Central Committee who were in Aileu, Maubisse and Same at the time of the executions. Some of these Central Committee members are reported to have been aware that the killings were going on; some are reported to have been directly involved in deciding who should be executed; some are reported to have been present when executions took place.

197. Francisco Xavier do Amaral, who in December 1975 was the President of Fretilin and the RDTL, told the Commission’s National Public Hearing on the Internal Political Conflict in

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1 They were not the only commanders who were reported to have opposed the executions. Francisco Gonçalves told the Commission that Raul Isaac, a Same commander, had protected one of the nine or 10 detainees who had escaped the truck apparently carrying them to their execution on 29 January. According to Francisco Gonçalves: “And then he took [him] straight away to the Vice-President, Nicolau Lobato, and he said: ‘This guy [is] with me, I don’t want anybody to touch him.’ He didn’t touch him.”

2 See also, for example, the quotation from Mari Alkatri, a member of the Fretilin Central Committee since 1974 and currently its Secretary General, in Box: Fretilin Responsibility and the Mass Executions of December 1975 and January 1976, below.
December 2003 that, although there was no formal decision taken by the Fretilin Central Committee to kill the prisoners, once the Indonesians had invaded, sentiment in favour of killing the prisoners gained ground at all levels:

I can explain it like this. There was no decision. When you write something down, then we say it is a decision.

Sometimes we share our impressions, we talk with friends. And these ideas of ours, people…took them to be the same as our decisions…

Therefore, some of them [Fretilin] took a decision that we kill them, so that the enemy could not endanger us. Perhaps this opinion was commonly held, more or less commonly, by leaders at all levels.162

198. In the wake of the invasion leaders’ attitudes hardened, sometimes because of the personal impact on them of the loss of family members. In this climate individual leaders did not necessarily behave consistently. As noted above, the Commission was told that Nicolau Lobato intervened to prevent the execution of one group of prisoners. It was also reported to the Commission that a few days later, when a group of Apodeti prisoners refused an order to carry boxes of ammunition from Maubisse to Same, Nicolau Lobato told them not to try his patience further, or they would be killed: “Don’t make me upset, because I have lost my family. I have lost everything. You guys have to cooperate.” Later, in Same, he apologised to them for having made this threat.163

199. However, while the situation immediately after the invasion was certainly chaotic and feelings against those affiliated to parties that were cooperating with the Indonesians was running high, the evidence available to the Commission suggests that the killings that took place during this period were not entirely random, that a pattern of abuse towards detainees had emerged in the preceding months which laid the ground for the executions, and that rudimentary structures were in place that continued to operate in the immediate aftermath of the invasion.

200. Over the months preceeding the invasion, when Aileu became the major holding centre for detainees from districts throughout the territory, a culture of abuse, which did not preclude the possibility of execution, developed in Aileu. Those responsible for the prisoners held there showed no regard for the basic rights of the detainees. During this period prisoners suffered extreme deprivation, were subjected to severe violence and were forced to perform hard labour while often weakened by hunger and ill-treatment. As a result of these conditions many of them died. In Aileu Fretilin officials created and operated structures for the investigation, trial and imprisonment of political opponents. While all of these institutional forms failed to guarantee offered and no protection to the prisoners, they did constitute a system that operated through a chain of command. A similar system operated briefly in Same.

201. The specific threat of executions had been in the air since at least the outbreak of the civil war. While many, possibly most, of the earlier executions attributed to Fretilin in the months before the 7 December invasion appear to have been localised revenge killings, not all of them were, particularly those that occurred in Aileu. According to one witness, the question of whether Fretilin should execute its detained opponents was being debated within the leadership soon after the party launched its successful “counter-coup” in August 1975. At that time one faction
advocated killing selected UDT prisoners held in the Quartel Geral. Several UDT prisoners were executed in Marabia as they were being transferred to Aileu in September 1975.\textsuperscript{164}

202. Francisco Gonçalves, one of a group of prisoners who were moved from Dili to Aileu on 13 September, recalled that the group received a grim warning from the Fretilin President, Francisco Xavier do Amaral:

\textit{[On] the day of 13 September, when we moved to Aileu, [at] 4 o'clock in the morning, Xavier do Amaral [came] to talk with us, to give us information. And then he said that if Indonesia invade[d] Timor-Leste, we [were] all going to die. We were prisoners, we were good for…fertiliser, “coffee prisoner[s]”}—Xavier said that.\textsuperscript{165}

203. Not long after Fretilin launched its “counter-coup” and started arresting UDT members Nicolau Lobato set up an Investigation Committee headed by Lucas da Costa in Aileu to assess the involvement of UDT prisoners in the armed movement. Later, in October, when Fretilin started arresting Apodeti leaders in response to mounting Indonesian incursions, this Commission also investigated them, mainly to gather intelligence about Indonesian intentions towards Timor. However, some time during October its head, Lucas da Costa, moved to Atsabe and the Committee was dissolved.\textsuperscript{166}

204. The experience of a group of at least 12 Apodeti members who appear to have narrowly escaped execution after being arrested in the Fretilin crackdown on Apodeti supporters in October 1975 illustrates how the abuse of prisoners was already well entrenched at this time.

205. In an interview with the Commission Labut Melo recalled his arrest in Dili on 4 October and his transfer with other Apodeti leaders to Aileu on 19 October. On the night of their arrival in Aileu the group were brought before the Investigation Committee. The “hearing”, which was held by the river in Aisirimou, started in the late evening and went on until 2.00 or 3.00am the following morning. Among those he remembers being present at the hearing were several of the same people who were involved in the screening and execution of prisoners in December, including Pedro Aquino, Paul Manulin and Humberto Martins da Cruz. According to both Labut Melo and Herminio da Silva da Costa, another member of the Apodeti group interviewed by the Commission, the prisoners were interrogated about Indonesia’s invasion plans and received death threats from the men running the proceedings, Lucas da Costa and Pedro Aquino, as well as beatings from their subordinates.\textsuperscript{167} According to Labut Melo:

\begin{itemize}
\item [1] Those advocating the execution of prisoners included Alarico Frenandes, Sebastião Montalvão, Gildo Ribeiro and Domingos Ribeiro [CAVR Interview with Humberto Martins da Cruz, Dili, undated].
\end{itemize}
After we had finished our evening meal there was another order from the Justice Committee, or the “Maubere Court of Justice” or whatever it was they had there in Aisirimou under the command of Lucas [da Costa], [Antonio] Barbosa [dan] Pedro [Aquino (Naimau)]. Basically, the 25 of us were in their hands...In Ribeira at the Aisirimou [river] we were welcomed with sticks and various kinds of assaults...it was a real hammering they gave us...I don’t know what we were saying, what kinds of noises we made, whether we cried or not i don’t know, but i know we were tortured until 2.00 am or nearly 3.00am. And the statements that they made to us were the same as on that first morning: “Brothers, you have made a mistake, you chose Apodeti, and if Indonesia invades, not one among you will survive, everyone of you will die”. Then I said to them...“If we die, we die, and if we live, that’s in God’s hands, and it is God who presides over life and death.” It was Lucas and Pedro Naimau who gave the orders, while Paulo Manulin and the others, all the illiterate ones, they were just carrying out their duties.  

206. The Apodeti leaders were transferred back to Dili on 22 October where they were held in the Comarca Balide until the Indonesian invasion on 7 December. Herminio da Costa da Silva and Labut Melo separately told the Commission that they believed they owed their lives to the intervention of senior commanders in Dili.  

207. While the practice of executing prisoners may have won the support of some Fretilin leaders and Falintil commanders as well as of the lower ranks in both organisations, it was not universally accepted. The Commission heard several accounts of troops and commanders who refused to take part in the killing and in some cases took steps to stop it. Immediately after the invasion in early December Guido Soares, then deputy defence minister and Falintil chief of staff, and troops under his command left Aileu for Ainaro, taking with them a group of prisoners who were spared the fate of the prisoners who were executed in Aileu, Maubisse and Same.  

Falintil troops in Maubisse reportedly refused to go along with a plan to execute about 200 prisoners who were brought from Aileu for that purpose on 8 December 1975. A group of eastern commanders successfully intervened to stop the killing in Same in late January. In both Maubisse and Same the troops who opposed the killing made the same argument: “These are our fellow East Timorese; we should not kill them.”

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1 Herminio da Silva da Costa says that they were rescued by four Falintil commanders who had been despatched to Aileu by Rogério Lobato after the ICRC had intervened on the Apodeti leaders’ behalf. Labut Melo believes that Nicolau Lobato was the ultimate source of the order, who was responding to the intervention of Sergeant Constancio Soares, a relative of the wife of one of the detainees, Antonio Parada.
Frelilin responsibility and the mass executions of December 1975 and January 1976

Present and former members of the Frelilin Central Committee addressed the subject of the unlawful killings of UDT and Apodeti detainees by Frelilin forces during the Commission’s National Public Hearing on The Internal Political Conflict 1974-76 in December 2003. Xanana Gusmão, then a member of the Frelilin Central Committee, said about these killings:

The UDT and Apodeti prisoners were taken up into the hills not with the intention to kill them…but the parachutists were already landing…the Indonesian troops were occupying Dili, coming up, coming up.

The massacre in Aileu, we can say that it was a taste of revenge, but I do not believe that, it was not the policy of the party, especially because there was no control. At the moment of the invasion, the [Frelilin] military people just ignored us, the members of the Frelilin Central committee and the civil political members. ‘Who are you?’...[they said to us]. If we were to carry guns, they said, ‘you don't need to carry guns, give your guns to us the soldiers…you just run away’. The situation was out of control so the population of Dili was running to the hills…I can't say that the massacre was a planned political programme, or political strategy. It happened, yes, it happened as some kind political revenge. Also the massacre in Same showed that we, the Frelilin Central Committee did not have capacity [to control]...because the enemy was pushing forward, the Estado Mayor of Falintil and the Frelilin Central Committee’s complete attention was on the advance of the enemy…Then we cannot say that the party said to do this [massacre], no. The problem was that the forces were coming from the east, from the border, lastly came to Dili. [But] the enemy parachutists entered Baucau, landed in Lospalos, landed in Viqueque…Frelilin troops who come from the east want to return…the situation was completely out of control…we cannot say that Frelilin organized it…”

Mari Alkatiri, then a member of Frelilin Central Committee, told the Commission that Frelilin, as an organisation, must take responsibility:

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

From the political angle, even if [the massacre] was not intended by the superiors, this is still became the responsibility of the organization who didn’t have control...They may not have approved of what happened, but that is a separate issue. If they didn’t control their charges, there is political responsibility. At the moment I am personally trying to find out who ordered the killings. Who gave the command? But I admit that I still don’t know. If I knew I would say, not in in the public, I would tell the Commission.

Francisco Xavier do Amaral, who was President of Frelilin at the time, depicted the difficult choices which were faced by Frelilin, as the Indonesian forces advanced. He believed that there was no formal decision taken at Central Committee or government level, but that, out of fear and panic, decisions to kill detainees were taken, sometimes with the approval of senior Frelilin figures:
“I can explain it like this. There was no decision. When you write something down, then we say it is a decision.

Sometimes we share our impressions, we talk with friends. And these ideas of ours, people called them… took them to be the same as our decisions. Because our thoughts are just our opinions. Sometimes I have an opinion, and I say it.

We were in the middle of war, in this war, when we ran, the enemy chased us. We ran, we took the prisoners with us, our enemies who we had imprisoned… Before we even had a chance to catch our breath, the enemy were already close. Now, what do we do? We must keep running forward. We don’t have many choices. We didn’t have transport, we didn’t have food, sometimes there was no medicine, we didn’t have any of these.

Some of our prisoners were already seriously sick, some were very weak. Therefore we had to take this into consideration. Do we look after them? Do we run away without them? Or do we kill them and then run? I see danger in both. If we leave them alive, they can fall into the enemies’ hands. If we abandon them, for example a UDT member or an Apodeti member, he could fall into the enemy’s hands. The Indonesian military could come and he could fall into their hands. The Indonesians could put pressure on him and they could find us. They could trick him or he might confess. [Whether we were] in the town or somewhere else, he could confess. Therefore we came the conclusion, if they were weak already and they couldn’t walk with us, and if we wanted to carry them but we didn’t have the strength, there was no guarantee that we could make it to a safe place, then was it better if he died or we died? Sometimes, they made a decision that we killed them, so that the enemy could not endanger us. Perhaps this opinion was commonly held, more or less, by leaders at all the levels.”

Rogério Lobato, ex-Commander of the Armed Forces, in a moving testimony declared his grief for the tragic loss on both sides of the conflict and his sense of responsibility for what took place:

I want to say that in this process of war so many died. I don’t want to lay blame here. I think it is important for us here to set out the facts…it is true that Fretilin killed many UDT prisoners… UDT also killed Fretilin prisoners…I want to…concentrate attention on what is the Commission’s focus, human rights violation. At this time I was the Commander of the Armed Forces. I must take responsibility for much that happened in the war..."
7.2.3.4 Unlawful Killings and Enforced Disappearances by ABRI after the Indonesian Invasion, 1976-1979

208. Data gathered by the Commission show a steady escalation of unlawful killings and enforced disappearances by Indonesian security forces and their auxiliaries during 1976-79, reaching a peak in 1978-79.

209. During the period between 1976 and late 1978 the Indonesian military slowly consolidated its hold over the territory of Timor-Leste. It was only at the end of this period that it gained overall control of the territory. By the end of 1976 the Indonesian occupation forces controlled the main towns and connecting roads. This forced the East Timorese Resistance and much of the civilian population to evacuate to the mountains and forests in the interior of the country. From late 1977 the momentum of the war started to move decisively in favour of the Indonesian forces as the base areas controlled by Fretilin/Falintil began to fall into Indonesian hands. By mid-1978 all sub-district towns were under Indonesian control, and ABRI began a final offensive against the large population concentrations still holding out in areas such as Alas in Manufahi, the Natarbora Plain (Manatuto), Mount Ilimano in Manatuto and on Mount Matebian. Once trapped in these confined areas, their populations came under massive Indonesian bombardment from the land, air and sea. Fretilin/Falintil could no longer defend themselves or the population that had followed them there. Throughout this period several hundred thousand East Timorese people were captured by or surrendered to Indonesian forces. By early 1979 most East Timorese people were living under Indonesian control, usually under the severely restrictive circumstances of the resettlement camps (see Chapter 7.3: Famine and Forced Displacement).

210. During this period although many East Timorese civilians were detained in military custody, prisoners taken by ABRI were held without charge or trial. Killings occurred in a variety of circumstances. There were indiscriminate killings of civilians engaged in daily activities, the killing of civilians during military operations; the killing of detainees; the summary killing of surrendered civilians; and the targeted killings of Fretilin members and surrendered combatants. But all killings of civilians in custody were extra-judicial and unlawful.

211. This section consists of two sub-sections. The first describes the general patterns of killings and disappearances committed by ABRI and its auxiliaries over the whole period 1976-79. The second focuses on 1978-79 when after the fall of the bases de apoio, killings and disappearances perpetrated by ABRI and its auxiliaries reached their peak, and presents the Commission’s evidence that during this time ABRI engaged in a coordinated campaign to eliminate Fretilin/Falintil leaders who had surrendered or been captured.

Patterns of Unlawful Killing and Enforced Disappearance by ABRI, 1976-79

_Civilians killed during military operations_

212. The Commission heard extensive testimony about the arbitrary killing of civilians encountered by members of ABRI while on patrol or during military operations. In many of these cases civilians were killed indiscriminately as Indonesian forces extended their control into new areas or conducted operations in areas not controlled by either side. Although many civilians fled ahead of the invading army, those who stayed behind or had the misfortune to run into Indonesian patrols were often shot on sight. For example:

Once surrendered, an individual loses their combatant status, and is afforded protection as a prisoner of war. ABRI systematically violated this right, and actively targeted and executed surrendered Falintil members.
• Americo da Costa and his wife were killed by ABRI as it entered Hera on 16 January 1976. Falintil had retreated, leaving behind some villagers. Americo da Costa and his wife were discovered by ABRI as they were picking corn, and shot dead.  

• On 11 February 1976 ABRI troops entered Lelaos (Dare, Dili). They bayoneted two civilians, Antonio Soares and Inácio de Jesus, to death.

• In early March 1976 ABRI Battalions 315, 512 and 401, with an Armed (Artileri Medan, Field Artillery) unit in support, entered the sub-district of Letefoho (Ermera). They started seeking out and attacking places where the civilian population were hiding. In the village of Hatugau they shot dead Sebastião Lemos. In Erelau they arrested two men suspected of trying to contact Falintil, Cristovão Soares and Filomeno, and executed them at Mandoki Lau. They kept on harrying the population, causing them to flee first to the Talo Forest in Hatulia and then back to Tata in Letefoho. Survivors who stayed in Eraulo were resettled in Letefoho Town where they stayed for three years.

• One deponent told how when troops of Battalion 726 entered the sub-district of Railaco (Ermera) in April 1976, he fled with his wife and children to Halaltur in the village of Railaco Leten. His wife fell seriously ill and urged her family to leave her to avoid being killed by the advancing Indonesian troops. The rest of the family took her advice. When Battalion 726 found her alone asleep in a hut, they shot her dead.

• Around the same time Vicente de Jesus and his wife, Raimunda da Conceição, were shot by an unidentified ABRI unit and Partisans as they entered the sub-district of Railaco (Ermera). Vicente died of his wounds. His wife was wounded in the thigh but survived.

• In March 1978, when ABRI attacked Mount Bibileo (Viqueque) the population that had been concentrated there scattered. A deponent told the Commission that his elderly aunt was left behind. A few days later the deponent and his brother returned to the village. They found that the old lady had been shot dead by ABRI and her body half-eaten by dogs.

_Civilians killed while carrying out daily activities_

213. From the earliest days of the occupation the lives of civilians who went looking for food in areas where Indonesian forces had established posts or were conducting operations were also in danger. For example:
• After the Indonesian capture of Betano (Same, Manufahi) in January 1976, the deponent and his family fled to the nearby aldeia of Fatumeta. In April 1976 four members of the family were shot by marines when they were out looking for food in Bermet Buido near the marines’ post. The deponent’s mother and aunt died of their wounds.\textsuperscript{161}

• In September 1976 Indonesian forces entered the village of Seloi (Aileu, Aileu). Because they were desperately short of food, a group of four people, Martinho, José, Martina and Teresa went to the aldeia of Lio, Seloi Kraik Village (Laulara, Aileu) to look for cassava. Indonesian soldiers captured Martina and shot Teresa dead. Martinho and José managed to get away and reached the safety of a Falintil post. Because they were suspected of working for ABRI, they were sent to Weberek (Alas, Manufahi).\textsuperscript{162}

• Carlito and Armindo encountered an ABRI patrol while out hunting in the area of Rate Naruk (Viqueque, Viqueque) on 7 February 1977. The unidentified ABRI unit shot them both. Armindo died immediately. Carlito was seriously wounded, but was found by his uncle the next day and recovered.\textsuperscript{183}

• In July 1977 Indonesian troops discovered Justina and her husband Talo Mali when they were looking for food in the forest in the sub-district of Atsabe (Ermera). Justina and Talo Mali were arrested on suspicion of collecting food for Fretlin/Falintil. They were detained for ten days in Atsabe where Talo Mali was subjected to continual interrogation during which he was beaten and submerged in water. Talo Mali was then handed over to troops belonging to an Armed (Artileri Medan, Field Artillery) unit. He was taken to Airea, Paramin Village (Atsabe, Ermera) where he was made to stand on the edge of a large hole dug by the troops, and shot dead.\textsuperscript{184}

214. The Commission received numerous accounts of killings of civilians held in detention camps after the mass surrenders of late 1978.\textsuperscript{185} Faced with starvation, they would leave the camps to go to the forest or to former gardens in search of edible leaves, tree roots, or palm sap. They knew that if caught they would be accused of having contact with Falintil and would likely be killed. Father José Tavares recalled the situation in the concentration camp in the sub-district of Natarbora, Manatuto where he surrendered in 1978:

\textit{Those in the camp were not permitted to leave…unless ordered to do so by ABRI. Those suffering from hunger were forced to go hunting in the forest secretly. If it were known they had gone beyond the boundary line they would be considered…[to have had] contact with Falintil. These people…usually were immediately killed.}\textsuperscript{186}

215. In 1978, during the mass surrenders at Matebian, a group surrendered to ABRI at Venilale, Baucau The deponent, who was a member of the group, was detained for about one year in the Sub-district Military Command (Koramil) headquarters in Venilale. On his release in December 1979 he learned that his wife, Ermelinda, and two daughters, Joana and Anina, had been beaten to death by troops from Battalions 721 and 503 while the women were in the area of Uaihae in Uaioli looking for food. Their bodies had then been burnt, according to a man who had been with the women and who survived.\textsuperscript{187} In August of the same year four civilians who had surrendered were also looking for food. They had not obtained a permit (surat jalan) to leave their area around the camp. At Mount Tokegu in Samagata, Sagadate Village (Laga, Baucau) they were arrested by Battalion 141. One, Anurai, was then taken to the One Bu’u River and killed. Another, Kotedora, was taken to Kotamutodo, and killed in front of the whole village, including the women and children. A third was killed at Uasagia (Laga, Baucau).\textsuperscript{188}

216. Sebastião da Costa, his brother, Paulino, and his sisters, Isabel and Maria, were caught while searching for food. They were captured in 1979 in Lakawa (Bagua, Baucau) by Battalion 141 troops who put them in a water buffalo pen. A month later their families found their rotten corpses in the pen and gave them a decent burial.\textsuperscript{189}
217. Loi Lu and his family surrendered in 1978. They lived by the road in Uaioli (Venilale, Baucau). Because he was too weak from hunger to walk, and the family were not given food to eat, Loi Lu stole a jackfruit from Pedro to feed his family. Pedro caught him and handed him over to Liurai Antonio. Liurai Antonio in turn handed him over to members of Battalion 745, who took him to Natarbora in Manatuto where they killed him.190

218. In September 1979, when the Indonesian military was building up for its major offensive in the area, soldiers from the Viqueque Kodim caught Leki-Rubi in Uaimata Rae (Ossu, Viqueque), as he was on the way to plant his garden. They killed him on the spot.191

_Civilians killed on suspicion of working with or having knowledge about Fretilin/Falintil_

219. From the earliest days of the occupation civilians living in Indonesian-controlled areas were being killed on suspicion of having been in contact with Fretilin/Falintil. For example:

- Marcelo and his family surrendered to ABRI in 1976 in Bazartete (Liquiça). They were allowed to return to their home village of Lehata. An East Timorese acquaintance denounced Marcelo and his cousin, Manuel, as Fretilin spies to patrolling troops from Battalion 401. The troops opened fire on Manuel, who fled to his house in the aldeia of Pisulete. The next day the troops from Battalion 401 found and arrested Manuel. They shot Manuel dead and took away six other youths from the village. The following day the people of Bazartete were told to gather in front of the local church. When they had assembled, ABRI troops ordered them to dig a large hole. Then the six youths were brought out of the former Portuguese Company headquarters, showing clear signs of having been badly beaten. Battalion 401 troops lined the six up at the edge of the hole, and shot them dead.192

- In 1976 Maubere was one of 13 men and two women who had been recruited in the sub-district of Bobonaro (Bobonaro) by a Partisan commander named M218 to be TBOs for ABRI. One day the Indonesians and Partisans seized M218 to be TBOs for ABRI. One day the Indonesians and Partisans seized all 13 men and tied them up, accusing them of having taken ammunition and given it to Fretilin. The 13 were told they were being taken to Hauba (Bobonaro) to be killed. Once in Hauba the troops released all the men except for Maubere whom they killed. His body was thrown in a river and never recovered.193

- On 23 March 1976 two youths, Cristovão and Filomeno Soares, were taking food and clothing to the Fretilin Zone Secretary of Letefoho (Ermera), with whom they had established clandestine contact. A patrol from Battalion 512 intercepted them and suggested that they help them find Fretilin/Falintil in the forest. The two refused and were shot dead at a place called Marconi in Eraulo (Railaco, Ermera).194

220. Detainees were also killed for not disclosing or confirming information being sought by their interrogators. In 1978, for example, members of Battalion 403 killed two men, Anselmo and Antonio Cardoso, on Mount Derok Loke (Lacluta, Viqueque) because they were unable to disclose the whereabouts of Xanana Gusmão or where Falintil weapons were hidden.195

221. In 1979 a detainee, Manuel da Silva, was confronted with João da Rosa at the District Military Command (Kodim) headquarters in Viqueque. His interrogators demanded that Manuel da Silva confirm that João da Rosa had been supplying food to Falintil. When Manuel da Silva insisted that it was not João da Rosa but someone else, a rope was twisted around his neck and pulled until he died.196
Civilians killed in retaliation for Falintil attacks

222. Indonesian forces also reportedly killed civilians in retaliation for Falintil attacks. In several of the cases reported to the Commission the killings appear to have been a form of indiscriminate proxy or collective punishment intended as a general warning to the population and to deter further Falintil attacks:

- In January 1976 Indonesian troops responded to a Falintil attack on Hauba (Bobonaro) by taking nine civilians from the village to Atsabe where they were killed.\(^{197}\)
- On 4 March 1976 a group of Apodeti members seized 16 East Timorese civilians and took them to the sub-district of Hato-Udo (Ainaro), where they were detained in a house and forced to work for the ABRI unit stationed there. During March there was a Falintil attack in the area in which Indonesian forces suffered casualties. Four of the 16 detainees were taken by a soldier and an East Timorese man to Betano, Manufahi, ostensibly to unload a ship. They were not seen again.\(^{198}\)

Civilians killed during ABRI attacks

223. Although the unintentional killing of civilians during combat and civilian fatalities in crossfire are not considered human rights violations, in some situations the Commission has found it difficult to determine whether members of ABRI took sufficient care to distinguish between combatants and civilians, and to avoid civilian casualties by using force discriminately and proportionately. In some of these cases groups composed entirely of civilians came under attack:

- The Commission heard of one case early in the war where a group of civilians attempted to defend themselves against the invading army. On 15 March 1976, when Infantry Battalion 509 attacked Ainaro Town (Ainaro), about 60 civilians tried to oppose the well-armed invaders. Most or all of these civilians were killed.\(^{199}\)
- In May 1977 ABRI attacked a group of civilians hiding on Mount Kablaki, between Ainaro and Manufahi. Ten were killed during the attack.\(^{200}\)
- In 1978 troops from Battalions 744 and 745 conducted a raid in Aisapu, Asulau Village (Hatulia, Ermera) during which they killed a large number of people. The deponent who reported this attack to the Commission collected information about 13 separate families which had lost a total of 88 relatives during the raid. At least some of the victims were reported to have been in the custody of the troops when they were killed. They included members of one clan group from the *uma kain* (group of family households) of Poeleu, which suffered the loss of 15 family members.\(^{201}\)

Civilians killed while in the custody of Indonesian security forces and auxiliaries

224. From the earliest days of the war ABRI routinely took civilians into custody.\(^{202}\) In many cases this led directly to summary execution. In other cases the victim would be tortured or ill-treated first, or taken to another location and then killed. This pattern of killing occurred throughout the period 1976-79.

- In January 1976 five people were killed immediately after capture by Battalion 126 in Hatugeo (Atsabe, Ermera).\(^{203}\)
- In 1976 José Cortereal and his family surrendered in Tirilolo, Hola Rua, Same, Manufahi). They were taken by Indonesian troops and Hansip to Lesulau in Hola Rua where two of them, Sirimau and Calistro, were shot dead.\(^{204}\)

225. Many killings of civilians occurred in military custody. Victims would be seized, then taken to a military facility, and killed. In other cases civilians disappeared after arrest or capture: they are
presumed to have been killed, but no witnesses have come forward to confirm that this was their fate. For example:

- In 1976 when three civilians were called to the Battalion 327 post at Mau Ulo (Maubisse, Ainaro), the soldiers ordered the men to be tied up. One was released, but the other two were taken away to the town of Ainaro, and never reappeared.  

- Antonio dos Reis told the Commission how he, his father and brother came out of the forest and surrendered to Battalion 405 in Maubisse (Ainaro) in April 1976. While in detention they were frequently beaten and kicked, and every night they were immersed in water. A year later Antonio and his brother were released, but Indonesian troops killed their father, Francisco Xavier, and buried his body near the pousada (inn) in Maubisse.

- In January 1976 ABRI entered Ossu (Viqueque), causing many families to run away. On 23 September 1976 ABRI captured five men who had fled to the forest the previous January, including Leki Gari, and took them to the Koramil headquarters in Ossu, where there were already many other detainees who had been arrested on suspicion of working with the Resistance. At the Koramil they underwent interrogations accompanied by pistol-whippings, beatings with steel pipes and kicking. Leki Gari, and another detainee called Olobere were then taken to the Battalion 202 headquarters in Ossu where many other detainees were being held. That same evening, Olobere, Leki Gari and a third person, Mariano, were taken from the Battalion 202 headquarters, and shot dead.

- On 8 November 1978 soldiers from the Koramil in Laga, Baucau District, came to the village of Soba (Laga, Baucau) and arrested Pedro Pereira. They took him to the military police headquarters in the village of Laga for investigation. Later that afternoon Pedro Pereira returned to Soba with his captors. The troops seized two other men from Ro’o Liu, Gregório Pereira and João Pereira, and took them to the military command post. The next day João and Pedro Pereira were taken away to Baucau and disappeared.

226. ABRI units also killed women and children who were in their custody. The Commission heard how in January 1976 a woman and her two children were seized by Indonesian troops in Tailau in Ermera. The woman, who was pregnant, was the sister of a Falintil commander and had been denounced by an informer. Indonesian soldiers and two East Timorese Partisans raped her. The next day ABRI killed the woman and her children.  

227. Women taken into the custody of Indonesian forces might also disappear. During the attack on Mount Matebian in October-November 1978, a mother, Luciana, and two of her daughters, Etelvina and Albertina, were wounded when they came under assault from Infantry Battalion 202. Luciana was taken to Dili for treatment and recovered. Etelvina and Albertina were taken to hospital in Baucau. On her return from Dili Luciana tried to find her daughters at the hospital, but hospital staff did not know what had happened to them, and they were never located.

228. East Timorese auxiliaries also detained people who had recently surrendered and killed them. The Commission received several statements describing killings of those who had surrendered committed by the Tonsus (Peleton Khusus, Special Platoon) unit established by Kopassandha in the sub-districts of Barique, Soibada and Laclubar (Manatuto):
• In February 1979 five men—Manuel Carlos, Lekihonik, Pinto, Raimundo de Oliveira and Armando Soares—who had recently surrendered in Orlalan (Laclubar, Manatuto) were taken by Tonsus under the command of M312 to the Kopassandha base in Orlalan. After one week in detention, during which they suffered continual beatings, the five were bound together with rope around their necks and brought by four Tonsus to a place called Manglima where they were shot dead.\textsuperscript{212}

• In the same area some time in 1979, two civilians described as “suspected Fretilin supporters”, Mali Arus and Miguel Daholo, were picked up by members of Tonsus shortly after surrendering. They were brought to Laclubar, being badly beaten along the way. Once in Laclubar Mali Arus suffered further beatings, which caused his death two weeks later. Three weeks later the deponent himself and five others, including his father, Graciano Bere Mauk, and his cousins, Martins and Mau Leki, also surrendered and were taken to the Tonsus post at Orlalan. Soon after, three members of the group, Graciano Bere Mauk, Martins and Mau Leki were taken out and shot dead by Tonsus members.\textsuperscript{213}

229. Many civilians were killed during interrogation and torture, or after serious beating while in military custody.\textsuperscript{214}

230. In January 1976 the Sub-district administrator, Mateus Ximenes, ordered the arrest of Cipriano Magno Ximenes, who had recently surrendered, in Soba (Laga, Baucau). After his arrest he was handed over to a Marines unit. Two days later he was joined in detention by his wife and daughter. All three were beaten by the wife and daughter of a local UDT leader. Three days Cipriano Magno Ximenes was killed.\textsuperscript{215}

231. In 1978 after his family had surrendered in Uatu-Lari (Viqueque), Hansip arrested the deponent’s son, Afonso, and took his to the Battalion 202 post there. He was been so badly by the Hansip and ABRI troops that though allowed to return home, he died of his injuries.\textsuperscript{216}

232. In 1979 four men surrendered to Battalion 202 in the area of Mount Matebian. They were taken to Viqueque where they were beaten by Hansip with rifle butts and kicked. One of the four men died after one week of this ill-treatment. The deponent said during his year in detention in Viqueque two other prisoners, Mário Harec and Julio Soares, also suffered such severe beatings from the Hansip commander M313 that they too died.\textsuperscript{217}
“He’s gone to school…”

Over a period of several years and across many districts ABRI personnel used a standard set of terms to refer to the killing or disappearance of its victims. People who had been taken away to be executed or who had disappeared were said to have “gone for a bath”, “gone to Jakarta/Bali/Quelicai”, “gone hunting” or “gone on an operation”. However, of all these terms the one most commonly used by ABRI and its East Timorese auxiliaries to explain a disappearance was to say that a victim had “gone to school”. Cases of people being “sent to school” were reported to the Commission from the districts of Aileu, Ainaro, Baucau, Dili, Lautém and Manufahi. The earliest reported instance of someone being “sent to school” was in Ainaro in 1976. The term was also used in the context of the disappearances that followed the Falintil attacks on Dili in June 1980 and that accompanied Operasi Persatuan (Operation Unity) in 1983-84. But the largest number of cases of people “going to school” reported to the Commission occurred in 1978-79. In the Commission’s view, the repeated and widespread use of this and other euphemisms is evidence that the Indonesian military and its auxiliaries executed its victims in accordance with a standard operating procedure emanating from higher up the command chain.

In many of the cases from the 1978-79 period it was captured or surrendered Fretilin leaders and Falintil commanders who were “sent to school”.

In March 1979, in one of several disappearance cases involving former Fretilin leaders or Falintil commanders reported from Manufahi at around this time, six Fretilin leaders who had surrendered in Betano (Same, Manufahi) with a large group of people the previous November were put to work building roads. Soon after the six—José da Conceição, Francisco da Conceição, Francisco da Costa, Paulino Teli, Martinhão Aulaku and Sebastião Nunes—were summoned by two East Timorese local officials and told that all but one of them were going to be “sent to school”. The five have not been seen since. The sixth, José da Conceição, was forced to become a Hansip.

Three ranking members of the Resistance in the North Central Sector, Domingos Damião, a Falintil company commander, Anacleto Mendonça, another Falintil commander and Antonio Sarmento, a delegado, surrendered in 1978 and were recruited as Hansip. In March or April 1979, while the local Hansip were on parade at the headquarters of RTP 6 and RTP 8 in the town of Aileu, the three were called out by name and told to go to the house of the district military commander (Dandim). The three were last seen being driven away in a convoy of Indonesian military jeeps. The following day an Indonesian army captain came to Antonio Sarmento’s house and returned his watch and wedding ring. The captain said the victims “were attending school”. On the same day Anacleto Mendonça’s wife also received a visit from a captain. He too handed in her husband’s watch and ring. However, his explanation of Anacleto’s whereabouts was different: he said that Anacleto had “gone to war” in the east.

In Parlamento (Moro, Lautém) eight Hansip—Horacio Silveiro Lopes, Amaro Amaral, Inácio dos Santos, Venancio Gusmão, Rodolfo da Costa Junior, Sebastião Maria Lourdes Oliveira, Justino dos Santos and Domingos Dias dos Santos—were called to the Koramil on 14 May 1979, on suspicion of having been in contact with a Falintil commander. Seven of them were later seen being taken away by troops belonging to Battalion 745. Only one of the seven returned. Relatives of the missing men were repeatedly told that they had “gone to school”. Several deponents said that they had eventually learned that their relatives had been killed near the Battalion 745 headquarters in Assalaino (Fuiloro, Lospalos, Lautém) and Sepelata (Bauro, Lospalos, Lautém). Two of the victims’ bodies were later found in Asailaino and one in Sepelata.

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1 See, for example, HRVD Statements 03429 and 03401 and CAVR, Community Profile, Debu-Waen, Mahaquidan Village, Alas Sub-district, Manufahi District.
Sometimes when a family learned that a relative had been “sent to school”, they immediately concluded that he had been killed. This was most obviously the case when, for example, a victim who had supposedly been “sent to school in Jakarta” was illiterate. In other instances, when, for example, family members were told that the victims were being sent to attend the course on Pancasila, the Indonesian state ideology that was compulsory for Indonesian civil servants, the explanation might initially seem convincing and only with time would family members come to understand the real meaning of what they had been told.†

Unlawful killings and enforced disappearances of surrendered and captured civilians and combatants

233. During the years 1976-1979 several hundred thousand East Timorese civilians came down from the mountains or out of the forests, and surrendered. Surrenders occurred steadily throughout 1976 and 1977, and then increased during 1978. In the second half of 1978 they reached a new peak as Indonesian forces overwhelmed the last resistance bases (see Part 3: The History of the Conflict). On surrendering, civilians were put through a selection process, intended to determine whether they had been members of Fretilin or Falintil, and if so, whether they had held senior positions. Executions and disappearances were a frequent outcome of this process. Known Fretilin members, civilians suspected of clandestine activity and surrendered combatants were the most common victims. Killings and disappearances reached their greatest intensity in the first half of 1979, several months after the mass surrenders of late 1978 and in the period surrounding the end of Operasi Seroja at the end of March 1979.‡

Killings and disappearances in military custody after surrender or capture

234. Many killings of surrendered civilians were clear cases of summary execution. For example:

† See, for example, HRVD 03401, in which when the deponent was told that his daughter had been “sent to school”, he immediately understood that she had been killed.
‡ See HRVD Statements 05365, 05369, 05376 and 05364. The MPR had made these courses, known as P-4 (Pedoman Penghayatan dan Pengamalan Pancasila), under Tap MPR No. II/ MPR/1978.
§ On 26 March 1979 the special operational command, Komando Tugas Gabungan Seroja (Kogasgab Seroja), was abolished and the operational activities of the military in Timor-Leste were placed under the command of a newly-created Sub-Regional Command (Korem), designated Korem 164/Wira Dharma, which stood at the apex of a territorial structure that extended down to the village level. This change, by bringing Indonesian military structures in Timor-Leste more closely into line with those in Indonesia itself, was intended to signal that the Resistance had been defeated and that East Timor was becoming a normal Indonesian province [see Part 4: The Regime of Occupation, section on The Indonesian Armed Forces and their Role in Timor-Leste].
• In 1976 a member of Falintil, Loe-Sili, was captured by five Indonesian Special Forces troops in Mabil-Loa, Saburai (Maliana, Bobonaro). Immediately after capture and interrogation, the troops killed him.226

• A Fretilin member, Dasbere, was arrested on 5 May 1976 by troops of Battalion 403 in Leimena Leten (Atsabe, Ermera). He was taken to Clikata. The Indonesian troops made him pose with the Portuguese flag and took photographs of him. Then they killed him.227

• On 9 December 1976 four Indonesian troops arrested Raimundo Pereira and Berleto Moniz in Matai (Suai Town, Covalima) after being told by an Apodeti party member that they were members of Fretilin. The two were brought to Tua-Laran and killed.228

• In 1978 a woman called Guilhermina was captured by troops from Battalion 503 in Leorrema (Bazartete, Liquiça). They found an OPMT card (the Fretilin’s women’s auxiliary, Organizaçao Popular de Mulher de Timor) in her possession. She was immediately executed.229

• In 1978 a father and son, Uatu Suu and Kenawatu, were captured in Nabolu, Uaioli (Venilale, Baucau) by Hansip commanded by M314. They were then killed, and their bodies left where they fell. The seven-year-old son of Uatu Suu who witnessed the killing was taken away by two of the Hansip and lived with them in Ossu (Viqueque) until 1995 when his relatives came to take him back to Venilale.230

235. By 1978, when the Indonesian offensive against the Resistance was reaching its peak, groups of civilians came under attack both as they sought to surrender and when they tried to hold out in the forest. Two reports from the sub-district of Natarbora in Manatuto illustrate the dilemma facing people at that time:

• In Natarbora some time in 1978, when many civilians were surrendering, a priest, Father Carlos, asked a group of civilians who had already surrendered to go back to the forest and bring out people who were seriously ill so that they could be treated. As the group emerged from the forest, they came under attack from a Kopassandha unit. One person, César Gonçalves, died in the attack.231

• In November 1978 Indonesian forces brought Francisco Xavier do Amaral, the former Fretilin President, by plane to Natarbora to persuade people still holding out there to surrender. As a result of Xavier do Amaral’s appeal many people did surrender, but others did not. Because the Indonesians knew that there were still people refusing to surrender, they set fire to the undergrowth, and many burned to death.232

236. On 18 November 1978 troops from the marine unit, Pasmor 9, and Hansip members came to arrest eight civilians and took them to the military police headquarters in the village of Laga (Baucau). During the month and a half in which they were held there the eight were interrogated and subjected to various forms of torture, including strangulation and the electric shocks to their genitals. Three of the group, Naunoto, Domingos and Nokorika, were taken away by the military police and disappeared.233

237. On 16 December 1978 João Pereira was arrested in Buibau (Baucau, Baucau) and detained at the RTP 18 (Resimen Tim Pertermpuran, Combat Team Regiment) headquarters, which was located in Buibau. During this time he was beaten. On 21 December a member of the Baucau district military command (Kodim) came to the RTP headquarters and took away the deponent and five other detainees, and beat them. A Hansip commander, named M315, took two of the detainees, Mateus Ximenes and Ernesto Ximenes, to the Wesele River and shot them dead. The other four detainees were then allowed to go home.234

238. People who had recently surrendered or been captured also died in detention as a result of torture and ill-treatment during interrogation:
239. Soon after Celestino Pinto and his wife came down from Mount Matebian in 1978, he was arrested in Uatu-Lari Town (Viqueque) by Kopassandha troops and Hansip on suspicion of having been in contact with two members of Falintil, Antonio and Jorgé. His interrogators beat and kicked him for a whole day as they tried to extract information from him about the two Falintil members. The following day he died of his injuries.\textsuperscript{235}

The mass execution of captured civilians in Turiscai

Felismina Soares is the sole surviving eyewitness of the mass execution of 13 men from Turiscai (Manufahi) on 22 February 1979.

The victims had been living with many others in a place called Sabailolo in the village of Foholau after fleeing their homes in the sub-district town of Turiscai as Indonesian forces advanced into the town in February 1976.\textsuperscript{236} On 22 February 1979 a team of local Hansip under the command of M316 rounded up around 30 men, women and children in Sabailolo and started taking them back to the town of Turiscai. When the group reached the river near Sabailolo, M316 ordered his men to search the 13 men in the group. Then the men were separated from the women.

Eleven of the 13 were brought to a ravine above the river. Felismina Soares remembered the names of only eight of the 11: Beremali, Ta Mali, Bere Leki, Mau Leki, Mau Leki, Maubere, another Maubere. She testified that three whose names Felismina could not remember. M316 ordered three of his men to shoot the 11 and then to throw the bodies into the gorge. Afterwards, as it was getting late, the Hansip and the surviving members of the group slept in the place where the killing had taken place. The next day M316 ordered the survivors to continue their journey to Turiscai. On the way, he searched the two surviving males, the former village chief of Liurai, Sebastião, and his brother, and stole their valuables. M316 then ordered the two shot dead. Their bodies were left unburied. M316 still lives in Timor-Leste\textsuperscript{237}

Targeted killings of suspected Fretilin/Falintil members and leaders after surrender or capture

240. A clear pattern exists of ABRI targeting suspected former Fretilin members among the surrendering civilian population. The Commission heard numerous cases of the execution of civilians suspected of being members of Fretilin, or having links with it.\textsuperscript{238}

241. Sometimes those killed had been living under Indonesian control for some time but came under suspicion, possibly only because their Fretilin affiliation was discovered:
In March 1976 Hansip members captured a man named Maukei in Suro Kraik (Ainaro, Ainaro) and held him at Leolima (Hato-Udo, Ainaro). In April 1976 he was taken to Luro in Leolima where he, along with four others from Suro Kraik, was killed by six Hansip members, reportedly on the orders of the Sub-district administrator (camat), M316, of Hato-Udu and Battalion 327 troops who were assigned to Hatu Udo at the time. Maukei was arrested and killed because he had been a Fretilin delegado and was suspected of giving help to Fretilin in the forest and so being "two-faced".259

On 20 September 1978, Umberto Xavier, a former Fretilin delegado, and his wife, Bicolo, a Fretilin member, were killed by Hansip at Gourema, Fatukero (Railaco, Ermera), some time after their capture by Indonesian forces.240 In 1979 a Hansip platoon beat and tortured seven members of a family they had arrested because they had been identified as Fretilin sympathisers. Several of them suffered beatings so severe that they incurred injuries such as broken jaws and serious head wounds. One of them, Artur Mendonça died of his injuries, while another member of the group, Orlando Mendonça, was taken to Maubisse (Ainaro) where he was killed.241

242. People suspected of being members of Fretilin/Falintil could be killed immediately after surrender or capture.242 Luis Pereira described the pattern of targeted killings of Falintil in Manatuto:

If armed Fretilin [Falintil] surrendered, [they] did not go through an ordinary process, but were handled separately. They were all interrogated by intel [military intelligence], a military investigation team that arrived from Manatuto. Clearly, all decisions about the fate of detainees were taken internally by the military. Often, Fretilin [Falintil] were allowed to go home. However it could happen that one or two months later they would be seized at their home and killed. Tonsus [Special Battalion], or another person ordered to collect them, would take them to the Kopassus office. Then after the Kopassus had decided, they would be killed. The person will sent back to Sub-District office, with their hand tied up behind, then the killing would be done by Tonsus. The only ones with the authority to order a killing were Kopassus.243

243. The grounds on which they were deemed to be members of these organisations were often tenuous. In cases reported to the Commission possession of a book was regarded as evidence that a person had been a Fretilin cadre and the inspection of surrenderees’ hands for callouses was a routine way to establish that someone was a Falintil fighter. In one case the suspect’s name was regarded by ABRI as sufficient grounds for killing him:
• João de Deus told how when he surrendered to Battalion 512 in Letefoho (Ermera) in 1976, he was detained because the soldiers found a Fretilin party card in his pocket. He was detained with two other people. One of them was Nicolau Rosa. Nicolau was killed because he shared a name with the Fretilin leader, Nicolau Lobato.  

• When a group surrendered to Battalion 312 at Haeconi (Baguia, Baucau), on Matebian Feto, in October 1978, the troops picked out three men, Luis Lopes, Basilio and Moises, because they had long hair and were presumed to be Falintil fighters. The three were taken away and never seen again.

• In March 1976 Armindo Gonzalves Martins and Maria Fatima surrendered to Battalion 507 at Bonuk in Holbelis, Labarai (Suai, Covalima) with a group of around 500 civilians. The soldiers suspected that Armindo had been a fighter with Fretilin. They separated him from the rest, and killed him.

244. One outcome of this crude selection process was that many ordinary Falintil fighters and people who had not fought at all were executed. For example:

• Mau Buti and Lelo Sea were Falintil soldiers who surrendered in 1978. They were arrested in February at Rotutu, Same, Manufahi on the orders of ABRI. They were then taken away on the pretext of gathering food, but were then shot by two East Timorese, one of whom was the village chief.

• In August 1978 Antonio da Costa Gono, a Falintil fighter, had surrendered to ABRI at Manatuto. He was then taken at midnight by a group of soldiers, including three East Timorese members of ABRI. He was taken to the police station, detained and tortured. From there, he was taken to the local military headquarters, located at the Hotel Asiceo, where he disappeared.

• Again in August 1978 a Falintil member named Kai Fonok surrendered with 31 civilians from their base at Hali Oan (Lacluta, Viqueque). After three days, Kai Fonok was called by Hansip members to go with them to the forest to retrieve guns left by Falintil. In the forest the Hansip members shot him.

• In 1979 Battalion 202 troops captured Jaco Reis, a former Falintil platoon commander, and civilians Naha Kai, his younger brother, Sigi Kai, Uatumau, and another unnamed person in Coleigo Uaida (Ossu, Viqueque). After interrogation by the commander at the Ossu Koramil, they were detained at the Battalion 202 post and never seen again.

245. The Commission received testimonies from several sources indicating that after the fall of the Resistance base on Mount Matebian many people suspected of belonging to Fretilin or Falintil were executed.
On 25 November 1978 three men, Pedro Alves Cabral, Laiara and José Ximenes, came down to Umurafa at the foot of Mount Matebian in Quelicai and were captured by members of Battalion 312. The Indonesian soldiers accused the three of being communists, tied them up and beat them with rifle butts. The soldiers kicked Pedro Alves Cabral repeatedly in the head, gouging out an eye. The three were then lined at the edge of a ravine and shot dead.

When Luis Soares dos Santos came down from Mount Matebian and surrendered with his family in Atalari (Laga, Baucau) in 1979, Indonesian troops found a bag containing two grenades in his possession and took him to their post in Atalari for investigation. He was allowed to return to the “resettlement camp” where his family were living. A few days later it was announced that the people in the resettlement camp could return to their homes. At the same time, however, Luis Soares dos Santos and his three brothers who had been in the forest with him were picked up by Hansip and brought to Baucau in order, the Hansip said, to continue the investigation. After one week the three brothers returned, but Luis never did.

In December 1979, Carolino Ximenes was captured on Mount Matebian by Indonesian troops from Battalion 502 with 47 others, all of whom were suspected by Indonesian soldiers of being Fretilin fighters. According to the deponent the men were in fact civilians. The families were told that the captured men would be going to school and would be sent home after they had finished. They never reappeared.

After they had come down from Mount Matebian in November 1978 the people of the village of Afaloicai (Uatu-Carbau, Viqueque) were ordered to assemble in a field by Infantry Battalion 502. The Indonesian soldiers selected 13 strong-looking men, whom they said would be serving as TBOs. The 13 were taken to the former Portuguese administration building where they were tied up and interrogated for two days while being given electric shocks. Meanwhile five Hansip were ordered to dig graves for the 13 in a place called Garaulu in Afaloicai. Two days after they had been taken for interrogation the 13 were taken to Garaulu and shot dead by members of Battalion 502. The five Hansip were present at the executions and when they were over, they were ordered to bury the 13 bodies. According to an informant, who was a Hansip in Uatu-Carbau at the time of the executions but who had previously been a Falintil commander in charge of the 13 victims, they were ordinary Falintil troops.

One week later the commander of Battalion 502 ordered the Hansip to dig two more graves in Garaulu. Two men, Carlos from the aldeia of Irabin Leten in Uatu-Carbau and Armindo from Baguia (Baucau), who were suspected of having been in contact with the guerrillas, were then executed in front of the deputy Koramil commander, M318. The Commission was told of another seven men who were killed in Uatu-Carbau in December 1978 by troops from Battalion 502 shortly after surrender. At least three of them – Borloi, Gaspar Asukai and Belarmino Maunaha, all from the village of Bahatata in Uatu-Carbau – were apparently also targeted on the basis of their strong physical appearance.

The Commission received statements implicating each of the military units engaged in the assault on Matebian in the killing or disappearance of civilians or of combatants outside combat in the period surrounding the fall of the base. In the months after the mass surrenders on Mount Matebian several of these battalions, including most prominently Battalions 721, 202, 502 and 745, were direct perpetrators of the mass executions of people associated with Fretilin and Falintil that took place in early and mid-1979 in Baucau, Viqueque, Lautém and Manatuto (see below).

246. For example, a number of statements received by the Commission reported the disappearance of people who had been taken to the Battalion 202 headquarters in Uaida, Ossu De Cima (Ossu, Viqueque). In 1979, shortly after surrendering in Uatu-Lari and then being moved to the town of Ossu, Afonso da Silva went to his home village of Nahareka (Ossu, Viqueque) to look for food to relieve his family’s hunger. There he happened to meet a Falintil commander
called Rosito who was an old friend. He was spotted embracing Rosito and talking to him by two men who informed on him to Battalion 202 in the town. On his return to the town Afonso da Silva was picked up and taken to the battalion headquarters in Uaida (Ossu). Since then his wife has heard nothing about the fate of her husband.256

7.2.3.5 Killings after the fall of the bases de apoio

247. The Commission has received extensive testimony describing the systematic killing of Fretilin leaders and Falintil commanders. It received evidence indicating that such targeted killings occurred in every year during the period 1976-79. However, the largest number of this category of killings was reported to have occurred in 1978-79. The concentration of killings of Fretilin leaders and Falintil commanders in the first half of 1979 months and even years after many of them had surrendered or been captured and their widespread nature suggest that the killings were systematic and resulted from a high-level decision to prevent the resurgence of the Resistance by eliminating its surviving leadership.

248. The words of a detainee in Baucau describe the constant fear of the time:

   The common topic of everyday conversation centred on crimes: two more have been murdered; so-and-so has been called by the Kotis [Tactical Command] or the RTP [Combat Regiment Team] for interrogation; so-and-so was tortured in the Flamboyan; so-and-so has already disappeared; and so on.257

249. The systematic nature of this operation was evident not just to detainees, but to the wider population, instilling alarm even in places, such as Suai, where surrendered and captured fighters and activists were not disappearing but feared that they might.258

250. In 1977 President Soeharto promised amnesty to all Fretilin combatants, offering a guarantee of their security if they surrendered. Many Fretilin and Falintil leaders also negotiated terms of surrender with the Indonesian military and East Timorese members of the civil administration that included similar guarantees for themselves and the population which surrendered with them. Both the presidential amnesty and the grass-roots arrangements were systematically breached.

251. In August or September 1978 Fretilin Assistant Merita Alves, then in detention in Dili, received a letter in English from Alarico Fernandes, with the heading “Sky Light”. The letter described a plan to negotiate the surrender of his associates and followers still in the forest with Indonesian intelligence. Although Alarico Fernandes himself survived, many others in the “Sky Light” group did not. Sebastião Montalvão (Lais), Afonso Redentor, Antonio Pinheiro (Botemau), Amadeo de Coelho (Surik) and João Bosco Galucho Soares were among those who disappeared. After his surrender, Sebastião Montalvão is believed to have been taken by helicopter to Remexio (Aileu) and executed there.259

252. While many former Resistance leaders who disappeared or were executed after capture or surrender were held for a lengthy period of interrogation and even released from detention before disappearing or being executed, others, including Antonio Carvarino (Mau Lear), Hamis Basarewan (Hata), Herminegildo Alves and César Maulaka, are reported to have been killed very soon after coming into the custody of the Indonesian military, while others, such as Bi Lear (Maria do Ceu Carvarinho) are reported to have disappeared some time after surrendering but without ever entering the detention system. (See chapter 7.4: Unlawful Killings and Enforced Disappearances)
253. César Maulaka, a member of the Fretiilin Central Committee and Political Commissar for the South Frontier Sector, was captured by ABRI troops in Manuwen, a region between Natarbora and Manatuto in November 1978. He was taken to Dilor (Viqueque) where he was held and interrogated by the military for a few days, during which he was tortured and threatened with execution. Then a senior ABRI officer named Soetarto (probably Brigadier General Damianus Sutarto, then commander of the Operational Security Command [Koopskam] for East Timor) came in a helicopter to talk with César. Soetarto urged César Maulaka to cooperate and tell him where Fretiilin and Falintil had their bases. César refused to talk. Soetarto flew off again. That night César Maulaka was taken away and never reappeared. \(^{260}\)

254. Bi Lear (Maria do Ceu Carvarino) was a Fretiilin assistente as well as a political advisor for the CPN (National Political Commission). In February 1979 her husband, Mau Lear, the Vice President of Fretiilin, was captured near Manatuto. Soon after Bi Lear attempted to negotiate her surrender at the concentration camp near Ostico (Baucau, Baucau) where other Fretiilin leaders had already surrendered. \(^{261}\) A priest, Father Locatelli, acted as an intermediary in her surrender, and she was taken to Venilale (Baucau), where she stayed at the house of an East Timorese collaborator, and under control of the military police until April. During this period she was visited on two occasions by the Commander of Sub-Regional Command for (Danrem) for Timor-Leste, Colonel Adolf Sahala Rajagukguk. Although the purpose of these visits is not known, it is probable that Bi Lear was pressured to make contact with members of the Resistance who were still holding out. Some time after this Bi Lear was taken away, and disappeared. \(^{262}\)

255. This section focuses on the impact of the coordinated campaign of executions and disappearances in 1979 in Dili, Baucau, Lautém, Manufahi and Viqueque. The campaign spread to other districts, including Aileu (see Box: “He’s gone to school”, above) and Manatuto (see Table of Killings in Manatuto District, February-April 1979, below) where the pattern targeting people who had been active in Fretiilin and Falintil, including many who had been recruited into the institutions such as Hansip, was reproduced.

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**Dili**

**Table 8 - Persons reported to have been in custody in Dili before disappearance-execution**

<table>
<thead>
<tr>
<th>Position</th>
<th>Date of killing/disappearance</th>
<th>Place of killing/disappearance</th>
<th>Source</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adão Cristovão</td>
<td>Tonsus</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Agostinho</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tilman</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Alito Alves</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Aníbal Araujo</td>
<td>CCF</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Antonio Carvarino (Mau Lear)</td>
<td>CCF</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Antonio Policarpo</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cornélia Exposto</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Domingos Ribeiro</td>
<td>Falintil Chief of Staff</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Duarte da Silva</td>
<td>Apr-79</td>
<td>Dili</td>
<td></td>
</tr>
<tr>
<td>Filomeno Alves</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Filomeno Exposto</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hamis Basarewan (Hata)</td>
<td>CCF</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Horácio Alves</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Inácio Fonseca (Solan)</td>
<td>CCF</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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Sources: HRVD Statements 03529, 03602, 03759, 05671, 08037, 08041 and 08115.

256. Many senior Fretilin leaders and Falintil commanders were brought to Dili, and detained in the Comarca (Balide, Dili) or at the Sang Tai Hoo interrogation centre. Most of them subsequently disappeared around March-April 1979, including some who had been released from detention before being rearrested. Several of them are reported to have been taken to execution sites near Dili, such as at Tacitolu to the west of Dili and Areia Branca to its east; others were reportedly transferred to detention centres outside Dili before being executed at nearby sites.

257. Merita Alves surrendered in Illimano (Laclo, Manatuto) on 20 July 1978. ABRI suspected that she was the wife of an important person in the forest because she looked well-fed and healthy. After ABRI interrogated her at their post in Illimano, they took her to Dili on 22 July where she stayed overnight at the home of a relative. The next day she was taken by intelligence officers to the Sang Tai Hoo interrogation centre where she was held until December 1978. In January 1979
she was moved to the Kotis interrogation centre in the Farol prison. Others who had been held at the Sang Tai Hoo were allowed to go home but had to report twice a day to the Kotis. In March 1979 most of the released detainees were rearrested and they and those detained with her became victims of what she called ‘night seizures (penangkapan malam): they would be taken away and disappear:

*Every night the military took detainees who disappeared or were killed. The “night seizure” operation began in March 1978 At that time, anyone who had a connection with Fretelin faced the risk of being murdered or disappeared...After I suffered various kinds of torture I was released in August 1979. The rest in my group were killed.*

258. During this period others were held in the Comarca, Balide, but regularly taken to the Sang Tai Hoo and later the Kotis in Farol for interrogation. Among senior figures who were reported to have been held in the Comarca and who subsequently disappeared were João da Conceição, João Bosco Sarmento Quintão, Inácio Fonseca (Solan) and Domingos Ribeiro. João da Conceição and João Bosco Quintão were reportedly taken from the Comarca in February 1979 by Kopassandha troops and not seen again. Domingos Ribeiro was reportedly taken out of the Comarca on the night of 18 April 1979 with several others, including the recently rearrested Menecas Exposto and Meno Alves. They are believed to have been executed at Areia Branca and Tacitolu.

259. Others who disappeared from Dili are reported to have been taken elsewhere before being executed. Solan, for example, was reportedly taken from the Comarca in late February and is believed to have been transferred to the RTP 16 headquarters in Baucau before being taken to Lacudala in Quelicai (Baucau) in late April 1979 and executed. Others who had been released after a period of detention in the Sang Tai Hoo and then rearrested may also have been sent to Baucau before eventually being executed in Lacudala, Lospalos (Lautém) or Uatu-Lari (Viqueque). They include Sera Key (Juvenal Inácio), Leopoldo Joaquim, Aníbal Araújo and José Alcino João Baptista Soares de Jesus.

260. Maria de Fatima Vaz de Jesus, an OPMT official, and her husband, João Baptista Soares de Jesus, Commander of the South Frontier Sector, were captured in a place called Lobata in the area of Haltic in Covalima on 17 May 1978. Only after periods of detention in Bobonaro and Liquiça were they brought to the Sang Tai Hoo in Dili, around November 1978. After the Sang Tai Hoo was closed as an interrogation centre, both of them had to report daily to the Kotis headquarters in Farol. On 19 March 1979 João Baptista Soares de Jesus disappeared after reporting to the Kotis.

261. Maria de Fatima Vaz de Jesus told the Commission:

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

262. The Commission was given the names of many of the Indonesian personnel who worked at the Sang Tai Hoo and the Kotis headquarters. The Sang Tai Hoo was commanded by a Major Bambang and the Kotis interrogation by a Major Syamsun. The overall commander of Kotis was
identified as Major Sunarto. Others who conducted interrogations in those places included Major Sinaga, Major Ganap, Major Mukhdi, Captain Ali Musa, Major Sitorus, Major Yani, a Major Freddy and others, such as Gunardi and Aziz Hasyim, whose rank is not known. Many of these officers are believed to be alive and would be able to disclose what happened to those who disappeared from their custody.

### The disappearance of Luisa

ABRI used well-known Resistance figures for propaganda purposes, both in Dili and outside. Some of these people were allowed to live at home, but were regularly collected by ABRI, to be publicly displayed for propaganda purposes or to go on helicopter rides through the interior appealing to those still resisting to surrender. The Commission heard that whenever one of them would be taken, ABRI told their families they were being taken "for a ride" to Baucau. Usually they would not return.\(^2\)

Luisa, a young Unetim activist, who became an internationally-known symbol of the suffering of East Timorese women, best illustrates the reality of this kind of treatment. She was first arrested in December 1975, when she was 17 years old and held in the Tropical Snack Bar and then in the Sang Tai Hoo interrogation centre.\(^3\) From then until her disappearance nearly four years later, she suffered continual harassment by members of the Indonesian military and periodic periods of detention during which she suffered torture and rape.\(^4\) During this period she was used as by ABRI for propaganda purposes. She was reportedly also used sexually by several military commanders.\(^5\)

During these years she maintained contact with her friends in the forest, but saw it as her duty to remain in Dili. In 1978 she seems to have changed her mind: her last period of detention appears to have been in that year when a plan of hers to flee Dili with a group of other women and join the Resistance forces in the forest was discovered.\(^6\) She was in Dili in July 1978, when she met Merita Alves in the Sang Tai Hoo and showed her the scars she had accumulated from years of ill-treatment. By then Luisa was no longer detained but had to report regularly to the Sang Tai Hoo. Some time in 1979 she moved to Baucau where she lived in a similar kind of semi-freedom, staying for at least some of that time with a local family and reportedly even working with a clandestine network, and but also having to report regularly to the Flamboyan interrogation centre and accompany Indonesian officers on propaganda missions. The last sighting of her reported to the Commission was in September 1979.\(^7\) According to Merita Alves, she was on the list of those who had been selected to disappear.\(^8\)

### Baucau District

#### Table 9 - Killings in Quelicai, 1978-79

<table>
<thead>
<tr>
<th>Position</th>
<th>Place of Origin</th>
<th>Place of surrender/capture</th>
<th>Date of surrender/capture</th>
<th>Date of execution/disappearance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abiro Guimarães</td>
<td></td>
<td></td>
<td></td>
<td>5/1/1979</td>
</tr>
<tr>
<td>Afonso Cristovão</td>
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<td>Afaca, Quelicai</td>
<td>14-4-79</td>
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<td>4/1/1979</td>
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<tr>
<td>Antonino Correia</td>
<td>Seical, Baucau</td>
<td>Buruma, Baucau</td>
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* This is not her real name. A pseudonym has been used in order to protect the identity of the victim
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<td>11/1/1978</td>
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<td>Laisorolai</td>
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Sources: HRVD Statements 07800, 00572, 07682, 03908, 08051, 07712, 02127, 07760, 00595, 00597 and 07787; CAVR Interviews with Zeferino Armando Ximenes, Baucau, 13 June 2003; Constantino dos Santos, Letemumu (Quelicai, Baucau), 13 June 2003; José Correia (Calala), Tirilolo (Baucau, Baucau), 24 March 2004; Fernando José Freitas Soares and Venancio dos Santos Alves, Quelicai, 2 May 2004; CRRN Communiqué, July 1983, Gatimor No 6, 1983; Community Profile, Maluro, Quelicai.

263. Between late 1978 and mid-1979 many hundreds of people were reported to have been killed or to have disappeared in Baucau District in a variety of circumstances: immediately after surrender, in public executions, while looking for food or going about their daily activities, and in military posts and headquarters and other places used as detention centres around the district. The most notorious of these killings occurred at execution sites in Quelicai (Baucau) in the period between April and June 1979. The Commission collected the names of 59 people whom it believes were killed at various execution sites in Quelicai, of which the one in a place called Lacudala was most often used. This number is well below the total given by sources interviewed in Quelicai itself, who believe that more 300 people may have been executed there. They base their estimates on lists that they had seen and on the number of bones of persons killed there and subsequently collected. Lacudala was an execution site to which people from a wide area were brought for execution. Thus while many of those killed at Lacudala were from Quelicai, there were victims from Lospalos (Lautém), Ossu, Uatu-Lari and Uatu-Carbau (Viqueque), as well from other parts of Baucau District, including Venilale, Laga and Bagua. Most, though not all, those killed in Quelicai had held leadership positions in Fretlin or Falintil.

264. The range of victims is indicated by the following accounts:

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<tr>
<th>Anik)</th>
<th>Commander</th>
<th>Quelicai</th>
<th>Abafala, Quelicai</th>
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<td>(Laicana)</td>
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<td>Delegado</td>
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<td>6/1/1979</td>
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* For summary executions, see HRVD Statements 0536, 7069, 5729, 0538, 5395, 6802, 7781, 7761, 2127, 7758, 0521, 9188, 2127.07087, 7778, 3072 and 2362; for disappearances, see HRVD Statements 07069, 06147, 03933 and 07047; for killings after being taken into custody at military posts and headquarters and places used as detention centres, see HRVD Statements 03908, 07930, 07117, 00126, 07076, Community Profiles, Alawa Kraik (Bagua, Baucau) and Bahamori (Venilale, Baucau); for killings of people looking for food or going about their daily activities, see HRVD Statements 03895, 00542, 00548, 06110, 03879, 07713 and 07797.

† Lacudala was not the only execution site in the area of Quelicai. Others were reportedly located at Samateku, Alaslai, Lawaliu and Lebenei [CAVR Interview with Constantino dos Santos, Letemumu (Quelicai, Baucau) 13 November 2003].

‡ The bodies of executed victims were reportedly thrown into ravines near the execution sites. The executions reportedly stopped in 1980 with the arrival in Quelicai of Battalion 114 from Aceh. Battalion 114 allowed relatives to gather the victims’ bones and bury them [CAVR Interviews with Constantino dos Santos, Letemumu (Quelicai, Baucau) 13 November 2003; and Leonel Guteres, Quelicai (Quelicai, Baucau), 13 November 2003].
• Tadeo Freitas Muniz (Laicana) surrendered to Battalion 315 in Kotasii, Abafala (Quelicai, Baucau) on 7 March 1979 with a fully-armed company. Their surrender was reportedly negotiated with former senior members of Fretilin and Falintil who had themselves surrendered or been captured earlier and were working under instruction from Colonel Iswanto. One week later he and his deputy, Antonino Varia (Ria) were taken to Lacudala and executed. Some of his troops escaped and others were recruited into the paramilitary Team Saka.

• João Branco, a former member of the Fretilin Central Committee who had surrendered with others to the Indonesians in Lospalos in 1976 and had then been appointed to head a 200-strong auxiliary called Tonsus (Peleton Khusus), and one of his lieutenants, Gil Freitas, were reportedly killed at Lacudala in March 1979. João Branco had taken part with his Tonsus in the destruction of the Falintil/Fretilin base on Matebian. Twenty-seven of his members were reportedly killed by troops of Battalion 745 in Trisula (Lautém), some others may have been killed in Lacudala in March 1979 aside from João Branco and Gil Freitas.

• In March or April 1979 a group commanded by Agapito Gama and his deputy, Celestino Peloy, negotiated their surrender to Marine Battalion, Pasmur 3, in Ailemilari (Tequinaumata, Laga, Baucau). They were given guarantees that they would not be harmed if they surrendered. At first they were “concentrated”, but not ill-treated. Two weeks later, however, Agapito Gama and Celestino Peloy were picked up by the Sub-district administrator (camat) of Laga, Mateus, and troops from Pasmur 3. They were reportedly taken to the Koramil in Baucau Town. In May or June they were taken to Lacudala and executed.

• A former Falintil fighter, João Galho Ximenes, told the Commission that when he and his fellow fighters came down from Matebian, they made an agreement with members of the local administration and Hansip in Quelicai guaranteeing their safety. They confirmed the agreement with an oath made over the Indonesian flag. Soon after, five members of the group, Degono, Dulabi, Dugou, Amdegu and Medebele, were taken away by Hansip and killed.

265. Although generally those executed at Lacudala were targeted because of their roles in the Resistance, the Commission was told of instances where victims did not meet these criteria. For example, Norberto Correia, an employee of the Baucau office of the Indonesian Department of Agriculture, had never been in the mountains and seems to have been killed because he had two sons who were still fighting with the Resistance.

266. The Commission was told of another case in which the person who was killed was the victim of a horrifying display of random violence.

267. On 23 April 1979 Alcina Ximenes and six members of her family, including a four-year-old child, were captured by Indonesian soldiers of Battalion 321 and Hansip in a place called Afateri Doro in Afaça (Quelicai, Baucau) and brought to the village of Mulia (Laga, Baucau). The three adult male family members, Joaquim Ximenes, Domingos Ximenes and Celestino Belo, were tied up and the whole group was taken by car to the Armed (Artilleri Medan, Field Artillery) headquarters in Quelicai. Once there a Hansip told the Armed commander that the three men

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At least 19 of João Branco’s Tonsus were reportedly killed in Lautém and Dili at around the same time [see Unlawful killings and enforced disappearances in Lautém, below]. A few months before they had participated in the Indonesian offensive on Mount Matebian, but were accused of being “two-faced”. The Indonesians’ suspicions were well-founded: after João Branco’s defection to the Indonesians, Xanana Gusmão had maintained contact with him and the clandestine organisation with which he was working in Tutuala Sub-district [Xanana Gusmão, Timor-Leste – Um Povo, Uma Patria, pp. 37, 38-39 and 41; Sarah Niner, To Resist is to Win: The Autobiography of Xanana Gusmão, pp. 53, 55 and 58].

Norberto Correia was reportedly killed despite giving the chief of the Baucau Kodim intelligence section (Kasi-1) four buffalo [CRRN Communiqué, July 1983].
had been leaders in the forest. The Armed troops then set upon the men, beating and stamping on them.

268. The next day the three were brought to Lacudala, told to stand near a hole in the ground and shot. Domingos and Celestino Belo died immediately. Joaquim Ximenes did not: he managed to crawl out of the hole despite being shot three more times. The soldiers grabbed him by the neck and threw him back in the hole, and then bombarded him with stones. He was still not dead, so they buried him alive.

269. When the soldiers returned to their base, one of the women, Alcina Ximenes, who was pregnant at the time, asked the Armed troops what had happened to the three men. She was told that if she wanted to know, she could come with them and see. She was brought to Lacudala where she too was killed. Subsequently the four-year-old child was beaten to death. Two other women continued to be detained for another two months during which time they were repeatedly raped by the soldiers and the Hansip.284

270. A number of senior and middle-ranking Fretilin and Falintil commanders who surrendered or were captured in November-December 1978 were brought to the town of Baucau where Kopassandha personnel interrogated them at the Flamboyan Hotel or Uma Merah interrogation centres, sometimes for several weeks, before they were transferred to the headquarters of RTP 18 in Teulale. From the RTP 18 headquarters many of them were taken to Lacudala for execution. Others were brought to Quelicai either directly after arrest or from a Koramil or other military installation.285 Two survivors of the trip to Lacudala interviewed by the Commission both recall that they were taken there in a military truck called a Reo and brought to the Koramil in Quelicai where they were interrogated by the Armed 13 unit commander, First Lieutenant M231, assisted by East Timorese translators, of whom the most notorious was M232. Armed 13, one of the battalions then under the command of RTP 18, also carried out the executions.286 A former Hansip, Constantino dos Santos, told the Commission that one of his duties was to keep the records at the Koramil in Quelicai. He recalled that there was a “red book” containing 375 names of people who had been or were going to be executed.287

271. Zeferino Armando Ximenes recalled:

> With my hands bound I was put in a military vehicle called a Reo and we headed for Quelicai [from the RTP 18 headquarter in Baucau Town] on 13 May 1979, which I remember because it was Assumption Day. Once there we were interrogated into the night…We were not beaten, but we were just waiting for our turn to die, because we had been told that we were going to be sent to school like our friends Tadeo Soares Laicana, Domingos Gaio and Solan, who, they said, had been sent to school abroad. The next morning there was a vehicle waiting for us by the cave and Indonesian soldiers with a list of Baucau people who were involved with Fretilin were there to meet us and to bring us to Ponto Alto, above Quelicai.288

272. Zeferino Armando Ximenes was saved from execution through the intervention of a logistics officer who knew him and happened to be at the Armed 13 base just as he was about to transported to the execution site.289

273. José Correia (Calala), who had surrendered to Major Iswanto in Laga with 13 other fully armed Falintil fighters, also escaped execution. Rearrested in June 1979, he was put in a Reo vehicle which had just come from Lospalos. In the vehicle there were already about 14 prisoners, who he thought were all from Lospalos. The only two people he recognised were João Branco and Gil Freitas. The Commission was told that the prisoners were sitting quietly, not speaking.
Their hands were tied behind their backs. They were not allowed to turn their heads to left or right, but had to look straight ahead at the front of the vehicle. They went straight to the Armed 13 headquarters in Quelicai and then to Lacudala where he was put in a building while waiting his turn to be executed. José was kept with around 20 people, all of whom were executed, including José Gaio. TBOs and Hansip worked day and night preparing the graves in which the executed victims would be buried.290

274. The Commission has not been able to confirm the higher estimates of the number of people executed in Quelicai. However, it believes that it is credible that the names of persons that it was itself able to compile do not constitute an exhaustive list of victims. One reason for this conclusion is that others who were detained during this time partially followed the route taken by those who were reported to the Commission to have been killed at Lacudala or other sites in Quelicai: arrest, detention and interrogation accompanied by torture in one of a number of specific detention centres, such as the Flamboyan, the Kodim or the RTP 16 headquarters in Baucau. In the case of these other victims, however, their fate after going through this process is not known, that is they were simply reported to have disappeared. Moreover, many of those reported to have disappeared in these circumstances, such as the former Fretilin secretary for Baucau, Eduardo Ximenes, were senior or middle-ranking Fretilin cadres or Falintil commanders, and thus also fit the profile of most of those who were killed in Quelicai. Thus, although they were not actually reported to have been killed in Quelicai, this may have been what happened to them. This hypothesis is strengthened by the fact that in several of the statements received by the Commission the victims were reported to have simply disappeared, when other information received by the Commission suggests that in fact those victims were actually killed in Quelicai.291

275. During this time disappearances were occurring in every sub-district in the district of Baucau. Some of these cases are cited below.

Baguia

276. In September 1978 one day after their surrender, Abel do Carmo and Alberto Freitas were summoned by the Sub-district administrator (camat) of Baguia and told that they were going to be taken to Laga. They have not been seen since.292

277. In June 1979 the Sub-district administrator, M233, ordered a group of men to go up Mount Matebian to look for Falintil. They captured Gaspar Kasaro, who was handed over to the Koramil in Baguia. He then disappeared.293

278. In December 1978 eight men who had been captured by Battalion 502 on Mount Matebian were suspected of being members of Falintil. Their families were told that they were going to school and would return only after they had graduated. They never returned.294

Baucau

279. On an unspecified date in 1979 the Fretilin secretary for Baucau, Eduardo Ximenes (Gamukai), his brothers, Badanau and Bedusobu, and brother-in-law, Inácio da Costa, were captured by the village chief of Afaça (Quelicai), M234, and an aldeia chief named M235. The four men were bound and taken to the Kodim in Baucau. The uncle, who escaped from the Kodim, told the family that the three others had been taken away to be killed that night. According to another statement, which also appears to be about the death of Eduardo Ximenes, he was taken to Quelicai where Indonesian soldiers killed him.295

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1 At the same time the Commission learned of several instances where people who disappeared at this time in Baucau District were in fact executed in places other than Lacudala.
280. In March 1979 troops from the RTP 18 arrested Antonio Correia at the house of Gaspar Sarmento in Suliwa, Buruma. His subsequent whereabouts are not known. On 7 April 1979 two Hansip arrested Fernando Saldanha in Kaisahe, Ono-Sere, Buruma saying that he had been summoned by the liurai/village chief, M237. He was taken to the TNI dormitory at Teulale, Baucau (probably also RTP 18 headquarters). He has not been seen since.†

Laga

281. In November 1978 four people, Domingos dos Santos da Costa, who had been a chefe de aldeia (aldeia chief) in the forest, José Rusa Fuik, a Força de Auto-Defesa (Self-Defence Force) commander, and Pedro and Amaro, both of whom had been in the Forca de Intervenção (Intervention Force), were arrested and taken to the military police post in Laga. After being interrogation during which all four were tortured, the last three disappeared.‡

282. In 1979 Luis Antero Ximenes, a former Falintil fighter, was arrested in Laga by members of the Koramil and an official of the local administration because he had not registered with the Indonesian authorities after coming down from the mountains. Three weeks later his family saw him being taken away in a Jeep. The deponent ran after the Jeep and heard his father’s last words: “Tell your mother that I am tied up and don’t know where I am being taken. If I die, we will not meet again. Only if I live, will we meet again.” He never returned.²⁹⁶

283. On 9 June 1979, a Falintil commander, Afonso de Carvalho, surrendered to Indonesian forces in Laga. That evening troops from Battalion 745 took him to Baucau for interrogation. He never returned.²⁹⁷

284. After surrender to the TNI in the area of Atelari in 1979, one member of the group of six, Luis Soares dos Santos, a member of Falintil, was found to have two grenades. The group was taken to the Atalari post for investigation. A few days later the TNI announced that the people would be allowed to return to their homes, but Luis, Gaspar Soares, Mateus and Miguel were taken to Baucau for further investigation. A week later all but Luis were allowed to go home. Luis has not been seen since.²⁹⁸

Quelicai

285. A man called Dai-Dara was accused by the Indonesian military of being a member of Falintil after they had looked at his hands after surrender in November 1978. He was taken away and has not been seen since.²⁹⁹

286. In 1979 two persons, who were suspected of being in contact with Falintil, Ganuloi from the aldeia of Gugulai and Railari from the aldeia of Karanu, were arrested by the TNI and taken to Laga. They have not been seen since.³⁰⁰

Vemasse

287. On 16 November 1978 the paramilitary Team Sukarelawan captured four persons, Domingos Lekiwiati, Inácio Pereira, Januario dos Reis and Tomás Samut, during an operation on

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¹ HRVD Statement 07682. For other disappearances and killings in Baucau Sub-district around this time see HRVD Statements 07826, 07930 and 07805.

² The CAVR Community Profile for Buruma Village, Baucau Sub-district, Baucau District (2 December 2003) contains the story of an unnamed woman who in 1979 brought food for her imprisoned husband and was told that he had been taken to Quelicai.

³ HRVD Statement 07079. For other disappearances in Laga Sub-district in 1978-79, see HRVD Statements 07699 02362, 00536 and 05729.
Mount Ossualia, Vemasse. That night Indonesian troops and members of Team Sukarelawan took the four to the Flamboyan Hotel in Baucau. They have never reappeared.\textsuperscript{301}

**Venilale**

288. On 8 November 1978 four men, two named Antonio Guterres, one called Joaquim Loi and one other, came down from Mount Matebian and were captured by Indonesian soldiers when they reached Quelicai. They were then forced to walk for four days until they reached Uaibua, Uatohaco in Venilale. On arrival at the TNI and Hansip post, they were detained by the TNI under the command of Major M238 and Hansip under the command of M239. When the sister of one of the men, Maria, came to the post bringing food for them, she was told the four had been taken to the Koramil in Venilale. She went to the Koramil and was told that her brother was still at the post in Uaibua and that the others had been released. Antonio has not reappeared.\textsuperscript{302}

289. At around the same time Joaquim Guterres came out of the forest and surrendered at the Venilale Koramil to Battalion 721. His subsequent fate is not known.\textsuperscript{303}

290. The climate of fear produced by the killings meant that their impact extended beyond those directly targeted and those close to them, as is illustrated by the following account.

291. Maria da Silva Soares had come down to surrender in Quelicai in February 1979 with Laikana. Some time later she heard that Laikana had been arrested by two Hansip and had disappeared. Maria, fearing for her own safety because her husband, Raimundo Cabral, was a Falintil fighter still in the forest, fled with her six children to the forest around the area of Aneilo (Laisorolai Kraik, Quelicai).

292. By March 1979 two of her children, Amaro and Justino, had died of hunger and sickness. Not long after, her other four children, Ana Maria, Betina, Anakai and Reaminga, also died. Maria then managed to make contact with her husband. For several years she moved with him and his Falintil comrades between the districts of Baucau and Lautém, often coming under attack from Indonesian forces.\textsuperscript{304} Lautém District

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<tr>
<th>Place/group</th>
<th>Name</th>
<th>Position</th>
<th>Reported circumstances of death/disappearance</th>
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<td>Afonso Savio</td>
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<td>Adão Amaral</td>
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<td>Calisto Rego</td>
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<td>Dinis dos Santos Gandara</td>
<td>Assistente</td>
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<td>Duarte Amaral</td>
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<td>Francisco Sarmento Loy</td>
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<td>Colaborador, Sector Ponta Leste</td>
<td>Killed by Btn 745 in Kurisa Lore</td>
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<td>Jacinta Pereira</td>
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<td>Disappeared after being brought to Btn 745 base at Trisula, June 1979</td>
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<td>Bernadino Carvalho</td>
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<td>Antero Teixeira</td>
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Sources: HRVD Statements 04442, 05332, 00703, 02115, 03979, 02262, 01618, 01615, 02293, 00740, 01649, 01622, 01636, 02257, 02252, 02264, 00793, 00702, 00788, 00706, 00740, 00793, 00737, 00740, 00702, 00741, 00706, 00788, 00713, 01623, 02115, 03979, 02293, 02286, 01604, 02300, 02254, 01650, 02130, 07585, 03968, 09117, 04435, 05369, 05376, 05264, 05365 and 02798; Community Profiles, Fuiloro, Bauro, Lore I, Raça and Home (all Lospalos), Mehara and Loro (both Tutuala), and Iparira and Laiara (Parlamento, Moro); CAVR Interviews with Maria Teresa Corvelo Avila Marcel Sarmento, Dili, 25 September 2005; and José Correia (Calala), Tirilolo, Baucau, 24 March 2004; CRRN Communiqué

293. In Lautém around 20 people were executed or disappeared in what appears to have been part of the wider campaign against former Fretilin office-holders and Falintil commanders. However, many of those who were killed or disappeared during this period were people suspected of being involved in clandestine activity at the time of their arrest. Most of the former Fretilin office-holders and Falintil commanders about whom specific information was given to the Commission were executed or disappeared in April-May 1979, at around the same time that their counterparts in other districts were meeting the same fate. Some were working in the Indonesian administration as teachers, nurses or members of the civil administration at the time of their arrest. Others had been in continuous detention since being captured or having surrendered in November 1978. They were typically taken to the Kodim in Lospalos and after interrogation by members of Kopassandha, they were taken away by members of Battalion 745 and killed. Although many of the victims simply disappeared, in a number of other cases East Timorese who were working with the Indonesian forces as drivers and in other auxiliary roles disclosed the places where the victims were executed. The places most often mentioned were Assalaino, Lausepo and the graveyard near the Battalion 745 headquarters in the village of Fuiloro (Lospalos), although others were reportedly taken to places further afield, such Lillapa and Kurisa Apa by the Tximo river in Lore and Sapu Ara, Home (Lospalos). Relatives of the disappeared were told that victims had gone on operations or had gone to school or on a course.

294. João Ernestino de Andrade Sarmento had been the head nurse in Lospalos before the invasion. He continued to work as a nurse and to train others in nursing in the forest. In 1977 he had been arrested in the Eastern Central Sector as an “agent of Xavier” on the orders of Central Committee members based there and had narrowly escaped execution (see below). He surrendered in the town of Uatu-Carbau (Viqueque) after the fall of the base de apoio on Mount Matebian in November 1978.105

295. One night in January 1979, after hearing that Hansip in Uatu-Carbau were planning to kill him, the family escaped to Lospalos. He resumed working as a nurse at the hospital, although every day members of Kopassandha would come to their house to talk to them. On 30 May, at around 9.00pm, a Kopassandha soldier came and took João Ernestino de Andrade Sarmento to the Kodim. He went with his 12-year-old son, João Zinho. João Zinho waited outside the room where his father was being interrogated for several hours before being told to go home. During that time he heard shouting. João Ernestino returned home at around 2.00am. He told Maria Teresa that he had been interrogated and tortured, and told to return to the Kodim at 5.00am. Farewell to family described. He returned to the Kodim with João Zinho, but at 12 midnight João Zinho was told to go home. João Ernestino never returned home. His widow was told by the man
who had driven the vehicle in which they were taken for execution that João Ernestino de Andrade had been killed with several other prisoners in Lausepo. His widow was unable to confirm this information because she was afraid to look for her husband’s bones.\textsuperscript{308}

296. A husband and wife, ZN and AO, both of whom had been \textit{delegados} in the forest, are both reported to have disappeared in mid-April 1979. AN was reportedly taken from the Kodim in Lospalos to Kurisa Apa by the Tximô River in Lore where he was stabbed to death and his corpse thrown into the river. BN is reported to have been taken to Lausepo with another woman, FO where both were tortured and raped before being machine-gunned to death.\textsuperscript{307}

297. Antero dos Santos was taken to the Kodim 1629 in Lospalos shortly after surrendering in Kotamuto (Luro), in February 1979 with two others from Luro, Afonso Albuquerque and Bernadino Carvalho. Approximately one month later he was taken away in a Hino truck in the direction of Motolori together with Afonso Albuquerque, Benedito, Pedro Sanches and Afonso Savio. Their subsequent fate is not known, although they were seen being driven in the direction of Iliapa.\textsuperscript{308}

298. Francisco Sarmento Loy, who had been a \textit{delegado} in the Ponta Leste Sector, was reportedly living in Lospalos when he was picked up in Mehara and killed some time in 1979 by a platoon of Hansip under the command of M239, who personally shot him to death, trussed up his corpse and took it to Lospalos, where it was tied to a military vehicle and dragged through the streets.\textsuperscript{309}

299. The largest number of killings and disappearances of people suspected of clandestine activity reported to the Commission occurred in the Com-Mehara region where a group of Resistance fighters led by Xanana Gusmão took refuge after the fall of the \textit{base de apoio} on Mount Matebian.\textsuperscript{310}

300. Several groups of people were arrested in this area during June-October 1979 and were executed or disappeared.

301. One target were family members of Humberto da Costa, \textit{colaborador} of the Ponta Leste sectoral command who was hiding in the forest with Xanana Gusmão, and other suspected Resistance activists from Mehara. Humberto’s father, Gonsalo Soares, two of his uncles, Gabriel Soares and Miguel Monteiro, a brother, Alarico da Costa, and four others, Carolino Carvalho, João Caetano, Alcino and Antonio do Carmo, were arrested in Mehara in June 1979 by members of Battalion 745 and taken away. Their subsequent fate is not known, but family members believe, including on the basis of information given to them members of Battalion 745, that some or all of them were killed at the Upo Piti Cemetery in Lospalos, at the Battalion 745 headquarters in Trisula, Assalaino (Fuiloro, Lospalos) or nearby in Silar. Humberto da Costa, and two other Falintil fighters, one called Martinho, were reportedly killed in combat in an operation involving Battalion 745, Hansip and members of the paramilitary group, Team Nuklir, commanded by the then Sub-district administrator of Moro, Edmundo da Conceição, in the area of Com on 17 October 1979.\textsuperscript{311}

302. Hansip members in the Mehara-Com area also came under suspicion and were arrested and disappeared.

303. Seven Hansip from the aldeia of Laiara (Parlemento, Moro, Lautém) Venancio Gomes, Amaro Amaral, Sebastião Maria Lourdes, Horacio Silverio Lopes, Rodolfo da Costa Junior, Inácio dos Santos and Justino dos Santos, who had been recruited to work as Hansip in the village of Maina I, were summoned to office of the Moro Koramil on 14 May 1979. There they were interrogated by members of Kopassandha on suspicion of having passed ammunition to Falintil. A few hours later troops from Battalion 745 came and took them away, supposedly to “go to school”. Only one of the seven, Justino dos Santos, reappeared. Their families later heard that at least some of them had been killed by Battalion 745 in Assalaino (Fuiloro, Lospalos) and
Sepelata (Bauro, Lospalos) and the bodies of three of the victims were later found in those two places. 312

304. Victor Pires and Faustino Guimarães from the aldeia of Loro (Tutuala) were two Hansip who disappeared in 1979 with several others after being arrested by their commander, M239. When his brother asked M239 about Victor Pires’s whereabouts, he was told that he was “working in the forest”. However, neither he nor Faustino ever reappeared. 313 According to, his elder brother, Victor Pires was a Hansip with Faustino and others whose names had been forgotten, under the command of M239. When the deponent asked M239 about his brother’s whereabouts, M239 said that he was working in the forest, but he has never reappeared. 314

305. In Moro (Lautém) at least three separate groups and several individuals suspected of engaging in clandestine activities were arrested and executed around this time, during what appears to have been an operation conducted by Battalion 745 aimed at destroying clandestine networks in the area.

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1 During 1979, after being held for more than one year in a resettlement camp in Parlemento, villagers in this area were allowed to return to their homes villages. However, ABRI uncovered a clandestine network called Ajuda Nan Maran, and sent the villagers of Muaspuu, Vailovaya and Lohomata to a new resettlement camp in Com where security was in the hands of Battalions 512 and 745 and conditions were reportedly even worse than they had been in Parlemento [CAVR Interview with Edmundo da Cruz, Com, Moro, Lautém, undated].
• Five men from Mua Puso (Aurlopo, Com), Oscar Victor, Duarte, Mário, Pedro and Virgilio, were arrested in June or July 1979 by members of Battalion 745 on the orders of their commander, Captain Joko Himpuno. Later that day, after being tortured at the Battalion 745 post in Com, the five were taken to the beach at Etepiti (Com) and killed. Virgilio was reportedly shot in the back of the head and then stabbed in the back by three members of Battalion 745 called M240, M241 and M242. The Babinsa told the families to collect the bodies. The next day members of Battalion 745 burned all the houses in Mua Puso. The men had been active in the clandestine movement, but were arrested reportedly because another man, Caetano Vilanova, had fled to the forest.  

• A deponent who was forcibly recruited to take part in this same operation with Battalion 745 under the command of M243, reported that, after burning the houses in Muaspusu the troops moved on to Etepiti where they arrested another five men, Pedro, Kacoli, Julio and José and one other whose name was not known to the deponent, because they were suspected of being members of the clandestine movement. They were taken to the forest and interrogated. Pedro and the fifth man were then taken to the village office in Com; while the other three were taken to a place called Selera. After being heavily beaten, the three were then brought to a place called Keermoko, where they were each in turn beheaded and their bodies left to rot. The deponent later learned that Pedro and Kacoli had also been killed.  

• José da Silva been the chief delegado in Com (Moro, Lautém). On 15 or 16 June 1979 members of Battalion 745 led by M243 took him, two of his nephews, Martinho da Silva and Pedro dos Santos, another former delegado, and their cousin, Julio de Castro, from the aldeias of Iraonu and Pitieli in Com to the aldeia of Etipeti. The Indonesian commander said that the men were going to go on an operation to Mount Caicere to look for Fretilin and would return after the operation was over. They never did return. According to a statement given to the Commission by his wife, José da Silva had maintained contact with Fretilin on the Com-Mehara border region. Another source told the Commission that Martinho da Silva and Pedro dos Santos used to catch fish which they would give to Fretilin in the forest.  

• Probably in 1979 Alcino Fernandes Xavier, Domingos dos Santos and Antonio João Lopes were arrested by soldiers from Battalion 508, members of Hansip and the police, and the sub-district administrator and commander of the paramilitary group Team Nuklir, M244, on suspicion of having engaged in clandestine activities. They were taken to a place in the forest called Adaveri (Serelau, Moro), where Alcino was killed.  

• Estanislau, Afonso, Bendito, Thomás da Costa, Paulo and Rui were arrested in Daudere, Moro some time in 1979 by members of Battalion 745 while the five men were gathering coconuts. They were taken to a place nearby called Leiresi and asked whether they knew Paulino, a Falintil commander still in the forest. When they denied any knowledge of Paulino, they were tied up. That night Estanislau managed to escape, but the others were taken to a place called Serekara (Daudere, Moro) and shot dead. Later that night the others were shot dead. Two deponents heard the shots. The bodies were left unburied for three years at the spot where the killings took place.  

• In another possibly related case in the same area at around the same time, Anudai was arrested in 1979 in the village of Lautém (Moro, Lautém) by a member of Battalion 745 called M245, and a TBO M246, together with Anudai’s wife, Libabui 1, the deponent’s aunt, Libabui 2 and another family member, Koofou. The four were taken to the beach at Lautém where M245 shot Libabui 1 dead and wounded Anudai in the thigh. M245 informed the other members of the family what had happened, and two of them came to take the body. That evening M245 and M246 returned to rearrest Anudai, Libabui 2 and Koofou, and took them back to the shore where he shot the three of them dead. The family were too afraid to collect their bodies until three or four years later.

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1 HRVD Statements 02262 (which gives the date as 1978) and 02293 (which gives the date as 1979).
306. Aside from these group arrests, individuals suspected of being in contact with Falintil were also arrested and executed in Moro at this time.

307. Indonesian troops had captured Alcino da Costa Ximenes in June 1977 in Moro and had taken him to Dili, where he was interrogated for four months. When he returned to his home in the village of Serelau in Moro, he continued to be involved in the Resistance clandestinely. Some time in 1978 he was out walking when he was surrounded by troops from Battalion 408, who ordered him to pick coconuts. While he was doing this, he was shot dead. The sub-district administrator, M244, told his wife, while threatening her with a pistol, that Alcino had attacked the Indonesian soldiers and then run off to the forest. 

308. In October 1979 a member of the clandestine movement called Antonio da Costa, from Fuiloro (Lospalos, Lautém), received a letter from the Falintil leader, Dinis, to be passed on to the village head, M248. Antonio da Costa delivered the letter to M248, and M248 gave it to the District Military Command (Kodim) in Lospalos. Jaime then arrested Antonio and handed him over to the commander of the Moro Military District Command (Koramil), whose name was M247. M247 ordered Team Nukil, the paramilitary group commanded by M244, to take Antonio to the District Military Command headquarters (Kodim). In the Kodim Antonio was held with someone called Carlos. When Carlos was released, he related that Antonio had been taken away to some unknown place.

309. Pedro Nogueira, was arrested by members of Brimob (police mobile brigade) in Leven, Com on 20 October 1979, taken to the Battalion 745 headquarters in Trisula, Assalaino (Bauro, Lospalos). There he was tortured, including by having parts of his body slashed with knives and burned. On the same day, three of his children, Amelia, Juliana and Ermenegildo were brought to the Battalion 745 post in Luai, Fuiluro (Lospalos). There they were interrogated about Pedro, in particular whether he had ever sent help to Falintil, specifically to his son, Julio. The children were beaten during interrogation, but were allowed to go home on 23 October. On the same day, Pedro was shot dead. On 25 October the children were again called to the Battalion 745 post at Luai, and asked whether Julio had come to Leven since Pedro’s death.

310. Members of clandestine groups in other sub-districts of Lautém also disappeared or were executed during this time. In early December 1979 eight persons suspected of being part of a clandestine network in the sub-district of Luro – Duarte dos Santos, Aleixo Soares (Malimau), Alfredo Ramos, Amelia da Silva, Antonio da Conceição, Hermenegildo da Costa, Manuel Simões and Manuel dos Santos – were ordered by the Sub-district administrator of Luro, M280, to go to the Luro Koramil. The eight were last seen being flown away from the Koramil by helicopter at 6.00am on 3 December 1979. Their families were told that the group were going to take a course in the Indonesian state ideology (Penataaran P-4) in Lospalos. Their subsequent whereabouts are unknown.

311. Some time before the disappearance of the eight, a Hansip, Afonso Pinto, had brought CO and Hermenegildo da Costa to the sub-district administrator’s house. After Hermenegildo denied knowing anything about a letter from Falintil to the sub-district administrator, the two were threatened but allowed to return home. A few days later, CO was taken to the Battalion 126 post, where another detainee, Alfredo Ramos, was already being held. There she was raped, then told to go home. Early the next morning CO was summoned to the Koramil where the seven others already were. That day they disappeared.¹

¹ In what may be a related case Domingos Mário, a TBO at the Koramil, in Luro was arrested for writing a letter to Filomeno Branco for a member of Falintil in the forest. He is reported to have been taken by Indonesian troops of Battalion 305 to a place called Nundelarin, also in Luro, where he was stabbed with a bayonet and burned with cigarettes on the cheek and then nine days later was allowed to go home. Three days later he was picked up by Indonesian troops and Hansip and also disappeared [HRVD Statement 04435]. Other individuals arrested at around this time in Luro on suspicion of being in contact with Fretilin/Falintil, who subsequently were killed or disappeared, were João Freitas, head of the aldeia of Buanumar (Kotamuto, Lurо) [HRVD Statement 02798], Casimiro dos Santos Alegria, a former assistente...
312. In addition to former Fretilin leaders and Falintil commanders, there were also persons killed at this time who had surrendered early and been integrated into the Indonesian occupation regime as members of the civil administration or as auxiliaries to the security forces as Hansip or Tonsus.

313. They included members of the Tonsus led by João Branco, some of whom were reportedly executed in Quelicai (see above) and some of whom may have been killed in Lospalos (see Table: Killings in Lautém, 1978-79). They also included Orlando Marques, from Raça, who had been captured in February 1976 when Indonesian paratroops were landed in plain of Lospalos. He joined the Indonesian civil administration and became sub-district administrator of Iliomar. According to a statement given to the Commission by his wife, he was arrested in Tutuala in June 1979 by members of Battalion 745 and brought to the battalion headquarters in Trisula. His family were not allowed to visit him there and have not seen him since. 327

314. Through its community profile workshops the Commission also received the names of around 40 other people from villages in the sub-district of Lospalos, who were reported to have been executed or to have disappeared during 1979. Very little is known about the circumstances of their disappearance or execution. A typical case about which more is known than most is that of Mário Provincial, a farmer from the aldeia of Vailana in Lore I Village, who was 56 years old at the time of his death. According to a statement given to the Commission, he was taken away with two other villagers by members of Battalion 745 in December 1979, ostensibly to make a hut for the battalion. In fact they were brought to a place nearby and, on the basis of gunfire overheard by another villager, are all believed to have been shot dead. 328

**Manufahi District**

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<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Date and place of capture/surrender</th>
<th>Date of execution/disappearance</th>
<th>Perpetrator</th>
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<td>Anselmo</td>
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<td>Beaten to death by ABRI in Alas</td>
<td>ABRI</td>
<td>Community Profile, Debu-Waen,</td>
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<td>Manuel Luis</td>
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<td>Florindo da Costa</td>
<td>Falintil</td>
<td>Captured 1978</td>
<td>Killed by ABRI at Uma Metan</td>
<td>ABRI</td>
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<td>Duarte Almeida</td>
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<td>Killed Uma Metan, February 1979</td>
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<td>HRVD 1587, 1506, 1576; Community Profile, Taitudak, Manus, Alas</td>
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<tr>
<td>João da Silva</td>
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<td>HRVD 1576; Community Profile, Taitudak,</td>
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</table>

from Baricafa, (Luro, who was reportedly killed by Indonesian forces at Darapu'u, Baricafa in 1979 some time after his capture on Mount Matebian in 1978 [HRVD Statement 09117] and Antero Teixeira, a former assistante.
<table>
<thead>
<tr>
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<th>Location</th>
<th>Action Description</th>
<th>Location Details</th>
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<td>João Martins Fernandes</td>
<td>Secretario de Zona</td>
<td>Manus, Alas</td>
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<td>Remigio Baptista</td>
<td>Secretario de Pelatao</td>
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<td>HRVD 1576; Community Profile, Taitudak, Manus, Alas</td>
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<td>Luis Monteiro</td>
<td>Secretario de suco</td>
<td>Manus, Alas</td>
<td>Killed Hatu-Udo, February 1979</td>
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<td>Antonio Cepeda</td>
<td>Secretario de Zona</td>
<td>Manus-Mera, Alas</td>
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<td>Kodim, Kopassandha and Hansip, HRVD 04750</td>
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<td>Letefoho</td>
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<td>Marcal Osvaldo</td>
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<td>Betano, 1978</td>
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<td>10 May 1979; killed by Soisara River, Mahaquidan, Alas</td>
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Turiscai

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<td>Koramil/Hansip/Linud 100/HRVD 6610, 6610, 6525; Community Profile, Manumera, Turiscai</td>
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<td>Hansip/Linud 100 HRVD 3491, 3790; Community Profile, Manumera, Turiscai</td>
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<td>Tome</td>
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<td>Beremalik</td>
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<td>Adriano Gomes</td>
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<td>Arneu Falintil</td>
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<td>Kopassandha HRVD 03018</td>
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<td>Ricardo Lobato</td>
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<td>João Tariri</td>
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<td>15 April 1979</td>
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<td>Felisberto Gouveia Leite</td>
<td>Nurse attached to Comissão de Apoio e Solidaridade do (CAS)</td>
<td>January 1979</td>
<td>Disappeared February-March 1979 after being transferred from resettlement camp in Fahinehan to custody of Linud 100 in Fahinehan church, Fatuberliu; reported to have been killed at Ailui, Fahinehan</td>
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<td>January 1979</td>
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<td>January 1979</td>
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<td>January 1979; captured/surrendered in Aituha/Raimali ak, Alas?</td>
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<td>Aurea Fontes Gusmao (Olo Bere)</td>
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<td>Cancio</td>
<td></td>
<td>January 1979; captured/surrendered in Aituha/Raimali ak, Alas?</td>
<td>Disappeared February-March 1979 after being transferred from resettlement camp in Fahinehan to custody of Linud 100 in Fahinehan church, Fatuberliu; reported to have been killed at Ailui, Fahinehan</td>
<td>Linud 100</td>
</tr>
<tr>
<td>Same</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pedro Maumanas</td>
<td>Comandante, Armas Brancas</td>
<td></td>
<td>Wounded and captured in Dolok, Alas by ABRI, 1978</td>
<td></td>
</tr>
<tr>
<td>Mali Mau</td>
<td>Captured in Likbau, Ulu, Same, 1978</td>
<td></td>
<td>Killed on spot after capture by Hansip</td>
<td>Hansip</td>
</tr>
<tr>
<td>Mau Buti</td>
<td>Falintil</td>
<td></td>
<td>Taken from home by Hansip on orders of ABRI and killed in Bukuil Ulun, Rototu,</td>
<td></td>
</tr>
<tr>
<td>Name</td>
<td>Location</td>
<td>Details</td>
<td>Responsible Entity</td>
<td>Case Number</td>
</tr>
<tr>
<td>-----------------------</td>
<td>-------------------</td>
<td>-------------------------------------------------------------------------</td>
<td>--------------------</td>
<td>-------------</td>
</tr>
<tr>
<td>Lelo Sea</td>
<td>Falintil</td>
<td>Taken from home by Hansip on orders of ABRI and killed in Bukul Ulun, Rototu, Same, February 1978(?)</td>
<td>HRVD 04765</td>
<td></td>
</tr>
<tr>
<td>Alcino da Costa Vidal</td>
<td>Fretilin delegado, Aldeia Biti-Makerek, Alas</td>
<td>Killed by ABRI on 7 August 1978 in Betano</td>
<td>ABRI</td>
<td>HRVD 05434</td>
</tr>
<tr>
<td>Luis Gonzaga</td>
<td></td>
<td>Killed by Hansip in Same Town shortly after surrender, 1979</td>
<td>Hansip</td>
<td>HRVD 4727, 04732</td>
</tr>
<tr>
<td>Mário Fernandes</td>
<td></td>
<td>Killed by Hansip in Same Town shortly after surrender, 1979</td>
<td>Hansip</td>
<td>HRVD 4727, 4732</td>
</tr>
<tr>
<td>Quei No</td>
<td>Fretilin, chefe de suco Tutuloro</td>
<td>Killed by ABRI in 1979 in Daisua, Same</td>
<td>ABRI</td>
<td>HRVD 5421</td>
</tr>
<tr>
<td>Kostimet</td>
<td></td>
<td>Killed by Hansip in Daisua, Same, 1979</td>
<td>Hansip</td>
<td>Community Profile, Daisua, Same</td>
</tr>
<tr>
<td>Kosteti</td>
<td></td>
<td>Killed by Hansip in Daisua, Same, 1979</td>
<td>Hansip</td>
<td>Community Profile, Daisua, Same</td>
</tr>
<tr>
<td>Baresi</td>
<td></td>
<td>Killed by Hansip in Daisua, Same, 1979</td>
<td>Hansip</td>
<td>Community Profile, Daisua, Same</td>
</tr>
<tr>
<td>Daukoli k</td>
<td></td>
<td>Killed by Hansip in Daisua, Same, 1979</td>
<td>Hansip</td>
<td>Community Profile, Daisua, Same</td>
</tr>
<tr>
<td>Raimundo</td>
<td></td>
<td>Beaten to death by Hansip in Betano, 1979</td>
<td>Hansip</td>
<td>HRVD 4091</td>
</tr>
<tr>
<td>About 20 people</td>
<td></td>
<td>Disappeared from Same school building, 1979</td>
<td>Hansip/ABRI</td>
<td>HRVD 5408</td>
</tr>
</tbody>
</table>

315. By late 1978 many inhabitants of the sub-districts of Turiscai, Same and Fatuberliu had fled to the sub-district of Alas to escape the Indonesian occupation forces. During the years since the invasion, many villagers had taken a tortuous route, including diversions west to Mount Cablaki and east to Lequidoe, before reaching Alas. Much of the population of Alas itself had stayed in the sub-district throughout the years since the invasion, although after ABRI entered Betano in early 1976 many had fled north and west to the mountains before returning to Alas by the time of the Indonesian offensive in 1978. The population of Alas had also been swelled by people from other districts, including Aileu, Manatuto, Ainaro, Dili, Liquiça and Viqueque.329 On surrender or capture in late 1978 and early 1979, many of those who had come from Turiscai, Same and Fatuberliu were returned to the sub-district postos, where they were concentrated under ABRI control. However, large numbers of outsiders were not returned to their home sub-districts, but were forced to remain in Alas. The largest concentration of these people was held in Uma Metan on the slopes of Mount Lebos. By early 1979 a mixed detachment of ABRI forces was holding around 8,000 displaced people in Uma Metan from all these areas. (see Chapter 7.4: Unlawful Killings an Enforced Disappearances)
316. Following the surrenders and captures of late 1978 and early 1979, large numbers of people were killed or disappeared in Manufahi. In the course of its research the Commission was given the names of 140 people from all the sub-districts of Manufahi who were killed or disappeared during this period. The largest number of deaths occurred in the sub-district of Alas, particularly in or around Uma Metan. The sub-district of Fatuberliu is believed to have suffered the second largest number of killings in the district. In each of the sub-districts of Manufahi specific groups of Hansip acting on the orders of ABRI units were the direct perpetrators of many of the killings reported to the Commission. A large number of the victims were people who had been active in the Resistance as Fretilin officials or Falintil commanders.

Alas

317. According to information received by the Commission, several groups of people were executed in or disappeared from Uma Metan shortly after their surrender or capture in early 1979.†

318. The community of Manus came out of the forest in February 1979 and surrendered in the area of Tutuloro in Alas. Shortly after Hansip led by Capela Ferrão took four men, Duarte Almeida, João da Silva, Martins Fernandes and Remigio Baptista, were taken from Uma Metan and disappeared. A fifth man, Luis Monteiro, fled and sought refuge in Hatu-Udo (Ainaro), but was tracked down by M249 and his men and killed.*30

319. A group of at least 12 Fretilin officials and Falintil commanders from the sub-districts of Same and Alas were reportedly executed at Uma Metan after being captured in March 1979. They were: Antonio Cepeda, Same Zone Secretary; Antonio Lisboa, Falintil platoon commander; Luis Marcal, village secretary of Letefoho (Same); José Henrique, a Falintil company commander; Mateus Cortereal, commander of the Same Zone; Jaime Sarmento, commander of Maubisse Zone; Pedro Cortereal, secretary of the village of Hola Rua (Same); and Martinho Cortereal, a platoon commander; Armando da Silva; Jaime; Vidal; and Luciano.

320. All had reportedly been taken to the Kodim in Same after capture and held there for several days. While in the Same Kodim they were reportedly tortured by the Kodim commander, Lieutenant Colonel M250, and members of Kopassandha. They were then transferred to the custody of the Kopassandha commander at Uma Metan, Captain M251. From there they were transferred to a Hansip team led by M249, and executed.31

321. Separately a group of Falintil members from Alas were also reportedly killed at or near Uma Metan. They included João Bosco Fernandes, colaborador for the Alas sector; Placido da Costa, Falintil Company Commander; Hepolito Fernandes, a platoon commander; Benjamín da Costa, a commander; Isidoro Fernandes, a member of Falintil; and Antonio Vicente, deputy Zone commander.32

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† Although there were relatively fewer cases in Same Sub-district, there were some [see HRVD Statements 07021, 04765, 04727 and 04732; and CAVR Community Profile, Daisua Village, Same Sub-district, Manufahi District, 3 July 2003]. The relatively small number of cases reported in Same is probably accounted for by the proximity of Uma Metan, to which a number of victims originating from Same were reported to have been transferred.

‡ In addition to the groups whose cases are described below, cases of individuals who were executed or disappeared were also reported to the Commission, such as the disappearances of the commander of the Força Defesa (FADE, Armas Brancas) in Alas, Pedro Matumanas [CAVR, Community Profile, Debu-Waen, Mahaquidan, Alas Sub-district, Manufahi District, 3 December 2003 and the execution of José Nascimento Pires, who was reportedly picked up by Hansip and taken on patrol to Turiscai where he was shot dead. [HRVD Statements 00802, 03433 and 03442].

§ The killing of these four was apparently the continuation of a cycle of violence that dated back to the civil war. M249’s father, M254, a UDT leader in Alas, was believed to have been implicated in the killing of 11 Fretilin activists in Wedauberek on 27 August 1975 (Alas, Manufahi). When Fretilin took control of Alas in early September 1975, they arrested M254. He managed to escape but was found by a group of Fretilin activists that included M255, M256, and M257, and killed [see section 7.2.4.5, above, and HRVD Statements 1585, 1597, 1599 and 3428].
322. Among the last to surrender in the sub-district of Alas were the adjunto Mausiri (José Maria), a Fretilin Central Committee member, Eduardo dos Anjos (Kakuk), and an 18-year-old OPMT official, Siri Lou (Ermelita Coelho). Several groups of those who surrendered were sent back into the forest to find them. In March 1979 seven people were ordered by Airborne Infantry battalion Infantry 700 to go back into the forest to look for the three. They found them at a place called Kolkeu. All three were severely wounded and were easily persuaded to give up their firearms. A helicopter was sent in to bring them back to Uma Metan. According to a statement given to the Commission by Alfredo da Costa Coelho, father of Ermelita Coelho, she had been sent to school in February 1979, meaning that she had been killed with Adjunto Mausiri by Armed 10 (Artilleri Medan, Field Artillery) and Hansip (M249, M252 and M253) after Kopasssandha had handed them over.333

323. In March 1979 a Hansip, Luciano Ribeiro, was asked to draw up a list naming those among the people who had surrendered in Betano in late 1978 who were Fretilin leaders. Among those on the list were: Francisco da Conceição, a former delegado; Franco da Costa, a former assistente; Paulino Verdel (Paulino Tel) a former delegado, Martinho Pereira Aulaku, a former delegado; and Sebastião Nunes, a deputy delegado. For a time some of them were put to work with a 200-strong gang of those who had surrendered building roads, while others, including Sebastião Nunes, went as TBOs on an operation in Alas, Tutuluru and Mindelo. Then in March, 13 people, including the five on the list, were summoned by the liurai, M258 and the village chief, M31, and told that they were going to be sent to school. The five came home to pick up their clothes. They have not been seen since. They were reportedly killed at the Karau Ulun River in Betano.334

324. On around 10 March 1979 another group, of 14 men, all of whom had been members of Falintil, were taken from Betano to Uma Metan. They included three section commanders, Vidal da Cruz, Herminio da Costa (from Selhhasan) and Estevão da Costa (from Wedaubelek), and Maluca, Francisco da Silva and Pedro Pereira. According to eyewitnesses, Vidal da Cruz and Francisco da Silva were picked out by Indonesian soldiers from a group of prisoners that was cutting grass, saying that they were going to cut wood. Shortly after the rest of group heard gun shots. Then the Indonesian soldiers called out Maluca and Pedro Pereira, and again the group heard gun shots. The following day, while the rest of the group was being given maps and travel passes (surat jalan) in preparation for going out to search for Mausiri and Kakuk, the Indonesian soldiers selected Estevão da Costa and Herminio da Costa. As the rest of the group left Uma Metan to look for Mausiri and Kakuk, they heard the sound of gun shots coming from the direction of Lebos.335

Turiscai

325. A similar pattern of targeted killings of surrendered and captured people with leadership positions in Fretilin and Falintil also emerges in Turiscai. One delegado, Alucio Barbosa from Foholau, was reportedly shot dead by ABRI or Hansip, reportedly for complaining about the small amount of food given to a group forced to build roads, which gave rise to the accusation that he was “making politics”.336 The local Hansip under the command of M260 (see section on Massacre in Foholau, above) also reportedly beat to death another delegado, João Dias, in Manumera and shot dead two other Fretilin activists, Armindo Godinho and Berehunuk.337

Fatuberliu

326. In Fatuberliu the local Koramil, the Airborne Infantry battalion battalions, Airborne Infantry battalion Battalion 100, and Airborne Infantry battalion Battalion 745, again with Hansip support, executed many people formerly associated with Fretilin or Falintil, including ordinary members of both organisations, as well as ordinary people. After the people of the sub-district had been concentrated in the town of Fatuberliu, the Koramil commander picked out supposed Fretilin and Falintil leaders with the help of the sub-district administrator, M261. Those selected were
Umberto Hornai, a Falintil company commander, Augusto de Jesus, a FADE commander, Francisco Ximenes, a platoon commander, and José Ximenes, described as “one of the people”. They were handed over to a Hansip unit from Soibada (Manatuto), led by M262 and M263, and shot dead.\textsuperscript{338}

327. The same Hansip unit is reported to have also killed another mixed group of Falintil commanders and ordinary people in Fatuberliu. It consisted of three commanders, Luis Amatuak, Jorgé da Costa and Hilario, three Falintil soldiers and four others, three of whose ages are given as 70.\textsuperscript{339}

328. A similar pattern of gross violence directed primarily but not exclusively at Fretilin and Falintil members and their families emerges from the accounts from Fatuberliu from this time. Thus, for example:
• After a group of Falintil surrendered in Fatucahi, Fatuberliu, in February 1979, they were disarmed and beaten. Four of them, Caetano de Araújo, Tobias da Costa, Martins and João Marmede, reportedly after giving false information about the whereabouts of Fretilin, were taken out and disappeared.340

• Another group of Fretilin and Falintil leaders, comprising an assistente Marcos da Costa, a battalion commander, Antonio Fernandes, and two other commanders, Zaulino Torreção and Francisco Fernandes were captured in Wemerek (Alas) and sent to Fatuberliu where they were reportedly killed by Hansip led by M262. According to a statement given to the Commission, Marcos had been told by his captors to take a letter to M262. When he handed over the letter, he was beaten with a hammer on his forehead, his ears were cut off and he was ordered to eat them, and a few hours later he was shot dead.341

• Fifty-year-old DO, a Falintil commander, came to surrender with his family in Riamori (Fahinehan, Fatuberliu) in 1979. The village chief, M270, told members of Airborne Infantry Battalion (Linud Yonif) 100 that as a commander, he had to be killed or his womenfolk raped. He was in fact killed, but subsequently Infantry Battalion 100 repeatedly raped two of his daughters until Infantry Battalion 100 was replaced by another battalion, 643, in 1980. The daughters were told that they were being raped because one of their brothers was still in forest.342

• In 1979 Francisco Lopes, a Falintil platoon commander, came down from the mountains to surrender to the TNI. He was ordered to go home. Later two of the Hansip from Soibada, took Francisco to Fatuk Mutin (Welaluhu, Fatuberliu), where he was shot dead by M271.343

• On 15 April, Prudencio Maia, a former Falintil colaborador for the South Central Sector, was captured by Airborne Infantry battalion 700 troops. After nine days in detention, he was allowed back to his home in Fatuberliu to visit his family. On 24 April, Hansip, led by M271 and M263, came to Prudencio’s house and took Prudencio to a place called Fatubessi (Welaluhu, Caicassa, Fatuberliu), where the seven ordered him to turn his back to them and shot him dead. His family were brought to witness the killing.

### A mass execution in Fahinehan

In February or March 1979, 12-14 people, including seven members of a single family, were executed at Ailui, about one kilometre from the Fahinehan resettlement camp in Fatuberliu. Among those killed were the father of the family, Felisberto Gouveia Leite, who had worked as a nurse in the forest, and three of his daughters, who had worked with the Comissão de Apoio e Solidaridade (Solidarity and Support Committee, CAS), which had provided food for those in need in the forest (see Chapter 7.3: Forced Displacement and Famine). One of the daughters, Maria Auxiliadora Filomena Pires, was the wife of Rogério Lobato. The Commission was told that until they were executed, they had been living with everybody else in the Fahinehan resettlement camp after surrendering in January 1979. The Commission was also told that Indonesian soldiers had persistently harassed Filomena, trying to get her to be an ABRI wife, but she had persistently rejected them. One day the family were told that they were going to be taken to Dili by plane. They were escorted out of the camp by troops from Airborne Infantry Battalion 100. When the people in the camp heard gun shots, they thought that it was nothing unusual, just that ABRI was killing buffalo again. The Commission has received the names of ten of the people who were shot dead:

- **Felisberto Gouveia Leite-husband**
- **Alexandrina Amelia Augusta Pires Leite-wife**

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1 HRVD Statement 04030. Other killings in Fatuberliu are reported in HRVD Statements 03464, 03470 and 03455.
- Maria Auxiliadora Filomena Pires Leite (Karilesu)-child and wife of Rogério Lobato
- Dulce Maria Pires Leite (Ililoe)-child
- Rui Manuel Baptista Pires Leite-child
- Maria de Fatima Baptista Pires Leite-child
- Aurea Fontes Gusmão (Olo Bere)-foster child
- Domingos – family bodyguard
- Pedro Kulo – “a Portuguese”
- Cancio – “a Portuguese”.

### Uatu-Lari, Viqueque

**Table 12 - Persons reported to CAVR to have been killed/disappeared after detention in Uatu-Lari, Nov-Dec 1978 and Mar-Apr 1979**

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Place of origin</th>
<th>Date of killing/disappearance</th>
<th>Circumstance of killing/disappearance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acacio de Carvalho</td>
<td>Fretelin/OPJT</td>
<td>Afaloicai</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Adelino de Carvalho</td>
<td>Fretelin troop</td>
<td>Afaloicai, Lena</td>
<td>January-April 1980 (1979?)</td>
<td></td>
</tr>
<tr>
<td>Adolfo</td>
<td>Uatucarbau</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Afonso</td>
<td>Matahoi</td>
<td></td>
<td>1979</td>
<td></td>
</tr>
<tr>
<td>Afonso Barreiro</td>
<td>Afaloicai</td>
<td></td>
<td>1983</td>
<td></td>
</tr>
<tr>
<td>Afonso Henrique Freitas</td>
<td>Afaloicai</td>
<td></td>
<td>1979</td>
<td></td>
</tr>
<tr>
<td>Afonso Manu Uai</td>
<td>Ossu</td>
<td></td>
<td>Feb-79</td>
<td></td>
</tr>
<tr>
<td>Afonso Menezes</td>
<td>Fretelin</td>
<td></td>
<td>25/11/78</td>
<td></td>
</tr>
<tr>
<td>Agapito Aquino</td>
<td>Falintil</td>
<td></td>
<td>15/3/79</td>
<td></td>
</tr>
<tr>
<td>Alfredo Pereira</td>
<td>Afaloicai, Uatulari</td>
<td></td>
<td>January-April 1980 (1979?)</td>
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</tr>
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<td>Alfredo Ribeiro</td>
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<td>Feb-79</td>
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<td>Alfredo Menezes</td>
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<td>23/11/78</td>
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<tr>
<td>Amaro Lourenço Ximenes</td>
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<td>Macadique</td>
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<td>Amelia</td>
<td>Afaloicai</td>
<td></td>
<td>25/3/92</td>
<td></td>
</tr>
<tr>
<td>Antonio da Costa</td>
<td>Ossu, Uaibobo</td>
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<tr>
<td>Antonio do Rosario</td>
<td>Afaloicai</td>
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<tr>
<td>Antonio Miguel</td>
<td>Ossu, Uaibobo</td>
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<td>Antonio Naco Lai</td>
<td>Ossoai Ua, Afaloicai</td>
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<td>Armando</td>
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<tr>
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<td></td>
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<td></td>
</tr>
<tr>
<td>Bobu</td>
<td>Babulo</td>
<td></td>
<td>1978</td>
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</tr>
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<td>Vessoru,</td>
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<tr>
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<td>Aba Dere, Babulo</td>
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<td>Macadique</td>
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<td>Caidana Lari, Macadique</td>
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<td>Chiquito</td>
<td>Bai Uari, Matahoi</td>
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<tr>
<td>David Lebre</td>
<td>Uatocarbau</td>
<td>January-April 1980 (1979?)</td>
<td>Detention/disappearance</td>
<td></td>
</tr>
<tr>
<td>David Loi Siba</td>
<td>Comandante Zona Uatocarbau</td>
<td>23/11/78</td>
<td>Disappearance</td>
<td></td>
</tr>
<tr>
<td>Domingos</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Domingos Hernani</td>
<td></td>
<td>Feb-79</td>
<td>Detention (Ossu)/Disappearance</td>
<td></td>
</tr>
<tr>
<td>Domingos Rosario</td>
<td>Afaloicai</td>
<td>00/00/78</td>
<td>Killing</td>
<td></td>
</tr>
<tr>
<td>Domingos Torres</td>
<td>Sana, Uaitame</td>
<td>Jan-79</td>
<td>Killing</td>
<td></td>
</tr>
<tr>
<td>Duarte da Costa</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Eduardo Falintil</td>
<td></td>
<td>1979</td>
<td>Killed outside combat</td>
<td></td>
</tr>
<tr>
<td>Ereleto Fretlin</td>
<td></td>
<td>1976</td>
<td>Detention/killing</td>
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</tr>
<tr>
<td>Feliciano</td>
<td>Sana, Uaitame</td>
<td>1979</td>
<td>Detention/torture/killing</td>
<td></td>
</tr>
<tr>
<td>Fernando da Silva</td>
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<td>Uaitame</td>
<td></td>
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<td>Francisco Soares</td>
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<td>Matahoi</td>
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<td>Gaspar Fretlin</td>
<td>Uatolari</td>
<td>January-April 1979</td>
<td>Detention/disappearance</td>
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</tr>
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<td>Gaspar</td>
<td>Afaloicai, Uatulari</td>
<td></td>
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<td>Gaspar</td>
<td>Uai Cai, Afaloicai</td>
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<td>Gaspar</td>
<td>Bai Uari, Matahoi</td>
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<tr>
<td>Gaspar Pinto</td>
<td>Delegado Matahoi</td>
<td>25/11/78</td>
<td>Detention/Torture/Killing</td>
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<td>Germano Fernandes</td>
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<td>Balabaciba, Vessoro</td>
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329. The Commission has received the names of about 140 persons who were executed or disappeared after being detained in Uatu-Lari. These detainees had been held in one of two places before their execution or disappearance: the Uatu-Lari Koramil, which had been an elementary school in Portuguese times, and a house formerly owned by a Chinese called Mo Tem-Po, which had been requisitioned by Battalions 202 and 721 as the Kotis (Komando Taktis) headquarters for the interrogation of those who had been captured or had surrendered in late 1978. Around 300 people from Uatu-Lari itself, from other parts of Viqueque District and from other districts, including Dili and Baucau, were selected for detention after surrender or capture. Some of these detainees were executed or disappeared soon after. Many of them were released over the following three months; and others continued to be held and were still in detention in March-April 1979 when most of the killings and disappearances took place. In March-April ABRI ordered the rearrest of released detainees, who had held positions in the Falintil and Falintil structures and then embarked on a campaign of killings and disappearances.

330. Some of these detainees were reported to have been taken to places outside Uatu-Lari to be killed, including the Kodim in Viqueque and Lacudala in Quelicai (Baucau), and others disappeared. The killings reportedly started in March, but most probably took place in April. They were carried out at various sites in Uatu-Lari.

331. From a local perspective two events seem to have triggered the killings. In February 1979 there had been a Falintil attack in Salerin in which four East Timorese and one Indonesian soldier were killed. Shortly after the attack a meeting may have taken place between six East Timorese who had surrendered the previous November and Kalasa, a Falintil commander still in the forest. Hansip and village officials who had been told about the supposed meeting reported it to ABRI.

332. These incidents would have indicated to ABRI that the Resistance was still alive in the sub-district and enjoying the support of surrendered and captured East Timorese people who had been released from detention. However, as in other districts, the victims appear to have been selected not because they were directly implicated in recent resistance activity, but because they had been active members of the Resistance before surrender or capture. They included many people who had been continuously detained since the previous November. For example, one night in March 1979, a group of nine people comprising five delegados, one aldeia secretary, one

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1 In addition to persons who were executed soon after being taken into detention in Uatu-Lari, there were also cases of people who were killed immediately after surrender [see, for example, HRVD Statements 06804 and 07363].

2 Among those who were reported to have passed through the detention centres in Uatu-Lari were two senior Resistance leaders, Solan (Inácio Fonseca) and Olakasa, both of whom are believed to have been executed at Lacudala in Quelicai in April-May 1979 [see below and HRVD Statement 06093]. Brigadier General Taur Matan Ruak told the Commission that he understood that Sera Key (Juvenal Inácio) was killed in Uatu-Lari. Brigadier General Taur Matan Ruak was captured with Sera Key in Ossu in early 1979; he later escaped and personally investigated Sera Key’s death. [CAVR Interview with Brigadier General Taur Matan Ruak, Dili, 9 June 2004]. The killing of detainees who had been held in the Viqueque Kodim is reported in HRVD Statement 03602 by a deponent who himself was transferred from Uatu-Lari to the Kodim.

3 Whether the meeting really took place is in some doubt. According to the account of Napoleão de Almeida, the information about the meeting came from two men who were caught, apparently looking for buffalo to till their fields. The two had been brought before six village leaders and had told them that they had not been looking for buffalo but for “men in the forest” (ema ailaran) and had chance upon the alleged meeting [Informações, Submission of Napoleão de Almeida to CAVR, 25 May 2004]. The six men they claimed to have seen talking to the Falintil commander – Adelino de Carvalho, João Bercamara, Luis Uaisakar Lakarate, Sebastião da Silva, Manuel Braga and Julião Sarmento – were all former Fretilin leaders or Falintil commanders and were all reportedly killed or disappeared in April 1979 [see Table below].
assistente, one Falintil Zone commander and an OPJT official were taken from their place of detention and never returned.

333. The executions started at around the same time that killing and disappearance of people who had been active in the Resistance before surrender or capture were also getting underway in other districts. According to one account, it was not until 9 April that they began to be fully organised. On that date, the commander of Battalion 721 reportedly summoned Indonesian-appointed local leaders to a meeting at which he told them to rearrest the detainees who had come down from Matebian the previous November, most but not all of whom had been released in January. On 15 April at another meeting, attended by 63 members of Hansip, village officials and other East Timorese, the Battalion 721 commander announced that the Fretilin and Falintil members who had been rearrested were to be killed.349 The ABRI commanders reactivated the teams composed of East Timorese which had been formed to interrogate those who had been captured or surrendered in November 1978 and to decide “whether we should live or die”350. A wave of killing then started on 15 April and continued over the next two days in Ulusu, Uatu-Lari, Lia Sidi, Saqueto and Beaço.2

334. The scale and timing of the executions suggest to the Commission that while local factors certainly played a part in the decision to carry them out, they were implemented as part of larger, centrally coordinated strategy aimed at eliminating the Resistance once and for all.

335. Lucio Meneses Lopes, one of several prisoners who had never been released from detention since his surrender in Uatu-Lari in November 1978, survived one of the mass executions at Ulusu. He described what happened to the Commission’s National Public Hearing on Massacres:

Two Hansip brought a list of names of prisoners and called them one by one. This list had been given to the Hansip by the Indonesian military… [My name was not on the list. But later two Hansip came into the detention centre and added my name to the bottom of the list, which was number 28. They called us and said: “Now we will go to find Fretilin in the forest.”

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1 They were: Adelino Umu Segue (secretario de aldeia), David Loisiba (Falintil Zone commander, Uatu Carbau), Gregório Maulelo (delegado, Baguia), Sebastião Alves da Silva (delegado, Matahoi), Accio de Carvalho (OPJT Matahoi), Julio Pires (delegado comissariado, Buliale), Sequito (assistente), Gaspar Pinto (delegado) and João Miguel (delegado) [HRVD Statement 07451].

2 In November 1978 there were three teams operating at the Kotis headquarters in Uatu-Lari: a ten-person civilian team headed by a village chief of Babulo, M272; a nine-person military team headed by the Sub-district administrator of Uatu-Lari, M273; and a women’s team, which seems to have consisted solely of M277 [CAVR, Community Profiles for Matahoi and Macadique Villages, Uatu-Lari sub-district, Viqueque District]. When they were reactivated in March 1979 members of all three teams are reported to have jointly interrogated – and ill-treated – the detainees [HRVD Statement 03602].

3 Informação Sobre A Situação De Algunas Zonas de Timor Leste, op.cit; The CAVR Community Profile of Matahoi Village, Uatu-Lari Sub-district, Viqueque District gives the places where the executions took place as Ulusu, Munu-Malau, Beaço, Uai-Mahu and Kaidawa Marak. The CAVR Community Profile of Macadique Village, Uatu-Lari Sub-district, Viqueque District gives the execution sites as: Ulusu, Uuatu Ila, Liasidi, Hunu Malau, Uatolari Leten and Beaço.
The people who escorted the prisoners were [currently still in Kupang] and [who has died in Kupang]. On the way nothing happened to us. Sometimes the Hansip walked ahead of us, and then sometimes we were ahead of them, and they followed us from behind. We walked for two hours on the road to Ulusu. When we arrived in Ulusu, they handed us over to ABRI Battalion 721. When we arrived there, the Bapak [the word meaning father commonly used by East Timorese to refer to Indonesian soldiers] said: “Please rest first. Sit down!” Everyone sat down, [but] a friend and I decided to keep standing. Then they gave us Blue Ribbon cigarettes. The Bapak began to speak: “Now we will go and look for Fretilin”…About 15 minutes later, they spoke again: “Now we will leave to go and search for Fretilin.”

The 14 of us were divided into two groups. Seven were sent to the 17 August Zone, and the others were taken down the hill. We began to walk to a place where the troops were getting ready. Half-way down, my friend Adelino de Carvalho who was with me, said: “Lopes maybe this is the time when we will die.” I answered: “Only God can decide whether we live.” When we arrived on a hill, they [the Indonesian military] commanded us: “Everyone sit down! Look, there is Fretilin over there!” We sat down. But I did not sit on the ground. I just squatted to be ready, in case something bad would happen. Shortly after that the guns started firing. And I immediately jumped down the hill. They rained bullets on us. A bullet brushed against my head and scratched it. Below the hill, I hid in a hole in the rock. I saw them [the Indonesian troops] were looking for me, but they could not find me.”

### Table 13 - Killings in Manatuto District, February-April 1979

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Date of capture/surrender</th>
<th>Place of capture</th>
<th>Date of killing/disappearance</th>
<th>Place of killing/disappearance</th>
<th>Perpetrator (s)</th>
</tr>
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<tbody>
<tr>
<td>Barique</td>
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<td></td>
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<td></td>
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<tr>
<td></td>
<td></td>
<td>9/3/1978</td>
<td>Casohan, Barique</td>
<td>Soon after capture</td>
<td>Casohan, Barique</td>
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<tr>
<td>Laleia</td>
<td></td>
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<tr>
<td>João Baptista</td>
<td>Secretario da Zona</td>
<td>3/1/1979</td>
<td>Laleia</td>
<td>Soon after capture</td>
<td>Raimea</td>
<td>Btn 745</td>
</tr>
<tr>
<td>Antonio da Costa</td>
<td>Comandante de Companhia</td>
<td>3/1/1979</td>
<td>Laleia</td>
<td>Soon after capture</td>
<td>Unknown (TBO dis)</td>
<td>Btn 745</td>
</tr>
<tr>
<td>Salvador da Costa</td>
<td>Comandante de Companhia</td>
<td>3/1/1979</td>
<td>Laleia</td>
<td>Unknown (TBO dis)</td>
<td>?</td>
<td></td>
</tr>
<tr>
<td>Valdemir o Andre Viegas</td>
<td>Comandante de Companhia</td>
<td>3/1/1979</td>
<td>Laleia</td>
<td>Unknown (TBO dis)</td>
<td>?</td>
<td></td>
</tr>
<tr>
<td>Francisco Ximenes</td>
<td>Comandante de Companhia</td>
<td>3/1/1979</td>
<td>Laleia</td>
<td>Unknown (TBO dis)</td>
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<td></td>
</tr>
<tr>
<td>Name</td>
<td>Position</td>
<td>Date</td>
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<tr>
<td>Mariano da Sousa</td>
<td>Comandante de pelotão/Hansip</td>
<td>1/1/1979</td>
<td>Feburary 1979</td>
<td>Btn 745</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Clementino José Branco Ximenes</td>
<td>Comandante de pelotão/Hansip</td>
<td>1/1/1979</td>
<td>Feburary 1979</td>
<td>Btn 745</td>
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<tr>
<td>João de Brito Ximenes</td>
<td>Comandante de pelotão/Hansip</td>
<td>1/1/1979</td>
<td>Feburary 1979</td>
<td>Btn 745</td>
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<tr>
<td>Gregorio Soares</td>
<td>Comandante de secção/Hansip</td>
<td>1/1/1979</td>
<td>Feburary 1979</td>
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<tr>
<td>Antonio Rufino da Costa</td>
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<td>1/1/1979</td>
<td>Feburary 1979</td>
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<tr>
<td>Felisberto Viegas</td>
<td>Vice-secretario da Zona/Hansip</td>
<td>1/1/1979</td>
<td>Feburary 1979</td>
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<tr>
<td>João Viegas</td>
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<td>1/1/1979</td>
<td>Feburary 1979</td>
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<tr>
<td>Sebastião Gusmão</td>
<td>Secretario de Suco/Hansip</td>
<td>1/1/1979</td>
<td>Feburary 1979</td>
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<td></td>
</tr>
<tr>
<td>Mario Ximenes</td>
<td>Chefe de Suco/Hansip</td>
<td>1/1/1979</td>
<td>Feburary 1979</td>
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<tr>
<td>Domingos Bartos Ximenes</td>
<td>Falintil member/Hansip</td>
<td>1/1/1979</td>
<td>Feburary 1979</td>
<td>Btn 745</td>
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<td>1/1/1979</td>
<td>Feburary 1979</td>
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<tr>
<td>Felippe da Costa Gusmão</td>
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<td>1/1/1979</td>
<td>Feburary 1979</td>
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<tr>
<td>Filomeno Gusmão</td>
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<td>1/1/1979</td>
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<tr>
<td>José Bento</td>
<td>Falintil member/Hansip</td>
<td>1/1/1979</td>
<td>Feburary 1979</td>
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<tr>
<td>José Vong</td>
<td>Falintil member/Hansip</td>
<td>1/1/1979</td>
<td>Feburary 1979</td>
<td>BTN 745</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Paul Malati Soares</td>
<td></td>
<td></td>
<td>Feburary 1979</td>
<td>BTN 745/631</td>
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</tr>
<tr>
<td>Salvador Ximenes</td>
<td></td>
<td></td>
<td>Feburary 1979</td>
<td>BTN 745/631</td>
<td></td>
<td></td>
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<tr>
<td>Salvador Ximenes</td>
<td>Delegado de Suco</td>
<td>4/1/1979</td>
<td>Karkida (on Laleia-Manatuto road)</td>
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<tr>
<td>Antonio Virgilio da Costa Freitas</td>
<td>Soldado</td>
<td>4/1/1979</td>
<td>Karkida (on Laleia-Manatuto road)</td>
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<tr>
<td>Manuel</td>
<td>Soldado</td>
<td>4/1/1979</td>
<td>Karkida (on</td>
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<td>Boavida</td>
<td>Francisc o Inacio</td>
<td>Soldado</td>
<td>4/1/1979</td>
<td>Karkida (on Laleia-Manatuto road)</td>
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<tr>
<td>Tomas Bonapart e Soares</td>
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<td>Antonio Soares</td>
<td>Soldado</td>
<td>4/1/1979</td>
<td>Karkida (on Laleia-Manatuto road)</td>
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</table>

Sources: HRVD Statements 3058, 9194, 3190, 5305; CRRN Communiqué, n.d.
7.2.3.6 Unlawful killings and enforced disappearances by Fretilin/ Falintil 1976-1979

336. The Commission heard extensive testimony about the killing of non-combatants perpetrated by Fretilin and Falintil during the period February 1976-79. During this period leaders and members of both organisations were implicated in fatal violations in most districts across the territory, although the geographical focus of these killings shifted over time. Senior Fretilin leaders and Falintil commanders ordered many of the killings reported to the Commission, and in some instances themselves perpetrated them.

337. Broadly the targets of the killing can be broken down into several categories: those who had belonged to political parties, primarily UDT and Apodeti, which had come into conflict with Fretilin in the months leading up to full-scale Indonesian invasion, both as participants in the civil war and as auxiliaries of the Indonesian forces’ infiltrating the territory of Timor-Leste; members of the civilian population in Fretilin areas suspected of having contact with the Indonesians or wanting to surrender; suspected and known collaborators; and those caught up on the wrong side of internal conflicts within the Resistance.

338. In early 1976, after the killings described in 7.2.5.3 (above) that took place in the weeks immediately after the Indonesian invasion, Fretilin members continued to kill persons associated with UDT and other political parties. During the course of 1976 tensions within the Resistance developed, between the dominant faction of Fretilin and other nationalists who opposed that faction’s strategies and leadership, and exploded late in the year into confrontations that resulted in the execution of a number of prominent members of the internal opposition within Fretilin and their supporters. In the second half of 1977 long-standing differences within the leadership over ideology and military strategy sparked another internal purge, in which those associated with the President of Fretilin and the Democratic Republic of Timor-Leste, Francisco Xavier do Amaral, were the chief targets.

339. While it is possible to identify these three broad phases, they were not in fact clearly distinct. In 1976 one of the areas of dispute between the most prominent of the dissidents, Aquiles Freitas Soares, and the mainstream Fretilin leadership concerned the question of how willing the Resistance should be to work with members of UDT and other political parties. The Commission heard of cases of people formerly associated with UDT and other parties being targeted after 1976. The differences over strategy that underlay the purges of 1976 and 1977 were largely the same, and it is therefore not surprising that survivors of the first round of infighting in 1976 often became targets again one year later.

340. The violence was sparked by differences within the leadership. However, these differences were largely over the role of the civilian population in the Resistance and they often had a damaging and sometimes fatal impact on the already disrupted lives of ordinary people who had evacuated to the mountains and forests with Fretilin. Throughout these years, like their leaders, ordinary civilians, particularly those suspected of wanting to leave the Fretilin base areas and return to their homes, also risked being dubbed “traitors”, one consequence of which might be their execution or their death in detention.

341. This section consists of two parts. First it describes the killings committed by Fretilin/Falintil in their political context. The second part summarises the information gathered by the Commission about how people who were ordinary members of the civilian population or of Fretilin and Falintil also became victims of killing during this period.

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1 Killings by Fretilin/Falintil during the period December 1975-January 1976 are covered in Section 7.2.5.3, above.
Fretilin/Falintil killings: the political context

Fretilin/Falintil killings of UDT and Apodeti members

342. During 1976 Fretilin remained in control of large areas of Timor-Leste. The Commission heard of a number of killings during this time committed by Fretilin against persons who were associated with other parties. Most of the victims known to the Commission were associated with UDT. The killings tended to occur in areas where support for both UDT and Fretilin had been strong and the level of violence during the civil war had been particularly intense.

343. In one case described to the Commission, on 4 March 1976 ten member of Fretilin went to the house of a UDT member named Pedro in the village of Matata (Railaco, Ermera) and arrested him. The members of Fretilin bound his hands and legs with rope then took him in a pick-up truck to Mautaimate in Matata, where they killed him. Other deponents reported other killings and disappearances perpetrated in the Matata area by Fretilin/ Falintil at around this time. A number of deponents reported that during the period of the UDT armed movement and Fretilin armed insurrection of August-September 1975 both UDT and Fretilin had killed people belonging to the other party in Matata.

344. The collaboration of members of UDT and Apodeti with the Indonesians in the lead-up to, during and after the invasion of 7 December 1975 added a fresh dimension to the hostility between Fretilin and those parties.

345. In some instances members of UDT were killed by ordinary Fretilin members motivated by feelings of revenge. In July 1976, in Carlilo (Aiteas, Manatuto) four Fretilin members reportedly killed an elderly couple, Francisco Soares and Ingracia Soares, who had supported UDT. In other cases there is evidence of higher-level involvement.

346. Soon after ABRI Battalion 330 had passed through Venilale (Baucau) en route to Viqueque in late December 1975, local Fretilin leaders in Venilale took it upon themselves to arrest, beat and kill UDT and Apodeti members, whom they accused of having fraternised with the Indonesians. In five separate incidents between 1 February and 12 February 1976 local Fretilin officials ordered the killing of a total of at least nine people who were believed to be UDT sympathisers. Among the victims were six members of one family; a husband and wife, Claudino Gutieres and Maria Boavida, three of their sons, José (Azeca), Faustino and Crisogno, and Claudino’s uncle.

347. The killings in Venilale fuelled the conflict between the Fretilin leadership of the Central Eastern Sector (Sector Centro Leste), then based in Lobito (Vemasse, Baucau), and the dissident group that had formed in Quelicai (Baucau) around Aquiles Freitas Soares, the Falintil deputy regional commander of the Baucau Zone. Maria Boavida was the younger sister of one of Aquiles’s closest associates, Antonio Freitas. On 23 February M231 took some of his men to Uaimori where they shot dead two commanders, Januario Ximenes and Julio da Silva, whom M231 believed responsible for the killings in Venilale. Three days later, on 26 February, Aquiles Freitas set up the semi-autonomous Boru-Quere Command with M231 as his vice-president (see below).

348. Persons previously associated with UDT were also suspected of spying for the Indonesians. A former member of UDT, Marçal da Costa, was arrested in Soibada (Manatuto) by five members of Fretilin in 1977 and accused of acting as a spy for ABRI. He was beaten and then brought for interrogation to a Falintil commander, M232. After five days in detention Marçal da Costa was tied up, hanged and shot dead by a member of Fretilin M233.

\[1\] See HRVD Statements 1020, 3509, 3510 and 6203, and Section 7.2.4.4, above.
349. Frequently the targets of these killings were deemed guilty by association, being linked to UDT or Apodeti through a relative or friend who was a member of those parties, rather than being members of those parties themselves. As during the conflict within the Resistance in 1976, Fretilin attacks on persons associated with UDT and Apodeti again fed into and fed on the tensions within the Resistance during 1977.

350. On 8 May 1977 Maria Antonia, an OPMT delegada, was detained at Haturui (Laclo, Manatuto) on suspicion of having been in contact with ABRI and was brought to the Mahadik Sub-Committee office in Aldeia Fitun (Laclo). There she saw her uncles, Alexandre, Maharek, Masanak, Makai and Miguel, and other members of her family, and her cousins Maria Fatima and Paulino, who showed signs of already having been tortured. All of them were interrogated, beaten and tortured with hot irons before being tied to trees. The whole family was accused of being traitors. Maria Fatima and Maria Antonia were accused of having been in contact with Maria Antonia’s father, Antonio Gregório, who had been a UDT delegado. They were then brought to the Fretilin prison at Welhumetan (Hatuconan, Laclo).

351. After a few days they were taken to Roluli, also in Laclo, where they were held for one night and interrogated by, among others, Vice President of Fretilin M234. Maria Antonia confessed that she had been in contact with her father. The detainees were then brought to the Fretilin detention centre ( Campos de Rehabilitação Nacional, Renal) in Aikurus (Remexio, Aileu). While they were in the Renal 12 members of the family died as a result of ill-treatment in detention or were killed.†

352. The targeting of former UDT and Apodeti members reportedly continued to occur as late as 1978. For example in that year Matias Amari Pinto and Father João Martins were arrested by Fretilin in the Bautae Zone in Uatu-Lari (Viqueque). Matias Amari Pinto told the Commission that the two were put in a pig pen together with several Apodeti and UDT detainees, and held there for seven months. At different times during that period an Apodeti detainee, Alberto Maupelo, and a UDT detainee, João Brito, tried to escape; both were caught and shot dead.359

Killings resulting from the internal Fretilin conflict of 1976

353. Conflict within the Resistance surfaced soon after the invasion and persisted throughout the period that ended with the destruction of the bases de apoio. At the core of these ultimately lethal disputes was the mainstream Fretilin leadership’s belief that “politics commands the gun”. One implication of this doctrine was that Fretilin was simultaneously waging both a war and a revolution and that to pursue both these goals at the same time required that it retain a large population base. At the same time ideological differences of other kinds—over the degree to which the Resistance should be centrally controlled, over the extent to which Marxism was compatible with East Timorese culture and religion, over the role of traditional leaders and over how inclusive the nationalist movement should be—also fuelled the conflict. From testimony received from a variety of sources it was also evident to the Commission that while these disputes were expressed ideologically, they frequently had a more personal basis, whether due to personal antagonisms and ambitions, or differences of background, generation and perspective. The course of the war itself also exacerbated the underlying differences within the Resistance; military reverses suffered by the Resistance and the worsening plight of the population in the interior hardened the positions of both sides and sharpened their disagreements.

354. As the rift developed between the Fretilin leadership attached to the Cascol (Comissariado do Sector Centro Leste) in Lobito and Sergeant Aquiles Freitas Soares and his followers during February 1976, the latter set up their own semi-autonomous command, called the Comando da

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1 For further information on the Renal, see Chapter 7.4: Detention, Torture and Ill-Treatment, section on Renal.
2 Those who were killed or died in detention were Maria Fatima (a cousin of Maria Antonia), Paulino (another cousin), Libadasi (her grandmother), Maharek (an uncle), Masanak (an uncle), Makai (an uncle), Miguel (an uncle), Alexandre (an uncle), Biliba (an aunt), Paulina (an aunt), Maria Sibak (an aunt) and Bikristi (an aunt). [HRVD Statements 06498 and 07990; and CAVR Interview with Maria Antonia, Laclo (Manatuto), 20 March 2003].
Luta Boru-Quere, in Uaibitae on the slopes of Mount Matebian. Aquiles himself became President of the Comando da Luta Boru-Quere with Antonio Freitas as his deputy. Aquiles Freitas Soares’s authority derived both from his status as the progressive heir to the princedom of Letemumu in Quelicai (Baucau) and his 12-year service in the Portuguese army, most recently with the 6th Cavalry Company in Atabae (Bobonaro) where he had further enhanced his standing after the departure of the Portuguese by his heroic role in the resistance to the Indonesian incursions into Bobonaro in October-November 1975.

355. When Atabae fell to the Indonesians on 26 November, Aquiles, his followers and 64 children from Quelicai who had been sent to Atabae to be educated there under Aquiles’s guidance started a long trek eastwards through Dili and Aileu that ended when they reached Quelicai in early January 1976. The group were well-armed; weapons and ammunition brought by Aquiles from Atabae were supplemented by weapons captured by his ally, Sergeant Ponciano dos Santos, who had led a raid at the arsenal at the Portuguese Quartel Geral in Taibessi at the time of the Fretilin armed insurrection, most but not all of which he had handed over to Fretilin forces.

356. Ponciano dos Santos was appointed head of the Command’s Security Committee. Two brothers and former UDT leaders, João Teodosio de Lima and Augusto Pires, were put in charge of the Political and Administrative Committee. Two priests, Father Eligio Locatelli and Father Luis da Costa, were named as advisors.

357. In May 1976 the Comando da Luta Bero-Quere and representatives of Fretilin held a three-day meeting at the school house in Quelicai to try to resolve their differences. The Political Commissar for the Centro Leste Sector, Vicente Reis (Sahe), headed the Fretilin delegation. At the meeting Aquiles proposed that he be promoted to commander of Region II (Baucau), refused a Fretilin request that he share his weapons with other Falintil units, and asked that the people from Venilale who had sought refuge in Uaibitae after the February violence be allowed to return to their homes. Fretilin’s Marxist-Leninist orientation was also discussed.

358. Aquiles’s stance persuaded members of the Fretilin Central Committee: his refusal to give up any of his large stock of arms persuaded some of them that he was planning a coup. Rumours also began to spread that Aquiles was planning to murder Vicente Reis.

359. The situation came to a head on 28 October 1976 when, after an armed confrontation between the two sides, another meeting was held, this time in Uaibitae. Before the meeting the Bero-Quere group had been persuaded to disarm. The Lobito group then arrested Aquiles and the other leaders of the Bero-Quere group together with several of their followers and suspected allies, including two liurai from the district of Viqueque, Fernando da Sousa from Uatu-Carbau and Adelino de Carvalho from Uatu-Lari. Some of them, including Antonio Freitas and Augusto Pires, were taken to Baguia (Baucau); others, including Aquiles, Ponciano dos Santos and João Teodosio de Lima, were taken to Ulusu (Uatulari, Viqueque), and then to Lobito, where they were handed over to members of the Fretilin Central Committee. The Committee was apparently divided on how to deal with Aquiles; one faction wanted him executed while others suggested some form of rehabilitation. Some time in December members of the Central Committee decided to execute Aquiles and his key associates. Aquiles, Ponciano dos Santos and João Teodosio de Lima were executed at Lobito, while Antonio Freitas was executed in Baguia, either in December 1976 or January 1977. Others, including Fernando da Sousa and Adelino de Carvalho, were sent for political education.

360. Various sources have reported that Aquiles was condemned because of his opposition to Fretilin ideology, or that he had betrayed the Resistance by actively collaborating with the

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1 According to Marito Reis, 36 of the Lobito group were arrested in Uaibitae (CAVR Interview with Marito Reis, Baucau, 23 September 2003). A document in CAVR’s possession gives the names of 34 people who were arrested, of whom six were executed, but indicates that the list of detainees is not complete [Document: Quelicai Uaibitae, 28 October 1976, submitted to CAVR by Anthony Goldstone].
Indonesian occupation forces. The Commission has not found any evidence that this accusation had any substance.

361. Testimony received by the Commission has implicated Vicente Reis, the commander for the Central Eastern Sector, Maubrani (Cirilo Nunes), the commander of the Baucau Region, Kilik Waigae (Reinaldo Correia), the commander of the Bautae Zone, João Meneses (Darloi), and the commander of the intervention force, José Lemorai, in the capture of the Bero-Quero group on 28 October 1976. According to other testimony received by the Commission from Valente de Sousa Guterres, who was detained with Antonio Freitas in Baguia, those who were brought to Baguia were interrogated by M278 and M279. Their chief executioner was M280. The Commission has not been able to establish who was responsible for the executions of Aquiles Freitas, Ponciano dos Santos and João Teodosio de Lima at Lobito.

362. While these events were unfolding in Quelicai, a similar and related confrontation was developing in the sub-district of Liliomar in Lautém. This conflict pitted another traditional leader, Francisco Ruas Hornay, who had also served in the Portuguese army, against the local and sectoral leadership of Fretilin and Falintil, and caused a deep rift within the villages of the sub-district of Liliomar.

363. Like Aquiles, Francisco Hornay had demonstrated his commitment to the nationalist cause by resisting the Indonesian incursions into Bobonaro in September-November 1975. He had defended Balibo against Indonesian attacks, and after Balibo fell in mid-October he had joined forces with Aquiles Freitas in Atabae. After the full-scale invasion he too had returned to his home base in Liliomar where he soon came into conflict with the Fretilin Comite da Zona and the local Falintil command. He objected to the Fretilin policy of concentrating the population of Liliomar in encampments (acampamentos) on both military and ideological grounds. In June 1976 the political commissar for the Ponta Leste Sector, Sera Key (Juvenal Inácio), and the adjunto, Fernando Txay, ordered Francisco Hornay to perform a self-criticism and sent him and his closest followers to the Renal at Beta Tres near Lospalos (Lautém) for 14 days for justo correctivo.

364. However, after Francisco Hornay and his followers returned from Beta Tres to Liliomar the conflict erupted again. Several of his followers were arrested at a meeting organised by the Central Committee in early October 1976, and believing that he himself was about to be arrested, Francisco Hornay went to visit Aquiles Freitas in Uaibitae. Aquiles agreed to a request from Francisco Hornay for arms. As the situation deteriorated, Francisco Hornay and his followers fled to Mount Paitah. Sera Key and Fernando Txay mobilised the remaining population of Liliomar to encircle Francisco Hornay’s followers on Mount Paitah. As a result of this operation most of those who had fled to the mountain surrendered and returned to their villages, but Francisco Hornay and several dozen of his followers escaped to Kuladera in Uatu-Carbau (Viqueque).

365. Two weeks later in mid-November 1976 Fretilin/Falintil again mobilised the population of Liliomar, this time to capture Francisco Hornay and his followers in Uatu-Carbau. On 13 November the first killing took place. En route to Uatu-Carbau, in the area of Irafok in the aldeia of Larimi (Cainlu, Liliomar, Lautém), the Fretilin force captured Paul Hornay and hacked him to death. Shortly after, the force entered Uatu-Carbau and captured Francisco Hornay and his followers. On 17 November eight of them—Antonio Oliveira, Oscar Ferreira, Angelo Pinto, Antonio Soares, Silvino Ximenes, Libertino Barros, Bernardo Soares and Juli Ximenes—were reportedly taken to Lore in the sub-district of Lospalos and killed. On 24 November 1976 Francisco Hornay and five others—Duarte Ximenes Pinto, José Nunes, Dinis de Castro, Marcos Pintos and Manuel Sarmento—were reportedly taken to a place called Muapetiti (Lautém) for execution. All but one of the six, Manuel Sarmento, were reportedly executed there. Manuel Sarmento managed to escape, but was found and killed one week later.

366. In October 1976, in the same month that the confrontations with Aquiles Freitas and Francisco Hornay and their followers reached their climax, in the North Frontier Sector (Sector
Fronteira Norte), another, apparently unrelated dispute within the Resistance also ended in fatal violence including executions. On 5 October the Falintil Deputy Chief of Staff, José da Silva, and around 40 followers, including women belonging to the OPMT, left their base in Fatubessi (Hatulia, Ermera) for Neorema (Asulai/Sare, Hatulia, Ermera), the joint headquarters of the sectoral military command and the political commissariat. José da Silva’s purpose was to contest his demotion from the position of Falintil Deputy Chief of Staff.

367. Sources interviewed by the Commission differ on what José da Silva intended to do once he arrived in Neorema, whether he wanted to discuss his demotion with the leadership and acted against them when they refused, or whether he went there intent on violence. Whatever his intentions, soon after his arrival in Neorema there was a violent confrontation, during which there were several fatalities and the Fatubessi group arrested the whole sectoral leadership including the Political Commissar, Helio Pina (Mau Kruma), the Sectoral Commander, Martinho da Silva, and his deputy, Sebastião Sarmento.

368. On 6 October a group loyal to the Neorema Command from Poerema in the sub-district of Ermera, led by Pedro Lemos, counterattacked.372 They succeeded in securing the release of the detained leadership and capturing many of the Fatubessi force. José da Silva and several others managed to escape to Ponilala (Ermera, Ermera), but were captured there by local troops loyal to the Sectoral Command and brought back to Neorema. Three of those who had been captured were reportedly executed in Neorema on 8 October.374

369. During the following year the surviving detainees, who included several of the OPMT women, were continually moved from one place of detention to another, some being eventually released, some dying in detention and some being executed. The Commission heard that in total as many as 40 of them died of deprivation and ill-treatment or were executed.375 José da Silva was reportedly shot on 15 August 1977, in Fatubessi, allegedly by M281’s bodyguards, M235 and M236. At least one other person, Mateus Alves, was executed in Fatubessi at around the same time.377 José da Silva was accused of planning to surrender to ABRI and of encouraging others to do likewise, although his surviving followers denied to the Commission that he did these things.378

Killings resulting from the internal Fretilin conflict of 1977

370. On 19 September 1977 the Fretilin Central Committee issued a communiqué announcing Francisco Xavier do Amaral’s arrest ten days earlier and his impending trial. Calling Francisco Xavier do Amaral “the vilest traitor that our history has known”, it recounted a whole range of serious offences that he and his followers were alleged to have committed, including planning the elimination of the leadership of the Central Committee and a number of deviations from Fretilin ideology, including trying to “separate the civil from the military tasks”. The communiqué announced that the President of Fretilin had committed the crime of high treason and had been expelled from the party.379

371. The communiqué of 19 September alleged that Francisco Xavier do Amaral’s support was concentrated in his home area of Turiscal and Fahinehan in Manufahi, Remexio and Lequido in Aileu, Laclo, Ilimano and Laclabar in Manatuto, and Maubisse in Ainaro.380 The campaign against Amaral’s supporters was also concentrated in these areas, although it also spread east to Quelicai in Baucau District and Uatu-Carbau and Uatu-Lari in Viqueque District and reached into areas, such as Alas (Manufahi), where Amaral was alleged to be seeking to build up his influence. In all of these areas alleged Amaral supporters were arrested, and many of them were subsequently executed or died in detention.

1 For these contrasting views, see CAVR Interview with Celestino de Carvalho Alves and HRVD Statement 08385.
372. The communiqué also named a number of “traitors” who had acted as Amaral’s “pawns.” They included two members of the Central Committee and several middle-level cadres (quadros medios). Most of those named were also executed or died during or soon after a period of detention.

373. Scepticism among the professional soldiers who had joined the Resistance about the wisdom of trying to sustain a large civilian population at the same time as it was pursuing the military struggle intensified during 1977, as both the military situation and the living conditions of the civilian population worsened and it became clear that the Resistance could not rely on outside help to win the war. From their different perspectives, the professional soldiers and Francisco Xavier do Amaral were in agreement on this question. Several senior commanders were replaced as part of the purge of Amaral supporters that started in August 1977. Two sector commanders Martinho Soares of the North Frontier Sector (Sector Fronteira Norte) and Agustinho Espirito Santo of the South Frontier Sector (Sector Fronteira Sul), both of whose relationships with their sectoral Political Commissar had been tense for some time, fell victim to these sharpening differences. Martinho Soares was taken prisoner in or around October 1977 and held by Fretilin in Abat (Fatubessi, Ermera) because he was allegedly planning to surrender to the Indonesians. One witness told the Commission that the last time he saw Martinho Soares alive he was being tortured, with the lower half of his standing body buried in the ground while his upper body was being burned with melting rubber. It is probable he was then executed.

374. The decision to remove Agostinho Espirito Santo as commander of the South Frontier Sector was taken at the meeting of the Fretilin Central Committee held in Herluli (Remexio, Aileu) at the end of July 1977, at which it was also decided to expel Francisco Xavier do Amaral. The Commission was told that Agostinho Espirito Santo was arrested with about 85 of his followers soon after on the orders of the Political Commissar for the South Frontier Sector, Cesar Mau Laka, and brought to Zulo (Lepo, Mape/Zumalai, Covalima). Tensions had been rising between the two for some time over Fretilin policy towards civilians. Agostinho Espirito Santo and his deputy, João Baptista Soares de Jesus (Bere Loco Meo), were in favour of allowing the civilian population to surrender, both to alleviate their suffering and to give the Resistance forces greater freedom of action. João Baptista, who as a regular in the Portuguese army had fought guerrilla wars in Guinea-Bissau, Mozambique and Angola, was regarded as the foremost military advocate of this view, although he was not touched by the purge. Agostinho Espirito Santo was taken to Fahinehan (Fatuberliu, Manufahi) where he and four others (Juvenal Belo, Alexandre, Paul and Ramerio) were reportedly executed on the orders of the two Central Committee members, M170 and M171 at a site in Mirik Lout in Fahinehan Village. Other Falintil commanders and their troops were arrested and executed or died of ill-treatment in detention during the anti-Amaral campaign.

375. Arrests of Amaral sympathisers began in August soon after the Central Committee held a meeting in Herluli. In Herluli alone, by late August, several hundred prisoners from Remexio,
Lacho, Laclubar. Turiscai and Maubisse were being held in a hastily constructed prison which consisted of large holes covered by logs.387

376. Francisco Xavier do Amaral himself was arrested by the RDTL Minister of Public Security and Information, M172, at the end of a meeting of the Fretilin Central Committee in Tutuloro (Turiscai, Manufahi) on 9 September 1977. His wife and children, his closest associates and his bodyguards were arrested at the same time.388

377. Francisco Xavier do Amaral told the Commission that in the month after his arrest he and the other detainees were taken on a long journey by foot through the villages of Soibada, Fatumakerek, Laclubar in Manatuto and back to Turiscai before being brought to the Renal in Aikurus. Along the way his escort arrested more people so that by time they reached Aikurus the number of detainees in the group had risen to around 50. Every day 4-5 people died, and prisoners who could not walk would be killed.389

378. Amaral suffered severe torture and deprivation (see Chapter 7.4: Detention, Torture and Ill-Treatment, section on Renals, above), but survived. Several of those closest to him, including his bodyguards, were executed and two of his children are reported to have died in detention of hunger.390

379. However, the discovery of “traitors” within Fretilin and their public execution did not begin on 20 August 1977. The divisions within the Central Committee that were evident as early as the Soibada Conference of March-April 1976 had grown acute by the time of the Laline Conference in May-June 1977, which was boycotted by Francisco Xavier do Amaral (see Part 5: Resistance: Structures and Strategies).

380. Accusations of treason were already common by this time, particularly in the North Central Sector. Several months before the purge of Amaral supporters began in August, several killings were reported to have occurred in March-June at the Nundamar Renal (Remexio, Aileu). In March a total of 26 people were reportedly arrested in Aldeia Fitun in Lacho (Manatuto) and brought to Fretilin’s Lima Leu base in Remexio (Aileu). They were accused of being traitors who had been in contact with former members of UDT, including Francisco Lopes da Cruz and Cancio Noronha, who were by then working within the Indonesian administration. Three of the detainees—João Adolfo Conceição Cabral de Deus, Manuel Rodrigues Pereira and Mau-Huli—were reported to have died under torture at the Lima Leu base. In April the group was moved to the Renal in Remexio where 21 of them were reportedly killed. During July there were further arrests in Lacho. Three of those arrested at this time—Filomeno Faria Lobato, Bernadino Carceres and Jacinto Correia—were also reportedly killed.391

381. Numerous sources also told the Commission about the execution of two people, Maria Fatima and Zacarias during this period.

382. The two were arrested in Berahu, Aldeia 8 de Março (Liurai, Remexio) in March 1977, apparently because they had tried to run away from a Fretilin base in Dali. They were accused of being spies and brought to the Nundamar Renal. The population living nearby was told that there was going to be a party. During the party Fretilin leaders asked for volunteers to kill Maria Fatima and Zacarias. No one stepped forward, so a Falintil platoon commander M173 shot the two. Maria died immediately, but Zacarias did not and was despatched by adjunto M176. Not long after Maria Fatima’s execution her younger brother, Luis Pereira, who had been arrested with her, died in the Renal, reportedly overwhelmed by grief at his sister’s death.392 At around the same time another person from Liurai, João Freitas, was arrested and put in the underground prison, Renal Nundamar, on the orders of adjunto M176. On 20 May he was taken out of the Renal and stabbed to death by two Falintil soldiers, M176 and M175.393
383. According to information received by the Commission, the first mass execution in Herluli itself was carried out in public on 20 August 1977, the second anniversary of the founding of Falintil. Several witnesses described this mass execution to the Commission.

384. Antonio Amado JR Guterres gave the following description:

At midnight on 19 August 1977, when the Fretilin leaders were meeting, M311 announced to the public that there was a traitor. At that time the traitor had not yet been captured by Fretilin. That night on 19 August 1977 M311 expelled the traitor and on 20 August 1977, at exactly 12 o’clock midday, Fretilin killed seven people at one time in a hole in the ground. Of the seven the only one I knew was Paulina Soares. We had been teachers together during Portuguese times.

The executions happened at Herluli. Before killing them Fretilin had taken them into custody. It was on the Falintil’s anniversary, 20 August. During the flag-raising ceremony the order was given to prepare the hole. Once the flag ceremony was over the seven of them were put in the hole and everyone was asked to come to the site to witness the execution taking place. Once the seven were in the hole, M311 said to them: “You have no more time left. Now you have to prepare yourselves.” Before the massacre Paulina Soares said: “Comrades, I am about to die and do not have anything. All I have is a piece of clothing which I give to my mother, who will stay with you to struggle for independence.”

After Paulina had delivered her message, she took off her clothes and gave them to someone. Then they spewed out a volley of bullets. I watched them all die except for one large man. The man said: “I am about to die, but you will not win.” After this M311 took his bayonet and hacked at the victim’s body, which spilled lots of blood. Seeing so much blood pouring out of that man’s body I fainted. I must have been unconscious for a long time because I do not know whether those seven people were buried.

385. Another witness said that several of Francisco Xavier do Amaral’s bodyguards were among those executed on 20 August.

386. Domingos Maria Alves (Ambulan) described to the Commission the execution of 10 people, whom he said were killed on the orders of Fretilin Minister of Public Security and Information M172:

The next day they ordered six militia to dig a hole to bury the detainees who were to be killed. At noon they lined up 20 people and took 10 who were going to be killed to the river bank near the office…Then the people were ordered outside to witness [the killing].

* CAVR Interview with Maria Antonia, Laclo, Manatuto, 20 March 2003. Several sources reported the execution of one of Francisco Xavier do Amaral’s bodyguards, called Rafael, but that execution seems to have occurred after Amaral was brought to Beutlala, Remexio, in September 1977 [HRVD Statement 08010].
M310 ordered the people to pray. Only after they had finished praying did we show the place to them. Their eyes were covered and [M178] was the one who shot them. Two people brought another person. [M177] ordered his eyes to be covered, and then M178 shot him. So it went on until all 10 people [had been executed].

Among the 10 was a woman called Albertina. As she was dragged away, she shouted abuse at the important people who were there:

"All of you important people are pursuing a political line that is wrong. The party you have created is a mess. All you have done is to make us leave our families and our belongings. We are living together, eating and drinking together, but we are killing each other like animals. Those who are innocent are said to be guilty, but what is it that they have betrayed? Those who try to negotiate are also called traitors."…

Then they [the leaders] ordered Albertina to stand on top of the corpses of her friends, but she refused. So they threw her on top of the pile of corpses, but she got down again and went on hurling insults at the big shots. They ordered her eyes to be covered, but she refused that too. When they ordered her to say her final words, she also refused. Albertina even refused to pray when they told her to. Finally M310 shot her three times, but Albertina didn’t die. She kept standing and talking, so they buried her alive.396

387. Several more mass executions followed in Herluli. According to Domingos Maria Alves (Ambulan), public executions became a weekly event during this period. The Commission received several statements attesting to the public execution of a group of between six and 10 people who were arrested in Faturasa (Remexio, Aileu) and then executed in the vicinity of the Renal.1 At least some members of this group, José Mendonça, Alarico, Manuel da Silva, Zacarias Mendonça and Francelino Mendonça, were reportedly arrested after writing a letter calling for the removal of Alarico Fernandes.387 The Vice President of Frelitin M234, who was present at the execution, then reportedly told the people who had been assembled for the execution that they too faced a similar fate if they followed the example of the men who had just been killed.398

388. According to statements and interviews given to the Commission, executions continued during the rest of 1977 and into 1978 in Herluli and elsewhere. These reports indicate that senior members of Frelitin and Falintil were directly involved in the killing with the names most often mentioned being those of M172, M176, M177, M178 and M179. During a meeting of the Central Committee in Aliaran, about 10 kilometres from Metinaro (Dili), in October 1977, Alexandre Lemos, who worked as a technician with the Frelitin radio, Radio Maubere, was reportedly beaten to death by M172.398 Around this time M172 also reportedly killed one of his own bodyguards named Alik in Beutlala, Liurai (Remexio, Aileu). Alik was bound and hanged as a traitor.400 Probably around the same time five more people, Moises, Mataran, Gaspar, Mauduan and

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1 Domingos Maria Alves (Ambulan) told the Commission that after 20 August “every week my name was on the list of people who were going to be killed, but when we got to the killing site, my name suddenly was dropped and they called someone further down the list than me.” [Domingos Maria Alves (Ambulan), testimony to CAVR National Public Hearing on Massacres, Dili, 19-21 November 2003].

1 The various statements attesting to this mass execution [HRVD Statements 05807, 08100, 05812 and 01502] name a total of 10 victims: José Mendonça, João Nenito, Francelino Mendonça, Sebastião Castro, Manuel da Silva, Alarico, Zacarias, João Rumão, Eduardo and Domingos. The Central Committee communiqué of 19 September accused Domingos Simões of attempting to assassinate Alarico Fernandes on 7 August 1977 (“A Nossa Victoria”, p. 19).
Beremau from Laclo (Manatuto), were reportedly killed on the orders of M176 near the Renal at Nundamar. Before being killed, the five were told to dig their own graves in the shape of a “T” (for “traidor”).

389. Aside from the killings in Herluli and Aikurus, the Commission was also told of several other killings and deaths in detention that took place in the area of Remexio during this period. Ananias da Silva, the expelled secretary of the Remexio Zone, his deputy, Tobias Mendonça, and Beremau, a Fretilin delegado, were arrested by a Fretilin commander M180 and his troops at Aimeialau, Remexio, probably in August 1977. They were held in Furi, Faturasa (Remexio, Aileu) where the two members of the Central Committee, Mário Bonifacio and Diogo Monis, were also being held. M172 reportedly beat Diogo Moniz and Ananias da Silva, and Diogo Moniz was also reportedly burnt with hot coals. Ananias da Silva and Beremau both reportedly died as a result of their treatment while in detention.

390. On an unknown date in 1977 M172 ordered the arrest of two women, Ilda Mendonça and Dominggas, who were OPMT office-holders in Aimeialau (Raimerhei, Remexio, Aileu). They were accused of being traitors. They were taken to a Fretilin base located at a place called Kaitasu (Aileu). Ilda Mendonça was hanged to death, while Dominggas was clubbed by M172 until she lost consciousness, but survived.

391. The Commission received reports of executions in the area of Lebutu (Hautuho, Remexio, Aileu). In 1976 the Sector Commander M179 ordered the arrest of Gaspar whom he accused of being a traitor. He was taken to Lebutu (Aileu), where he was imprisoned in a hole in the ground. After two days he was taken out of the hole and shot dead. On 15 August 1978 Falintil reportedly killed five other people in Lebutu: Ana Maria Soares, Domingos Savio dos Santos and his wife, Elsa da Luz, João and an unidentified 16 year old.

392. Killings and deaths in detention were also reported to have occurred in Liquidoe, the sub-district of Aileu to which Fretilin had moved much of the population living in the district under its control earlier in 1977. Several arrests were reported to have been made in the sub-district in August 1977 resulting in executions, deaths in detention and disappearances.

393. The Commission also received testimony about a number of deaths either by execution or as a result of ill-treatment in Laclo (Manatuto). José Vicente (also identified as Vicente Rodrigues Pereira), the former secretary of the Laclo Zone and his deputy, Antonio Heu, had both been denounced by name as “traitors” in the Central Committee’s communiqué of 19 September 1977. With several others, including Thomás de Carvalho, Frederico de Carvalho and Felipe dos Santos, they were reportedly arrested in Zona Modok (Laclo). They were held at the Zone headquarters in Aslaran (Uma Kaduak, Laclo), where they all died, reportedly after being severely beaten and burned by Falintil troops under the supervision of the Zone Commander, M150, his deputy, M157, a company commander, M226, and his deputy, M237, who were themselves reportedly acting on the orders of M176 and Adjunto M178.

394. Another person held at Aslaran in 1977, Thomás Antonio Ribeiro, told the Commission that he was detained there with five family members, Antonio, Domingos, Marçal, Orlando and João, after they had been pronounced traitors by Adjunto M176 and Adjunto M177. While in detention, they were not fed. Thomás Antonio Ribeiro was the only member of the group to survive.

395. Though Turiscai (Manufahi) as the home of Xavier do Amaral was identified by the Central Committee as a hotbed of support for the Fretilin President, most detainees from Turiscai who died during the purges met their fate in Aileu. However, in one case reported to the Commission.

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[1] HRVD Statements 05811, 09120, 04815 and 04882; and CAVR Interview with Antonio Amado de Jesus Ramos Guterres, Laclo, Manatuto, 6 November 2003. According to HRVD Statement 09120, Ananias da Silva died after open wounds in his legs resulting from torture became infested with maggots; another account says that an untreated snake-bite killed him [HRVD Statement 04882].
members of a group of detainees from Aileta (Liurai, Aileu) died of ill-treatment or were killed in Turiscai. A Fretilin commander, M193, ordered Fretilin troops to arrest Manuel Oliveira from Aileta on suspicion of being a traitor who wanted to bring the people of Aileta to surrender to ABRI. The commander ordered that Jeronimo from Dili be killed. When that happened, the deponent and six others went to Turiscai, hoping to tell Francisco Xavier do Amaral what had happened. After they had been in Turiscai for one week, Commander M193 arrived and arrested them. They were held in a small room for seven days. On the eighth day they were allowed out and ordered to look for food in the forest for the Fretilin troops. A few days later one member of the group, Henrique from Dili, was killed by M195 with a spear. Another member of the group, Maunfoni, died of an illness that was not treated. After four months the deponent was released and returned to Liurai.\(^{409}\)

396. The Commission also received accounts of killings in Lacluta and Barique (Natabora, Manatuto) both also identified as areas of support for Amaral, and in Metinaro (Dili) in 1977-78 that may well have been part of the anti-Amaral campaign. However, there was not sufficient detail in the statements to determine whether these deaths were in fact associated with the campaign against Amaral and his followers in those areas.\(^{410}\)

The execution and death in detention of prisoners moved to Ermera and Viqueque

397. As the Indonesians advanced on the area in early 1978, many of the detainees were moved from the Renal in Remexio to places of detention elsewhere. One group of 10-15 prisoners was moved to the district of Ermera, first to Sare (Hatulia) and then to Abat in the sub-district of Fatubessi.\(^{411}\) Another group of about 30 prisoners, who included Francisco Xavier do Amaral, was evacuated eastwards through Barique and Natabora in Manatuto and then into the district of Viqueque.\(^{412}\) Some members of both these groups survived; but others did not.\(^{413}\) At least five members of the Ermera group, including Mário Bonifácio do Rego and Domingos, were killed at a place called Kakehe Mota Laran (Fatubessi, Ermera).\(^{414}\) Three other detainees from Ermera, Maliban, Bernadino and Leki Liban, were taken away by an assistente called M282 and disappeared.\(^{415}\)

398. After an arduous journey that took them through Cairui, Barique, Natabora (in Manatuto) and Uaimori (Viqueque), the group of prisoners who were evacuated east with Francisco Xavier do Amaral were eventually detained in a Renal in Wesoko in the area of the Cai-Ua (Dilor, Lacluta, Viqueque) where the East Central Sector Commissariat (Cascol) had established a new base after the Laline Conference.\(^{416}\) There they joined a number of other detainees from the Viqueque area.

399. The Commission has received the names of 14 persons who did not survive the transfer to Wesoko. They were: João Bosco, Domingos Mendoça (the husband of Ilda Mendoça, who was hanged in Kaitasu), Mauhui, Maumali, Vicente, Berloek, Mauleki, Maune Fatu, Mateus, José Karamba, José dos Santos, Leki Timur, Lequibre and Mateus Mendoça.\(^{417}\) Those who reported these deaths to the Commission did not know how the victims died. The hardships endured on the journey to Wesoko and the subsequent evacuation of the detainees from the Renal in Lacluta to the southern coast of Viqueque pursued by Indonesian forces may well have taken the lives of many of these victims, just as many had reportedly died on the journey from Turiscai to Aikurus after the arrest of Xavier do Amaral and his closest cohorts in September 1977.\(^1\)

\(^{1}\) CAVR, Community Profile, Ahic Village, Lacluta Sub-district, Viqueque District identifies José Monteiro (ex-commander of the Viqueque Region), Antonio Guterres (from Osu) and Lourenço dos Reis Amaral (from Luca) as detainees who were held with Francisco Xavier do Amaral at Wesoko.

\(^1\) Then the Fretilin Central Committee decided that Francisco Xavier do Amaral and 20 others, including Diogo Monis, should be sent to the Centro Leste. Where they stopped, the prisoners had to dig holes for themselves. In Uaimori (Viqueque), Francisco Xavier do Amaral had to stay in one of these holes for 1-2 weeks because ABRI was close by.
400. The killing of persons who had allegedly collaborated with Francisco Xavier do Amaral spread to the east. Aside from the deaths of those who had been transferred to Viqueque from the districts of Manufahi, Aileu and Manatuto with Francisco Xavier do Amaral (see above), people from the districts of Viqueque, Baucau and Lautém, including some who had been arrested during the crackdown on Aquiles Freitas, his allies and followers the previous year, local people also fell victim to the crackdown. The killings that were reported to the Commission were committed in Uatu-Lari (Viqueque), Quelicai (Baucau) and Luro (Lospalos, Lautém). Unlike in other parts of the country, the intervention of senior Fretilin officials, in particular Xanana Gusmão, put a stop to the killing in December 1977. According to one source, on 17 December 1977 the Secretary of the 17 August Zone, João Meneses, ordered that the killings cease, saying that henceforth camps would be used for education and rehabilitation and not for killing.  

401. In October 1977 Fernando da Sousa, the Secretario da Zona in Uatu-Carbau (Viqueque), and several others were arrested and executed in Uatu-Lari (Viqueque) as suspected Amaral supporters. In the year since he had been arrested and taken to Lobito with Aquiles Freitas, Fernando da Sousa had been given political education and then appointed Secretario da Zona. He was accused by the Uatu-Carbau commander, David Lebre, of having made contact with ABRI to discuss surrender. According to an informant who was held with 23 others in a pig-sty in the Zona 17 de Agosto (Zona Bautae) in Uatu-Lari on the orders of three delegados, M238, M239 and M240, among those executed there were three women, named Alice, Angelina and Coubae, who were taken away and executed in the middle of the night. According to another source, Alice came under suspicion because she had received a letter from her family in the town. The same three delegados were also reported to have killed Fernando da Sousa. The decision to execute him was reportedly delegated to Zone level by higher levels of the Fretilin administration.

402. In addition to Fernando da Sousa and the three women, the Commission was told of 15 other persons who were executed or died as a result of severe ill-treatment in the Zona 17 de Agosto during this period: Mateus Alves (a Falintil platoon commander), his son, Agustinho, Lino Mau-Saba (a Falintil soldier), Mário Mascarenhas (of the Zone Political Propaganda Section), Loi-Siba, Sousa, Germano Xavier, Se-Boro, Germano dos Santos, Labi-Cati, Lobo-Loi, Mateus Cabral, Naua-Cai, Co'o-Nau and Uato-Labi (the last eight were from Quelicai). All the victims had been members of Fretilin or Falintil. The killings reportedly stopped and the 300 or so prisoners held at the base were released after Xanana Gusmão reprimanded the local leadership for their treatment of the prisoners.

403. At around the same time two groups of high-ranking Fretilin and Falintil officials were arrested as “agents of Xavier”. On 19 December a group of eastern commanders and Fretilin officials, including the Commander of the Ponta Leste Sector, José dos Santos, his deputy, Pedro Sanches, the Regional Secretary for Ponta Leste, Pedro’s brothers, Afonso Savio and Benedito Savio, Adão Amaral, Gil Fernandes, Raul dos Santos and Victor Gandara, were summoned to a meeting at the Unit 3 (Unidade Tres) headquarters on Mount Matebian where they were detained on the orders of three members of the Fretilin Central Committee, M208, M209 and M210. A second group, including José da Conceição, Dinis de Carvalho and João Ernestino de Andrade Sarmento, was arrested shortly after. All but one of these detainees, José dos Santos, escaped execution, though all of them were reportedly severely tortured. The Commission received testimony that shortly before the others were released, José dos Santos was stripped naked, and then beaten and burned before being shot dead. The others were released after

Diogo Monis survived, and was part of the group that was captured by ABRI with Francisco Xavier do Amaral on the south coast of Viqueque in 1978. [See CAVR Interview with Francisco Xavier do Amaral CAVR Interview with Francisco Xavier Amaral, Dili 18 June 2004]
Xanana Gusmão again intervened on their behalf with his Central Committee and military colleagues.

404. In Quelicai persons suspected of pro-Amaral sympathies or simply of planning to surrender were also killed during these months. Some were killed in their villages. On 20 October 1977 the local commander, M200, reportedly killed the *liurai* of Uaitame, Francisco Moreira, and two *chefes de povoação*, Francisco Urbano Moreira and Manuel dos Santos, because they were suspected of telling the people of Uaitame to surrender. M200 and his unit also reportedly killed 10 members of the Fretilin administration in Laisorolai (Quelicai), including two named Lucas and Paulo.427

405. Others were brought to the 15 August Zone (Zona 15 de Agosto) base in Osso-Mesa (Bualale, Quelicai) or sent to the 17 August Zone (Zona 17 de Agosto) in Bautæ (Uatu-Lari). In September 1977 a Falintil commander, Manuel, and one of his men, Ricardo, were arrested in the area of Akauata (Uaioli, Venilale, Baucau) by a Falintil unit commanded by M211. They were eventually brought to the Zona 15 de Agosto base where they were put in a pig-sty with five other detainees for 30 days. The two underwent severe beatings over a period of six days during which they regularly lost consciousness as they were interrogated about their alleged activities as spies for the Indonesians. One evening in November 1977, at around 7.00pm, six of the detainees—Alexandre, Loi-Tai, Clementino, Modo-Olo, Joaquim, Luliba and Loi-watu—were taken away, supposedly to receive an education in Fretilin doctrine. They never reappeared.428 Another deponent, Cecília da Costa, reported the case of Naha Boru Kili, who was arrested in his garden and brought to the Bautæ Zone base where he was held for three months and subjected to repeated beating and kicking until he died.429

406. The Commission received the names of 16 other people who were reportedly executed or disappeared at the Zona 15 de Agosto base in October 1977:

1. Manuel dos Santos (Lorico)
2. Mano-Sala
3. Gamo-Sala
4. Ce-Boro (Celestino)
5. Co’o-Quele
6. Gamo-Quele
7. Ano-Quele
8. Bernadino (Tai-Loi)
9. Afonso (Dara-Cai)
10. João dos Santos
11. Nuno Belo
12. Rafael Ximenes
13. Venancio Ximenes
14. Rai-Loi
15. Sedelizio dos Santos
16. Cosme Sarmento.430

407. In November 1977, soon after news of Xavier do Amaral’s arrest had reached Lautém, another witness, Zeferino Freitas, was detained twice in Luro (Lautém). The second time he was arrested by the Central Committee member and *adjunto*, M242, and taken with another detainee,
Cristovão, and their families to Lalapu (Lore I, Lospalos, Lautém) and then to Kaulai on the border between Lore I and Lliomar. Indonesian military attacks in the area forced their evacuation to Besi Manas in Luro Sub-district with three other detainees: Oracio Savio, Alcino Savio and Julião. The 40 or so detainees held in Besi Manas at the time were subjected to continual beatings and received only one small meal a day. During the month that they were held there, two of the detainees, Julião and Cristovão, died, reportedly as a result of the beatings. The witness attributes the release of the detainees to the arrival of adjunto Xanana Gusmão. 431

The killing and disappearance of non-combatants by Fretilin/Falintil

408. The Commission received abundant testimonies about the execution or death perpetrated in other ways of people accused of being ABRI spies. Many of these cases are difficult to assess, although the dates and places in which they occurred sometimes suggest that they may have been related to internal political conflicts within Fretilin. 432 However, it is also often evident that people were accused of being in contact with the Indonesians when they simply wanted to surrender or were engaged in innocent contact with friends or relatives in Indonesian-controlled areas.

Deaths and executions in Renal and other Fretilin detention centres

409. The Commission received extensive testimony describing the extremely brutal experience of prisoners who were held in the Renal and in other detention centres run by Fretilin. The Commission received numerous testimonies describing victims who were arrested as traitors and subsequently died as a result of ill-treatment, were executed or disappeared. 433 Often the victims of this treatment were ordinary civilians, Fretilin members or Falintil soldiers. As with their higher-level counterparts, in a number of cases where ordinary people fell victim to the purge it was senior Fretilin leaders who ordered the execution of the victims.

410. A large number of these testimonies described deaths in detention due to ill-treatment and deprivation as well as executions and disappearances. 434 Sometimes prisoners were condemned through a crude form of justice, which, rather than protecting the rights of the accused, grossly violated their rights by subjecting suspects to interrogation routinely involving beatings, burning with hot irons, hangings from trees and other types of ill-treatment and to a process of summary "popular justice". Antonio Amado de Jesus Ramos Guterres, who was present at many interrogations as a note-taker, described them in the following terms: "Victims were forced to admit to something which they knew nothing about and to name people who had nothing to do with the case [under investigation]." 435

411. Whether a prisoner lived or died was arbitrary in several senses. Conditions in the Renal varied but were almost always life-threatening, since the food, shelter, sanitation and medical treatment that prisoners were afforded were usually grossly inadequate, their inadequacy seemingly being an intrinsic part of the prison regime. Those who died in detention might equally have been arrested for the serious crime of treason or for a minor offence, such as petty theft or being found in prohibited areas looking for food. They might also have been arrested simply because of a family or other relationship to a person deemed guilty of treason or some other crime. The nature of the proceedings to which prisoners might be subjected meant that decisions on the fate of prisoners were often personalised: the inclinations of individual leaders or commanders could determine whether a prisoner lived or died.

412. The Commission heard an account of Fretilin’s justice system from a former Fretilin Assistente who recalled:

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1 Aside from the interventions of Xanana Gusmão and others during the purge of Amaral followers in the east, other such instances are described in HRVD Statements 02195 (Liquiça) and CAVR Interview with Elias Quintão Laclubar, Manatuto, 1 October 2003.
[T]he guilty person would be brought before the public. There many people would say that he was guilty; nobody challenged it even if we were innocent, and no judge would defend us. I witnessed about three cases. People who looked suspicious would be captured in the guerrilla zone...and the commander would accuse him of being a spy. The commander said: “This man was captured in the guerrilla zone. He 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 him.  

413. Immediate public execution conducted with the utmost cruelty often followed these proceedings (see, for example, the accounts of the executions in Herluli, above). Victims could just as easily be summarily executed without undergoing a period of detention followed by a judicial proceeding.

414. Most of the deaths of persons held in Renal reported to the Commission were not the outcome of such judicial proceedings in which the victim was sentenced to death, but occurred either as a result of ill-treatment or of an execution which had not been preceded by any judicial process.

415. One deponent described the events surrounding the killing of his uncle, Agapito Soares, in Laclo (Manatuto):

In April [February] 1979 my uncle, Agapito Soares, who was 26 years old and a Fretilin delegado, was suspected by M243, Fretilin Commander M95 and Fretilin Commander M244 of being a traitor [who was giving support to] ABRI...One night at about 12, M243, M95 and four of M244's men came with weapons...[They] tied Agapito Soares's hands with rope and then brought him on foot to meet Commander M244...Agapito Soares was tied to a tree and then interrogated by Commander M244...Then Commander M244 handed over Agapito Soares to M30, a Fretilin member from Sanarin, Laclebar, to be killed. Because this was an order from Commander M244, M30 escorted Agapito Soares to a spot on top of the mountain, with his hands tied...M30 stabbed Agapito Soares with a bayonet...in the ribs, three times on the left side and three times on the right side, and then once in the heart. Agapito Soares was still speaking to M30, saying: "I have done no wrong; I did nothing to be suspected of collaborating with ABRI." M30 kicked Agapito Soares once in the stomach. Agapito Soares fell and died.  

416. A corroborated case of deaths in detention, reported to have occurred in Ossu (Viqueque) in 1977 contains many of the elements described above.

417. In 1977, after the defection to the Indonesian-controlled town of Ossu (Viqueque) of a liurai called Gaspar Reis, 11 people, including children, were detained in the Renal at Leki-Loho on the orders of the adjunto M245 and three of his assistants, M246, M247 and M248. On the basis of their association with the liurai Gaspar Reis the 11 were accused of being spies and reactionaries. They were kept in a pig-sty. During that time the detainees were beaten, slapped and kicked, and given salt water to drink. Reportedly as a result of this treatment at least two of the detainees, Ologari and Loi-Dasi, died. Those who survived were kept in the pig-sty for one year and four months.
418. Other cases of deaths in detention resulting from ill-treatment were reported to have occurred in Renal in the districts of Aileu, Manatuto, Viqueque, Liquiça, and Dili.439

419. In other cases deponents reported only that the victim or victims had disappeared after being taken into detention.440

420. As during the initial invasion period (see 7.2.5.3), the approach of Indonesian forces could result in Fretilin killing its detainees. Two sources reported that in 1978 in the Renal at Aikurus (Remexio, Aileu) members of Fretilin killed detainees by throwing grenades into the holes in which they were confined. The wife of one of the victims testified:

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\text{We heard that ABRI was going to attack the place where the Renal was. So my husband was put in his hole. Then the assistente, M249, dropped a grenade into the hole. As a result my husband, Mau-Sera, died in that hole.}
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421. Prisoners held in at least one other Renal were also reportedly executed or disappeared when Indonesian forces attacked the area.442

422. As its name suggests, part of the supposed function of Renal was the rehabilitation through political education of people accused of a range of crimes ranging from ideological ones such as reactionary behaviour to breaches of discipline (see Chapter 7.4: Detention, Torture and Ill-Treatment).443 The outcome of custody in a Renal for “political education” was often the death under torture, execution or disappearance of the victim.444 In some cases, the Commission was told, victims did not receive the political education that was given as the reason for their detention; in these cases being “taken away for political education” was in fact a euphemism for execution or disappearance. One such case was the disappearance already described of seven persons taken from the 15 de Agosto base in Bualale (Quelicai, Baucau) in November 1977 during the purge of people suspected of being supporters of Francisco Xavier do Amaral.445 Similar cases were reported from Liquíúde (Aileu) and Laclo (Manatuto) in the North Central Sector and Quelicai in the Central Eastern Sector.446

423. Miguel Soares and a husband and wife, Lorenço and Albertina, were arrested separately by Fretilin cadres in Laclo in 1977. They were ostensibly being taken away for political education. Neither Lorenço nor Albertina received political education. Instead they were taken to Hataconan (Laclo, Manatuto) where they were tortured and ordered to perform forced labour. Both survived. However, Miguel, who was also taken to Hataconan “for political education”, was tortured and subsequently disappeared.447

424. What appear to have been purely ideological differences could also be grounds for condemnation as a traitor followed by execution. A group of teachers, Antonio dos Santos, Domingos Temenai, Jorgé, Domingos Pereira Montalvão and Domingos Sousa were detained in the Renal near Metinaro (Dili) where they died or were killed. According to the deponent, they were arrested primarily because of their opposition to the Fretilin doctrine on property.448

**Killings related to civilian surrender to Indonesian forces**

425. The Commission received information of instances where civilians who were suspected of planning to surrender, were in the process of surrendering, or who had actually surrendered died in detention after arrest or were executed.449

426. Fretilin members, Falintil troops and ordinary civilians suspected of planning to surrender were liable to arrest, which could end in their deaths. The suspicion that people were planning to surrender might or might not be well-founded. Sometimes the basis for an arrest and subsequent
execution might simply be the victim’s relationship to somebody else who was discovered to be genuinely planning to surrender.

427. In 1979, driven by hunger, Elizio decided to surrender to ABRI. His plan was discovered and he was detained in Talik-Wetin (Uma Beco, Barique, Manatuto). Shortly after, his parents, Camilo and Faustina, his three siblings and two of his friends, Estevão and Mateus, were also arrested. While they were detained in Talik-Wetin, Estevão and Mateus were shot dead.450

428. In areas where disagreement over whether to surrender or not was particularly acute and pressure from the Indonesian military had become intense, such as in the Northern Frontier Sector (Sector Fronteira Norte) in late 1978, relatives of people who had already been captured or had surrendered might come under suspicion. In October 1978, in Matata (Railaco, Ermera) two Falintil soldiers, Felix da Conceição and Domingos Terlego, came under suspicion of wanting to surrender shortly after Felix’s mother, Alda Exposto, and his cousin, Agapito, had been captured by ABRI in Leorema (Bazartete, Liquiça). The Fretilin secretary, M250, and a section commander (commandante de seccão), M251, ordered Falintil troops to capture the two. They were shot and hacked to death by the Tihar River in Matata.451

429. In some of these cases the victims were local Fretilin or Falintil leaders or members who had encouraged the civilian population to surrender.

430. In 1978 in Railaco (Ermera), because the civilian population was starving, their delegado, Eduardo Madeira Soares, told people to surrender. Because of his action, two Falintil members detained him and killed him at Fatumere (Taraso, Railaco) as a traitor.452

431. The information that individuals were planning to surrender might not be well-founded, but could still lead to execution. In some instances there were also indications that people were executed simply to discourage further surrenders.

432. In April 1977, soon after the Fretilin base at Tatabei (Atabae, Bobonaro) had been taken by the Indonesians, causing many of its inhabitants to scatter, the Fretilin commander, M252, and the assistente, M253, in Guico (Maubara, Liquiça) ordered the arrest of three men. Lacu Ana, Mateus and Mau-Busa, after receiving the apparently false information that they were planning to surrender. Despite their strenuous denials under interrogation that they were planning to surrender, the three were executed.453

**Killings during surrender**

433. People who actually took steps to surrender also faced execution if they were intercepted by Falintil troops.

434. In 1977 a family decided to surrender after two aunts were killed during an Indonesian attack from the air. However as they walked down to surrender, they were intercepted by two Falintil soldiers at Raiketan (Covalima). The soldiers took them to a nearby river bank and shot dead three of them. The deponent survived only because he fell into the river and was carried to safety by the current.454

435. In 1978 Zeferino Freitas and his family were hiding on Mount Matebian. The people on the mountain were coming under relentless attack by the Indonesian military from land, sea and air. The family decided to come down from the mountain and surrender. They headed for Mount Builo (Ossu, Viqueque). On the way five Falintil members stopped them, and shot dead one member of the group whom they accused of spying for the Indonesians.455
Killings after surrender

436. The Commission received several testimonies about the killing by Fretilin/Falintil of people who had surrendered to the Indonesians soon after the invasion.

437. A family of about 12 people were allowed by ABRI to go to live in Manatuto Town unescorted after they surrendered in Casohan (Barique, Manatuto) in 1976. They had not even left the Barique area when they were captured by eight Falintil who took their possessions and brought them to their post. They tied one of the family members, Leonardo, to a banyan tree and tortured him by scraping his face with a knife. In the middle of the night they took Leonardo away and killed him. The rest of the family was able to escape and make their way to Manatuto when the Falintil post came under attack by Indonesian forces. 456

438. Most of the population of Raça Village (Lospalos, Lautém) surrendered to Indonesian forces soon after ABRI entered Lospalos in February 1976. In the aftermath of the Indonesian capture of Raça the people of the village suffered at the hands of both ABRI and Falintil forces. During this time both ABRI and Falintil are reported to have killed villagers suspected of working with the other side. 457

439. Local Falintil forces disapproved of the decision of large numbers of people from the sub-district of Bobonaro to come down and surrender to the Indonesians in Bobonaro Town in February 1976. Falintil troops reportedly shot dead several of those who had surrendered.

440. The Commission was informed of victims who after surrender were ordered by ABRI, Hansip or members of the civil administration to return to the interior to try to persuade people still holding out to surrender and who were killed by Falintil when they did so.

441. In February 1976, M254, the then sub-district administrator of Moro (Lautém), ordered four men from the aldeia of Soloresi (Maina I, Moro), Albino da Cruz, Koupono, Celestino and Tito, to persuade the people of Payahara to come out of the forest and move to Soloresi. When the four reached Payahara, they were arrested by a group of Fretilin supporters led by M255. Celestino and Tito managed to escape, but Albino da Cruz and Koupono were reportedly taken to a forest area of Leuro (Lospalos, Lautém) where they were killed. 458

442. The father of one deponent was captured by ABRI in Colocau (Wetare, Besusu, Uma Berloik, Alas, Manufahi) in 1978. He was taken to the transit camp at Uma Metan (Mahaquidan, Alas) (see Chapter 7.4: Detention, Torture and Ill-Treatment) and ordered to look for the rest of his family who were still in the forest. While in the forest he was killed on the orders of the Fretilin adjunto, M256, on suspicion of spying for ABRI.†

443. Persons who rejoined the Resistance after previously surrendering or being captured by the Indonesians might also be suspected of spying for the Indonesians. In February 1976 Miguel Marques, who had surrendered to the Indonesians, stole some arms from ABRI and went back to the forest with them. In the forest he met two former Falintil comrades in arms, M257 and M258. M257 and M258 took Miguel Marques to their base in Uaimori (Viqueque), handed him over to three other Falintil members, and left. The three killed Miguel Marques on suspicion that he was spying for ABRI. 459

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† See CAVR Interview with Sister Consuelo Martinez, Dili, 4 July 2003. For a fuller account, see Chapter 7.4: Detention, Torture and Ill-Treatment.

† HRVD Statement 04303. Almost exactly the same fate may have been met by Duarte Almeida and others in 1979 [see HRVD Statements 01587]. However, two other accounts of the killing or disappearance of Duarte Almeida say that the perpetrator was not Fretilin but Hansip in Alas under the command of Capela Ferrão [see HRVD Statements 01506 and 01576].

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444. In 1979, some time after surrendering to ABRI Battalion 401 in the area of Lacluta (Viqueque), Lauriano Marques, a Falintil fighter, decided to return to the forest with his younger brother because he feared that the battalion troops were about to kill him. He ran into a Falintil squad, none of whom were known to him. They tied him up and took him to a place called Halifutu Manu where they took out their machetes and killed him. They also hacked at his younger brother’s neck, but he survived. 460

445. Killings also occurred long after surrender. It is not always clear what the motive was for these killings: although in some cases those targeted were clearly collaborating with the Indonesians, this was not always the case.

446. One case that clearly involved the killing of a collaborator occurred in Fuat (Liiomar, Lautém) in 1979. The village chief of Fuat, Francisco Ferreira, went to his garden with five other men to harvest corn. Falintil troops commanded by M270 captured them, tied them up and brought them to a place on the outskirts of Fuat called Korufira. They were told that they could be allowed just to return to the village because if they did, Francisco Ferreira would only oppress the people. They were brought to a place called A'hasan where M270 and M271 killed Francisco Ferreira and two of the other men. 461

447. In many other cases the motivation for the killing is not clear. After surrender in 1978 Artur Moreira and his family went looking for food. They encountered a member of Fretilin called M260, who invited two of them, Gamulabi and Koubou, to look for food in the aldeia of Titilari (Lillai, Moro, Lautém). The two never returned. Artur Moreira was later told by another Fretilin member who had recently surrendered to the Indonesians that Fretilin had killed both of them.

448. As Indonesian forces intensified their operations against the Resistance during 1977 and 1978, Fretilin found it increasingly difficult to maintain their bases. In many areas the population concentrations under Fretilin leadership broke up as increasing numbers of civilians either scattered to locations where they felt safer, or surrendered. 1 In some areas, such as the Northern Central and Southern Central Sectors, it resorted to increasingly harsh measures to prevent their disintegration. The Commission was told of instances where groups of people who broke away from the main population concentrations were captured and some or all of their members executed.

449. The largest-scale killing of this type reported to the Commission was the mass execution of 43 civilians in Manufahi in 1978. The 43 were part of a group of civilians who had taken refuge in the forest in the area of Aituha (Alas, Manufahi) to escape advancing Indonesian troops. There they were arrested by a Falintil unit under the command of M272 and accused of being traitors. After being beaten, the 43 were bound and brought to Laututo in the area of Fahinehan (Fatuberliu, Manufahi) where they were executed. 4
450. Though the executions in Laututo were exceptional in their scale, there were other killings of this type. In the same year, in Laclo (Atsabe, Ermera), as Indonesian forces established a blanket presence in the area, a group of 10 people took refuge in an isolated area in the forest. Falintil troops came and took them from their hiding place. The following day two members of the group, Pedro and Celestino, were shot dead. 462

Executions related to Indonesian attacks and offensives

451. The Commission received reports of killings of civilians by Fretilin/Falintil which occurred as ABRI advanced into an area.

452. Fretilin troops and auxiliaries reportedly killed an estimated 37 people in Kooleu in the village of Lore I (Lospalos, Lautém) as the Indonesians advanced into the sub-district of Lospalos in early 1976. Angelo Araújo Fernandes, who lost nine members of his own family, told the Commission:

"Fretilin troops, along with the Spear Troops [Pasukan Tombak] led by Commander M303, ordered me and my father and my two older siblings together with five of our friends to go to the village of Pasikenu in Souro, Lospalos to meet with Fretilin leaders. The nine of us immediately left with [the troops], but in the middle of our journey they tied our hands behind us with rope that in the Fataluku language is called “tanu”…When we arrived in Pasikenu, Commander M303 ordered us to stop and he went to see whether or not the Fretilin leaders were there. Not long afterwards he returned and said that the Fretilin leaders were not there. After that he ordered his men to take us under a tree, then to tie people together in pairs with rope so that they were one, something called “kawaha-waha” in the language of Fataluku.

I was tied to my older brother. At about 10.00am they began to shoot us and a bullet hit my older brother. The two of us were lifted three to four metres into the air before we fell into a gorge so that the rope that held us together broke. I immediately ran with my hands tied behind me while my friends, including my father and two older siblings were shot…After I managed to run, the Fretilin and Spear troops shot at me. I took off the sarong I was wearing so that I had on only my underpants. I kept running and went into a river so they couldn’t see me anymore.

In 24 years, I still have not been able to reclaim my family. I want to know who sent [the troops]…to kill my family. Why were they sent? I cannot tell my children who killed their grandparents. My child asks me “Dad, why was our family killed?” I cannot explain it to him."

453. The Commission received several reports of cases in which failed Fretilin attacks on Indonesian bases and successful Indonesian attacks on Fretilin and Falintil bases were followed by the arrest of alleged saboteurs.

454. Among the many crimes of which the Central Committee accused Francisco Xavier do Amaral and his followers, one of the most serious was the allegation that they had sabotaged the Resistance’s capacity as a fighting force, specifically in the areas of Lactubar, Soibada, Turiscai
and Maubisse. Amaral’s allies were alleged to have “physically eliminated” several commanders, including the legendary Leonardo Alves (Ramahana) in September 1976, and to have failed to put up resistance to the Indonesians when they advanced through Turiscai and into Same (Manufahi). The Commission has found no evidence to support these charges.¹

455. However, the Commission did receive one report of an execution in the Soibada area (Manatuto) in which the victim was a Falintil soldier alleged to have assisted the Indonesians mount an attack in which a senior commander was killed.

456. In October 1976 Falintil troops under the command of Antonio Lobato (Calohan, younger brother of Nicolau Lobato) went to Lakero, Fatumakerek (Soibada, Manatuto), intending to attack Indonesian troops they believed to be there. When they entered the village, there was no sign of any Indonesian troops, so the Falintil unit returned to its base in Au-Abut. That night Indonesian forces attacked Au-Abut, and Calohan was killed in the fighting.

457. After the attack two Falintil soldiers, João Nifa and João Manufahi, were arrested on suspicion of passing information to the Indonesians. On the orders of the assistente, M261, they were bound and put in bamboo stocks and burned with red-hot irons to make them talk. After one month Boru Metan, Caicassa (Fatuberliu, Manufahi) came under Indonesian attack, and the two were moved with other detainees to a place called Kian-soru. João Manufahi was brought back to Au-Abut and killed by Falintil troops. After two months of constant movement to escape advancing Indonesian forces, João Nifa and the other detainees were released on the orders of the Minister of Justice, Kakuk (Eduardo dos Anjos). After his release João Nifa discovered that his wife had been unable to find sufficient food while he was in detention and as a result two of their children had died.⁶⁴

458. During the intense bombardment of Mount Matebian, which took many lives, there were instances in which individual soldiers were blamed for the attacks and were executed or disappeared.⁶⁵

459. Any kind of contact with people in Indonesian-controlled areas could arouse suspicions about a person’s loyalty and could also prove fatal. The execution of Alice in Uatu-Lari (Viqueque) in November 1977 after she was discovered to have received a letter from relatives in the town has already been described. Even apparently innocent actions that could be interpreted as evidence that the victim had been in touch with the Indonesians could have serious consequences, including the victim’s death. In at least one case the possession of a ball was grounds for arrest and execution. Two school-teachers, Miguel dos Santos and Manuel Pereira, were executed after bringing a ball that they had found nearby back to the Fretelin base. Their executioners took the ball as evidence that they had been in contact with ABRI.⁶

460. In January 1976 ABRI troops entered Dare (Hatu Bulico, Ainaro) causing many residents to flee to the forest. The deponent asked two members of his family, Benjamin and Bernardo, to return to Dare to assess the situation and make contact with the local priest, Father Ricardo.

¹ “A Nossa Vitoria”, pp. 11 and 18-19; and CAVR, Community Profiles of Liurai, Beremeana, Caimauk and Manumera Villages, all in Turiscai Sub-district, Manufahi District put the date of the Indonesian advance into Turiscai as March-April 1976.

² The Indonesian version of the death of Ramahana is that he was killed in Funar (Lacubar, Manatuto) on 23 September 1976 in an Indonesian operation in which Indonesian Kopassandha troops and East Timorese belonging to the Laclubar-based Tonsus participated [Ken Conboy, Kopassus, p. 268]. The same source describes a “black letter” campaign, conducted by Kopassus in December 1976. The campaign was designed to sow mistrust among the leadership of the Resistance, and, it is claimed, resulted in the execution by Fretelin/Falintil of at least one commander [ibid. pp. 269-270].

⁶ HRVD Statements 00124 and 00166 both describe the execution in Remex of persons found with a ball. It is unclear whether the statements relate to the same or different incidents. The latter seems possible: the first statement gives the date of the incident as 1976, the second as 1977; in the first there is one victim, in the second two. In another case, also in the North Central Sector, a man called Gaspar was arrested in March 1977 and detained in the Renial on the orders of the M176, after he returned from Dili with new clothes. Gaspar, however, was released after one month.
However, on their way to Dare the two were caught by Falintil who thought them to be trying to make contact with the Indonesian military and shot them dead.\footnote{466}

461. As was the case for Maria Antonia’s family (see above), having relatives who were collaborating with the Indonesians could also have fatal consequences. In another case that ended in executions in Laclo (Manatuto), from where Maria Antonia’s family also came, parents whose son had been recruited into ABRI Battalion 744 were interrogated on suspicion of passing information to him and were executed.\footnote{467}

**Killings of civilians after the fall of the bases de apoio**

462. After the collapse of the major base areas in late 1978 and early 1979 and the surrender of most civilians, the Resistance began the slow process of reorganisation. Despite the Indonesian policy of relocating civilians in closely guarded settlements and restricting their movement, civilians in the settlements did manage to organise clandestinely. In some instances members of the nascent clandestine movement killed persons who were thought to be collaborating with the Indonesians.

463. One victim of these killings was Alberto Correia, who was active in the clandestine movement in Vemasse (Baucau) but came to be suspected of being an agent of Indonesian intelligence. At a meeting with Falintil in June 1979 he was shot dead by two Falintil soldiers on the orders of Commander M304.\footnote{468}

464. In Aubaca, Bucoli (Baucau, Baucau) in January 1979 three clandestine members killed a suspected of collaborating with ABRI intelligence. One of the youths put his arms around the victim, while another stabbed him in the back killing him on the spot.\footnote{469}

465. Falintil killed a prominent local leader with links to Indonesian authorities in Fuat (Iliomar, Lautém) in 1979. The village chief of Fuat, Francisco Ferreira, went to his garden with five other men to harvest corn. Falintil troops commanded by M270 captured them, tied them up and brought them to a place on the outskirts of Fuat called Korufira. They were told that they could be allowed just to return to the village because if they did, Francisco Ferreira would only oppress the people. They were brought to a place called A’hasan where M305 and M306 killed Francisco Ferreira and two of the other men.\footnote{470}

466. One deponent told the Commission that after surrendering to the Indonesian military in 1979, he and several relatives were allowed to search for their grandparents in Bibileo (Viqueque):

> On the road to Bibileo, right at Fetu Beu, we meet seven Falintil troops led by M236. Commander M236 shot my grandmother, Sahe Naha, in the chest. Because she wasn’t dead, a Falintil soldier named M264 cut her neck with a sword [surik] until [the head] was severed and [she] died. Meanwhile, five members of my family, Cai Rubik, Laku Fonok, Napoleão, Noko Labu, Julião and Bosi Naha escaped.
The rest of my family members were tied to each other with a rope, then they were forced to walk to a place called Wemaran. In Wemaran, they untied the rope and they forced four of my sisters, Luru Caik Etalina, Olinda Rangel, Petrolina Rangel, Clementina Gomes, to cook for them…Commander M263 interrogated my father, Cai Rubik…he was accused of being a spy or a guide for the Indonesian military. Out of fear, he admitted to the accusation. The next day, they were taken to Fatu Uani. There they met my uncle and my aunt, Leki Bosi and Dasi Labu. The two were caught and asked if they had ever met with ABRI or given food to ABRI. They answered; "If we met Falintil we gave them food; the same thing with ABRI.” Hearing this, the Falintil troops used a piece of bamboo to hit them. Dasi Labu died immediately. Because Leki Bosi was not yet dead, Falintil troops heated some metal in the fire, then set his body on fire. The corpse of my aunt was simply tossed aside.471

Killings of civilians looking for food or carrying out daily activities

467. Many of the killings by Falintil described to the Commission occurred when Falintil units encountered civilians who had strayed outside areas where they were permitted to go.472 Very often civilians killed in these circumstances were people living in the Resistance bases who, driven by hunger, returned to their own gardens or went to look for food in areas not controlled by either side. They also included people living under Indonesian control or in areas not fully under the control of either side. Technically, any person found to have ventured beyond the boundaries of the Resistance zone could be accused of making contact with the enemy.473 Such killings were reported to the Commission to have occurred regularly in a wide variety of circumstances across the territory between 1976 and 1979.

468. During this period both ABRI and Falintil killed civilians caught in areas they did not control, and most killings appear to have been motivated by the suspicion that the civilians were working for the other side.474 However, on the Fretilin side the desire to prevent a breakdown in discipline in general and to stem the flow of surrenders was also an important factor, particular in the later years of the period. In late 1977 the Fretilin Central Committee introduced formal restrictions on freedom of movement in response to growing Indonesian military pressure, increasing numbers of unauthorised surrenders amid widespread hunger, and widening divisions within the leadership over the right of people to surrender.475 A large number of the cases reported to the Commission occurred in 1977-78.

469. An early case of the killing by Fretilin of civilians who went looking for food occurred on Mount Matebian in 1976. Feliciana da Costa and her family had been evacuated by Fretilin to Mount Matebian because ABRI was advancing on the area where they lived. However life was difficult and four members of the family died due to hunger. Two other family members, Naha Saba and Luis Lequi, decided to go with a friend, Agusto, to look for food in the area of Salaek-Lequeissi (Ossu, Viqueque). Falintil soldiers found and captured Naha Saba and Luis Lequi and brought them back to the Falintil headquarters where they were killed. After the killings Feliciana da Costa and the sister of Agusto, who had escaped, underwent torture and interrogation by Fretilin leaders and Falintil commanders at the 16 August Zone headquarters. Specifically they were questioned about the loyalty of the three men to the independence cause.476

470. In 1977 many of the people from the aldeia of Puno, Pairara (Moru, Lautém) were dying of hunger in the area to which Fretilin had evacuated them. Out of desperation some went to collect food from their gardens in Sikai. On their return five of them were arrested, two of whom were shot dead on the orders of the Fretilin delegado.477
471. In 1978, in the area of Remexio (Aileu), because they had no food, a group of people that included Bastião da Silva went to find some in the area of Lismori. When they came back to the base, Falintil troops arrested them and put them in the Renal. Some time later all of them except Bastião da Silva were released from the Renal. He continued to be detained on suspicion of having been in contact with ABRI, and eventually died of sickness in the Renal.\[478\]

472. Persons living in Indonesian-controlled areas who went to work in their gardens were also at risk. For example, three civilians were shot dead in 1977 by Falintil when they went to harvest corn in an area of Betano, Manufahi where Falintil were present:

\[In March 1977 my three older sisters—Seubere [15 years old], Cotu-Bau [15 years old] and Edumau [16 years old]…went to our garden in Aidere, Belmetan [Betano, Manufahi] to harvest corn. Suddenly Falintil members who were in Belmetan ambushed them in the corn field. My sister, Seubere, was shot and died on the spot. My other two sisters who were still alive, Cotu-Bau and Edumau, cried and screamed so that Falintil troops came and captured the two in the garden. They were taken by Falintil to another location in the region of Aidere. There the two were shot dead by Falintil. After they died, [Falintil] took off their clothes.\[479\]

473. Several of these cases were reported to have occurred after the fall of the bases de apoio. As in the killing of the village chief of Fuat (Iliomar, Lautém) cited above, the victim in some of these cases may have been targeted as a collaborator. In one instance, on 25 October 1979 at Mariasa in the village of Uairoke (Luro, Lautém), Thomás Pinto and his two younger brothers were gathering tubers to eat when they were arrested by a group of eight Falintil members. The Falintil group accused them of working for ABRI. They were bound, then shortly after were released and ordered to dig a shallow hole. Then they were tied up again and all three were shot. Thomás managed to escape, but his brothers died.\[480\]

474. However, it is often not possible to determine from the information available what motivated the killing. For example, in 1979 Francisco Cardoso and his brother Antonio Tai went to Omelai Guda in Lolotoe (Bobonaro, Bobonaro) to look for food. There they were arrested by Falintil, who took them to the Tepa River and shot at them. Francisco Cardoso died, but Antonio Tai survived.\[481\]

475. In one case the parents of a deponent were killed in two separate incidents, both occurring while they were carrying out their daily activities. The father, Ricardo Freitas, described as an ordinary member of the public, was shot dead on 17 June 1977 on the shore at Lautém Village (Moro, Lautém) in the presence of his wife, Felicidade de Xavier, as he was about to go fishing. Two years later, in August 1979, Felicidade and a friend were out looking for tubers near their aldeia of Solerashi (Maina I, Moro, Lautém) when they ran into a Falintil patrol. Felicidade was arrested and shot dead two days later.\[482\]

476. Killings of people working in their gardens were sometimes associated with robbery. Recalling another case where Falintil soldiers killed civilians who were gathering food, Marta Ximenes in Lautém told the Commission that:

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\[1\] For examples other those cited in the text, see also HRVD Statements 01711, 03027, 05567 (Bobonaro 1979), 06490 (Carlilo, Manatuto, July 1976).
On 18 August 1979, at around 6.00pm, we were in the field at Paitaal, Bauro [Lospalos, Lautém]. Suddenly three Falintil soldiers…appeared and asked [my husband] Luis for our travel papers. I was in the field hut at the time. Cicilio and Oktavio [my children] were in the field with their father, Luis. He gave the travel papers to a Falintil [soldier] by the name of M307, but he tore them up and shot at Luis, but the bullet didn't touch him. Finally they took the linggis [metal digging stick] and used it to stab Luis in the chest…Luis called my name, "Marta." I looked out [of the hut] and saw him. He said, "I'm dying. Take care of the children well." When he stopped speaking they shot at the hut where I was staying and the bullet grazed my left leg so that my leg went out at an angle and I fell. After that Falintil entered the garden and took all of our corn and cassava.\(^{463}\)

**Killings related to infractions of discipline**

477. The Commission also received testimony about executions of Falintil soldiers who had refused to carry out orders\(^{484}\) and of alleged thieves.\(^{485}\)

478. In March 1978, in Laclubar (Manatuto), Maukaho and Abrão were arrested by M308 because they had stolen corn belonging to M308. Five Fretilin troops took the two to the Zona Kalohan base. There the men were tied up and stripped. Then the *adjunto*, M309, announced to the people in Zona Kalohan that the next day two buffaloes would be slaughtered for a party. The following day the two men rather than the buffaloes were killed.\(^{486}\)

**Other killings**

479. Some of the killings reported to the Commission do not fit into any of the above categories. For example, the Commission received statements describing several incidents that occurred in 1976 and 1979 in the Natarbora and Soibada Sub-district in Manatuto, in which Fretilin members were reported to have killed people who were accused of being witches (*buan, swanggi*).\(^{487}\) It is unclear from the statements whether these killings had the institutional support of Fretilin. However, there is at least one instance where the Central Committee is reported to have banned a cult movement called Siloko Nailoko that had gained support in Fretilin-controlled areas in the Central Region in 1977. Its supporters were reportedly arrested and some were reportedly killed.\(^{488}\)

480. Some other cases defy categorisation. One is the case of Alarico Tilman from Same (Manufahi) who had a habit of going out of the house at night while asleep. One night in 1978 he wandered in his sleep into the forest and walked up to a Falintil post. The Falintil troops captured him and killed him.\(^{489}\)
7.2.3.7 Unlawful killings and Enforced disappearances by ABRI/TNI 1980-1984

481. In the early 1980s Resistance forces began to regroup in the interior and attack vulnerable Indonesian military posts, as part of a strategy of conducting guerrilla warfare while mobilising clandestine networks in population centres to provide material support and intelligence.490 The Indonesian military retaliated by attacking not only Resistance fighters, but also civilian populations throughout the country, and by targeting both combatants and non-combatant members of the clandestine movement. Analysis of the data gathered by the Commission shows an increase in both unlawful killings and disappearances between 1982 and 1984, peaking in 1983. Some testimony submitted to the Commission suggests the increase in executions in the early 1980s was explicitly intended as retaliation for specific Falintil attacks.

482. From 1980 to 1984 the armed Resistance continued to organise and attack vulnerable Indonesian military posts throughout the country. Falintil attacks in Dili, Ainaro, Covalima, Viqueque and Lautém Districts took the lives of Indonesian troops. The Indonesian military retaliated indiscriminately against combatants and civilians alike. After the ceasefire of March-August 1983 broke down, the recently-appointed commander—in chief of the Indonesian armed forces, General Benny Moerdani, announced that the Indonesian military was launching a new operation, Operasi Persatuan (Operation Unity), and that “this time we’re going to hit them without mercy”.491

Killings and disappearances after the Resistance attacks in Dili on 10 June 1980

483. During the night of 10 June Falintil troops from the North Frontier and South Central Sectors and members of clandestine networks in Dili launched attacks on the Indonesian post at the broadcasting transmitter in Marabia near Dare and raided the armoury of Company B of Battalion 744 in Becora in eastern Dili. In the attack on Marabia several Indonesian soldiers were killed. 492 In the aftermath of the attacks hundreds of people were arrested in a massive operation that involved virtually the entire security apparatus in Dili, including units of the territorial structure (the Korem, the Kodim, the Koramis and the Babinsa), the Dili-based Battalion 744, Special Forces (Kopassandha) and Hansip.

484. Among those arrested or captured were Falintil commanders and troops and others directly involved in the attacks, persons belonging to clandestine networks and a large number of people regarded by the Indonesian security forces as having pro-independence sympathies. The Commission received the names of 121 people who were killed, disappeared or died in detention either as a result of torture or severe deprivation in the weeks after 10 June. Most of the victims died in Dili. However, the Commission also received information about the killing or disappearance of people in the districts of Aileu, Manufahi and Manatuto outside Dili, who were

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1 According to some sources, on 10 June there were also attacks on ABRI posts in Dare and Lahane [HRVD Statements 06983]. The Commission was unable to resolve many questions about the attacks. It is unclear, for example, which elements of the Resistance in Dili and neighbouring districts were the moving forces behind the decision to bring the date of the attacks forward to 10 June when it would supposedly coincide with a visit to Dili by a US Congressional delegation (which was in fact never scheduled to happen). Elements of the clandestine movement were heavily involved in the attacks, but it is also unclear whether they had the movement’s united support. According to Xanana Gusmão, the decision to launch the attacks on 10 June was taken by a group of Falintil commanders despite opposition from the clandestine organisation in Dili, Xanana Gusmão, who had agreed in principle to the operation and whose own forces from the east were heading for Dili when it took place, was very critical of the decision to bring the date forward. He characterised the episode as one of the “bitter experiences” (amargas experiências) of the war in which the primary objective of the plan – the capture of arms and ammunition – had been sacrificed to lesser objectives such as that of gaining international attention. It is also unclear how whole-hearted the support of Falintil troops, particularly those from the North Frontier Sector, really was. [For Xanana Gusmão’s views on 10 June, see “Companheiro Terus”, Timor Leste – Um Povo, Uma Pátria, pp. 129-132; and CAVR Interview with Xanana Gusmão, Dili, 7 July 2004. Other sources which throw some light on the events of 10 June include Neil Barrett, Interview with David Ximenes; CAVR Interview with Bernadino Villanova; HRVD Statements 06665 and 06983 and CAVR Community Profiles, Nazare Village, Dom Aleixo Sub-district, Dili District, and Bairro Alto Village and Alto Hospital Village, Vera Cruz, Mascarenhas, Dili District].
either captured after fleeing Dili after the attacks or who were suspected of being members of clandestine networks which had played a role in the planning of the attacks. The attacks had a serious impact on the wider population, but particularly on ordinary civilians living in the areas close to where the attacks had taken place. Several hundred people, many of them women and children on their own, were sent to Ataúro. The Indonesian military tightened the already tight security conditions under which ordinary people lived: in the aftermath of the attacks ABRI interrogated women and children, and stepped up the frequency of compulsory night-time guard duties. Several communities in East Dili underwent the kind of forced displacement from which they had only recently been relieved. 4

485. Following the attacks the security forces indiscriminately rounded up persons connected to the Resistance. In Becora and Culuhun, two of the areas targeted during the crackdown, people who had been “marked” by ABRI when they surrendered were reportedly arrested en masse. Those who disappeared or were executed came from a wide spectrum of backgrounds, ranging from former members of the Fretilin Central Committee to children.

Table 14 - Persons reported to have been executed or "disappeared" after the 10 June attacks

<table>
<thead>
<tr>
<th>Name</th>
<th>Place of birth</th>
<th>Place of residence</th>
<th>Position</th>
<th>Date of arrest</th>
<th>Other information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abilio Loli Rai</td>
<td>Manatuto</td>
<td>Manatuto</td>
<td>Former District Secretary of Fretilin; assisente and commander</td>
<td>7/1/1980</td>
<td>Captured in Manatuto; disappeared on night of 8 August 1980</td>
</tr>
<tr>
<td>Adão Mendonça</td>
<td>Aileu</td>
<td>Dili</td>
<td>Former District Secretary of Fretilin, Aileu; assistir e e comandante</td>
<td>01/06/1980 (PL); arrested on 12 June by four soldiers from Koramil Becora at house in Lahane Barat, taken to Kodim (CAVR Interview with Maria de Fatima Martins, Aileu, nd)</td>
<td>Disappeared in the Comarca; taken to Kodim on 12 June (03217)</td>
</tr>
<tr>
<td>Adriano dos Santos</td>
<td>Tutuala</td>
<td>Dili</td>
<td></td>
<td>11/06/1980 (HRVD)</td>
<td>Disappeared in the Comarca (PL); disappeared from markas Kopassandha Colmera (HRVD)</td>
</tr>
<tr>
<td>Adriano Mesquita</td>
<td>Dili</td>
<td>Dare</td>
<td></td>
<td>6/1/1980</td>
<td>Disappeared in the Comarca; confirmed in 00072</td>
</tr>
<tr>
<td>Afonso Moniz</td>
<td>Dili</td>
<td>Santa Cruz</td>
<td></td>
<td>6/1/1980</td>
<td>Disappeared in the Comarca; Disappeared from Comarca some time after 18 June with Agusto, Tomas, Mau Quinta,</td>
</tr>
</tbody>
</table>

1 People living on the edges of Balibar (Cristo Rei, East Dili) and Ailok (Becora, Cristo Rei, East Dili) were concentrated in Fatu-Loda in Balibar where they had to stay until 1986 under tight security restrictions that caused many deaths. They had to report to the Babinsa (Village NCO) if they wanted to move out of the area and were not allowed to leave it all between 4.00pm and 8.00am [CAVR Community Profile, Balibar/Ailok, Becora, Cristo Rei Sub-district, East Dili]. Shortly after the attacks Hansip burned down houses in Suhu-Rama and forced the people from there to move to Santa Cruz [HRVD Statement 08037]. Conditions that were similar in many respects to those reported in the Balibar/Ailok CAVR Community Profile are also reported in the CAVR Community Profile, Florestal/Laulara and 10 de Junho/Nahahak neighbourhood, Vera Cruz Sub-district, West Dili, Dili District.]
<table>
<thead>
<tr>
<th>Name</th>
<th>Location</th>
<th>Place</th>
<th>Date</th>
<th>Note</th>
</tr>
</thead>
<tbody>
<tr>
<td>Camilo, Pedro Lemos and Agusto</td>
<td></td>
<td></td>
<td></td>
<td>Disappeared</td>
</tr>
<tr>
<td>Agostinho Cabral</td>
<td></td>
<td></td>
<td></td>
<td>Disappeared in the Comarca; Disappeared from Comarca some time after 18 June with Afonso Moniz, Tomas, Mau Quinta, Camilo, Pedro Lemos and Jeronimo (08063)</td>
</tr>
<tr>
<td>Agosto Sousa</td>
<td>Dili</td>
<td>Balbar</td>
<td>6/1/1980</td>
<td>Disappeared in the Comarca; Disappeared from Comarca some time after 18 June with Afonso Moniz, Tomas, Mau Quinta, Camilo, Pedro Lemos and Jeronimo (08063)</td>
</tr>
<tr>
<td>Agustinho</td>
<td>Dili</td>
<td>Dare</td>
<td>7/1/1980</td>
<td>Killed by Hansip in Dare</td>
</tr>
<tr>
<td>Agustinho Soares Laca</td>
<td>Ailili, Manatuto</td>
<td></td>
<td>6/28/1980</td>
<td>Disappeared with 16 others after arrest by Btn 121 after detention in the Btn 121 Kotis (former Hotel Askeu) in Manatuto Town for three weeks.</td>
</tr>
<tr>
<td>Alberto Monteiro</td>
<td>Dili</td>
<td>Lacoto</td>
<td>6/1/1980</td>
<td>Disappeared in the Comarca</td>
</tr>
<tr>
<td>Anastacio Sarmento</td>
<td>Dili</td>
<td>Dare</td>
<td>7/1/1980</td>
<td>Killed by Hansip in Dare; killed in Dare cemetery by three named Hansip, Venancio, Januario and Jorge, on 11 June after being arrested at home on previous night</td>
</tr>
<tr>
<td>Angelina Soares</td>
<td>Ailili, Manatuto</td>
<td></td>
<td>6/28/1980</td>
<td>Disappeared with 16 others after arrest by Btn 121 after detention in the Btn 121 Kotis (former Hotel Askeu) in Manatuto Town for three weeks.</td>
</tr>
<tr>
<td>Antonio</td>
<td>Ossu</td>
<td>Dili/Bautu</td>
<td>6/1/1980</td>
<td>Disappeared in the Comarca; probably Emilio Antonio in HRVD 08108</td>
</tr>
<tr>
<td>Antonio de Carvalho</td>
<td>Ailili, Manatuto</td>
<td></td>
<td>6/28/1980</td>
<td>Disappeared with 16 others after arrest by Btn 121 after detention in the Btn 121 Kotis (former Hotel Askeu) in Manatuto Town for three weeks.</td>
</tr>
<tr>
<td>Antonio da Cunha</td>
<td>Ailili, Manatuto</td>
<td>&quot;Clandestine chairman&quot;</td>
<td>6/28/1980</td>
<td>Disappeared with 16 others after arrest by Btn 121 after detention in the Btn 121 Kotis (former Hotel Askeu) in Manatuto Town for three weeks.</td>
</tr>
<tr>
<td>Antonio Leki Mali</td>
<td>Dili</td>
<td>Lacoto</td>
<td>6/1/1980</td>
<td>Disappeared in the Comarca</td>
</tr>
<tr>
<td>Antonio Soares Mau Lalan</td>
<td>Ailili, Manatuto</td>
<td></td>
<td>6/28/1980</td>
<td>Disappeared with 16 others after arrest by Btn 121 after detention in the Btn 121 Kotis (former Hotel Askeu) in Manatuto Town for three weeks.</td>
</tr>
<tr>
<td>Asubere</td>
<td></td>
<td></td>
<td></td>
<td>Disappeared from Comarca (00072)</td>
</tr>
<tr>
<td>Bere Loek</td>
<td></td>
<td></td>
<td></td>
<td>Reportedly killed by Btn 744</td>
</tr>
<tr>
<td>Bere Mali</td>
<td></td>
<td></td>
<td></td>
<td>Reportedly killed by Btn 744</td>
</tr>
<tr>
<td>Bere Mali Soares</td>
<td></td>
<td></td>
<td></td>
<td>Reportedly killed by Btn 744</td>
</tr>
<tr>
<td>Caetano</td>
<td>Quelicai</td>
<td>Dili</td>
<td>6/1/1980</td>
<td>Disappeared in the Comarca</td>
</tr>
<tr>
<td>Name</td>
<td>Location</td>
<td>Place</td>
<td>Date</td>
<td>Fate/Details</td>
</tr>
<tr>
<td>---------------------------</td>
<td>----------------------</td>
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<td>------------</td>
<td>--------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Camilo</td>
<td></td>
<td></td>
<td></td>
<td>Disappeared from Comarca some time after 18 June with Afonso Moniz, Tomas, Mau Quinta, Pedro Lemos and Agusto (08063)</td>
</tr>
<tr>
<td>Carlos de Araújo</td>
<td>Dili/Madaheno</td>
<td>Madaheno</td>
<td>6/1/1980</td>
<td>Died in Comarca due to beatings and hunger</td>
</tr>
<tr>
<td>Celestino Maubere</td>
<td>Aileu</td>
<td>Besilau, Aileu</td>
<td>8/1/1980</td>
<td>Disappeared in the Comarca</td>
</tr>
<tr>
<td>Da Holo</td>
<td>Dili</td>
<td>Lacoto</td>
<td>6/1/1980</td>
<td>Disappeared in the Comarca; arrested on 14 June by two soldiers from Btn 744 and six other TNI with six others: Joaquim RT, Antonio Bernadino, Paulo Hansip, Joao Hansip, Amandio da Silva Carvalho and Joao Lacoto, and taken to Balibar post. They were tortured from morning to 1 pm. Daholo died under torture (HRVD 06983).</td>
</tr>
<tr>
<td>Danilo Coelho</td>
<td></td>
<td></td>
<td></td>
<td>Disappeared from the Comarca</td>
</tr>
<tr>
<td>Danilo da Silva</td>
<td>Ossu</td>
<td>Dili</td>
<td>6/1/1980</td>
<td>Disappeared in the Korem</td>
</tr>
<tr>
<td>Dau Molik Inan</td>
<td>Dili</td>
<td>Dare</td>
<td>7/1/1980</td>
<td>Killed by Hansip in Dare</td>
</tr>
<tr>
<td>Domingos</td>
<td></td>
<td></td>
<td>6/1/1980</td>
<td>Disappeared from Kodim Aileu</td>
</tr>
<tr>
<td>Domingos</td>
<td>Manatuto</td>
<td>Manatuto</td>
<td>6/1/1980</td>
<td>Died in Comarca due to beatings and hunger</td>
</tr>
<tr>
<td>Domingos Borromeu</td>
<td>Same</td>
<td>Dili</td>
<td>6/1/1980</td>
<td>Disappeared in the Comarca</td>
</tr>
<tr>
<td>Domingos Caldeira</td>
<td>Turiscai</td>
<td>Dili</td>
<td>6/1/1980</td>
<td>Disappeared in the Comarca</td>
</tr>
<tr>
<td>Domingos Castro</td>
<td></td>
<td></td>
<td></td>
<td>Disappeared after arrest in Toko Baru, Culuhun; reportedly killed by Btn 744 with seven others</td>
</tr>
<tr>
<td>Domingos Fatima (Mau Nugo Aman)</td>
<td>Dare/Dili</td>
<td>Tiluri</td>
<td>6/1/1980</td>
<td>Disappeared in the Korem</td>
</tr>
<tr>
<td>Domingos Mau Nuca</td>
<td>Dili</td>
<td>Hospital</td>
<td>6/1/1980</td>
<td>Disappeared from his home</td>
</tr>
<tr>
<td>Domingos Soares</td>
<td>Culuhun</td>
<td></td>
<td>6/12/1980</td>
<td>Disappeared after arrest in Toko Baru, Culuhun; 06955: reportedly killed by Btn 744 with seven others (Gaspar da Costa, Gaspar, Bere Mali, Bere Mali Soares, Bere Loek, Maurais and Vidal Soares) and bodies dumped in Fatu Bangku.</td>
</tr>
<tr>
<td>Domingos Soares (Coli Lac)</td>
<td>Aillili, Manatuto</td>
<td></td>
<td>6/28/1980</td>
<td>Disappeared with 16 others after arrest by Btn 121 after detention in the Btn 121 Kotis in Manatuto Town for three weeks.</td>
</tr>
<tr>
<td>Domingos Soares Bac</td>
<td>Aillili, Manatuto</td>
<td></td>
<td>6/28/1980</td>
<td>Disappeared with 16 others after arrest by Btn 121 after detention in the Btn 121 Kotis in Manatuto</td>
</tr>
<tr>
<td>Name</td>
<td>Location</td>
<td>Place</td>
<td>Date</td>
<td>Fate</td>
</tr>
<tr>
<td>----------------</td>
<td>----------</td>
<td>-------</td>
<td>-----------</td>
<td>-----------------------------------------------</td>
</tr>
<tr>
<td>Edmundo Ossu</td>
<td>Dili/Bautu</td>
<td></td>
<td>6/1/1980</td>
<td>Disappeared in the Comarca</td>
</tr>
<tr>
<td>Eduardo Freitas</td>
<td>Quelicai</td>
<td>Dili</td>
<td>6/1/1980</td>
<td>Died in Comarca due to beatings and hunger</td>
</tr>
<tr>
<td>Elias Alves</td>
<td></td>
<td></td>
<td></td>
<td>Disappeared from the Comarca</td>
</tr>
<tr>
<td>Francisco</td>
<td>Dili</td>
<td>Lacoto</td>
<td>6/1/1980</td>
<td>Disappeared in the Comarca</td>
</tr>
<tr>
<td>Francisco Araújo</td>
<td>Atsabe</td>
<td>Atsabe</td>
<td>6/2/1905</td>
<td>Captured in Atsabe; brought to Dili; disappeared</td>
</tr>
<tr>
<td>Francisco Gusmão</td>
<td></td>
<td></td>
<td></td>
<td>Captured in Atsabe; brought to Dili; disappeared</td>
</tr>
<tr>
<td>Francisco Soares Laco</td>
<td>Ailili, Manatuto</td>
<td></td>
<td>6/28/1980</td>
<td>Disappeared with 16 others after detention in the Btn 121 Kotis in Manatuto Town for three weeks</td>
</tr>
<tr>
<td>Francisco Soares Luli</td>
<td>Ailili, Manatuto</td>
<td></td>
<td>6/28/1980</td>
<td>Disappeared with 16 others after detention in the Btn 121 Kotis in Manatuto Town for three weeks</td>
</tr>
<tr>
<td>Francisco Soares Mean</td>
<td>Ailili, Manatuto</td>
<td></td>
<td>6/28/1980</td>
<td>Disappeared with 16 others after detention in the Btn 121 Kotis in Manatuto Town for three weeks</td>
</tr>
<tr>
<td>Gaspar</td>
<td>Dili</td>
<td></td>
<td>6/1/1980</td>
<td>Disappeared with 16 others after detention in the Btn 121 Kotis in Manatuto Town for three weeks</td>
</tr>
<tr>
<td>Gaspar Carvalho</td>
<td></td>
<td></td>
<td></td>
<td>Disappeared after arrest by Btn 744 in Taibessi, Dili.</td>
</tr>
<tr>
<td>Gaspar José Soares Guterres</td>
<td></td>
<td></td>
<td></td>
<td>Disappeared from Comarca</td>
</tr>
<tr>
<td>Guilherme</td>
<td>Balibar</td>
<td>Dili/Bidau</td>
<td>6/1/1980</td>
<td>Disappeared in the Comarca</td>
</tr>
<tr>
<td>Hermenegildo</td>
<td>Same</td>
<td>Dili</td>
<td>6/1/1980</td>
<td>Disappeared in the Comarca</td>
</tr>
<tr>
<td>Isabel Soares</td>
<td>Ailili, Manatuto</td>
<td></td>
<td>6/28/1980</td>
<td>Disappeared with 16 others after detention in the Btn 121 Kotis in Manatuto Town for three weeks</td>
</tr>
<tr>
<td>Jeronimo</td>
<td></td>
<td></td>
<td></td>
<td>Disappeared from Comarca</td>
</tr>
<tr>
<td>Joanic Soares</td>
<td>Ailili, Manatuto</td>
<td></td>
<td>6/28/1980</td>
<td>Disappeared with 16 others after detention in the Btn 121 Kotis in Manatuto Town for three weeks</td>
</tr>
<tr>
<td>João Batista</td>
<td></td>
<td></td>
<td>6/1/1980</td>
<td>Taken to Comoro Koramil and disappeared</td>
</tr>
<tr>
<td>João Barreto</td>
<td>Dili</td>
<td>Vila Verde</td>
<td>6/1/1980</td>
<td>Disappeared in the Comarca</td>
</tr>
<tr>
<td>João Bosco</td>
<td></td>
<td></td>
<td>6/11/1980</td>
<td>Disappeared from Comarca on 13 June after being taken by Captain Mustari of Intel (05666)</td>
</tr>
<tr>
<td>João Cristo Rei</td>
<td>Manatuto</td>
<td>Dili</td>
<td>6/1/1980</td>
<td>Disappeared in the Comarca</td>
</tr>
<tr>
<td>João da Costa</td>
<td>Dili</td>
<td>Lacoto</td>
<td>6/1/1980</td>
<td>Disappeared in the Comarca</td>
</tr>
<tr>
<td>João Exposto</td>
<td>Dili</td>
<td>Balibar</td>
<td>6/1/1980</td>
<td>Disappeared in the Comarca; wounded by soldiers from Btn 744 on</td>
</tr>
<tr>
<td>Name</td>
<td>Location</td>
<td>Disappeared</td>
<td>Date</td>
<td>Notes</td>
</tr>
<tr>
<td>--------------------</td>
<td>----------</td>
<td>-------------</td>
<td>--------------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>João Mau Duan</td>
<td>Dili</td>
<td></td>
<td>6/1/1980</td>
<td>Disappeared in the Comarca; 10 June, surrendered by Dom Martinho to Comarca on 19 June, and then disappeared (04864)</td>
</tr>
<tr>
<td>Joaquim Assis</td>
<td></td>
<td></td>
<td></td>
<td>Mentioned in Hera, Cristo Rei CP as being killed with Mario do Carmo and Joaquim Soares; all three former Falintil commanders</td>
</tr>
<tr>
<td>Joaquim Soares</td>
<td></td>
<td></td>
<td></td>
<td>Mentioned in Hera, Cristo Rei CP as being killed with Joaquim Assis and Mario do Carmo; all three former Falintil commanders</td>
</tr>
<tr>
<td>Jordão Fernandes</td>
<td>Dili</td>
<td>Lahane</td>
<td>6/1/1980</td>
<td>Disappeared in Korem; confirmed as Mes Korem in 00072, but says that he was strangled in front of the other prisoners on 20 June; 00076-5: Jordao and Mau Meta Luis were killed in Mes Korem by having their heads submerged in water until they died; some time between arrest of deponent on 10 July and his transfer to Comarca on 19 July.</td>
</tr>
<tr>
<td>José Remexio</td>
<td>Remexio</td>
<td></td>
<td>8/17/1980</td>
<td>Died in Comarca due to beatings and hunger</td>
</tr>
<tr>
<td>José da Sousa</td>
<td>Laleia</td>
<td>Dili</td>
<td>7/1/1980</td>
<td>Disappeared on 8 August</td>
</tr>
<tr>
<td>José Manuel</td>
<td>Dili</td>
<td>Dare</td>
<td>7/1/1980</td>
<td>Killed by Hansip in Dare</td>
</tr>
<tr>
<td>Leão Macedo</td>
<td>Dili</td>
<td>Lacoto</td>
<td>6/1/1980</td>
<td>Disappeared in the Comarca</td>
</tr>
<tr>
<td>Lino</td>
<td>Dili</td>
<td>Lacoto</td>
<td>6/1/1980</td>
<td>Disappeared in the Comarca</td>
</tr>
<tr>
<td>Luan Berek</td>
<td>Fatumean</td>
<td>Dili</td>
<td>6/1/1980</td>
<td>Disappeared in the Comarca; 00076-5: Several of the detainees were taken from the Comarca and disappeared, among them Luan Berek, Danilo Coelho and Elias Alves.</td>
</tr>
<tr>
<td>Luciano Soares</td>
<td>Manatuto</td>
<td>Dili</td>
<td>6/1/1980</td>
<td>Disappeared in the Comarca</td>
</tr>
<tr>
<td>Malaquias Alves</td>
<td>Dili</td>
<td>Bibi Ruak</td>
<td>6/1/1980</td>
<td>Died in Comarca due to beatings and hunger</td>
</tr>
<tr>
<td>Mali Mau</td>
<td>Lequidoe</td>
<td>Fahiso</td>
<td>8/17/1980</td>
<td>Died in Comarca due to beatings and hunger</td>
</tr>
<tr>
<td>Manuel</td>
<td>Dili</td>
<td>Ramelau/Dare</td>
<td>6/1/1980</td>
<td>Disappeared in the Comarca</td>
</tr>
<tr>
<td>Marcos Soares</td>
<td>Dili</td>
<td>Dare</td>
<td>6/13/1980</td>
<td>Tortured in Korem; stabbed all over his body; disappeared; possibly killed in Balibar</td>
</tr>
<tr>
<td>Maria Barreto</td>
<td>Dare</td>
<td></td>
<td>7/1/1980</td>
<td>Killed by Hansip in Dare</td>
</tr>
<tr>
<td>Maria Teresa</td>
<td>Ailili, Manatuto</td>
<td></td>
<td>6/28/1980</td>
<td>Disappeared with 16 others</td>
</tr>
<tr>
<td>Name</td>
<td>Location</td>
<td>Date</td>
<td>Description</td>
<td></td>
</tr>
<tr>
<td>-----------------------</td>
<td>----------------</td>
<td>----------</td>
<td>--------------------------------------------------------------------------------------------------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>Mariano Soares</td>
<td>Ailili, Manatuto</td>
<td>6/28/1980</td>
<td>Disappeared with 16 others after arrest by Btn 121 after detention in the Btn 121 Kotis in Manatuto Town for three weeks.</td>
<td></td>
</tr>
<tr>
<td>Mário do Carmo</td>
<td>Hera</td>
<td></td>
<td>Mentioned in Hera, Cristo Rei CP as being killed with Joaquim Assis and Joaquim Soares; all three former Falintil commanders.</td>
<td></td>
</tr>
<tr>
<td>Martinho Saldanha</td>
<td>Dili Lacoto</td>
<td>6/1/1980</td>
<td>Disappeared in the Comarca; Suco Nazare, Dom Aleixo CP says</td>
<td></td>
</tr>
<tr>
<td>Mateus da Costa</td>
<td></td>
<td></td>
<td>Disappeared with four others after arrest in Dulaco, Fatuberliu (Manufahi).</td>
<td></td>
</tr>
<tr>
<td>Mateus Saldanha</td>
<td>Dili Lacoto</td>
<td>6/1/1980</td>
<td>Disappeared from the Korem</td>
<td></td>
</tr>
<tr>
<td>Mau Buti</td>
<td>Dili Marabia</td>
<td>6/11/1980</td>
<td>Disappeared in the Comarca; described as RT in Suhrama, Inur Fuik, Nain Feto CP</td>
<td></td>
</tr>
<tr>
<td>Mau Leki</td>
<td>Lequidoe Fahisoi</td>
<td>8/17/1980</td>
<td>Died in Aileu due to beatings and hunger</td>
<td></td>
</tr>
<tr>
<td>Mau Mali</td>
<td>Lequidoe Fahisoi</td>
<td>8/17/1980</td>
<td>Died in Comarca due to beatings and hunger</td>
<td></td>
</tr>
<tr>
<td>Mau Malik Metan</td>
<td>Dili Lacoto</td>
<td>8/17/1980</td>
<td>Died in Korem due to beatings and hunger</td>
<td></td>
</tr>
<tr>
<td>Mau Quinta (Resta Parte)</td>
<td></td>
<td></td>
<td>Disappeared from Comarca</td>
<td></td>
</tr>
<tr>
<td>Mau Ranek</td>
<td>Dili Dare</td>
<td>7/1/1980</td>
<td>Killed by Hansip in Dare</td>
<td></td>
</tr>
<tr>
<td>Mau Siri</td>
<td>Ailili, Manatuto</td>
<td>6/28/1980</td>
<td>Disappeared with 16 others after arrest by Btn 121 after detention in the Btn 121 Kotis in Manatuto Town for three weeks.</td>
<td></td>
</tr>
<tr>
<td>Maubere</td>
<td>Aileu Besilau, Aileu</td>
<td>8/1/1980</td>
<td>Disappeared in the Comarca</td>
<td></td>
</tr>
<tr>
<td>Mausabu</td>
<td></td>
<td></td>
<td>Disappeared from Aileu Kodim after arrest in Rairema, Aileu</td>
<td></td>
</tr>
<tr>
<td>Moises</td>
<td></td>
<td></td>
<td>Disappeared with four others after arrest in Dulaco, Faturberliu (Manufahi).</td>
<td></td>
</tr>
<tr>
<td>Morais</td>
<td></td>
<td></td>
<td>Disappeared after arrest by Btn 744 in Ailo’ok (Balibar)</td>
<td></td>
</tr>
<tr>
<td>Norberto Fernandes</td>
<td>Dili Dare</td>
<td>6/10/1980</td>
<td>Stabbed to death by Hansip</td>
<td></td>
</tr>
<tr>
<td>Paulo Xavier</td>
<td>Dili Lahane</td>
<td>6/1/1980</td>
<td>Disappeared in the Comarca</td>
<td></td>
</tr>
<tr>
<td>Pedro Gusmão</td>
<td></td>
<td></td>
<td>Disappeared after arrest in Dulaco, Faturberliu (Manufahi).</td>
<td></td>
</tr>
<tr>
<td>Pedro Lemos</td>
<td>Ermera Ermera</td>
<td>6/14/1980</td>
<td>Captured in Ermera; disappeared from Comarca on night of 8 August 1980</td>
<td></td>
</tr>
<tr>
<td>Pedro Manek</td>
<td>Dili Dili</td>
<td>8/1/1980</td>
<td>Disappeared in the Korem</td>
<td></td>
</tr>
<tr>
<td>Name</td>
<td>Location 1</td>
<td>Location 2</td>
<td>Date</td>
<td>Status</td>
</tr>
<tr>
<td>-------------------------------</td>
<td>------------</td>
<td>------------</td>
<td>----------</td>
<td>------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Raimundo Fatima</td>
<td>Dili</td>
<td>Dare</td>
<td>6/1/1980</td>
<td>Disappeared in the Comarca</td>
</tr>
<tr>
<td>Romalde</td>
<td>Lequidoe</td>
<td>Fahisoi</td>
<td>8/17/1980</td>
<td>Died in Comarca due to beatings and hunger</td>
</tr>
<tr>
<td>Romão Nunes</td>
<td>Dili</td>
<td>Lahane</td>
<td>6/1/1980</td>
<td>Disappeared in Korem</td>
</tr>
<tr>
<td>Rosalino Bonaparte Soares</td>
<td>Manatuto</td>
<td>Santana/Dili</td>
<td>6/1/1980</td>
<td>Disappeared in the Comarca</td>
</tr>
<tr>
<td>Salvador da Rosa de Fatima</td>
<td>Tibar</td>
<td>Tibar</td>
<td>6/2/1905</td>
<td>Guerrilla captured in Tibar; reportedly beaten to death in Comarca</td>
</tr>
<tr>
<td>Sancho</td>
<td>Venilale</td>
<td>Dili</td>
<td>6/1/1980</td>
<td>Disappeared in the Comarca</td>
</tr>
<tr>
<td>Sanchos Lasikona</td>
<td>Quintal Boot, Dili</td>
<td>7/12/1980</td>
<td>Disappeared after arrest by police and ABRI at home in Quintal Boot</td>
<td></td>
</tr>
<tr>
<td>Silverio dos Santos</td>
<td>Dili</td>
<td>6/1/1980</td>
<td>Disappeared in the Comarca</td>
<td></td>
</tr>
<tr>
<td>Sismundo</td>
<td>Ossu</td>
<td>Dili/Bautu</td>
<td>6/1/1980</td>
<td>Disappeared in the Comarca</td>
</tr>
<tr>
<td>Tiago Loi Sara</td>
<td>Dili</td>
<td>Santa Cruz</td>
<td>6/1/1980</td>
<td>Disappeared in the Comarca</td>
</tr>
<tr>
<td>Tito</td>
<td>Ossu</td>
<td>Dili</td>
<td>6/1/1980</td>
<td>Disappeared from Comarca</td>
</tr>
<tr>
<td>Tomás</td>
<td>Aileu</td>
<td>Besilau, Aileu</td>
<td>6/1/1980</td>
<td>Disappeared from the Comarca</td>
</tr>
<tr>
<td>Tomás</td>
<td></td>
<td></td>
<td></td>
<td>Reportedly killed</td>
</tr>
<tr>
<td>Tomás Soares</td>
<td>Dili</td>
<td>Dare</td>
<td>6/1/1980</td>
<td>Disappeared in the Comarca</td>
</tr>
<tr>
<td>Tomás Tilman</td>
<td>Dili</td>
<td>Lacoto</td>
<td>6/1/1980</td>
<td>Disappeared in the Comarca</td>
</tr>
<tr>
<td>Vidal Soares</td>
<td>Culuhun</td>
<td>6/12/1980</td>
<td>Disappeared after arrest in Toko Baru, Culuhunby Btn 744</td>
<td></td>
</tr>
</tbody>
</table>

Sources: HRVD Statements 3217, 3809, 1626, 8063, 6961, 0072, 0076, 6959, 5738, 5020, 5666, 4864, 8063 and 1439; Neil Barret Interview with Maria Imaculada Araújo, Dili [no date]; CAVR Interview with Maria Fatima Martins, Seloi Malere (Aileu), n.d.; En Nome de Presos de 10 June 1980, CRRN Communiqué, 13 July 1983; Community Profiles, Suhurama, Inur Fuik (Nain Feto, Dili) and Balibar/Ailok (Dili).

486. Venancio Gomes (Mau Seran), a former member of the Fretilin Central Committee who was arrested and detained in Dili in December 1975, was reportedly taken from his home near the Comoro market on 15 June by an Apodeti member called M281 and taken to the Dili Kodim headquarters in a taxi driven by M282. That evening he was taken by helicopter to Remexio and shot dead by a member of the local Koramil called M283. According to a TBO who witnessed the execution, his body was left on the ground and was eaten by dogs. 486

487. Pedro Lemos (Teki), a former Falintil commander in the North Frontier Sector, was arrested in Ermera on 14 June 1980 and brought to Dili. He appears to have been held in the Dili Kodim before being transferred to the Mes Korem and then to the Comarca (Balide). One night, possibly on 8 August he was taken out of the Comarca and disappeared. According to some accounts,
several others, including Asubere, Jeronimo, Thomás, Afonso Moniz, Agusto, Mauquinta, Camilo and Adriano Mesquita, disappeared at the same time.\(^{497}\) In the month before the attacks, like Adão Mendonça (see below), Pedro Lemos had been in Liquí ça attending an ABRI-run indoctrination course for former Fretilin/Falintil leaders and commanders, which seems to have ended after the 10 June attacks.\(^{498}\)

488. Adão Mendonça, the former Fretilin Secretary for Aileu District (see 7.2.5.3 above), was arrested at his house in Lahane (East Dili) by four soldiers from the Becora Koramil and taken to the Dili Kodim. He never returned.\(^{499}\)

489. Four former Falintil commanders – Joaquim Soares, Mário do Carmo, Bernardo Soares and Joaquim Assis – who had reportedly surrendered in September 1979, were arrested in Hera and told that they were going on a carpentry course at the sub-district office. Only one of them, Bernardo Soares, ever came home.\(^{500}\)

490. Adriano dos Santos had recently moved to Dili from Tutuala (Lautém) where he had been actively involved in the clandestine movement. He was living with his brother in Colmera at the time of the attacks. On 11 June he was arrested by Special Forces troops and taken to their headquarters nearby. After having visited him regularly at the Kopassandha headquarters, his brother was told one day that Adriano was no longer there. He has never discovered what happened to him. According to another source, he was taken to the Comarca (Balide) and disappeared from there.\(^{501}\)

491. However, whether or not someone disappeared or was executed was largely arbitrary. All four of the alleged Falintil commanders who led the attacks were captured, but only one, Pedro Manek, was executed or disappeared. Clandestine leaders who were alleged to have masterminded the attacks, including Mariano Bonaparte Soares and David Ximenes, survived. Yet, among the hundreds of people who were arrested were three brothers from Ossu, 20-year-old Antonio, 18-year-old Sismundo and 16-year-old Edmundo, all of whom disappeared from the Comarca.\(^{502}\)

492. As in earlier times, if approached by friends or relatives, authorities would say that the victim had “gone to school” or had become a TBO. The wife of Adão Mendonça told the Commission:

\[\text{When I went to the house of the village head to ask about the whereabouts of my husband, he said to me: “Don’t worry about him. The bapaks [Indonesian honorific for respected elderly person; used indiscriminately by East Timorese to refer to Indonesian soldiers] have sent many of them to school and they haven’t come back yet. Let’s just wait.” To this moment I don’t know for sure where my husband has gone. He’s disappeared for good.”}\]

493. Members of the security apparatus carried out disappearances and executions in many different parts of Dili. Several hundred of those arrested were brought to the Mes Korem (later the Kartika Sari nursing home) in Mandarin. The Commission has received the names of nine people who were reportedly killed or disappeared from there. Those who survived were either released,

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\(^{1}\) CAVR Interview with Maria de Fatima Martins, Seloi Malere, Aileu, undated; for other examples of disappeared people being “sent to school” after the 10 June attacks, see HRVD Statement 06961; and CAVR Community Profile, Liurai Village, Aileu Town Sub-district, Aileu District; HRVD Statement 00949 cites the case of a disappeared person who was said to have become a TBO.
sent to Ataúro or transferred to the Comarca (Balide), where another 48 are reported to have either disappeared or died from ill-treatment, including severe beatings and lack of food.\(^1\)

494. By 16 June 1980, when David Ximenes was taken there, about 200 people were being held in the Mes Korem.\(^2\) Interrogations at the Mes Korem, routinely involving severe and sometimes fatal torture, were reported to have been conducted by a Special Forces (Kopassandha) commander named M284, another Special Forces officer called M285, and officers from the Korem and Kodim intelligence sections, M286 M287 and M288.\(^3\) David Ximenes says that his first interrogation after arriving at the Mes Korem, during which he was not tortured, was conducted by the Korem commander, Colonel Adolf Sahala Rajagukguk. Methods of torture used against detainees included electric shocks to the genitals and other forms of sexual torture, submersion in water tanks, and strangling (see Chapter 7.4: Detention, Torture and Ill-treatment). Jordão Fernandes is reported to have been strangled to death in front of other prisoners.\(^4\) Luis Mau Metan is reported to have died as a result of being submerged in a water tank.\(^5\)

495. Thoughout late June, July and August detainees were being transferred from the Mes Korem to the Comarca, although newly arrested suspects were being taken to the Mes Korem as late as November. Once there many of them were reportedly tortured, again sometimes fatally.\(^6\) By late August about 200 detainees arrested in connection with the June attacks were held in Block 2, while others were held in the “Maubutar” and isolation cells.\(^7\) Over this period groups of detainees were taken out of the Comarca in groups at night and disappeared.\(^8\) At least nine others were either beaten to death or died from a combination of forms of ill-treatment, including beatings and deprivation of food.\(^9\) Overcrowded cells and inadequate provision of food were acute problems. The new detainees were reportedly fed only once a day at best: some reported not being fed at all, resulting in deaths from hunger.\(^10\) The increased prisoner population combined with a fixed allocation of food for the prison meant that prisoners who had been in detention before 10 June also complained of cutbacks in their food.\(^11\)

496. Maria Immaculada, a young woman who belonged to a clandestine cell, was detained on 12 June 1980. After she was interrogated and tortured at the Mes Korem, she was transferred to the Comarca in Balide where she witnessed other prisoners being taken out of the prison at night and disappearing:

_They would take people out after 10 o'clock at night. Two or three vehicles would be waiting outside the Comarca. The lights would go off. The detainees they would take out would have their mouths covered and be handcuffed. Then they would be taken away in the vehicles. Then the lights would come on again. They might take detainees out like that two or three times a night. Among people I knew who were taken out in this way were Afonso Moniz, João Barreto, José da Sousa, who... had been in the military police, and the son of a nurse called Tito... His three brothers, Antonio, Sismundo and Edmundo, also disappeared._\(^12\)

497. The Commission did not generally receive corroborated information about the place of execution of those who disappeared. Deponents reported that victims were taken to Areia Branca to the east of Dili, Tactitolu to the west of Dili, Metinaro and Hera. One said that he had been taken from detention in the Dili Kodim to Tactitolu where he expected to be executed. He was not in fact executed for reasons that are unclear.\(^13\)

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\(^1\) Statements received by the Commission also report that detainees being held in the Dili Kodim before being transferred to the Mes Korem or disappearing [HRVD Statements 00949, 08275 and 08108].

\(^2\) HRVD Statement 00949 and eight other persons cited in “En Nome de Presos de 10/6/80”, CRRN Communiqué, 13 July 1983.
498. However, it believes there is strong evidence that many of those who disappeared were executed at sites in Hera. Large numbers of people were taken to Hera after the 10 June attacks. They were held there for up to 40 days during which they were required to perform forced labour. Most of them appear to have survived.514 One of them told the Commission that he was taken to Fatuahi where he saw a truckload of people with their mouths sealed. He assigned his brother, a now deceased former Falintil commander, to spy on the executions taking place there. The brother reported back that executions were being carried out at Besukaer, Fatu Banko and Rikalai Mate.515 The Commission was told that the bodies of eight people who were arrested in Toko Baru were reportedly disposed of in Fatu Banko (see below).

499. People living in areas, such as Dare and Becora, near the sites of the attacks were particularly liable to be targeted by the security forces deployed in their area.

500. In a letter to the Archbishop Leo Sukata of Jakarta, written on 12 July 1980, the Apostolic Administrator of Dili, Monsignor Dom Martinho da Costa Lopes, described five of the killings that occurred in Dare in the aftermath of the 10 June attacks:

Friday 13/6/80: Norberto [Fernandes] surrendered to the military command (Korem) escorted by the Bishop of Dili Monsignor Martinho da Costa Lopes, Father Ricardo, Vicar General of the Diocese of Dili, and Father J Falgueiras SJ, Rector of the Seminary of Our Lady of Fatima [in Dare]. Monsignor Martinho urged one of the commanders to protect Norberto, asking that he should not be beaten or killed. The commander agreed to this request and promised not to ill-treat Norberto.

A few days later Norberto was taken to Dare. There, in the hall of the Seminary…members of Hansip beat and tortured him until he was near death…

Saturday 21/6/1980: Norberto was put to death beat and his body thrown into a ravine to the north of the Seminary of Our Lady of Fatima.

Wednesday 2/7/1980: Anastacio [Sarmento] was brutally ill-treated in the yard of the Dare seminary. He was tied to a volleyball post and beaten before a large crowd of people. After that he was taken to a spot in the Seminary garden to be killed. There a grave had been dug for him because, before his public beating, the Hansip had ordered local people to dig a hole.

Thursday 3/7/1980 José Manuel Martins (a relative of Anastacio), Maria Barreto (wife of José Manuel Martins) and Agustinho (a relative of hers) were murdered in Dare Seminary after undergoing severe torture from local Hansip.516

501. Both Norberto Fernandes and Anastacio Sarmento were reportedly killed by Hansip under the command of M289.517 Two other people, Mau Ranik and Dau Molik Inan, were reportedly killed by Hansip in Dare.518

502. Others from Dare were reportedly taken to the Mes Korem and then to the Comarca from where they disappeared. They included: Gaspar José Soares Guterres, Adriano Mesquita, Marcos Soares, Raimundo Fatima, and Tomás Soares.519
503. Others near the scene of the attacks also came under suspicion and some of them disappeared. In the early morning of 10 June, when the attack took place, three brothers, Agusto Monteiro, Alberto Monteiro and Francisco Restoparte, were on compulsory guard duty at the post in Fatuloda (Balibar, East Dili). While on guard they heard gunfire, but did not know where it was coming from or the reason for it. The next morning four Hansip and two ABRI, all fully armed, came to their house and immediately started beating up Agusto and Alberto. The two were bound and tied to a tree. When their sister, Amelia, tried to intervene, she was stabbed and threatened with being shot. Augusto and Alberto were then taken away and disappeared. A few days later Francisco was arrested and he too disappeared.520 Others arrested in Balibar by the same Hansip unit included Antonio Xavier, Martinho Saldanha and Domingos Caldeiras. They too disappeared.521

504. Battalion 744 troops arrested many people living in the area of the Company B barracks in Becora. Several of those taken into the custody of Battalion 744 were reportedly executed or disappeared. They included a group of eight men from Aiturilaran and Mota Ulun – Vidal Soares, Domingos Soares, Bere Mali, Bere Mali Soares, Gaspar Araújo, Maurais, Bere Loek and Gaspar – who were hiding in a house in Toko Baru (Culuhun) were arrested by troops of Battalion 744 on 12 June, and disappeared. The Battalion 744 soldiers killed them in Becora and disposed of their bodies in Fatu Banko, according to one deponent, who was given this information by a member of Battalion 744.522 It also mobilised troops from its headquarters in Taibessi, who also arrested people who later disappeared. In Suhu-Rama (Inur Fuik, Nain Feto, East Dili) troops from the battalion arrested about 40 people, among whom at least five disappeared.523 Battalion 744 also set up a post in a chapel in Balibar where it also detained people after 10 June. One of them was Mateus Soares who disappeared after being taken from his home in Fatuloda to the chapel in Balibar.524

505. Local Koramil also carried out arrests. The Becora Koramil was particularly active. Some of those it arrested subsequently disappeared or died under torture.†

September 1981: Executions at Aitana during the Fence of Legs Operation

506. Between June and September 1981 the Indonesian military forcibly recruited tens of thousands of East Timorese civilians to participate in a massive military operation to search out and destroy the remaining armed Resistance in the mountains. The operation was officially dubbed Operation Security ( Operasi Keamanan), but is known to most East Timorese as the Kikis Operation ( Operasi Kikis), the Fence of Legs Operation ( Pagar Betis) or the Aitana Movement ( Gerakan Aitana) (see Part 3: The History of the Conflict).

507. Some witnesses 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. Anselmo Fernandes Xavier, for example, told the Commission that he was with a group of “Partisans” that arrested and immediately executed seven individuals near Cacavem in the sub-district of Lospalos ( Lautém).525 Abilio Quintão Pinto told the Commission that a Falintil member attacked his group at night, killing four ABRI members before being shot to death.526 Another informant told the Commission that the soldiers he was with captured and killed two civilians in Uatu-Carbau ( Viqueque).527 The Commission also heard the testimony of Domingos

† The five reported to have disappeared were: Domingos de Fatima de Carvalho (reported to have disappeared from the Mes Korem) and Jeronimo, José da Sousa, Maubuti, and Tomás (all reportedly disappeared from the Comarca) [CAVR Community Profile, Suhu-Rama, Inur Fuik, Nain Feto Sub-district, East Dili; and “En Nome de Presos de 10 Junho 1980”, CRRN Communiqué, 13 July 1983].

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Guterres who was forcibly recruited in the Aitana operation. He witnessed the arrest and execution of an old man, and saw a corpse that was beheaded, somewhere during their march to Aitana.\textsuperscript{528} Another witness told the Commission about the killing of a female school teacher, by members of Battalion 744, who then took away her two children. Their whereabouts are unknown.\textsuperscript{529} Several informants reported that when they reached Aitana they saw two persons being captured, bound and killed.\textsuperscript{530} One informant told the Commission that he saw three corpses while walking home from Aitana to Ossu.\textsuperscript{531}

508. Operasi Kikis reached its culmination in September 1981 when military units and TBOs, including members of Battalions 321, 744, 745, Hansip and Indonesian marine units, converged on the region around Mount Aitana on the rugged border between the Districts of Viqueque and Manatuto. A large number of Fretilin and Falintil leaders and members had gathered in the area the previous May together with family members and other civilians to hold a conference at Maubai.\textsuperscript{532} During its march from Laleia in Manatuto towards the north side of Mount Aitana, Battalion 744, and possibly Battalion 745,\textsuperscript{533} accompanied by Indonesian marines, engaged Falintil near the Weladada River, located just below Mount Aitana and Mount Santo António. Nearby, Fretilin/Falintil had recently concluded its national conference at Muabai. By 17 September only Fera Lafaek’s Company 4 remained in the area of Aitana with a large number of civilians. According to accounts received by the Commission, a large number of civilians, including women and children, were killed when Battalion 744 reached the Aitana region and engaged armed Resistance fighters over a period of several days.\textsuperscript{534} In addition, the Commission was told that and at least 20 of them were executed near Weladada River by members of Battalion 744.\textsuperscript{534} The Commission also received testimony suggesting that more than 100 people, including women and children, were subsequently killed on the slopes of Mount Aitana and Mount San António, either by being shot or being burned to death in the grassland to which ABRI had set fire. After the surrender or capture of the survivors another 25 people, all of them reportedly wounded, by the Waidada River, and five others were reportedly killed at the Kotis headquarters in Waidada.\textsuperscript{535}

\textsuperscript{531} CAVR Interview with José de Jesus dos Santos, Dili, 28 June 2004. He says that the engagement took place between 1 and 10 September.
Witnesses to the mass killing around Mount Aitana, September 1981

Sebastião da Cunha, a Hansip member who participated in the Fence of Legs Operation, told the Commission about the massacre in Aitana:

[During] the Fence of Legs Operation was in 1981 all Hansip members were obliged to participate in the operation. For two or three days people were forcibly taken to participate in this operation...My fellow members of Hansip on duty in Laleia were transported with me to Manatuto and we stayed there for two days. From Manatuto we were brought to Remexio near Aileu. After three days in Remexio, Battalion 744 came...and divided us into groups to carry out the Fence of Legs Operation. Two Hansip members were assigned to each group, joined with ABRI and other people...Then we started advancing from Remexio in the direction of Cribas. We operated each day, moving east, resting only at night...

After several days we reached Mount Betuto near Aitana. Mount Coibere is located between Mount Betuto and Aitana. We rested there for a while, but not long afterwards we heard the sound of gunfire. It seems there was armed contact between Falintil and ABRI in Waidada. We were ordered to remain behind with the people. As Hansip members we couldn't do anything. The armed contact began at 8.00am and lasted until late in the afternoon. ABRI broke through because they far more powerful than us. Lots of Falintil members were shot dead on the spot. Battalion 744 and marine troops from Barique advanced...

Then ABRI called members of Hansip and civilians went to Waidada River. We saw lots of civilians had been killed, including men, women and children. We couldn't count the number of people who had been killed...

The next day, ABRI launched another operation in the area and killed many of the civilians who had survived. Among these victims there was a tall white man who had already been buried by the locals. But ABRI ordered me and some others to exhume the body and take it to Kotis at the Waidada River because they thought this man was Xanana Gusmão. When we arrived at the Kotis headquarters, we saw lots of bodies without heads on the floor, in several lines. I couldn't count them. Many civilians who had survived were summoned to the headquarters. They said that these people would be put in a helicopter, but this didn't happen. They were shot dead with a machine gun and none survived. I was standing quite far away but I could see how they were shot. There were more than 20 people. The people who were killed in Waidada were from several places. People who were wounded during the attack were not given any medical treatment, but instead they were killed in the headquarters...

We stayed for three days in Waidada. We couldn't eat or drink because the spring water in the area was full of human blood from those who had been killed by ABRI. After that we went toward a place called Santo António near Aitana and Laline. We stayed in Aitana for a week. Many civilians were also killed in Aitana. I couldn't count them. I saw five civilians brought to Kotis and then killed...the killings did not only take place in Waidada, but also in the surrounding area. I would estimate the total killings at more than a hundred. The killings started from Santo António, then in Waidada, in Aitana, and finally in Fatuk-Kado.536

Anacleto Ximenes was only about ten years old when he witnessed this mass killing. He was among the hundreds of civilians with Fretilin/Falintil in Mount Aitana:
In the morning we heard gunshots and we realised that we were encircled. Not long after that, we were attacked, we were shot at. At that time Indonesian military was mixed with civilians. The civilians were placed in the front line and at the same time were ordered to beat drums all along the road. We were many people at that time, including women and children. They [ABRI] screamed while they shot at us, but we could do nothing to defend ourselves. I tried to run to the river, but ABRI started shooting at others in the river and lots of them died…I was with a friend who was my age and a Falintil soldier, but both of them were hit by bullets and died…I was still chased shot at…There was lots of thick grass, and I hid in the grass…

I was still hiding in the grass when I heard the pregnant wife of commander Maukalo run and collapse under a eucalyptus tree. She had been shot in her belly…and her unborn baby was also hit. I watched this from [my hiding place] in the grass, and I was so scared.

They [ABRI] then shouted out “Burn the grass! There are some people hiding in the grass!” I thought the fire would flare up in a minute. Rather than be burned like a snake, I preferred to get up and be shot. Lots of soldiers were standing and watching for us to come out. Before I came out, I took four boxes of bullets and a knife out of my bag. Then I came out and stood still with my hands in the air and said: “I surrender, master.”

I saw and I know that there were 160 people [killed]. The 160 were not only Falintil soldiers, but also women and children. We took the bodies of the victims and gathered them at Waidada River…We were ordered to carry the bodies on our shoulders and bring them to the Waidada River. They then took photos of the dead bodies. There were 25 people who had been captured, all of them wounded. The got medical treatment and were held by the military. I was under the control of Iswanto, the Commander of Battalion 745. These 25 people were shot dead in that place. I saw with my own eyes they were ordered to form in lines of four and were shot.537

509. The Commission received testimonies about several other unlawful killings and disappearances that occurred during 1981-82. In 1981 members of Battalion 521 arrested and executed five civilians in Bualale, Baucau District.538 In the same year, in Lautém, 13 people were sent to the island of Jaco where they were executed. They comprised two groups of six men, one from Luro, of whom only Mateus, João Reis, José Reis and Adelino Moreira were identified by name, and a second from Tutuala, including Carlos, Coroso, Cristovão, Reimalai, Palluan and Gilberto, and one individual called Macario Ximenes from Maluro (Lore I, Lospalos).539

510. In 1982, in Fuliloro (Lospalos, Lautém) a group of men and women were arrested by Hansip, detained and tortured at the Kodim Lospalos; two of these men were killed and another disappeared.540 In May of that year, members of Battalion 745 killed a pregnant woman who was searching for tubers in the forest in Uairoke (Luro, Lautém).541 In June, two more civilians, also searching for tubers, were killed by Indonesian troops in the sub-district of Moro.542 In Uatu-Carbau (Viqueque) the sub-district administrator (camat) ordered local Hansip members to arrest 12 individuals. These men were beaten and two died while in detention.543

August-December 1982: Unlawful killings and Enforced disappearances after Falintil attacks in the area of Mount Kablaki

511. In late 1982, in the aftermath of Falintil attacks on Indonesian security forces in the area around Mount Kablaki (in Ainaro and Manufahi Districts) on August 20, Indonesian military personnel were responsible for the murder and disappearance of many civilians in Ainaro District.544 When Indonesian military units from Maubisse and Ainaro converged on Dare and

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* Attacks were conducted by Falintil and villagers from Mauchiga, Rotuto who targeted the Koramil in Dare, the Koramil and Kapolsek in Hatu Builico (Ainaro) and the Hansip posts in Aitutu, Raimerhei and Rotutu (Manufahi).
Mauchiga (Ainaro) and Rotuto (Manufahi), Resistance fighters and a large proportion of the local population fled to Mount Kablaki. Many of those remaining were detained at the Kodim in Ainaro. After Mauchiga was razed in a retaliatory action by the military, several hundred people were relocated to the island of Ataúro, leaving the village nearly empty. 545 In the weeks and months after the attack, Indonesian military personnel, in particular those from Kodim Ainaro, Koramil Dare and the 5th Combat Engineering Battalion (Zipur 5), made many arrests, resorted to torture and rape during interrogations, burned hundreds of houses to the ground, and killed civilians, sometimes in public (see Part 6: Profile of Human Rights Violations; Chapter 7.3: Forced Displacement and Famine; Chapter 7.4: Detention, Torture and Ill-Treatment; Chapter 7.7: Sexual Violence).

512. The Commission received many accounts of unlawful killings during this period. According to several accounts, the Commander or Deputy Commander of Battalion Zipur 5 publicly executed a man by cutting off his head with an axe, forced members of his own battalion to eat parts of the head, and displayed pictures of the beheaded head to the local population. 546 A man suspected of having supplied food to Falintil was arrested by Hansip and held at the Koramil in Dare. After one or two months of detention, he was taken to a public place near the Koramil headquarters, stripped naked and questioned in public in the presence of Hansip, Koramil and Zipur 5 personnel. With each question, a soldier chopped at his fingers, hands, arms, cheeks and forehead. A local villager was then reportedly forced to kill him, and his hands were then hung from a tree, which the people were afraid to remove. 547 Other reports of executions received by the Commission include that of a man who had been detained at the Koramil in Dare being lashed onto a motor bike and burned alive, and of another man “tied up like Jesus” and shot at the elementary school in Dare. 548 The Resistance organisation, the CRRN, also reported that two members of the armed Resistance were captured or surrendered between 22 and 24 August, and were tortured and executed at the Koramil in Ainaro. 549

513. In retaliation for the August attack, in the neighbouring village of Rotuto (Manufahi), members of the Indonesian military lined up civilians and threatened to kill them. Alberto Alves told the Commission:

>In 1982, after the ceasefire between Falintil and ABRI and Hansip [broke down] in Rotuto, I was forced with villagers from Rotuto by ABRI from Battalion 745 and Hansip to form a line to be killed. Women and children were separated from men. However, because a member of Infantry Battalion 745 from Bobonaro objected, the killing was halted. 550

514. ABRI searched for civilians who had fled, killing some in the process. Laurinda dos Santos recalled:

>I ran away with 95 civilians to Kablaki on the Same side of the mountain. ABRI chased after us and killed my friend named Domingos Lobato. Then they arrested me and 95 other civilians. 551

515. Another deponent told the Commission that an East Timorese Hansip who was operating with Indonesian troops accidentally shot an Indonesian soldier and was immediately executed. 552 Other individuals were executed while under detention in Dare.
In the Same Post I saw Hansip M290 along with TNI members from Batallion 321 hit Alberto with weapons and wood, until his head was bleeding and [it seemed that] he had died on the spot. When M290, M291 and M302 were about to bury Alberto’s body, he came to life again. M290 got a machete and beheaded him…His fingers were cut off by M291 to show them to the [other] detainees.  

516. According to another report, one man was doused with kerosene and set on fire by a soldier from Battalion 321. Other individuals were taken by Indonesian security forces, including members of the Special Forces (Kopassandha) and Hansip, to Bullico and executed at a location commonly referred to as Jakarta 2.
## Jakarta 2: A site of execution

In the weeks after the Falintil attack on Mauchiga many civilians suspected of sympathising with the Resistance were detained at the Kodim in Ainaro and executed at Bulico, a cliff about 300 metres high, south of the town of Ainaro, named Jakarta 2 by the Indonesian military. The Commission received accounts from Mauchiga, Hatu Bulico and Dare of people being executed and having their bodies thrown over the cliff at Jakarta 2, sometimes after being burned alive. According to one account, a child from the school in Dare was wrapped in a plastic bag, doused with petrol and set on fire before being thrown over the precipice at Jakarta 2. In another account, four people were detained at the Kodim in Ainaro and subsequently taken to Jakarta 2, where three of them – one from Zumalai and two from Dare – were executed. According to testimony given to the Commission, detainees held in Ainaro were typically tied up and taken to the cliff in the middle of the night where they were stabbed and thrown off the cliff.

At 1.00am the detainees were put into sacks, tied up tight and were taken away in a blue-coloured Kijang vehicle. The vehicle stopped along the road and the sacks were opened. The detainees were ordered to stand up and were stabbed with knives...These people were thrown from the sheer cliff.

The Commission also received accounts about the execution of villagers from Mulo, Nunumogue and Mauchiga at Jakarta 2 shortly after the August attack. For one woman during this time, the only alternative to death at Jakarta 2 was rape and sexual slavery.

In addition to extra-judicial executions at Jakarta 2, a large number of people in Ainaro disappeared during this period. According to testimony given to the Commission, throughout the 1980s and 1990s Indonesian military personnel and civilian government officials continued to threaten people with the prospect of being “taken to Jakarta”. The Commission received information suggesting that the TNI may have disposed of the body of at least one victim of violence in September 1999 by throwing the corpse over the precipice at Jakarta 2:

On 21 September 1999, a militia/TNI member, M304 and four others forced people to go to Atambua. They shot at the chief of the sub-village of Lebulau, Liquiça, but missed. They ordered a man named Felix de Aldoreida to climb a flagpole. They shot him until his intestines spilled out and they threw a sword at him. He fell down. They got rid of his body by tossing it out at Jakarta 2.

517. Testimonies received by the Commission in connection with the Mauchiga attacks and military reprisals report the unlawful killing of about 20 males. The Commission also received a list that identifies 14 Falintil members and 18 civilians who were reportedly killed or disappeared in relation after the incident. In all, the Commission received reports that the following civilians who were either killed or disappeared:

### Table 15 - Civilians killed or disappeared from Ainaro and Manufahi, 1982, as reported to CAVR

<table>
<thead>
<tr>
<th>Name</th>
<th>Date</th>
<th>Location</th>
<th>Age</th>
<th>Description</th>
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<td>1. Buimali</td>
<td>c. 20 Aug. 82</td>
<td>Mauchiga</td>
<td>-</td>
<td>Shot</td>
<td>07231</td>
</tr>
<tr>
<td>2. João Tilman</td>
<td>20 Aug. 82</td>
<td>Mauchiga</td>
<td>32</td>
<td>Beheaded</td>
<td>07191, 07269</td>
</tr>
<tr>
<td>3. Ernesto</td>
<td>Aug. 82</td>
<td>Kodim Ainaro</td>
<td>-</td>
<td>Shot</td>
<td>07191, 07269</td>
</tr>
<tr>
<td>4. Domingos</td>
<td>1982</td>
<td>Kablaki</td>
<td>-</td>
<td>Shot</td>
<td>07241</td>
</tr>
</tbody>
</table>

*Among those detained at the Kodim in Ainaro and killed at Bulico in the aftermath of the August 1982 attack were Oueibert, Adelina Barbosa (female), Mateus Jeronimo, Leto-Mali, Cirilo Alves, Gabriel, Lorenço, Daniel de Araújo, Oscar Araújo, António Mau Kura [see Appendix G, CAVR Women’s Research Team, Women and Conflict, April 1974-October 1999, February 2004].
5. Gebo Antonio José  1982  Kablaki  -  Disappeared  09018
6. Trindade  1982  Kablaki  -  beheaded  04923
7. Kusia  1982  Daisua  -  Beheaded  04923, CP Mauchiga
8. Alarico  1982  Daisua  25  Shot  List; CP Mauchiga
9. Mau-Sur  1982  Daisua  50  Beheaded  List; CP Mauchiga
10. Mateus  1982  Daisua  -  Killed  CP Mauchiga
11. Manuel Berelau  1982  Daisua  -  Killed  CP Mauchiga
12. Verdial Lopes  1982  Daisua  -  Killed  CP Mauchiga
13. Armando  1982  Nunomogue  -  Shot  07242; CP Nunomogue
14. Paulino  1982  Nunomogue  -  Shot  07255
15. Alberto  1982  Dare  -  Beheaded?  07258, 07253
16. Tomás Tilman  1982  Dare  -  Burned alive  Women’s Research Team
17. Quei-Bere  1982  Dare  35  Executed  List; CP Dare
18. Clementino Baloc  1982  Casa  -  Killed  06257
19. Cristina Lawa  1982  Casa  -  Killed  06257
20. Antonio Mau-Kura  1982  Jakarta 2  -  burned to death  List, 07256
22. Berleki  1982  Jakarta 2  -  Executed  04923, 07204
23. Besimau  1982  Jakarta 2  -  Executed  04923
24. Mau Felix  1982  Jakarta 2  -  Executed  04923
27. Leto Mali  1982  Jakarta 2  40  Executed  List
28. Daniel de Araújo  1982  Jakarta 2  50  Executed  List
29. Oscar Araújo  1982  Jakarta 2  25  burned to death  List; CP Nunomogue
30. Cirilio Alves  1982  Jakarta 2  39  Executed  List, CP Dare
32. Gabriel da Costa  1982  Jakarta 2  41  Executed  List, 07177
33. Orlando Tiiman  1982  Lisuati  50  Shot  List
34. Rodolfo Tilman  1982  Lisuati Balisa  49  Shot  List
35. Valente  1982  Hatuquero  35  Shot  List
36. Bere Mau  1982  Rotuto  45  Shot  List

518. According to reports received by the Commission, the unlawful killing of pro-independence supporters, including public executions and killings in detention, continued well after the 1982 attacks. For instance, the Commission received reports that in 1983, an East Timorese police officer was tied to the back of a vehicle and driven around the city for an entire day, after which his body was burned in front of the market in Ainaro. The Commission also learned that four
men suspected of being members of the clandestine movement – Moises Araújo, Lourenço Araújo, João Xavier and Oscar – were detained and held in custody for several weeks, most likely by officers of ChandRaça 11, a Special Forces unit. The men were executed by officers in Hatu-Udo (Ainaro) some time between May and July 1984 and their bodies were subsequently buried in Hatu-Udo.

August-October 1983: Killings in Viqueque after the Kraras incident

Violations before the Kraras uprising

519. From 1976 until 1978-79, most of the residents of Bibileo (Viqueque, Viqueque) lived in the mountains outside of Indonesian control. Those who surrendered or were captured in 1978-79 were relocated to the town of Viqueque where they lived for several years. In 1981 they were relocated to a flat plain north of the Viqueque-Luca Road, but well south of Bibileo, which is further north in the mountains. This new settlement was called Kraras.

520. The Commission received reports of human rights violations in the Kraras region in 1982 and early 1983. ABRI began to suspect that the local Ratih were working clandestinely for the Resistance; in late 1982, 80 of them were sent to Tacitolu (Dili) where they were supervised by members of Battalion 744 who “punished” them. Around the same time two people from Kraras – Loi Rubik and Susukai – were killed because they were suspected of being “two-headed”; Loi Rubik was a Ratih.

521. A series of meetings between the Indonesian military and Fretilin/Falintil led in late March 1983 to a ceasefire agreement, resulting in a marked decrease in hostilities and relative freedom of movement for both Resistance fighters and civilians (see Part 3: The History of the Resistance). During the ceasefire, Resistance fighters operating in the mountains above Viqueque met with the Indonesian military and also held flag-raising ceremonies attended by members of the local Hansip forces and civilians from Bibileo/Kraras.

522. Nevertheless, tensions between the Indonesian military and the local people persisted. There are also reports of conflict between East Timorese members of Hansip and the Indonesian military. At the time of the ceasefire the Indonesian military was in the process of reorganising the various civil defence forces in East Timor. This reorganisation included downgrading some civil defence personnel from Hansip, who were armed and paid, to civilian defence Ratih (Rakyat Terlatih, “trained people”), who were unarmed and did not receive a regular salary. The community of Bibileo told the Commission that the Ratih had refused to hand in their weapons after a detachment of the Airborne Battalion 100 had shot and killed four local people. Several sources also told the Commission that in July 1983 Indonesian soldiers sexually harassed local women, including the wife of an East Timorese Ratih member.

Uprisings in Viqueque

523. On 8 August 1983 Falintil forces and local Ratih members under the command of Virgilio dos Anjos (Sihik Ular) staged a joint attack on an Indonesian military post in Kraras. Fourteen Indonesian soldiers from the 9th Combat Engineering Battalion (Zipur 9) were killed; one or two escaped alive. The Ratih members fled, together with other clandestine activists from the village, into the mountains to join Fretilin. Soon thereafter hundreds of villagers from Kraras and neighbouring aldeias also fled into the forest. A day later another group of Ratih in the village of Buanurak (Ossu, Viqueque), led by Domingos Raul (Falur) also defected from the Indonesian security forces and joined Fretilin/Falintil.

524. The Commission received reports about four other Falintil attacks in Viqueque District in the first month after the Kraras attack. In Lacluta, Falintil reportedly attacked an Indonesian post,
killing three East Timorese. On 10 August 1983 Falintil engaged in a fire-fight with troops from Battalion 745 in Nahareka, during which an East Timorese man was wounded and subsequently executed by Indonesian forces. On 19 August 1983 Falintil forces reportedly staged an attack in Bahatata (Uatu-Carbau) killing one civilian. And on 6 September, Falintil attacked Indonesian troops at a place called Sukar Oan in the village of Caraubalu, but there were no casualties.\textsuperscript{571}

*Indonesian retaliation in the vicinity of Kraras*

525. On 7 September 1983, one day after the Falintil attack in Caraubalu, Indonesian troops entered the nearly empty village of Kraras and burned most of the houses. The Commission was told that that 4-5 people who had stayed behind in the village, including an old woman, were killed in this attack. The bodies of several of those killed were allegedly left in their houses, which were then burned.\textsuperscript{572} In the following weeks Indonesian soldiers conducted patrols throughout the neighbouring mountains and forced those who had fled to return to the villages of Kraras and Buikaren, and to the town of Viqueque. The Commission received reports that a number of individuals were executed during these operations, including a 15-year-old boy on or about 12 September, and three other individuals on 15 September.\textsuperscript{573} During this time a large number of people were also detained and tortured, many at Olobai, where a company of Battalion 745 was based.

*Massacre at Caraubalu*

<p>| Table 16 - Individuals killed in the Kraras area, September 1983, as reported to CAVR |</p>
<table>
<thead>
<tr>
<th>Name</th>
<th>Date</th>
<th>Location</th>
<th>Age</th>
<th>Occupation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Joaquim Amaral</td>
<td>7 Sept. 83</td>
<td>Kraras</td>
<td>-</td>
<td>shot/burned?</td>
<td></td>
</tr>
<tr>
<td>2. Funu Lequi</td>
<td>7 Sept. 83</td>
<td>Kraras</td>
<td>-</td>
<td>shot/burned</td>
<td></td>
</tr>
<tr>
<td>3. Ana Maria</td>
<td>7 Sept. 83</td>
<td>Kraras</td>
<td>-</td>
<td>shot/burned</td>
<td></td>
</tr>
<tr>
<td>4. Namo Funuk</td>
<td>7 Sept. 83</td>
<td>Kraras</td>
<td>80</td>
<td>shot/burned</td>
<td></td>
</tr>
<tr>
<td>5. Domingos Gomes</td>
<td>12 Sept. 83</td>
<td>Uma Ki’ik</td>
<td>~15</td>
<td>Shot</td>
<td></td>
</tr>
<tr>
<td>6. Euclides da Costa S.</td>
<td>15 Sept. 83</td>
<td>Haiboho</td>
<td>-</td>
<td>Shot</td>
<td></td>
</tr>
<tr>
<td>7. Wailiba</td>
<td>15 Sept. 83</td>
<td>Haiboho</td>
<td>-</td>
<td>Shot</td>
<td></td>
</tr>
<tr>
<td>8. Nahamodo</td>
<td>15 Sept. 83</td>
<td>Olobai</td>
<td>-</td>
<td>Ratih</td>
<td>Shot</td>
</tr>
</tbody>
</table>

526. The Commission received reports of a mass killing that occurred in the village of Caraubalu on 16 September 1983. According to one account, a large number of villagers from Kraras who had initially fled to Bibileo were captured by Indonesian soldiers and taken to Viqueque, where they were housed in a school building in Beloi. On the morning of 16 September Indonesian soldiers and Hansip reportedly took at least 18 of them, including women and children, to the village of Caraubalu. The villagers were allegedly handed over to Indonesian soldiers from a different unit, then taken to a location called Welamo where they were told to stand in a hole created by a landslide and executed.\textsuperscript{574} An eyewitness told UN investigators in later years:

\footnote{\textsuperscript{571} Other informants describe a massacre at "Casese," but this appears to be the Caraubalu incident. See CAVR Interview CAVR José Gomes, Lalerek Mutín, Viqueque, 8 December 2003, who said that 50 people were killed on 15-16 September.}
Three Hansip led the way and other military personnel surrounded the group of people so no one could escape. We started to walk at around 3.00pm and arrived at the location on the mountain at approximately 4.00pm. We sat down and again military personnel surrounded us to avoid any escapes. Then more Indonesian soldiers arrived. When they arrived we were given the order to stand up. I was standing, along with everyone else, facing the valley. Then we were told to walk. I took one step and the Indonesian soldiers opened fire on us. I fell to the ground, along with my brother. People who had been shot fell on top of me. The Indonesian soldiers shot everyone in the back. Then the gunfire ceased and the soldiers were having a rest and a cigarette. One member of the Indonesian army told M303 [a Hansip commander] to speak in his language, Tetum, and tell anyone who was still alive...to stand up. No one answered this command. Then the soldiers opened fire again, on the bodies lying there. Then I heard two small children, one girl and one boy, [who were] about 1-2 years old. When they shot, they had missed the children. Then M303...went over to the two babies and took a knife and stabbed them to death. Then the Indonesian [soldiers] and Hansip took another break and had a cigarette. 575

527. Informants provided different figures for the number of victims, ranging from a low of 18 to a high of 54. The Commission has compiled the following list of victims executed at Caraubalu:

Table 17 - Civilians executed at Caraubalu, Viqueque, 16 September 1983, as reported to CAVR

<table>
<thead>
<tr>
<th>Name</th>
<th>Age</th>
<th>Gender</th>
<th>Name</th>
<th>Age</th>
<th>Gender</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Basi Nono</td>
<td>56</td>
<td>Male</td>
<td>28. Kai Uai</td>
<td>32</td>
<td>-</td>
</tr>
<tr>
<td>2. Bere Nahak</td>
<td>33</td>
<td>Male</td>
<td>29. Kena Kaik</td>
<td>3</td>
<td>Female</td>
</tr>
<tr>
<td>5. Bosi Naha</td>
<td>16</td>
<td>Male</td>
<td>32. Lau Loi</td>
<td>35</td>
<td>Female</td>
</tr>
<tr>
<td>6. Bui Nahak</td>
<td>7</td>
<td>Female</td>
<td>33. Labu Olo</td>
<td>36</td>
<td>Female</td>
</tr>
<tr>
<td>7. Builai</td>
<td>50</td>
<td>Female</td>
<td>34. Leki Labu</td>
<td>61</td>
<td>Male</td>
</tr>
<tr>
<td>8. Buioi</td>
<td>29</td>
<td>Female</td>
<td>35. Leki Mono</td>
<td>48</td>
<td>Male</td>
</tr>
<tr>
<td>9. Dare Modo</td>
<td>-</td>
<td>Female</td>
<td>36. Leki Uai</td>
<td>2</td>
<td>Male</td>
</tr>
<tr>
<td>10. Dasi Leki</td>
<td>46</td>
<td>Female</td>
<td>37. Liba Bosi</td>
<td>21</td>
<td>Female</td>
</tr>
<tr>
<td>11. Child of Dasi Leki</td>
<td>-</td>
<td>-</td>
<td>38. Loi Uai</td>
<td>1</td>
<td>Male</td>
</tr>
<tr>
<td>13. Dasi Rubik</td>
<td>35</td>
<td>Female</td>
<td>40. Martinha Amaral</td>
<td>27</td>
<td>Female</td>
</tr>
<tr>
<td>14. Filomena Amaral</td>
<td>27</td>
<td>Female</td>
<td>41. Martinha Stilman</td>
<td>26</td>
<td>Female</td>
</tr>
<tr>
<td>15. Francisca</td>
<td>19</td>
<td>Female</td>
<td>42. Naha Bosi</td>
<td>36</td>
<td>Male</td>
</tr>
<tr>
<td>16. Hae Boe</td>
<td>17</td>
<td>-</td>
<td>43. Naha Lirik</td>
<td>27</td>
<td>Male</td>
</tr>
</tbody>
</table>

This account is based on the Serious Crimes Unit interview with José da Costa Carvalho; see also CAVR Interview with Jeronimo da Costa Amaral, Viqueque, 10 March 2004, who said there were 18 victims; Filomena de Jesus Sousa, Lalerek Mutin, Viqueque, 10 March 2004, who said there were 26 victims; and Silvino das Dores Soares, Viqueque, 10 March 2004, who said there were 54 victims.
528. On 17 September 1983, Indonesian military personnel approached a large group of refugees from Kraras who had fled to the nearby village of Buikarin. The village of Buikarin was surrounded and those from Kraras were rounded up. The men were separated from the women and were told that they would be marched to Kraras under the supervision of the military to carry food. According to one report, 6-8 Indonesian soldiers and two East Timorese Hansip escorted dozens of men to Wetuku River in an area known as Tahubein, where they were surrounded and shot. Only four people are reported to have survived the massacre. One informant provided this description:

_The men were ordered to march from Buikarin to get food in Kraras. When we started out from Buikarin [we] were escorted closely by Hansip, police and soldiers from the Kodim. When we arrived in an area called Tahubein the troops ordered us to sing Foho Ramela. But no one sang the song. Then they asked us to count. We started to count “one”, “two”, “three”. After we had counted up to three, they fired on us. I threw myself to the ground. My friends fell on me, and my body was smeared with blood. After the shooting, ABRI started to check us. They wanted to make sure that we were all dead. I heard a voice of [a member] of Hansip say that if anybody was still alive, they should stand up and follow them, and work together [with ABRI]. Two of my friends moved their bodies and stood up, and they were shot dead. Because of that I did not move an inch and pretended to be dead. I was underneath the dead bodies. [When] I thought that there were no soldiers around, I got up and run away to the forest._

529. The Commission received reports about the involvement of various ABRI units in this massacre, including members of Kodim 1630/Viqueque, Infantry Battalions 328, 501 and 745, and the Secret Warfare Command (Kopassandha). There are conflicting reports about the number of victims killed at Tahubein, with figures ranging from a low of 26 to a high of 181. The Commission received the names of 141 victims, all of whom were male.

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*CAVR Interview CAVR Interview with Miguel Viana, Viqueque, 17 July 2003, who cited 181 killed; CAVR Interview with Silvino das Dores Soares, Viqueque, 10 March 2004, who cited 143 killed; CAVR Interview with Manuel de Jesus Pinto, Buikaren, Viqueque, 20 March 2004, who said he counted 82 bodies; see also HRVD Statement 04146, which states 23
Table 18 - Civilians executed at Tahu Bein, Viqueque, 17 September 1983, reported to CAVR

<table>
<thead>
<tr>
<th>Name</th>
<th>Age</th>
<th>Name</th>
<th>Age</th>
<th>Name</th>
<th>Age</th>
</tr>
</thead>
<tbody>
<tr>
<td>3. Abilio Gomes</td>
<td>17</td>
<td>51. Heu Supu</td>
<td>50</td>
<td>100. Naha Rubik</td>
<td>35</td>
</tr>
<tr>
<td>4. Augustinho Gomes</td>
<td>31</td>
<td>52. Hia Bosi</td>
<td>34</td>
<td>101. Napoledo</td>
<td>43</td>
</tr>
<tr>
<td>6. Alak Nahak</td>
<td>50</td>
<td>54. Jacob Gomes</td>
<td>60</td>
<td>103. Noema Baptista</td>
<td>24</td>
</tr>
<tr>
<td>12. Armando</td>
<td>29</td>
<td>61. Joolino (Filo Fuhuk)</td>
<td>70</td>
<td>110. Paulino Gomes</td>
<td>29</td>
</tr>
<tr>
<td>14. Bai Alak</td>
<td>42</td>
<td>63. José Susu Nahak</td>
<td>34</td>
<td>112. Pedro de Araújo</td>
<td>38</td>
</tr>
<tr>
<td>15. Bai Lekik</td>
<td>15</td>
<td>64. Julio Alves</td>
<td>40</td>
<td>113. Pedro F Amaral</td>
<td>23</td>
</tr>
<tr>
<td>22. Bosi Nahak</td>
<td>37</td>
<td>71. Kalti Leki</td>
<td>18</td>
<td>120. Rubi Heuk</td>
<td>45</td>
</tr>
<tr>
<td>24. Camilo Guterres</td>
<td>39</td>
<td>73. Lau Kau</td>
<td>10</td>
<td>122. Rubi Katik</td>
<td>34</td>
</tr>
<tr>
<td>25. Cancio Gomes</td>
<td>20</td>
<td>74. Leandro Gomes</td>
<td>50</td>
<td>123. Rubi Laik</td>
<td>61</td>
</tr>
<tr>
<td>27. César Rodrigues</td>
<td>29</td>
<td>76. Leki Lerik</td>
<td>20</td>
<td>125. Rubi Modo</td>
<td>27</td>
</tr>
<tr>
<td>29. Daniel Braz</td>
<td>25</td>
<td>78. Lemo Rai</td>
<td>29</td>
<td>127. Siko Loik</td>
<td>49</td>
</tr>
<tr>
<td>31. Diku Funuk</td>
<td>49</td>
<td>80. Leopoldo Brandão</td>
<td>40</td>
<td>129. Susu Bosi</td>
<td>37</td>
</tr>
<tr>
<td>32. Dau Kaik</td>
<td>59</td>
<td>81. Lihu Modo</td>
<td>50</td>
<td>130. Tedi Susuk</td>
<td>35</td>
</tr>
<tr>
<td>33. Dirgo Amaral</td>
<td>33</td>
<td>82. Liku Lobu</td>
<td>45</td>
<td>131. Teofilo</td>
<td>30</td>
</tr>
<tr>
<td>34. Domingos Gomes</td>
<td>30</td>
<td>83. Loi Kaik</td>
<td>47</td>
<td>132. Tomás Brandão</td>
<td>20</td>
</tr>
<tr>
<td>35. Domingos Gomes</td>
<td>17</td>
<td>84. Lui Nahak</td>
<td>45</td>
<td>133. Tomás Guterres</td>
<td>50</td>
</tr>
<tr>
<td>37. Domingos Ventura</td>
<td>-</td>
<td>86. Manuk Sesn</td>
<td>45</td>
<td>135. Tomás Tilman A.</td>
<td>39</td>
</tr>
<tr>
<td>38. Duarte Tilman</td>
<td>35</td>
<td>87. Marcelino Gomes</td>
<td>29</td>
<td>136. Tui Saan</td>
<td>17</td>
</tr>
<tr>
<td>41. Feliciano Amaral</td>
<td>20</td>
<td>90. Martinho Gomes</td>
<td>40</td>
<td>139. Vitorino Monteiro</td>
<td>23</td>
</tr>
<tr>
<td>42. Feliciano Gomes</td>
<td>50</td>
<td>91. Mau Kaik</td>
<td>25</td>
<td>140. Wai Dirik</td>
<td>36</td>
</tr>
<tr>
<td>43. Fernando</td>
<td>42</td>
<td>92. Miguel Gomes</td>
<td>51</td>
<td>141. Watu Bata</td>
<td>50</td>
</tr>
<tr>
<td>44. Fino Lekik</td>
<td>15</td>
<td>93. Miguel Rangel</td>
<td>25</td>
<td>142. Miguel Soares</td>
<td>39</td>
</tr>
<tr>
<td>45. Fino Lekik</td>
<td>35</td>
<td>94. Miguel Soares</td>
<td>39</td>
<td>143. Modo Liba</td>
<td>54</td>
</tr>
<tr>
<td>46. Fino Olok</td>
<td>40</td>
<td>95. Modo Liba</td>
<td>54</td>
<td>144. Naha Dedak</td>
<td>27</td>
</tr>
</tbody>
</table>

Individuals were killed and three men—Antonio Naha Fahik, Toni Rubik and Leki Rubik—survived; See also HRVD Statement 00155.
530. The Commission also received information about a number of other executions of civilians in the Kraras region, including at Mali Aba Ulu and Kaken Kilat.577

531. The Commission received information that on 22 September Hare Cae and Celestino dos Anjos, the wife and father of the former Ratih commander of Kraras, Virgilio dos Anjos (Sihik Ular) were killed by Hansip members near Kaijun Laran, and that a man named Abel was executed nearby.578 A deponent told the Commission that Cipriano Pereira was arrested in Kaijun Laran, detained in the Kodim headquarters and subsequently disappeared.579 Another deponent told the Commission that Indonesian soldiers and the village policeman (Bimpolda) arrested her husband, Antonio Carada, and four of his friends, Agustinho Amaral, Daniel Amaral, Cipriano Pereira and Serafin Soares, and took them away in the direction of the town of Viqueque. None of them was seen again.580

**Table 19 - Unlawful killings and Enforced disappearances in the Kraras area, 1983, as reported to CAVR**

<table>
<thead>
<tr>
<th>Name</th>
<th>Date</th>
<th>Location</th>
<th>Age</th>
<th>Occupation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Susuki</td>
<td>19 Sept. 83</td>
<td>Sukar Oan</td>
<td>-</td>
<td>-</td>
<td>disappeared</td>
</tr>
<tr>
<td>2. Hare Cae (Alda)</td>
<td>22 Sept. 83</td>
<td>Kaijun Laran</td>
<td>-</td>
<td>-</td>
<td>killed</td>
</tr>
<tr>
<td>3. Celestino dos Anjos</td>
<td>22 Sept. 83</td>
<td>Kaijun Laran</td>
<td>-</td>
<td>-</td>
<td>killed</td>
</tr>
<tr>
<td>4. Abel</td>
<td>22 Sept. 83</td>
<td>Kaijun Laran</td>
<td>-</td>
<td>-</td>
<td>killed</td>
</tr>
<tr>
<td>5. Albino Soares</td>
<td>17 Oct. 83</td>
<td>Lalerek Mutin</td>
<td>-</td>
<td>-</td>
<td>disappeared</td>
</tr>
<tr>
<td>7. Daniel</td>
<td>17 Oct. 83</td>
<td>Lalerek Mutin</td>
<td>-</td>
<td>-</td>
<td>disappeared</td>
</tr>
<tr>
<td>8. Lacaros</td>
<td>17 Oct. 83</td>
<td>Lalerek Mutin</td>
<td>-</td>
<td>-</td>
<td>disappeared</td>
</tr>
<tr>
<td>10. Toni Siku</td>
<td>17 Oct. 83</td>
<td>Lalerek Mutin</td>
<td>-</td>
<td>-</td>
<td>disappeared</td>
</tr>
<tr>
<td>11. Rubi Bere</td>
<td>17 Oct. 83</td>
<td>Lalerek Mutin</td>
<td>-</td>
<td>-</td>
<td>disappeared</td>
</tr>
<tr>
<td>12. Wai Bosi</td>
<td>17 Oct. 83</td>
<td>Lalerek Mutin</td>
<td>-</td>
<td>-</td>
<td>disappeared</td>
</tr>
<tr>
<td>13. Cipriano Pereira</td>
<td>1983</td>
<td>Viqueque</td>
<td>-</td>
<td>-</td>
<td>disappeared</td>
</tr>
<tr>
<td>14. Antonio Carado</td>
<td>1983</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>disappeared</td>
</tr>
</tbody>
</table>

**Other Unlawful killings and enforced disappearances in the eastern region: 1983-1984**

**Viqueque**

532. The Commission received copies of lists of persons suspected of being active in the Resistance that were drawn up in late 1983 by village authorities. The Commission also has evidence that, on the basis of these lists of members of the “GPK” (Gerombolan Pengacau Keamanan, Security Disturbance Group, that is Falintil), the military targeted individuals who were then executed or disappeared. The Commission possesses lists from seven villages in the sub-district of Uatu-Carbau (Viqueque) with a total of 182 names. Among them is one signed by M305, head of Bahatata Village in 1983 that lists 13 former members of the “GPK”. Besides names, the list provides information about the age, year of surrender, former positions while in the mountains, current employment and current residence.

533. The Commission received corroborating evidence regarding the role of Indonesian security forces in the disappearance of people listed as “GPK”. For example, in a military document dated 19 April 1984, a group of 11 detainees were to be transferred from Piton 12, a Kopassus unit, to Battalion 511 in Viqueque, and then to Dili. The Commission received a number of testimonies which show that the 11 individuals listed in this document all disappeared after being handed over to Battalion 511.581 One witness told the Commission:
On 19 April 1984, at 7.00pm, troops from Battalion 511 brought Francisco Lebre, Emenegildo, Jeremias, Gaspar and six other detainees out. I was bringing a meal for my husband at the time and I asked [a member of] TNI: “Where will you take them to?” The TNI [member] said that they were to be taken to Viqueque to be held responsible for their actions. It was only an excuse, because those people were taken away and disappeared. No one knows their whereabouts [even] until now.

534. According to one testimony, these men were ordered to look for Falintil in the forests. During this time one of the men, Ricardo Madeira, ran off. When the group reported back to Piton 12, they were ordered to find Ricardo and kill him. He was killed in late March 1984 by his friends. 532

535. The Commission also received information about several other killings and disappearances in the district of Viqueque. In 1983 the Hansip commander in Ossu arrested Celestino dos Reis and he subsequently disappeared. 535 On 20 March 1984 Cipriano Uala was arrested in Ossu by members of the Kodim, taken to a place called Leque Meta and executed. 534

536. In 1983 Antonio, Manuel, Miguel, José and a woman called Hare Nahak were reportedly shot to death by members of Infantry Battalion 742 and Marine Battalion 503 in Uma Ki’ik (Viqueque). 535 In October of that year, a man named Antonio was reportedly arrested and killed in Buinar. 536 On 23 November 1983 five men were reportedly arrested by members of ChandRaça 7, taken to the Kodim in Viqueque and subsequently disappeared. 537 And on or about 28 March 1983, two men, Jeremias Soares Pinto and Caetano de Fatima, are reported to have disappeared from the Kodim in Viqueque. 538

537. The Commission received various reports that on or about 21 March 1984 16-18 individuals disappeared after being taken into custody at the ChandRaça 7 post in Uaitame. 539

538. In Matahoi (Uatu-Lari, Viqueque), men named Domingos and Pedro were allegedly killed by members of Battalion 511. 539 In Makadique (Uatu-Lari, Viqueque) a man named Julio da Silva was reported to have been forcibly recruited as a TBO by Battalion 406 and then disappeared. 539

539. In 1984, a captured Falintil combatant was reported to have disappeared from the Kodim headquarters in Viqueque. 539 In February 1984 Calistro Soares, Benjamin and Paulo Gusmão were arrested by members of the Special Forces (Kopassus) members, detained at the Kodim office in Viqueque and subsequently executed in Olobai. 539

<table>
<thead>
<tr>
<th>Table 20 - Individuals executed and disappeared in Viqueque, 1983-1984, as reported to CAVR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name</td>
</tr>
<tr>
<td>-------------------------------</td>
</tr>
<tr>
<td>1. Celestino dos Reis</td>
</tr>
<tr>
<td>2. Antonio</td>
</tr>
<tr>
<td>3. Manuel</td>
</tr>
<tr>
<td>4. Miguel</td>
</tr>
<tr>
<td>5. José</td>
</tr>
<tr>
<td>6. Hare Nahak</td>
</tr>
<tr>
<td>7. Domingos</td>
</tr>
<tr>
<td>8. Pedro</td>
</tr>
</tbody>
</table>

Resistance in Rural East Timor

**Lautém**

During the 1983 ceasefire Fretilin/Falintil had also been in contact with East Timorese members of Hansip and the civil administration in the sub-district of Iliomar (Lautém) and an uprising of Hansip was scheduled to take place on 8 August. However, before the plan could be carried out, Hansip members loyal to the Indonesian military killed two members of the Resistance, Amilcar Rodrigues and Venancio Savio, during a meeting.

At around the same time as the uprising was taking place in Kraras and the one planned for Iliomar was discovered, Miguel dos Santos, the liurai of Meharra (Tutuala, Lautém) organised and led the defection of Hansip members in the village of Meharra. One deponent told the Commission that 33 Hansip defected with weapons taken from the Indonesian military and the police, together with 40 civilians, including a number of children.\(^5\) Antonio dos Santos told the Commission:

> *In 1982 many people already knew about the connection between Raja [King] Miguel and Xanana, including the meeting with Xanana and ] Bishop Dom Martinho held here. Many people also passed information to the Indonesian military about the activities of Raja Miguel. And so after the meeting with Bishop Dom Martinho, Raja Miguel was terrorised and he was almost arrested. Because of that, in 1983 he ran away...he run away to the forest on 9 August. [He] took several members of Hansip with him.*\(^5\)

542. The Commission also received information about uprisings Leuro (Lospalos, Lautém) where ten Hansip defected on 8 August 1983, and in Serelau in Moro (Lautém). 596

543. ABRI’s response to these events was extremely harsh. Its tactics included purging the ranks of Hansip and the civil administration of possible Falintil sympathisers and the execution of suspected clandestine members, sometimes in public. Many ordinary civilians were also caught up in the crackdown that followed.

544. After the killing of Amilcar Rodrigues and Venancio Savio in Iliomar, their bodies were brought to the Koramil headquarters. The Koramil commander ordered the Hansip to summon the population by sounding a bell. When the people came, the arrests started. Among those arrested were the heads of all six villages in the sub-district, who had taken part in the contacts with Fretilin during the ceasefire. 597

545. In Iliomar the military response was particularly brutal including multiple arrests and the sending of about 300 families from the sub-district to the island of Atauro, ill-treatment and torture, killings and public executions. The repression was most intense in the villages of Iliomar I, Cainliu, Fuat and Ailebere, although it reached all the villages in the sub-district. 598 Although village officials and Hansip and Ratih were among the chief targets of the repression, the arrests spread far wider than this group, and the whole population suffered from the reimposition of restrictions on their freedom of movement, which often made farming impossible and forced the population to scavenge for roots and leaves to survive. In 1983-84, 97 people are reported to have died from hunger and disease. 599 As in earlier times there were cases of people going out in search of food being shot dead. 600

546. Many Hansip and members of the civil administration were arrested in the second half of October. Among them were three persons who were working in the local government, including the chief of the aldeia of Leilor in the village of Ailebere, Francisco Serpa Rosa, and a fourth man Manuel da Costa, who was a carpenter. The four had all reportedly been appointed to act as go-betweens between ABRI and Falintil during the ceasefire. 601 After all four had been severely tortured by Hansip attached to the Iliomar Koramil, Francisco Serpa Rosa and Manuel da Costa were handed over to the Battalion 315 post in Hilari, from where they were taken out and killed. 1 In November 1983 Hansip members Carlos da Costa, Luis Lopes and Ernesto Madeira were killed by other Hansip members in Dirilofo (Iliomar I, Iliomar). 602 Probably in the same month another Hansip member, Filomeno da Gama, who also worked in the sub-district administrator’s office, was executed, reportedly on the football field in Iliomar. 603 This was followed by the arrest, release, and re-arrest of several individuals, including women who were ill-treated. On 3 December, in the presence of the Koramil commander and a Special Forces officer, the village head ordered six of the women detainees to bludgeon Belmonte Jeronimo, a deputy village head, to death. One of the women told the Commission:

I was taken to the Iliomar Koramil. I saw a man called Belmonte had been beaten, tortured and had fallen unconscious. There was also the head of village, M306, and a Nanggala member called M307 standing in front of the victim. Then M306 called me, M308 and M309. [We] were given a piece of wood to beat Belmonte. We followed the order and killed the victim. 604

547. Soon after, possibly the following day, Fernando dos Santos was killed by a Hansip member in Uatamatar (Ailebere, Iliomar), and Joachim dos Santos was killed by another Hansip member in Titililo Village. 605 On 9 December, two more men were executed. A deponent told the Commission:

---

1 HRVD Statement 04393 and CAVR Community Profile, Ailebere (Iliomar, Lautém) . The other two, Americo Jeronimo and Fernando da Costa, were taken to Dili where they were subsequently tried.
Humberto and Marcelino were also arrested, and taken and interrogated in the village of Cainliu. From the interrogation both gave my name…as the person who organised clandestine activities. After the interrogation both victims, Humberto and Martinho, were taken by Hansip and killed in Cainalor, in the area of Cainliu.

548. Koramil and Hansip forces also ordered villagers in Cainliu to beat Margarida da Costa and her husband, Paul Fernandes, to death. A deponent told the Commission:

In 1983 Margarida da Costa and her husband, Paul Fernandes, were arrested by Hansip M310 and detained in the Cainliu Village office in Iliomar. For seven days both were undressed and they were only allowed to wear underpants. M310 then gathered the Cainliu community and displayed both victims to them without their clothes. After that the victims, husband and wife, were taken to Suamutur and were killed by being hit across the nape of their necks. Margarida fell into the hole that had been dug before they executed Paul Fernandes. The community of Cainliu were told by M310, M311 and M312 to watch the executions.

549. Soon after the killing of Margarida da Costa and Paul Fernandes, their seven-month-old baby, Carsolita, reportedly died from lack of milk.

550. At about the same time the Iliomar Koramil and Hansip also forced civilians in Cainliu to kill Martinho, Venancio and Americo in public. Carlos Correia, Joaquim Sanches, José Anunciacão and Antonio Jeronimo were also beaten to death in public in Dirilofo (Iliomar I, Iliomar).

Table 21 - Individuals executed in Iliomar, 1983-1984, as reported to CAVR

<table>
<thead>
<tr>
<th>Name</th>
<th>Date</th>
<th>Location</th>
<th>Age</th>
<th>Occupation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Filomeno da Gama</td>
<td>9 Sept. 83</td>
<td>Iliomar</td>
<td>26</td>
<td>Hansip</td>
<td>killed</td>
</tr>
<tr>
<td>2. Carlos da Costa</td>
<td>Nov. 83</td>
<td>Dirilogo</td>
<td>27</td>
<td>Hansip</td>
<td>killed</td>
</tr>
<tr>
<td>3. Luis Lopes</td>
<td>Nov. 83</td>
<td>Dirilogo</td>
<td>24</td>
<td>Hansip</td>
<td>killed</td>
</tr>
<tr>
<td>4. Ernesto Madeira</td>
<td>Nov. 83</td>
<td>Dirilogo</td>
<td>23?</td>
<td>Hansip</td>
<td>killed</td>
</tr>
<tr>
<td>5. Manuel da Costa</td>
<td>Nov. 83</td>
<td>Larimata, Ailebere</td>
<td>-</td>
<td>-</td>
<td>killed</td>
</tr>
<tr>
<td>6. Francisco Serpa Rosa</td>
<td>Nov. 83</td>
<td>Larimata, Ailebere</td>
<td>-</td>
<td>-</td>
<td>killed</td>
</tr>
<tr>
<td>7. Belmonte Jeronimo</td>
<td>3 Dec. 83</td>
<td>Iliomar</td>
<td>-</td>
<td>Deputy Village Chief</td>
<td>fatal beating</td>
</tr>
<tr>
<td>8. Fernando dos Santos</td>
<td>4 Dec. 83</td>
<td>Tirililo</td>
<td>25</td>
<td>-</td>
<td>shot</td>
</tr>
<tr>
<td>10. Marcelino Hornay</td>
<td>9 Dec. 83</td>
<td>Cainliu</td>
<td>22</td>
<td>-</td>
<td>shot</td>
</tr>
<tr>
<td>11. Margarida da Costa</td>
<td>14 Dec. 83</td>
<td>Cainliu</td>
<td>24</td>
<td>-</td>
<td>public execution</td>
</tr>
<tr>
<td>15. Venancio da Costa</td>
<td>22 Dec. 83</td>
<td>Cainliu</td>
<td>24</td>
<td>-</td>
<td>public execution</td>
</tr>
<tr>
<td>16. Americo Cipriano</td>
<td>22 Dec. 83</td>
<td>Cainliu</td>
<td>25</td>
<td>-</td>
<td>public execution</td>
</tr>
<tr>
<td>17. Carlos Correia</td>
<td>22 Dec. 83</td>
<td>Dirilogo</td>
<td>35</td>
<td>Fretilin Sec.</td>
<td>public execution</td>
</tr>
<tr>
<td>18. Joaquim Sanches</td>
<td>22 Dec. 83</td>
<td>Dirilogo</td>
<td>36</td>
<td>Catechist</td>
<td>public execution</td>
</tr>
<tr>
<td>19. José Anunciacao</td>
<td>22 Dec. 83</td>
<td>Dirilogo</td>
<td>20</td>
<td>-</td>
<td>public execution</td>
</tr>
</tbody>
</table>
20. Antonio Jeronimo 22 Dec. 83 Dirilofo - - public execution
21. Claudio Fereira  Dec. 83 Iliomar II - - disappeared
22. Amilcar dos Santos 1983 Iliomar I 34***
23. Ernesto dos Santos 1983 Iliomar I 35***
24. Mateus Pinto 1983 Iliomar I 48***
25. Alfredo Pinto 1983 Iliomar I 51***
27. Raimundo Pinto 1983 Iliomar I 56***
28. Antonio da Costa 1983 Iliomar I 34***

551. In Mehara, from where Hansip led by Miguel dos Santos had defected, there were also large-scale reprisals. Indonesian troops are reported to have killed João Albuqueque in late August 1983. A number of military units were despatched to the village, including Sater 515, Battalion, 641, Special Forces (Kopassus) and Airborne Battalion 100. They carried out arrests and torture and sexual violence as well as killings and disappearances. People from the aldeias Loikere and Porlamano were moved to the primary school and the church in Mehara where they were kept for several months.

552. Battalion 641 and Airborne Battalion 100 are reported to have perpetrated many executions and disappearances against the villagers. Airborne Battalion 100 is reported to have executed one man on 7 October, another on 15 November and on 20 November, and two more on 25 November. Sabina das Dores told the Commission about one of these executions:

   On 14 November 1983 I was arrested and taken to the Infantry Battalion 641 post and Airborne 100 in Mehara. I was tortured by being burnt with cigarettes...On the same day Mateus was killed. His body was just thrown away, and until today we don't know where it is.

553. In Poros (Mehara, Tutuala, Lautém), in late 1983, the Indonesian military conducted public executions and a number of individuals disappeared after being taken into their custody. In October, seven individuals, including one Hansip member, were taken to the Kodim in Lospalos Airborne Battalion 100 and disappeared. On 13 November 1983 five persons, Karasu Malay, Frederico do Carmo, Francisco Cristovão, Gilberto and Manuel de Jesus, were publicly executed one by one by the Macakuro Cave in Poros, reportedly by members of Battalion 641. The killing was reportedly in reprisal for the Falintil killing of a TBO. On 25 December 1983, three men, Oscar Lopes, Alvaro Gomes and Francisco Lopes, were arrested in Poros, by members of Battalion 641, taken to the Kodim headquarter in Lospalos and subsequently disappeared. The wife of Oscar Lopes, Gracilda Quimareas, spoke at a Commission national public hearing about the detention and disappearance of her husband.
My husband was a primary school teacher in Poros and a leader of the clandestine organisation called Loriku Assuain. In 1983 a group of Hansip from Poros joined Falintil in the forest. Several weeks later the military Commander of Tutuala forced my husband to take part in a Fence of Legs operation for one month to look for the Hansip members who had run away. On 13 November 1983 Hansip, together with ABRI 641 in Poros, came to the house to arrest my husband. Several days later he was released. [After I was detained for three nights] my husband...and several of his friends were taken to the Military Command Post (Kodim) 1629 in Lospalos. To this day my husband and two of his friends have never returned. A third friend was released and returned to live in Poros.627

554. The Commission received information about the execution or disappearances of the following people in Mehara in late 1983 and early 1984:

<table>
<thead>
<tr>
<th>Name</th>
<th>Date</th>
<th>Location</th>
<th>Age</th>
<th>Occupation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. João Albuqueque</td>
<td>Oct. 83</td>
<td>Ameria</td>
<td>30</td>
<td>peasant</td>
<td>shot</td>
</tr>
<tr>
<td>2. Jorge Nascimento</td>
<td>Oct. 83</td>
<td>Ameria</td>
<td>50</td>
<td>peasant</td>
<td>burned to death</td>
</tr>
<tr>
<td>3. Mateus Gonzaga</td>
<td>Oct. 83</td>
<td>Ameria</td>
<td>63</td>
<td>-</td>
<td>executed</td>
</tr>
<tr>
<td>4. Orlando</td>
<td>Nov. 83</td>
<td>Ameria</td>
<td>-</td>
<td>-</td>
<td>shot</td>
</tr>
<tr>
<td>5. Gaspar Nunes</td>
<td>Nov. 83</td>
<td>Ameria</td>
<td>37</td>
<td>-</td>
<td>burned to death</td>
</tr>
<tr>
<td>6. José Manuel Inacio</td>
<td>Nov. 83</td>
<td>Ameria</td>
<td>42</td>
<td>-</td>
<td>burned to death</td>
</tr>
<tr>
<td>7. Alexandre Correia</td>
<td>1983</td>
<td>Ameria</td>
<td>-</td>
<td>-</td>
<td>shot</td>
</tr>
<tr>
<td>8. Ernesto da America</td>
<td>1983</td>
<td>Ameria</td>
<td>30</td>
<td>-</td>
<td>disappeared</td>
</tr>
<tr>
<td>12. Damião Lopes</td>
<td>Oct. 83</td>
<td>Ameria</td>
<td>31</td>
<td>-</td>
<td>disappeared</td>
</tr>
<tr>
<td>13. Loureiro</td>
<td>Oct. 83</td>
<td>Ameria</td>
<td>19</td>
<td>-</td>
<td>shot</td>
</tr>
<tr>
<td>15. Antonio Soares</td>
<td>Oct. 83</td>
<td>Ameria</td>
<td>30</td>
<td>-</td>
<td>executed</td>
</tr>
<tr>
<td>16. Karasu Malay</td>
<td>Nov. 83</td>
<td>Ameria</td>
<td>32</td>
<td>-</td>
<td>executed</td>
</tr>
<tr>
<td>17. Francisco Cristovão</td>
<td>Nov. 83</td>
<td>Ameria</td>
<td>28</td>
<td>-</td>
<td>executed</td>
</tr>
<tr>
<td>18. Frederico</td>
<td>Nov. 83</td>
<td>Ameria</td>
<td>34</td>
<td>-</td>
<td>executed</td>
</tr>
<tr>
<td>19. Gilberto</td>
<td>Nov. 83</td>
<td>Ameria</td>
<td>25</td>
<td>Teacher</td>
<td>disappeared</td>
</tr>
<tr>
<td>20. Manuel de Jesus</td>
<td>Nov. 83</td>
<td>Ameria</td>
<td>22</td>
<td>-</td>
<td>disappeared</td>
</tr>
<tr>
<td>21. Oscar Lopes</td>
<td>Nov. 83</td>
<td>Ameria</td>
<td>28</td>
<td>-</td>
<td>disappeared</td>
</tr>
<tr>
<td>22. Alvaro Gomes</td>
<td>Nov. 83</td>
<td>Ameria</td>
<td>23</td>
<td>commander</td>
<td>disappeared</td>
</tr>
<tr>
<td>23. Mateus Pedro</td>
<td>Nov. 83</td>
<td>Ameria</td>
<td>18</td>
<td>student</td>
<td>disappeared</td>
</tr>
<tr>
<td>24. Raul dos Santos</td>
<td>Nov. 83</td>
<td>Ameria</td>
<td>17</td>
<td>student</td>
<td>disappeared</td>
</tr>
<tr>
<td>25. Amancio</td>
<td>Nov. 83</td>
<td>Ameria</td>
<td>22</td>
<td>-</td>
<td>disappeared</td>
</tr>
<tr>
<td>26. Joaquim</td>
<td>Nov. 83</td>
<td>Ameria</td>
<td>22</td>
<td>-</td>
<td>disappeared</td>
</tr>
</tbody>
</table>

555. The crackdown extended to places in Lautém where there had been no uprising. Members of Hansip/Rathi and the civil administration, suspected members of clandestine networks and the families of people with relatives in the Resistance, including above all those who had recently fled to the forest, were particular targets.
For example, on 28 August 1983, members of Battalion 745 arrested Paulo Marques, a 24-year-old member of Hansip in Home, near Lospalos, and subsequently executed him. On 5 September, Kodim personnel arrested Nicolau Flores, a Ratih member in Moro and executed him several days later. In early January another Ratih member named Tiago Bandeira dos Dores was arrested and tortured. In late January 1984, in Moro, a third Ratih member named Alfredo Coutinho was arrested and tortured. His wife, who had regularly been bringing him meals, reported that he disappeared from detention in April.

In Lore (Lospalos, Lautém) in August 1983, the Indonesian military responded to the Hansip uprising by arresting a number of women suspected of having relatives in the Resistance. Some time thereafter, Falintil attacked the Indonesian forces in the Lore area. Battalion 641 retaliated by firing mortars into the Maluro settlement camp (Lore I, Lospalos), killing nine individuals between the ages of three and 50. In November 1983 four individuals were arrested, one of whom was executed. In late 1983 Kopassus members arrested six men. The body of one of these individuals was subsequently paraded through the village; the other five are reported to have been disappeared. According to Raul da Costa Pite:

> After the [Falintil] attack, Commando members named M313 and M314 brought me and my friends to the Commando Post...When we arrived at the post, we were tied by the hands and left out in the sun. The Commando members threw stones at us. On the next day, they gathered the people of Maluro for an assembly, and then they buried Antonio’s body in Maluro. But I don’t know the whereabouts of the others.

Two other people, Amando Castanheira and Jeferino, are also reported to have been killed by a “Komando” (a term usually applied to members of the Special Forces, Kopassandha/Kopassus) and local Hansip in Lore in 1983. In February 1984, one man was executed and a Ratih member was arrested. A deponent told the Commission that in 1984 members of the Special Forces arrested five men in Maluro and executed them. Another deponent told the Commission that Hansip members killed Mário Nogueira in Maluro in 1984.

<table>
<thead>
<tr>
<th>Name</th>
<th>Date</th>
<th>Location</th>
<th>Age</th>
<th>Occupation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. J. Levano</td>
<td>4 Nov. 83</td>
<td>Maluro, Lore I</td>
<td>40</td>
<td>-</td>
<td>mortar</td>
</tr>
<tr>
<td>2. Ana Moe</td>
<td>4 Nov. 83</td>
<td>Maluro, Lore I</td>
<td>18</td>
<td>-</td>
<td>mortar</td>
</tr>
<tr>
<td>3. Halu Palinu</td>
<td>4 Nov. 83</td>
<td>Maluro, Lore I</td>
<td>12</td>
<td>-</td>
<td>mortar</td>
</tr>
<tr>
<td>4. Kaia Moe</td>
<td>4 Nov. 83</td>
<td>Maluro, Lore I</td>
<td>20</td>
<td>-</td>
<td>mortar</td>
</tr>
<tr>
<td>5. Paia Moe</td>
<td>4 Nov. 83</td>
<td>Maluro, Lore I</td>
<td>15</td>
<td>-</td>
<td>mortar</td>
</tr>
<tr>
<td>6. Jacinta Ximenes</td>
<td>4 Nov. 83</td>
<td>Maluro, Lore I</td>
<td>26</td>
<td>-</td>
<td>mortar</td>
</tr>
<tr>
<td>7. Celia Ximenes</td>
<td>4 Nov. 83</td>
<td>Maluro, Lore I</td>
<td>3</td>
<td>-</td>
<td>mortar</td>
</tr>
<tr>
<td>8. J Romono</td>
<td>4 Nov. 83</td>
<td>Maluro, Lore I</td>
<td>16</td>
<td>-</td>
<td>mortar</td>
</tr>
<tr>
<td>9. Kulu Leve</td>
<td>4 Nov. 83</td>
<td>Maluro, Lore I</td>
<td>50</td>
<td>-</td>
<td>mortar</td>
</tr>
<tr>
<td>10. Amand Castanheira</td>
<td>17 Nov. 83</td>
<td>Horo Lata, Lore I</td>
<td>28</td>
<td>Teacher</td>
<td>executed</td>
</tr>
<tr>
<td>11. Jaime Castelo</td>
<td>6 Feb. 84</td>
<td>Lore 2</td>
<td>23</td>
<td>Mechanic</td>
<td>executed</td>
</tr>
<tr>
<td>12. Antonio Pinto</td>
<td>1984</td>
<td>Maluro, Lore I</td>
<td>-</td>
<td>-</td>
<td>killed</td>
</tr>
<tr>
<td>13. Luis Bianco</td>
<td>1984</td>
<td>Maluro, Lore I</td>
<td>-</td>
<td>-</td>
<td>killed</td>
</tr>
<tr>
<td>14. Ratumkia</td>
<td>1984</td>
<td>Maluro, Lore I</td>
<td>-</td>
<td>-</td>
<td>killed</td>
</tr>
<tr>
<td>15. Mauromonu</td>
<td>1984</td>
<td>Maluro, Lore I</td>
<td>-</td>
<td>-</td>
<td>killed</td>
</tr>
<tr>
<td>16. Letilere</td>
<td>1984</td>
<td>Maluro, Lore I</td>
<td>-</td>
<td>-</td>
<td>killed</td>
</tr>
</tbody>
</table>

1 See Doc No. 4/Ag/84, Submission to CAVR of Anthony Goldstone, CAVR Archive.

Ibid; see also HRVD Statement 05330.
The Commission also received information that many individuals were killed at or disappeared from the Kodim headquarters in Lautém during 1983. This includes a group of four individuals detained at Kodim headquarters who were subsequently executed, an individual named Arminho da Silva who disappeared, a man named Damião Dias Martins who was detained and disappeared, and a man named José from Com who disappeared. In 1984, Pedro Cardoso, Gabriel Correia and Antonio Oliveira reportedly disappeared from the Kodim in Lospalos. Three more individuals—Antonio, Gabriel and Pedro—are reported to have been detained at the Kodim in Lospalos and to have subsequently been executed on or about 28 July 1984. Finally, in December 1984, a man named Teodoro was reportedly killed by members of the 131st Infantry Battalion in Serlau Village (Lospalos, Lautém).

Table 24 - Individuals executed or disappeared in Lospalos, 1983, as reported to CAVR

<table>
<thead>
<tr>
<th>Name</th>
<th>Date</th>
<th>Location</th>
<th>Age</th>
<th>Occupation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. José Monteiro</td>
<td>1983</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>executed</td>
</tr>
<tr>
<td>2. Sebastião</td>
<td>1983</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>executed</td>
</tr>
<tr>
<td>3. Raimundo</td>
<td>1983</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>executed</td>
</tr>
<tr>
<td>4. Risantula</td>
<td>1983</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>executed</td>
</tr>
<tr>
<td>5. Arminho da Silva</td>
<td>1983</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>disappeared</td>
</tr>
<tr>
<td>8. Pedro dos Santos</td>
<td>14 Oct. 83</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>disappeared</td>
</tr>
<tr>
<td>10. Orlando Mendes</td>
<td>14 Oct. 83</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>disappeared</td>
</tr>
<tr>
<td>13. Fernão F. Gusmão</td>
<td>Feb. 84</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>lethal injection</td>
</tr>
<tr>
<td>14. Antonio</td>
<td>28 July 84</td>
<td>Kodim Lospalos</td>
<td>-</td>
<td>-</td>
<td>killed</td>
</tr>
<tr>
<td>15. Gabriel</td>
<td>28 July 84</td>
<td>Kodim Lospalos</td>
<td>-</td>
<td>-</td>
<td>killed</td>
</tr>
<tr>
<td>16. Pedro</td>
<td>28 July 84</td>
<td>Kodim Lospalos</td>
<td>-</td>
<td>-</td>
<td>killed</td>
</tr>
</tbody>
</table>

In Fuiloro, a man named Fernando da Conceição was killed by a Kopassandha officer in 1983. Also in Fuiloro, a man named Agustinho was reportedly killed by Nanggala troops on 25 August 1984.

In Raça Village Luis Silveiro, a member of the provincial parliament was arrested and taken to Kodim headquarters in Lospalos where he was tortured and subsequently disappeared on or around 4 December 1983. One deponent told the Commission:

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1 HRVD Statements 07606; 07613; HRVD Statement 07604 reports that Antonio and Pedro were killed in 1984.
On 20 September 1983 Babinsa M315, Police M316 and a TNI soldier broke into Luis Silveiro’s house and took all the clandestine-related documents. Several hours later a Military Police officer came and arrested him. When he was arrested the perpetrators said to Luis’s wife, Casilda Serra, that Luis was taken to do study…Luis was taken to the Kodim Lospalos and jailed. After one month the cell was empty. Luis disappeared, until today.

* HRVD Statement 07618; see Document No. 4/Ag/84, Submission to CAVR, Anthony Goldstone, CAVR Archive; see also CAVR Interview with Julio dos Santos, Dili, 15 October 2004.
## Public execution in Muapitine

In a particularly brutal incident in Muapitine (Lospalos, Lautém) in late 1983, Indonesian soldiers forced local villagers to murder other villagers suspected of sympathising with Falintil. The following account was given by Mariana Marques, the wife of one of the victims, at the Commission’s National Public Hearing on Massacres:

On 25 November 1983, three ABRI members from Kodim 1629 Lospalos came and captured my husband, Angelo da Costa, because he was the representative of the Resistance in Muapitine Village. Two of his friends were taken at the same time: Lino Xavier, who was the deputy representative of Muapitine Village, and Alvaro Pereira, who was a member of Ratih and supplied [sic, Falintil] with bullets. Soon after that, ABRI also arrested Gilberto, Leonel Oliveira, Alarico and José Vicente. On 6 December 1983, ABRI released Gilberto, Alarico and José Vicente. The next day, the Village Head of Muapitine announced that the next morning all the people of Muapitine Village should gather at the village office to greet the ABRI colonel.

At around 6.00am, the people of Muapitine gathered at the village office to welcome the colonel with tebe-tebe dances. At 7.00am he arrived with Battalion 1629, the District Administrator of Lautém, Claudio Vieira, my husband, and my husband’s four friends—Lino Xavier, Alvaro Pereira, Alberto and Leonel Oliveira.

When they arrived, the ABRI colonel and the District Administrator of Lautém placed three bottles of palm wine on the table and poured it into five glasses. Then they called my husband and the four others to drink it. When they had finished the wine, the District Administrator stood up and said that my husband and his four friends had committed crimes and were going to be killed.

Then they called my husband and ordered Julio, the head of Muapitine Village, to kill him. Julio stepped forward and said to my husband: “Angelo, lift your head because I am going to cut your throat.” My husband lifted his head and Julio slashed his neck with a bayonet. My husband fell to the ground, still breathing. After that they called Lino Xavier and ordered Armando to kill him. Armando stabbed Lino’s chest with his machete, but Lino did not die. Armando ordered the people who were present to cut Lino into pieces. Out of fear the people did what they were told.

Next they brought Leonel Oliveira. Aleixio stabbed Leonel’s chest with a bayonet until he died. Then Verisimo stabbed Alberto to death, under orders from ABRI. The last person to be called was Alvaro. Alvaro started crying, saying: “What crime have I committed to deserve public execution?” But they ignored him and the head of Muapitine Village killed Alvaro under instructions of the authorities.

After the five men were executed, the District Administrator of Lautém, Claudio Vieira, ordered the community of Muapitine to take the bodies to their home villages to be buried. [However, my husband] Angelo da Costa had not yet died. A member of Hansip from the Kodim, Victor, was ordered to stab Angelo. Victor stabbed Angelo’s body with a bayonet but still Angelo did not die. I took Angelo to the aldeia of Puakelu, with members of that community. When we arrived in Puakelo, Angelo was still breathing. At 5.00pm we still had not buried him because he was still alive.

A member of Battalion 641 forced them to buried Angelo. But Angelo said: “Why bury me, when I am still alive?” At that time a member Battalion 641, who also a religion teacher, asked me to take off Angelo’s shirt, clean up his blood and treat his wounds.

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1 See CAVR Interview with Gonzalo da Silva, 8 October 2003.
Angelo asked me to talk to the Commander of Post 641 so that they would not bury him. I went to the 641 Post and gave the Commander my husband’s message. The Post Commander asked me to wait while he reported Angelo’s condition to the District Administrator in Lospalos by radio…The District Administrator insisted that Angelo be buried. The Post Commander told me the response from the District Administrator of Lautém, saying: “Even if only one of his arms was cut off, if the District Administrator gives the command to bury him, he must be buried”.

Guarded by two members of Battalion 641 Angelo, who was still alive, was put into a hole half a metre deep. Ashes were thrown into the hole to cover him. Angelo tried hard to push the ashes off his body, but he couldn’t. They insisted on burying Angelo [and] Angelo raised his hands and said to me: “Kiss my hand. Go and take care of our two children, because I don’t want us to lose the future generation.” I listened to Angelo’s last words, and approached him and kissed his hand. After that, a member of the Battalion took me home. Angelo was buried alive at 6.00pm in the aldeia of Puakelu.635

562. The Commission compiled the following information about the age and occupation of the five men executed in Muapitine.

<table>
<thead>
<tr>
<th>Name</th>
<th>Date</th>
<th>Location</th>
<th>Age</th>
<th>Occupation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Angelo da Costa</td>
<td>7 Dec. 83</td>
<td>Malahara</td>
<td>29</td>
<td>Clerk</td>
<td>public execution</td>
</tr>
<tr>
<td>2. Alvaro Freitas</td>
<td>7 Dec. 83</td>
<td>Muapitine</td>
<td>30</td>
<td>Ratih</td>
<td>public execution</td>
</tr>
<tr>
<td>3. Lino Xavier</td>
<td>7 Dec. 83</td>
<td>Pefitu</td>
<td>30</td>
<td>RT head</td>
<td>public execution</td>
</tr>
<tr>
<td>4. Alberto dos Santos</td>
<td>7 Dec. 83</td>
<td>Vailoro</td>
<td>31</td>
<td>Wakil Kades</td>
<td>public execution</td>
</tr>
<tr>
<td>5. Lionel Oliveira</td>
<td>7 Dec. 83</td>
<td>Muapitine</td>
<td>36</td>
<td></td>
<td>public execution</td>
</tr>
</tbody>
</table>

563. In March 1984, a large number of civilians, including Ratih members, were arrested in Luro by Special Forces personnel. Several of these individuals were executed or subsequently disappeared. The Commission also received a report stating that in 1984 members of Battalion 315 killed a man named Felix da Costa in Lakawa,636 and Luis Adelaida was arrested and subsequently disappeared.637

<table>
<thead>
<tr>
<th>Name</th>
<th>Date</th>
<th>Location</th>
<th>Age</th>
<th>Occupation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Ilifai [Elifahi]</td>
<td>3 Mar. 84</td>
<td>Luro</td>
<td>-</td>
<td>-</td>
<td>shot</td>
</tr>
<tr>
<td>2. João Freitas</td>
<td>3 Mar. 84</td>
<td>Luro</td>
<td>28</td>
<td>-</td>
<td>executed</td>
</tr>
<tr>
<td>3. Luis Ramos</td>
<td>3 Mar. 84</td>
<td>Luro</td>
<td>-</td>
<td>Lirai</td>
<td>death by torture</td>
</tr>
<tr>
<td>4. Felix da Costa</td>
<td>1984</td>
<td>Lakawa</td>
<td>-</td>
<td>-</td>
<td>shot</td>
</tr>
<tr>
<td>5. Luis Adelaida</td>
<td>1984</td>
<td>Luro</td>
<td>-</td>
<td>-</td>
<td>disappeared</td>
</tr>
</tbody>
</table>

564. Although the first killings in Lautém took place in late August and early September 1983, the bulk of these cases occurred during the last three months of 1983, after which there was a sharp decrease in the number of extra-judicial executions and disappearances of civilians.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Mehara</td>
<td>1</td>
<td>-</td>
<td>8</td>
<td>9</td>
<td>-</td>
<td>8</td>
<td>-</td>
<td>-</td>
<td>1</td>
<td>28</td>
</tr>
<tr>
<td>Moro</td>
<td>-</td>
<td>1</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>1</td>
<td>-</td>
<td>-</td>
<td>1</td>
<td>3</td>
</tr>
</tbody>
</table>

1 HRVD Statements 02777; 02796; 02797; see also Document No. 4/Ag/84, Submission to CAVR, Anthony Goldstone, CAVR Archive, which reports the disappearance of a number of individuals who were apparently detained in Dili, but subsequently released.
Baucau

565. The Commission received information about unlawful killings and disappearances of at least 27 persons in Baucau District in 1983-1984. Of the 27 persons who were killed or disappeared known to the Commission, only eight cases did not involve detention before the fatal violation. This number does not include at least 20 people from Baucau who were taken first to Dili and Kupang where they were killed or disappeared. These cases are covered in the sub-section on Dili, below. However, even if those persons are included in the total number of unlawful killings and disappearances that occurred in Baucau District in 1983-84, the Commission believes that the actual total is likely to have been considerably higher.

566. The Commission received information that in Ossoala (Vemasse) at least ten persons were detained by local Hansip members attached to a paramilitary unit called Team Lorico, in September 1983 and disappeared. A deponent told the Commission:

On 22 September 1983, Andre Gusmão was arrested by Indonesia military in village office of Ossoala together with his nephew Alexandre Gomes at 3.00pm. They were arrested with 9 other people, namely Alexandre da Costa Freitas, Celestino Pereira, Raimundo Pereira, Feliciano Correia, Jacob Correia, Mário Pereira Gusmão, Raimundo Freitas Correia, Cosme Gusmão, [and] Rui Francisco Correia by Team Lorico, one of the Hansip groups in Baucau…The 10 detainees were taken Ostico. They went on foot with their hands were tied. They were arrested because they were [suspected of] often meeting the Falintil commander in chief Xanana Gusmão in Diuk. Since their arrest, the whereabouts of these people has never been known.

539

Table 28 - Individuals disappeared from Ossoala Village, 23 September 1983, as reported to CAVR

<table>
<thead>
<tr>
<th>Name</th>
<th>Date</th>
<th>Location</th>
<th>Age</th>
<th>Occupation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Mário P Gusmão</td>
<td>23 Sept. 83</td>
<td>Ossoala</td>
<td></td>
<td></td>
<td>Disappeared</td>
</tr>
<tr>
<td>2. Cosmé Gusmão</td>
<td>23 Sept. 83</td>
<td>Ossoala</td>
<td></td>
<td></td>
<td>Disappeared</td>
</tr>
<tr>
<td>3. Celestino Pereira</td>
<td>23 Sept. 83</td>
<td>Ossoala</td>
<td></td>
<td></td>
<td>Disappeared</td>
</tr>
<tr>
<td>4. Raimundo Pereira</td>
<td>23 Sept. 83</td>
<td>Ossoala</td>
<td></td>
<td></td>
<td>Disappeared</td>
</tr>
<tr>
<td>5. André Gusmão</td>
<td>23 Sept. 83</td>
<td>Ossoala</td>
<td></td>
<td></td>
<td>Disappeared</td>
</tr>
<tr>
<td>6. Felicano</td>
<td>23 Sept. 83</td>
<td>Ossoala</td>
<td></td>
<td></td>
<td>Disappeared</td>
</tr>
</tbody>
</table>
567. José Meneses was reportedly tortured to death by the Indonesian military in July 1983 while in detention in Baucau. A man named Sies Co’o Saba was reportedly arrested in Tequinaumata (Laga) and taken to Lacudala where he was executed by the Indonesian military. In Garuai (Baucau) a man named João Bosco and four other individuals were reportedly executed by the Indonesian military in 1983.

568. This pattern of detention and killing or disappearance continued in Baucau District into 1984. On 8 March 1984, Simplisio Guterres was reportedly arrested in Uailili (Baucau) by members of Hansip and disappeared. On 24 March 1984 Hermenegildo P Guterres was reportedly killed by members of the Battalion 501 in Baguia. Also in March the Indonesian military arrested Joaquim Neto da Costa in Triloka (Baucau); he was reportedly killed in May 1984. On 13 May 1984 Falintil troops attacked Cairabela Taci (Vemasse) killing at least two Indonesian soldiers, two Hansip and three civilians. The Indonesian military retaliated by arresting and killing an unspecified number of people. In Bucoli (Baucau), on 30 May 1984, the Indonesian military arrested Tomás da Silva, Jacinto da Silva and Vicente Freitas, and took them to Baucau. That night they were reportedly killed.

569. Another deponent told the Commission that in May 1984 men named Antonio Ximenes and Domingos Castro disappeared from the Kodim in Baucau. Their wives were told that they had been sent to school. The Commission also received a report that in August 1984 two men were killed in Baguia by members of Battalion 501 and another man named Leão was tortured and subsequently died in the hospital in Baucau.

570. A typical occurrence of detention and disappearance took place at the Kodim in Baucau in November 1984. According to witness testimonies, six civilians were detained at the Kodim in Baucau, of whom two disappeared. A deponent told the Commission:

On 1 November 1984, around 3.00pm in a place called Ossoala, Bimpolda of Tasi Village came with weapons and arrested us: me, Isabel Soares, Felizarda Soares, Juliana Soares, Faustino da Costa and Filomeno da Costa. [We] were taken to the Nanggala place in Loihubu and then moved again to the Baucau Kodim. One by one we were interrogated by a man called M320. He asked about our family who were still in the forest. In the Baucau Kodim we were detained separately. Two others, Filomeno da Costa and Faustino da Costa and I were detained at the Nanggala post for three days. [However] the whereabouts of the two others is not known until now.

571. The Commission also received information about the extra-judicial execution of a man named Raimundo Ximenes, who was detained from Manatuto and was reportedly executed at the Kodim headquarters in Baucau, possibly by members of Hansip.

Table 29 - Individuals executed or disappeared in Baucau, 1983-1984, as reported to CAVR

<table>
<thead>
<tr>
<th>Name</th>
<th>Date</th>
<th>Location</th>
<th>Age</th>
<th>Occupation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Correia</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7. Alexandre da Costa</td>
<td>23 Sept. 83</td>
<td>Ossoala</td>
<td></td>
<td></td>
<td>Disappeared</td>
</tr>
<tr>
<td>8. Raimundo F Correia</td>
<td>23 Sept. 83</td>
<td>Ossoala</td>
<td></td>
<td></td>
<td>Disappeared</td>
</tr>
<tr>
<td>9. Rui F Correia</td>
<td>23 Sept. 83</td>
<td>Ossoala</td>
<td></td>
<td></td>
<td>Disappeared</td>
</tr>
<tr>
<td>10. Jacob Correia</td>
<td>23 Sept. 83</td>
<td>Ossoala</td>
<td></td>
<td></td>
<td>Disappeared</td>
</tr>
<tr>
<td>No.</td>
<td>Name</td>
<td>Date</td>
<td>Location</td>
<td>Fate</td>
<td></td>
</tr>
<tr>
<td>-----</td>
<td>-----------------------</td>
<td>---------</td>
<td>----------</td>
<td>--------------------</td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>João Bosco</td>
<td>1983</td>
<td>Gariwai</td>
<td>Executed</td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Sies Co'o Saba</td>
<td>1983</td>
<td>Lakudala</td>
<td>Executed</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>José Meneses</td>
<td>July 83</td>
<td>Bauca</td>
<td>Death by torture</td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Simplicio Guterres</td>
<td>8 Mar. 84</td>
<td>Wailili</td>
<td>Disappeared</td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td>Filomeno Guterres</td>
<td>8 Mar. 84</td>
<td>Ossoala</td>
<td>Disappeared</td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td>Hermenegildo Guterres</td>
<td>24 Mar. 84</td>
<td>Baguia</td>
<td>Killed</td>
<td></td>
</tr>
<tr>
<td>7.</td>
<td>Joaquim N da Costa</td>
<td>May 84</td>
<td>Triloka</td>
<td>Killed</td>
<td></td>
</tr>
<tr>
<td>8.</td>
<td>Tomás da Silva</td>
<td>30 May 84</td>
<td>Bauca</td>
<td>Executed</td>
<td></td>
</tr>
<tr>
<td>9.</td>
<td>Jacinto da Silva</td>
<td>30 May 84</td>
<td>Bauca</td>
<td>Executed</td>
<td></td>
</tr>
<tr>
<td>10.</td>
<td>Antonio</td>
<td>May 84</td>
<td>Kodim Bauca</td>
<td>Disappeared</td>
<td></td>
</tr>
<tr>
<td>11.</td>
<td>Domingos</td>
<td>May 84</td>
<td>Kodim Bauca</td>
<td>Disappeared</td>
<td></td>
</tr>
<tr>
<td>14.</td>
<td>Hermenegildo</td>
<td>Aug. 84</td>
<td>Baguia</td>
<td>Killed</td>
<td></td>
</tr>
<tr>
<td>15.</td>
<td>Leão</td>
<td>c. Aug. 84</td>
<td>Bauca hospital</td>
<td>Death by torture</td>
<td></td>
</tr>
<tr>
<td>16.</td>
<td>Filomeno da Costa</td>
<td>Nov. 84</td>
<td>Kodim Bauca</td>
<td>Disappeared</td>
<td></td>
</tr>
<tr>
<td>17.</td>
<td>Faustino da Costa</td>
<td>Nov. 84</td>
<td>Kodim Bauca</td>
<td>Disappeared</td>
<td></td>
</tr>
<tr>
<td>18.</td>
<td>Raimundo Ximenes</td>
<td></td>
<td>Kodim Bauca</td>
<td>Executed</td>
<td></td>
</tr>
</tbody>
</table>

### Unlawful killings and enforced disappearances in Dili and the Central Region 1983-1984

572. Dili and the central districts showed relatively lower incidences of fatal violations during this period compared to the high number of killings and disappearances reported to the Commission during this period in the eastern region.

**Dili**

573. In Dili District, most fatal violations followed a period of detention. For example, the Commission received a report that in 1983 eleven unidentified civilians detained in the Balide Prison were taken out and subsequently disappeared. Another informant told the Commission that a man named Antonio Mesquito was disappeared from Balide Prison in October 1983 by the Korem commander. Yet another informant told the Commission that João Soares (from Viqueque), Antonio Piedade (from Ossu, Viqueque) and Helder Jordão (from Dili) were disappeared from the Sang Tai Hoo detention centre in Dili in December 1983 or early 1984.

574. Other disappearances reported to the Commission include a man named Julio Maia who was disappeared from Dili, allegedly by the Special Warfare Command, in 1984. In early January 1984, Francisco de Jesus was arrested and then disappeared from the Koramil headquarters in East Dili. On 4 February 1984, Laurindo Sarmento Tilman was allegedly disappeared by the Indonesian military in Dili.
575. Many of those caught up in the nationwide crackdown were brought from their home districts to Dili for interrogation. Among them were some who disappeared or were killed while in detention. About 25 members of a group of about 40 people who had been detained in Dili were killed after being transferred to Penfui Prison in Kupang (West Timor, Indonesia) in late August 1983. They included members of clandestine organisations from Viqueque, Baucau and Dili itself as well as about 17 persons from Laga (Baucau) who had been arrested with the Falintil commander, Cancio Gama (Lima Gama). This group included 15 Falintil troops, one woman and a child.1 The first of the transferred prisoners to be taken out of the prison and disappear were these 17 people. Others reported to the Commission to have disappeared were five members of the clandestine network from Baucau: Antonio Espírito Santo, Isidoro Caibada, Benjamin Leki Osso, Carlos Nahareka (Carlos Alves) and Adolfo Fraga from Uaillili. In addition to detainees who were taken out of Penfui Prison and disappeared, there was at least one member of the group, Duarte Ximenes from Bazartete (Liquiça) who died because of the grossly inadequate food at the prison.

576. Only 14 of the original group of 40 survived. They almost certainly owe their survival to prisoners on Ataúro who told the ICRC about the plight of the Penfui detainees. The ICRC secured their return to Dili in July 1984. On their return several of them were tried and sentenced.658

Table 30 - Individuals executed or disappeared from detention in Dili, 1983-1984, as reported to CAVR

<table>
<thead>
<tr>
<th>Name</th>
<th>Date</th>
<th>Location</th>
<th>Age</th>
<th>Occupation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Antonio Mesquito</td>
<td>Oct. 83</td>
<td>Balide Prison</td>
<td></td>
<td></td>
<td>Disappeared</td>
</tr>
<tr>
<td>2. João Soares</td>
<td>late 83 or 84</td>
<td>Sang Tai Hoo</td>
<td></td>
<td></td>
<td>Disappeared</td>
</tr>
<tr>
<td>3. Antonio Piedade</td>
<td>late 83 or 84</td>
<td>Sang Tai Hoo</td>
<td></td>
<td></td>
<td>Disappeared</td>
</tr>
<tr>
<td>4. Helder Jordão</td>
<td>late 83 or 84</td>
<td>Sang Tai Hoo</td>
<td></td>
<td></td>
<td>Disappeared</td>
</tr>
<tr>
<td>5. Julio Maia</td>
<td>1984</td>
<td>Dili</td>
<td></td>
<td></td>
<td>Disappeared</td>
</tr>
<tr>
<td>6. Francisco de Jesus</td>
<td>Jan 84</td>
<td>Koramil</td>
<td></td>
<td></td>
<td>Disappeared</td>
</tr>
<tr>
<td>7. Laurindo S. Tilman</td>
<td>4 Feb 84</td>
<td>Dili</td>
<td></td>
<td></td>
<td>Disappeared</td>
</tr>
<tr>
<td>8. Cancio Gama</td>
<td>Aug-Sept 83</td>
<td>Kupang, West Timor</td>
<td></td>
<td>Falintil</td>
<td>Disappeared</td>
</tr>
<tr>
<td>9. Antonio Espírito Santo</td>
<td>March 1984</td>
<td>Kupang, West Timor</td>
<td></td>
<td></td>
<td>Disappeared</td>
</tr>
<tr>
<td>10. Isidoro Caibada</td>
<td>March 1984</td>
<td>Kupang, West Timor</td>
<td></td>
<td></td>
<td>Disappeared</td>
</tr>
<tr>
<td>11. Benjamin Leki Osso</td>
<td>March 1984</td>
<td>Kupang, West Timor</td>
<td></td>
<td>Teacher</td>
<td>Disappeared</td>
</tr>
<tr>
<td>12 Carlos Nahareka</td>
<td>March 1984</td>
<td>Kupang, West Timor</td>
<td></td>
<td></td>
<td>Disappeared</td>
</tr>
<tr>
<td>13. Adolfo Fraga</td>
<td>March 1984</td>
<td>Kupang, West Timor</td>
<td></td>
<td></td>
<td>Disappeared</td>
</tr>
<tr>
<td>14. Duarte Ximenes</td>
<td>1983-84</td>
<td>Kupang, West Timor</td>
<td></td>
<td>Died in detention</td>
<td></td>
</tr>
</tbody>
</table>

1 According one source, Cancio Gama and his followers had been captured at the time of the breakdown of the ceasefire because he had been too slow to leave Laga where he had been living during much of the ceasefire [CAVR Interview with Justo Talenta, 3 November 2001]. The extremely harsh treatment he and his group received may have been connected to his “chance” meeting with an Australian parliamentary delegation on the road near Soba on 29 July 1983 at which he held a conversation with and presented a letter to the delegation’s leader, Senator Bill Morrison [see Official Report of the Australian Parliamentary Delegation to Indonesia, Appendix 22: Documents Associated with Chance Meeting with Fretilin, Friday 29 July 1983 at Soba, East Timor, pp. 154-171].
Aileu

577. Similarly in Aileu District during this period, military operations resulted in detention and subsequent killing or enforced disappearances of civilians. On 30 August 1983, at least 16 men were arrested and detained by the Indonesian military at the Kodim headquarters in Aileu. Four of them were killed, and one, Moises Sarmento, disappeared. According to a witness testimony they were detained because they were suspected of helping Falintil around the time of the ceasefire. A deponent told the Commission:

On 2 September 1983, I was arrested with my friends Luis Mouzinho, Mariano de Deus, Agustinho Pereira, Caitano Soares, Joaquim Hendrique, Crispin dos Santos, Paul Soares, Moises Sarmento, Graciano Pinto, Antonio de Deus, Bernardino, Victor Augusto, Afonso and Ananias by Kodim troops and a [member of] Hansip. They took us to Likerelau, Fatisi Village. There, Luis Mouzinho was beaten with an iron stick until his forehead was torn and bleeding. Then he was taken by the troops to Ruasu and was shot dead.

578. Four other individuals were reported killed or disappeared from this group of detainees. On 16 October 1983, Felix Amaral was reportedly executed by the Indonesian military in Laulara (Dili, on the border with Aileu). The Commission identified the following victims in Aileu:

<table>
<thead>
<tr>
<th>Name</th>
<th>Date</th>
<th>Location</th>
<th>Age</th>
<th>Occupation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Luis Mouzinho</td>
<td>2 Sept. 83</td>
<td></td>
<td></td>
<td></td>
<td>Shot</td>
</tr>
<tr>
<td>2. Ananias Soares</td>
<td>3 Sept. 83</td>
<td></td>
<td></td>
<td></td>
<td>Disappeared?</td>
</tr>
<tr>
<td>3. Antonio Soares</td>
<td>Sept. 83</td>
<td></td>
<td></td>
<td></td>
<td>beaten to death</td>
</tr>
<tr>
<td>4. Afonso Soares</td>
<td>Sept. 83</td>
<td></td>
<td></td>
<td></td>
<td>beaten to death</td>
</tr>
<tr>
<td>5. Moises Sarmento</td>
<td>1983</td>
<td></td>
<td></td>
<td></td>
<td>Disappeared</td>
</tr>
<tr>
<td>6. Felix Amaral</td>
<td>16 Oct. 83</td>
<td>Laulara</td>
<td></td>
<td></td>
<td>Executed</td>
</tr>
</tbody>
</table>

Manufahi

579. The targeting of whole families by Indonesian security forces meant that some families experienced multiple loss and suffering, as described in these two examples from Manufahi District below. The deponent told the Commission about the detention and disappearances of his family members:

In 1983 TNI arrested 12 civilians, including my family members Francisco da Costa, Erminia da Costa, Pedro da Costa, Frederico da Costa, Filomena da Costa, and Maria da Costa. I don’t know the names of the other victims. They were arrested at the Same District police station, and then ABRI took them out and killed them in an unknown place. Only Maria da Costa survived these killings…
Then, in the same year, my younger brother Domingos Ribeiro was arrested by members of Same Kodim and members of Same District police in Ailau, Letefoho. They told me that he was “taken to school in Dili”. After two weeks, I went to visit him and brought him food but he wasn’t there. Later I heard from someone that my brother and two other people had died in a cave in Same.\textsuperscript{661}

580. Moises Fernandes told the Commission how he and his family were detained by Indonesian soldiers in Alas. While in detention, he witnessed the killing of a detainee from repeated beatings. His own daughter died from illness in detention:

On 1 May 1984, I was arrested with my family members, Lucia Maria de Fatima and Nijela Libania, by [members of] Battalion 512. We were detained for 4 days in Taitudak [Alas, Manufahi] together with [two] others named Paul and Zacarias. On 4 May 1984 Paul and Zacarias and I were forced to move to the Manufahi Kodim. We were interrogated by Section Head I of the Manufahi Kodim who was named M321. Three days later a member of TNI put me in a pond for 3 hours. After that they beat, punch and kicked me. I was burned with cigarette butts, hit with a buffalo horn and [other] weapons. I was detained in the Manufahi Kodim for 3 months. Around that time, a detainee called João Guido was tortured and kicked by a policeman until he died. In the same year my daughter Nijela died in detention because of sickness.\textsuperscript{662}

581. On 7 August 1983, Domingos, Agusto and Leopoldino were allegedly killed by members of the Special Forces (Kopassandha) in Hola Rua.\textsuperscript{663} In September 1983, members of the Kodim killed Jaime da Costa, aged 20, and Américo Tomás, aged 32, in Tutuloro.\textsuperscript{664} The Commission also received a report about the execution of three unnamed individuals in Babulo, Manufahi in 1983.\textsuperscript{665}

582. In April 1984, Filomeno de Jesus Borges, Mateus and Manuel were reportedly beaten to death by members of the Indonesian military in Manumera.\textsuperscript{666} In 1984, an individual named João Zino is also reported to have died while detained at the Same Kodim headquarters.\textsuperscript{667}

Table 32 - Individuals executed or disappeared in Manufahi, 1983-1984, as reported to CAVR

<table>
<thead>
<tr>
<th>Name</th>
<th>Date</th>
<th>Location</th>
<th>Age</th>
<th>Occupation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Domingos</td>
<td>7 Aug. 83</td>
<td>Hola Rua</td>
<td></td>
<td></td>
<td>Killed</td>
</tr>
<tr>
<td>2. Agusto</td>
<td>7 Aug. 83</td>
<td>Hola Rua</td>
<td></td>
<td></td>
<td>Killed</td>
</tr>
<tr>
<td>3. Leopoldino</td>
<td>7 Aug. 83</td>
<td>Hola Rua</td>
<td></td>
<td></td>
<td>Killed</td>
</tr>
<tr>
<td>4. Jaime da Costa</td>
<td>Sept. 83</td>
<td>Tutuloro</td>
<td>20</td>
<td></td>
<td>Killed</td>
</tr>
<tr>
<td>5. Américo Tomás</td>
<td>Sept. 83</td>
<td>Tutuloro</td>
<td>32</td>
<td></td>
<td>Killed</td>
</tr>
<tr>
<td>6. Francisco da Costa</td>
<td>1983</td>
<td>Same</td>
<td></td>
<td></td>
<td>Killed</td>
</tr>
<tr>
<td>7. Erminia da Costa</td>
<td>1983</td>
<td>Same</td>
<td></td>
<td></td>
<td>Killed</td>
</tr>
<tr>
<td>8. Pedro da Costa</td>
<td>1983</td>
<td>Same</td>
<td></td>
<td></td>
<td>Killed</td>
</tr>
</tbody>
</table>
10. Filomeno da Costa  1983  Same  Killed

11. Domingos Ribeiro  1983  Same  Killed

12. Filomeno Borges  April 84  Manumera  beaten to death

13. Mateus  April 84  Manumera  beaten to death

14. Manuel  April 84  Manumera  beaten to death

15. João Zino  May 1984?  Same  in detention

Ainaro

583. The Commission did not receive reports of fatal violations in Ainaro District in 1983. However, during the first half of 1984, Indonesian security forces tortured and executed a number of individuals in Ainaro. On 20 February 1984, Silvano de Araújo was reportedly killed in his garden in Soro Village by a member of Babinsa and a member of Hansip.\(^6\) On 19 March 1984, a man named Manuel, aged 42, was killed, and on 29 March 1984, a man named Nuno was killed.\(^6\) On 29 May 1984, members of a Nanggala unit allegedly arrested and executed Lourenço dos Reis in Hatu Udo.\(^6\)

584. Duarte Gaspar Corte Real told the Commission that in 1984 a Nanggala unit entered Hatu Udo and killed many people. As the head of the village security unit (Lembaga Keamanan Masyarakat Desa, LKMD), Duarte was asked to make a list of 50 names and give it to the head of Chandraca 11 in May 1984. Between June and July 1984, Nanggala 11 killed at least four civilians in Hatu Udo.\(^6\) According to Duarte, another four civilians were also targeted to be killed. However, when new troops arrived to replace Chandraca 11, the four names were not handed over to the new troops as a going-away party was organised by the community to distract them from this task.\(^6\)

Table 33 - Individuals executed in Ainaro, 1984, as reported to CAVR

<table>
<thead>
<tr>
<th>Name</th>
<th>Date</th>
<th>Location</th>
<th>Age</th>
<th>Occupation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Silvano de Araújo</td>
<td>20 Feb. 84</td>
<td>Soro</td>
<td></td>
<td></td>
<td>Killed</td>
</tr>
<tr>
<td>2. Manuel</td>
<td>19 March 84</td>
<td>Ainaro</td>
<td>42</td>
<td></td>
<td>Killed</td>
</tr>
<tr>
<td>3. Nuno</td>
<td>29 March 84</td>
<td>Ainaro</td>
<td></td>
<td></td>
<td>Killed</td>
</tr>
<tr>
<td>4. Lourenco dos Reis</td>
<td>29 May 84?</td>
<td>Hatu Udo</td>
<td></td>
<td></td>
<td>Executed</td>
</tr>
<tr>
<td>5. Valente Amaral</td>
<td>29 May 84</td>
<td>Hatu Udo</td>
<td>50s</td>
<td></td>
<td>Executed</td>
</tr>
<tr>
<td>6. João Xavier</td>
<td>29 May 84</td>
<td>Hatu Udo</td>
<td>60s</td>
<td></td>
<td>Executed</td>
</tr>
<tr>
<td>7. Moises Marineiro</td>
<td>29 May 84</td>
<td>Hatu Udo</td>
<td>45</td>
<td></td>
<td>Executed</td>
</tr>
</tbody>
</table>

Unlawful killings and enforced disappearances in the Western Region (1983-1984)

Covalima, Bobonaro and Liquiça Districts

585. After an attack by Failintil during which seven Indonesian military personnel were killed in Zolo (Zumalai) on 7 December 1983,\(^6\) Indonesian military personnel in Bobonaro District arrested a large number of people in the sub-district of Bobonaro as well as in the neighboring sub-district of Zumalai (Covalima). They were subsequently detained at the Koramil headquarters in Bobonaro.\(^6\) Both men and women were subject to arbitrary arrest, sometimes merely because their names were similar to those suspected of aiding the Resistance. Among those detained, many were brutally beaten or tortured, others were executed or disappeared.\(^6\)
According to some accounts, Indonesian military personnel and Hansip members would remove four prisoners at a time from the prison in Bobonaro at night, tie them up with rope and take them to be executed. When the military personnel and Hansip returned to the prison, they told the other detainees that those taken “have already moved to a new house”. Armando dos Santos, a teacher of religion, told the Commission:

I was arrested...on 20 April 1984. Before I was detained I had already heard that [ABRI] had brought people out and killed them six times in a month. Each time they brought out four people. I saw it with my own eyes when I was in the jail. The next victims [of disappearance] were José, Marcello, João Mauati and João Dasimau. This was the last killing at Easter time in Bobonaro. Before they were killed, we gathered together, embraced each other and cried. I knew them well because they are my students. They were taken out to be killed after the Easter Mass.\(^\text{577}\)

The Commission has reason to believe that as many as 40 civilians were killed or disappeared in the Bobonaro Koramil in 1984.\(^\text{*}\)

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Age</th>
<th>Occupation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Miguel Bere Loco</td>
<td>Colimau, Bobonaro</td>
<td>45</td>
<td>Hansip</td>
</tr>
<tr>
<td>Alcino Dato Daci</td>
<td>Colimau, Bobonaro</td>
<td>34</td>
<td></td>
</tr>
<tr>
<td>Cipriano de Araújo</td>
<td>Malibú, Bobonaro</td>
<td>32</td>
<td></td>
</tr>
<tr>
<td>Armando Ati Mau</td>
<td>Malibú, Bobonaro</td>
<td>29</td>
<td></td>
</tr>
<tr>
<td>Armando Mau Mali</td>
<td>Malibú, Bobonaro</td>
<td>16</td>
<td>Student</td>
</tr>
<tr>
<td>Armando Malilesu</td>
<td>Malibú, Bobonaro</td>
<td>17</td>
<td>Student</td>
</tr>
<tr>
<td>Afonso Beremali</td>
<td>Malibú, Bobonaro</td>
<td>15</td>
<td>Student</td>
</tr>
<tr>
<td>Marcus Mauleto</td>
<td>Malibú, Bobonaro</td>
<td>56</td>
<td></td>
</tr>
<tr>
<td>Abel Bere Dasi</td>
<td>Colimau, Bobonaro</td>
<td>24</td>
<td></td>
</tr>
<tr>
<td>Manule Bere Sura</td>
<td>Colimau, Bobonaro</td>
<td>26</td>
<td></td>
</tr>
<tr>
<td>Clementino Bere</td>
<td>Colimau, Bobonaro</td>
<td>36</td>
<td></td>
</tr>
<tr>
<td>José Ati Mali</td>
<td>Colimau, Bobonaro</td>
<td>45</td>
<td></td>
</tr>
<tr>
<td>Afonso Mali Tai</td>
<td>Kotabot, Bobonaro</td>
<td>46</td>
<td>Hansip</td>
</tr>
<tr>
<td>Florindo Mau Atl</td>
<td>Kotabot, Bobonaro</td>
<td>41</td>
<td></td>
</tr>
<tr>
<td>Pedro Noronha</td>
<td>Kotabot, Bobonaro</td>
<td>14</td>
<td>Student</td>
</tr>
<tr>
<td>Julio Mau Loko</td>
<td>Kotabot, Bobonaro</td>
<td>35</td>
<td></td>
</tr>
<tr>
<td>José Rasi Bere</td>
<td>Kotabot, Bobonaro</td>
<td>21</td>
<td></td>
</tr>
<tr>
<td>Mateus Sina Boe</td>
<td>Kotabot, Bobonaro</td>
<td>38</td>
<td></td>
</tr>
<tr>
<td>Mariano Bere Tai</td>
<td>Colimau, Bobonaro</td>
<td>18</td>
<td></td>
</tr>
<tr>
<td>Afonso Mau pelu</td>
<td>Kotabot, Bobonaro</td>
<td>53</td>
<td></td>
</tr>
<tr>
<td>Domingos Bere Tai</td>
<td>Carabau, Bobonaro</td>
<td>49</td>
<td></td>
</tr>
<tr>
<td>Marcelo Pereira</td>
<td>Carabau, Bobonaro</td>
<td>27</td>
<td></td>
</tr>
<tr>
<td>João Manu Tai</td>
<td>Carabau, Bobonaro</td>
<td>24</td>
<td></td>
</tr>
<tr>
<td>João Francolin</td>
<td>Carabau, Bobonaro</td>
<td>28</td>
<td></td>
</tr>
<tr>
<td>Mateus Malimau</td>
<td>Carabau, Bobonaro</td>
<td>30</td>
<td></td>
</tr>
</tbody>
</table>

\(^*\) See list of 40 victims titled “Daftar Nama Korban yang Dibantai Tahun 1984 di Bobonaro” (“List of Names of Victims in Bobonaro in 1984”) provided by Olandino Guterres, in “Laporan Distrik Bobonaro, CAVR” (CAVR Research Report, Bobonaro District), 11-14 June 2003; see also HRVD Statements 05169; 08182; 08143; see also Amnesty International Report, 1985, pp. 216-217.
588. According to one informant, members of the Indonesian military executed Afonso Maia, Alfredo Nascimento, José de Sena and Martinho de Sena at the Lomea River in 1984. Another informant told the Commission that in 1984 Rojito dos Santos, Carlos Magno and João Magno were detained at the Zumalai Koramil and subsequently executed at the Lomea River. Yet another informant told the Commission that eight unidentified individuals were executed by the 412th Infantry Battalion in Talegol Lolo Leten in early 1984. In late February 1984, Afonso da Cruz was arrested, interrogated, forced to help ABRI search for Fretilin/Falintil and then killed by Hansip members in Baganas (Zumalai). On 8 March 1984, José Cardoso was arrested in Lour Village for hiding a Fretilin flag in his house. He was taken to the Koramil office, tortured and then executed.

589. The Commission received reports about further arrests and killings in Lour following a major confrontation between ABRI and Falintil there in July 1984. On 13 July, Simião Pereira, Miguel Pereira and Jaime de Jesus were arrested in Lour and taken to Bobonaro where they were killed by the Indonesian military. At least 20 people from Lour were arrested and killed by the Indonesian military, including Special Forces based in Bobonaro. Olandino Gutierres told the Commission:

> On July 1984, ABRI troops from Infantry Battalion 407 together with members of Hansip came to Pelek, [Lour]...They came with SKS and AR-16 weapons. About 20 people were arrested. I knew some of them: Vitorino, Joaquim and Luis. After being arrested, they were beaten until black and blue. Then they were separated: seven people were handed in to Infantry Battalion 412 to be killed, while 13 other people were taken by Infantry Battalion 407 to be handed in to the Sub-district administrator of Bobonaro. I just know that all of the victims were killed there, but I don’t know how they were killed.

<table>
<thead>
<tr>
<th>Name</th>
<th>Date</th>
<th>Location</th>
<th>Age</th>
<th>Occupation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mateus Maia</td>
<td></td>
<td>Tasibalu Carabau</td>
<td>45</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Daniel Maubere</td>
<td></td>
<td>Uduhai, Carabau</td>
<td>16</td>
<td></td>
<td>Student</td>
</tr>
<tr>
<td>Carlito Tasi</td>
<td></td>
<td>Uduhai, Carabau</td>
<td>18</td>
<td></td>
<td>Student</td>
</tr>
<tr>
<td>Tailoko Baluk</td>
<td></td>
<td>Tasibalu, Carabau</td>
<td>35</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Anastacio A das Neves</td>
<td></td>
<td>Tasibau, Carabau</td>
<td>48</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Francisco Bere Mau</td>
<td></td>
<td>Lefo, Zumalai-Suai</td>
<td>48</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Angelino Mauleso</td>
<td></td>
<td>Lefo, Zumalai-Suai</td>
<td>19</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Martinho Bere Mau</td>
<td></td>
<td>Lefo, Zumalai-Suai</td>
<td>26</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ernesto Bere Dasi</td>
<td></td>
<td>Lefo, Zumalai-Suai</td>
<td>39</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Felix Mau Loko</td>
<td></td>
<td>Lefo, Zumalai-Suai</td>
<td>15</td>
<td></td>
<td>Student</td>
</tr>
<tr>
<td>Alfredo Soares</td>
<td></td>
<td>Lefo, Zumalai-Suai</td>
<td>35</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Paul Bere</td>
<td></td>
<td>Lefo, Zumalai-Suai</td>
<td>49</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fernando de Sena</td>
<td></td>
<td>Lefo, Zumalai-Suai</td>
<td>50</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Agustino L</td>
<td></td>
<td>Lefo, Zumalai-Suai</td>
<td>53</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Felsiano Mau Ati</td>
<td></td>
<td>Lefo, Zumalai-Suai</td>
<td>42</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Table 35 - Individuals executed or disappeared in Covalima and Bobonaro Districts, 1984, as reported to CAVR
2. Alfredo Nascimento 1984 Lomea Killed
3. José de Sena 1984 Lomea Killed
4. Martinho de Sena 1984 Lomea killed
5. Rojito dos Santos 1984 Lomea Killed
6. Carlos Magno 1984 Lomea Killed
7. João Magno 1984 Lomea Killed
8. Afonso da Cruz Feb. 84 Baganasa Killed
9. José Cardoso 8 Mar. 84 Zumalai Executed
10. José April-May 84 Bobonaro Executed
11. Marcello April-May 84 Bobonaro Executed
12. João Mauati April-May 84 Bobonaro Executed
13. João Dasimau April-May 84 Bobonaro Executed
14. Simião Pereira July 84 Bobonaro Executed
15. Miguel Pereira July 84 Bobonaro Executed
16. Jaime de Jesus July 84 Bobonaro Executed
17. Vitorino July 84 Bobonaro Executed
18. Joaquim July 84 Bobonaro Executed
19. Luis July 84 Bobonaro Executed

590. The Commission also received a list of 40 individuals from Bobonaro and Covalima Districts reportedly killed by the Indonesian military in 1984.\footnote{684}

591. The Commission received information about a number of people who were executed or disappeared after being taken into custody by the Infantry Battalion 412. Alberto was killed in Tibar (Liquiça) in 1984\footnote{685}; Domingos Lobato was killed in Ulmera in 1984 \footnote{686}; on 14 February members of this battalion disappeared a man named Lekimosu in Tibar (Liquiça) \footnote{687}; in April a man named Mausera disappeared in Riheu \footnote{688}; and Afonso de Araújo disappeared in Liquiça \footnote{689}, and in November 1984 Cananti da Silva was arrested, reportedly taken to Dili and then disappeared.\footnote{690} Other reports of disappearance in Liquiça which were received by the Commission include the disappearance of Manuel Soares from Ulmera in 1983 \footnote{691}; the arrest and disappearance of João Martins Pereira from his home in Tibar on 22 April 1984; and, on 27 April 1983, the arrest and disappearance of Maubere and Orlando in Fahilebo (Bazartete) by members of the Special Forces (Kopassandha).\footnote{692}

Table 36 - Individuals executed or disappeared in Liquiça, 1983-1984, as reported to CAVR

<table>
<thead>
<tr>
<th>Name</th>
<th>Date</th>
<th>Location</th>
<th>Age</th>
<th>Occupation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Manuel Soares</td>
<td>1983</td>
<td>Ulmera</td>
<td></td>
<td></td>
<td>Disappeared</td>
</tr>
<tr>
<td>2. Alberto</td>
<td>1984</td>
<td>Tibar</td>
<td></td>
<td></td>
<td>Killed</td>
</tr>
<tr>
<td>3. Domingos Lobato</td>
<td>1984</td>
<td>Ulmera</td>
<td></td>
<td></td>
<td>Killed</td>
</tr>
<tr>
<td>4. Lekimosu</td>
<td>14 Feb. 84</td>
<td>Tibar</td>
<td></td>
<td></td>
<td>Disappeared</td>
</tr>
<tr>
<td>5. Mausera</td>
<td>April 84</td>
<td>Riheu</td>
<td></td>
<td></td>
<td>Disappeared</td>
</tr>
<tr>
<td>6. Afonso de</td>
<td>April 84</td>
<td>Liquiça</td>
<td></td>
<td></td>
<td>Disappeared</td>
</tr>
</tbody>
</table>
7.2.3.8 Unlawful killings and enforced disappearances by TNI 1985-1989

592. In contrast to the previous period, extra-judicial executions and disappearances from 1985-88 decreased sharply. Most of the cases documented by the Commission occurred in the eastern districts of Lautém, Baucau and Viqueque. Many of the victims during the late 1980s were targeted because they were members of clandestine networks or because they were related to members of Fretilin or Falintil. During this period the peak military command, Koopskam, was run by Kostrad’s 1st Infantry Division, which conducted Operations Watumisa 1 and 2. Military publications report the arrest of large numbers of alleged “GPK” (Gerombolan Pengacau Keamanan, Bands of Security Disruptors – generally the name used to refer to members of or those suspected of links to the Resistance): 328 in 1985, 364 in 1986, 327 in 1987, and 98 between January and 8 July 1988. However, skirmishes between Falintil and Indonesian forces continued during this period. During these years, ABRI lost 122 personnel in 1985, 169 in 1986, 92 in 1987 and 66 during the first six months of 1988.

593. The December 1988 decision to “open” East Timor was accompanied by the adoption of a new, “softer” military policy (see Part 4: The Regime of Occupation), which was reflected in a further decrease in fatal violations committed by ABRI towards the end of the 1980s.

Unlawful killings and enforced disappearances in Eastern Region (1985-1989)

594. The Commission received reports of at least 42 persons being killed or “disappearing” during this period in Lautém, Baucau and Viqueque Districts. The majority of these cases involved the detention and subsequent killing or disappearance of the victim as shown in the examples below:

<table>
<thead>
<tr>
<th>Name</th>
<th>Date</th>
<th>Location</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Araújo</td>
<td>7. João Martins Pereira</td>
<td>22 April 84</td>
<td>Tibar</td>
</tr>
<tr>
<td>Maubere</td>
<td>27 April 84</td>
<td>Fahilebo</td>
<td>Disappeared</td>
</tr>
<tr>
<td>Orlando</td>
<td>27 April 84</td>
<td>Fahilebo</td>
<td>Disappeared</td>
</tr>
<tr>
<td>Cananti da Silva</td>
<td>12 Nov. 84</td>
<td>Tibar</td>
<td>Disappeared</td>
</tr>
</tbody>
</table>

Unlawful killings and enforced disappearances in Eastern Region (1985-1989)
• In 1988 a woman named Carmila Cabral was taken from the home of Alcina Maria in Lore I (Lospalos, Lautém) by members of a combat engineering battalion (Zipur). She had been staying at Alcina Maria’s house for two months after her mother, Rosa Maria, went to hide in the forest. She was handed over to Battalion 744, and never returned.  

• On 15 August 1985 Adolfo Fraga, a coordinator of the clandestine network in Baucau, was arrested by a Kodim intelligence officer at the house of the Sub-district administrator of Baucau in Bahu, Baucau, where he was hiding. He was taken to the Kodim in Baucau, and subsequently “disappeared.”

• In March 1988, four men were arrested in the aldeia of Fatulia (Venilale, Baucau) by members of Infantry Battalion 328 and the village head of Uatulia. They were detained at the battalion post in Ubanaka (Venilale, Baucau) and were tortured when they refused to give information about the whereabouts of Falintil. One of them named Joaquim was reportedly executed.

• In 1985 Miguel Soares and his friend Luis, both of whom were active in the clandestine movement, were arrested in Babulo (Uatu-Lari, Viqueque) by the hamlet chief (chefe de povoação), and taken to the security post in the aldeia of Aliambata. There both were severely beaten. Miguel died as a result of the beating.

• On 8 March 1985, José da Costa, the head of the aldeia of Iralafai (Bauro, Lospalos, Lautém), and five others, Cristovão Caetano, Francisco dos Santos, João Graciano, Pancracio Pereira and Leopoldino, were summoned by the local Babinsa and executed.

• On 7 April 1986 a group of men were reportedly arrested in Buikarin, Bahalarauain (Viqueque, Viqueque) where they were detained by a Nanggala (Kopassus, Special Forces) unit. Luis Pinto was allegedly tortured and subsequently died.

• In Viqueque, in December 1986, after a Falintil attack, members of Battalion 122 summoned a number of men in Beaço (Viqueque, Viqueque) to be interrogated. One informant told the Commission:

> On 16 February 1986, Fretilin forces attacked a number of the teaching staff of [junior and senior high schools in] Wenara. Those teachers were: Armindo Almeida, Julio da Silva, Alípio Soares, Jeronimo, Lourenco, José Mariano and José. During the attack two of the teachers — Julio da Silva and José Mariano — were shot dead by Fretilin forces, while the others managed to escape. As a result of that attack, on 18 December 1986 TNI forces from Battalion 122 arrested 6 people from Beaço; among others: Pedro Martins, Raul Izak, Alberto Sequilari, Miguel Gusmão, Paul de Araújo and Paul da Silva. I don’t know where they were taken after their arrest, they just disappeared, and their whereabouts are unknown to this day.

595. Another pattern was the killing of civilians who had been forcibly recruited to take part in military operations, as occurred in the earlier years of the occupation. For example:
• In September 1986, members of Kopassus arrested Martinho Madeira, the chief of the aldeia of Fuat (Iliomar, Lautém). He was taken to Baucau and then returned to Iliomar. On his return to Iliomar he was ordered to look for Falintil in the forest, accompanied by members of the military. Once in the forest, the soldiers killed him and burned his body, according to two eye-witnesses.701

• In 1987 Sergeant Bayani, commander of the Kopassus post in Mehara (Tutuala, Lautém) ordered two women to search for the husbands, both Falintil members, in the forest. As one of the women, Josefina, looked for her husband, members of Battalion 144 found her and shot her dead.7

• In February 1987 Elias Fernandes was forced to join Hansip members in Vessoru (Uatu-Carbau), but was then killed by members of the Indonesian military.702

• In 1988 members of Infantry Battalion 726 and members of Tim Makikit allegedly killed Luis da Cruz and Carlos da Silva as they were going to serve guard duty in Lacluta (Viqueque).703

• Also in Viqueque, on 14 July 1985, members of the Infantry Battalion 321 killed an East Timorese man involved in a military exercise in Afaloicai (Uatu-Carbau). A deponent explained what happened:

  On 14 July 1985 the Indonesian Army from Battalion 321 shot Adelino Boro Kili dead in the sub-district of Uatu-Carbau, the village of Afaloicai. To be precise, in the area known as Betu Ana. At the time, the victim had been ordered by Battalion 321 to undertake anti-guerilla training. The training was in anticipation of an attack by Falintil. Some TNI from Battalion 321 disguised themselves as Falintil and attacked Afaloicai at 3.00am. At the time, the victim and his friends were acting as village security, and were composing a plan to capture Battalion 321, who were disguised as Fretilin. Just as the victim moved to capture the enemy, he was shot dead by one of the members of Battalion 321, in the area of Betu Ana Ho’o. 704

596. Most of the victims of these fatal violations had some connection to Fretilin/Falintil. Carlos dos Santos, for example, was killed by ABRI troops in Lautém in 1986 when he was running to the forest to join Falintil forces.705 On 4 March 1987, in Mehara (Tutuala, Lautém), Francisco Teles met another man to discuss setting up a clandestine cell. The man denounced him to Battalion 745. Members of Battalion 745 came and shot Francisco Teles dead.706

597. However, other fatal violations seemed to be random cases of the killing of civilians who were simply at the wrong place at the wrong time or for some reason antagonised a member of the security apparatus. Such cases are illustrated in the table below.

<table>
<thead>
<tr>
<th>District</th>
<th>Summary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lautém</td>
<td>Following a Fretilin attack on the village of Ailebere, Iliomar in January 1985, a man named Zeferino Hornay injured his leg as he was rebuilding his house which had been burned, along with many others, in the attack. Members of the Indonesian military brought him on consecutive days to the Indonesian military command post in Iliomar to be treated for the injury. After his second visit to the command post he never reappeared.707 Also in 1987, Infante Pereira was killed by members of Battalion 327 in Lore (Lospalos). He was killed at their base on Mount Maureno by being stabbed in the stomach with a bayonet.708</td>
</tr>
</tbody>
</table>

1 HRVD Statement 01612; CAVR Interview with Julio dos Santos, Dili, 15 October 2004. According to Julio dos Santos, Josefina was killed in 1985.
In August 1987, members of Battalion 745 killed Manuel Mesquita in Fuloro (Lospalos). On 7 August 1988, members of Battalion 511 were reported to have fired on a group of four men from Duadere (Moro), who were out looking for food. One of the four, Victor Morais, was wounded in the leg and, unlike the other three, was unable to escape. Members of Battalion 511 then shot Victor Morais dead. On 28 March 1988 Lamberto Nunes, Angelo Baptista and Albino were ordered by troops from Kodim 1629 to fetch some bamboo in the forest. On their way home Albino climbed a coconut tree. Albino taunted some Indonesian soldiers by challenging them to attack. Suddenly a member of Battalion 315 stationed in a fort about 300 metres away began shooting at them and Lamberto Nunes was shot dead.

Viqueque
On 13 March 1987, members of the Kopassus unit Nanggala 15, allegedly shot and killed Domingos da Costa who was with his father in their garden in Beto-Abu (Ossurua, Ossu, Viqueque).
Some time in 1988, Julio Amaral went with his dog to work in his rice field in Daibonubai (Uaibobo, Ossu). Soon after his family heard gunfire, and some time later his dog returned without his master. His wife went to the rice field and found her husband dead with a cloth tied over his eyes. His widow suspects that troops from Battalions 328 and 215 were the perpetrators because they were on an operation in the area at the time.
On 6 May 1988, members of Battalion 407 are reported to have fired on four civilians in Ossu, killing a man named Ernesto. Two of the others were wounded and taken to the Battalion 407 post, while the fourth man escaped to the forest. The two captured men were interrogated about the whereabouts of Falintil and released after receiving treatment to their wounds.

Baucau
In 1986 or 1987, members of Battalion 516 from Lariguto (Asalaitula-ossu, Viqueque) are reported to have shot dead Mateus do Rego and another man also named Mateus. After they were killed, their mouths and throats were reportedly slashed with machetes, and their legs riddled with bullets. A third man, Abel Sico Lai, who was with the other two, was taken away and “disappeared”. The three were digging cassava in their gardens in the aldeia of Ro’o Isi (Uai-Oli, Venilale) when the soldiers opened fire on them.
Also in 1987, in Osso-huna, (Baguia), Domingos da Costa was killed by members of Battalion 713 while on his way to his garden.
In 1988 members of the Infantry Battalion 713 are reported to have summoned Julião Ximenes from Samaguia (Tequinaumata, Laga) to go with them to Indonesia. He has not been seen since.
On 12 January 1988, Francisco and Domingos were reportedly killed by members of Battalion 315 in Badoho’o (Venilale) while on their way to their rice field.

Other killings and disappearances (1985-1989)

598. Many victims in districts outside the eastern region were also targeted because of their clandestine activities or family relationships to persons still in the forest. However, other victims were peasants who had started to work land further from population centres who were killed at random by frustrated or suspicious military personnel. The following table shows fatal violations reported to the Commission during this period.

<table>
<thead>
<tr>
<th>District</th>
<th>Summary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Manufahi</td>
<td>On 15 December 1985 members of Battalion 410 are reported to have killed Julio Tilman in Betano because he was suspected of working with Falintil. In January 1986, a Hansip member beat Raimundo Sardoento, aged 58, in Raifusa (Betano, Same) because he was suspected of making contact with Falintil. He was rushed to hospital but the doctor said that his condition was terminal; he was taken home and died one week later.</td>
</tr>
<tr>
<td>Ainaro</td>
<td>In 1986 Hansip members in Manetu (Maubisse) arrested Abrão Rodrigues on the orders of the village head. He was held in the village office for one year where he was beaten continually and deprived of food and water until he eventually died. In September 1986 Julião de Araújo was ordered to go hunting with the village head and a Hansip in Hatu Udo. He never returned.</td>
</tr>
<tr>
<td>Ermera</td>
<td>In 1987 members of the Indonesian military allegedly killed six youths in Atara, (Atsabe, Ermera). The Commission received an unconfirmed report that in 1988 members of the Indonesian military burned Maubere Ketil and Alberto alive in the aldeia of Leimea,</td>
</tr>
</tbody>
</table>
| Sarin Balu (Letefoho).  
|---
| Dili | On 28 August 1985, Antonio Simões was reportedly killed by members of the Indonesian military in Kampung Alor. He had been told by an Indonesian soldier to attend school in Dili, but had apparently argued with the soldier before he was killed. On 17 August 1987 Paul de Jesus, a member of Hansip, was shot in Vila Verde by members of the Indonesian military who found out that his father was a clandestine leader.

### 7.2.3.9 Unlawful killings and enforced disappearances by Indonesian security forces, 1990-1998

599. The Commission found that from the late 1980s until the explosion of violence in 1999, significantly fewer unlawful killings and massacres were reported, with the dramatic exception of the Santa Cruz Massacre of 12 November 1991. Despite the decrease in reported executions, even excluding the executions and disappearances that occurred during and after the Santa Cruz Massacre, the Commission received testimonies from most districts regarding at least 185 killings and disappearances during this period. The Indonesian military responded to the activities of a small number of armed Resistance fighters and an increasingly sophisticated clandestine movement by subjecting civilians sympathetic to the Resistance to arbitrary detention, torture and ill-treatment, and enforced disappearances and killings. The witness testimonies below show that the Indonesian military continued to terrorise the population and kill civilians.

#### Santa Cruz Massacre (November 1991)

600. On the morning of 12 November 1991, Indonesian security forces opened fire on a thousand or more demonstrators gathered at the Santa Cruz Cemetery in Dili. This demonstration against Indonesian occupation, led by clandestine groups in Dili, was the largest since 1975. Tensions in Dili heightened with the August announcement of a planned visit by a Portuguese parliamentary delegation. The Resistance was preparing a large demonstration to coincide with the visit, which was scheduled for 4 November. However, on 25 October the Portuguese parliament suspended the visit in protest of the Indonesian demand that journalists including Jill Joliffe and Rui Araújo not be allowed to accompany the delegation. The cancellation of the visit disappointed the Resistance, especially as the preparations made by the clandestine movement throughout the country had risked exposing its networks to Indonesian intelligence. Towards the end of October the military’s harassment of activists in Dili escalated, culminating in a raid on the Motael Church on 28 October. The raid left two dead, an East Timorese “intel” and a clandestine activist, Sebastião Gomes Rangel whose funeral was held the next day. The Resistance decided to use the occasion of the flower-laying service for Sebastião Gomes on 12 November—while the UN Special Rapporteur on Torture, Professor Peter Kooijmans, was also in Dili—to demonstrate for independence.

601. Approximately 3,500 people attended a mass at the Motael Church that ended at about 7.00am on 12 November. A procession then started from the Church and headed towards the Santa Cruz Cemetery. It immediately turned into a demonstration. Activists displayed pro-independence banners and flags. After passing in front of the Governor’s office the march turned south at the T-junction where the Kodim headquarters was located, because the road to Hotel Turismo was blocked by Brimob (Mobile Police Brigade). At about 7.15am, in front of the Dharma Wanita office, a scuffle occurred in which Major Andi Gerhan Lantara was stabbed and his assistant, Private Domingos, was also injured. Leonardo de Araújo, a demonstrator, told the Commission that he was also stabbed in the right leg by a man in a camouflage uniform just near the Kodim. As the demonstration proceeded, some marchers threw stones at the Summa Bank and the Regional Police (Polwil) headquarters on Bispo Madeiros Avenue. The march turned east at the intersection of the Military Police Detachment and the Balide Church, and arrived at Santa
Cruz Cemetery at approximately 7.50am where some 500 other demonstrators were already waiting.

602. In 2004 the Commission obtained six Indonesian military documents concerning the events of 12 November 1991 that list the units which were mobilised for the demonstration.\(^{728}\) They included the following:

- A platoon from Brimob 5486 under the command of First Lieutenant (Police) Maman Hermawan.
- A Combined Company led by Second Lieutenant Sugiman Mursanib comprising a platoon of Brimob 5486 under the command of Second Lieutenant Rudolf A Roja and three platoons from Battalion 303 comprising Company C under the command of Second Lieutenant John Aritonang, Company D under the command of Lieutenant Handrianus Eddy Sunaryo and another company whose commander is not known.
- A group of about 24 soldiers from Company A, Battalion 303 under Captain Yustin Dino. This included at least three Milsas (East Timorese recruited from civil defence units, such as Hansip, into the regular military structure), namely Second Privates Jorgé Barreto, Domingos da Conceição and Financio Barreto.
- An anti-riot detachment from Battalion 744.

603. The Military Police (Pom) investigation identified First Sergeant Udin Syukur as the first soldier to open fire.\(^{729}\) At his trial Sergeant Syukur said that he and the demonstrators had had an altercation, which, he claimed, led him to shoot at either side of them though he claimed no one was hit. Marito Mota, coordinator of the clandestine youth group Fitun, told the Commission that he was standing at the T-junction lined up with fellow demonstrators facing the troops. Marito Mota said that he saw one of the demonstrators approach the soldiers and try to say something. This person was the first to be shot, and he said that after this the demonstrators began to flee in panic.\(^{730}\)

604. A period of intense firing quickly followed. Russell Anderson, one of the foreign eyewitnesses of the massacre, described this sudden escalation of firing by the soldiers.

Bob Muntz and I decided we should leave. I had taken ten hurried steps north along the cemetery wall and was glancing back to see the helmets of the military front line bobbing up and down, jogging or marching towards the crowd. The crowd began to walk backwards, walk away, some were already running.

Suddenly a few shots rang out, continued by an explosive volley of automatic rifle fire that persisted for two to three minutes. It sounded like the whole 15 in the front row had their fingers pressed firmly on the trigger. They were firing directly into the crowd.\(^{731}\)

605. The Third Military Police Report concluded that “elements” of Battalion 303’s two platoons, under Second Lieutenant Mursanib, along with the Battalion 303 company from Taibessi, overtook the Brimob platoon because the latter looked as if they were hesitant to proceed. These “elements” formed into a unit in front of the Brimob platoon. Mursanib ordered two warning shots, but by the second shot troops, including three East Timorese auxiliaries to Battalion 303, were already shooting directly into the crowd. Jacinto Alves, a clandestine activist involved in organising the demonstration, heard the order to shoot as he passed troops coming from Taibessi. Many years later, he told UN investigators:
On reaching a bridge called “My Friend”, which is about 100 metres from the cemetery, a group of Indonesian soldiers, bare-chested and armed, passed me and stopped two metres ahead. I identified them as Battalion 744 members because of the direction they were coming from. One of them, whom I do not know, instructed his colleagues to shoot the demonstrators on the spot. I did not expect the orders to be carried out owing to the presence of the [UN] human rights rapporteur in Dili at the time…[A]fter I heard these orders I turned and started heading for my residence. After walking approximately 200 metres, I heard rapid gun-shots for about five minutes, followed by isolated single shots that continued long after I reached my house.732

606. The bare-chested troops Jacinto Alves saw advancing were in fact a group of soldiers under the command of Yustin Dino from Battalion 303. At least four Brimob members testified to the military investigators that they saw shots fired by bare-chested soldiers.733 Soldiers also started shooting from inside the Indonesian military Heroes’ Cemetery directly opposite Santa Cruz Cemetery. Marcio Cipriano Gonçalves told the Commission that he saw soldiers inside the Heroes’ Cemetery pointing their guns at the demonstrators and that he was almost hit by a bullet fired from that direction.734

607. Many witnesses recalled that they continued to hear shooting for some time.735 Simplicio Celestino de Deus told the Commission that many were killed during the main burst of firing, but that many others were also killed in various ways in its immediate aftermath:

When I got into the cemetery, the guns were still being fired and continued to be for about 10 minutes. Inside the cemetery I looked for a place to hide. Then the military stormed in, beating victims with rifles and kicking them. Many were killed in the cemetery, but many more were killed outside the cemetery as they tried to run away or were taken from their homes and other places where they were hiding, and murdered.

The military found me, beat me and wounded my ear. Later a policeman came and severed it completely…Because of all the blood they threw me into the back of an Indonesian military truck full of dead bodies. When the truck started moving I realised that one of the people in the truck was still alive. He tried to get up and asked the guards for water. Instead of giving him water, the soldier in charge slashed his throat with a bayonet.736

608. Medical files presented at the trial of Gregório da Cunha Saldanha, a clandestine leader involved in organising of the 12 November demonstration, list 19 dead and 91 wounded. They also indicate the general pattern of the shootings.737 Of the 17 victims listed as shot at the cemetery, six were hit by bullets fired from in front of them and which lodged in the upper part of the body, mostly around the chest. This suggests deliberate firing directed at the demonstrators’ bodies. Of the 91 wounded victims, 43 sustained bullet wounds; 21 of those with bullet wounds were shot from behind and were hit in the back, the buttocks, and the back of their legs and necks.
The death of Kamal Bamadhaj

Kamal bin Ahmed Bamadhaj, 21, was the only foreigner who lost his life in Dili on 12 November 1991. He was watching the demonstration at Santa Cruz Cemetery together with six other foreigners. It is likely he was standing close to the front line of demonstrators, as security forces were gathering at the T-junction. He somehow escaped the massacre and reached Bispo Madeiros Avenue where he was shot by a passing patrol. The Indonesian military court-martialed two low-ranking East Timorese soldiers—Second Private Afonso de Jesus and Second Private Mateus Maia—on charges related to the death of Kamal.

Helen Todd, Kamal’s mother, spoke about his death during the Commission’s Public Hearing on Massacres:

Kamal was a student born and educated in Malaysia. He was a Muslim. At the time of the Santa Cruz Massacre, Kamal was a second year university student in Australia. When he moved to Australia to study, he was shocked to learn of the situation in Timor. In neighbouring Malaysia he had never heard about East Timor.

Kamal was not shot at Santa Cruz. After the shooting at the cemetery he was walking along the road of the old market. As you know, an intel agent had earlier been stabbed. The ABRI unit that took him to the hospital was returning and saw Kamal walking alone and shot him. A member of the International Red Cross tried to take the bleeding Kamal to the civilian hospital, but was refused entry and obliged to go the military hospital, losing precious time. He died after admission from loss of blood. Kamal’s death was one small part in the struggle of thousands and thousands. A small thing, but you will understand that it is important to me.

There were so many lies after Kamal’s killing. Max Stahl was graphic about the lies told after the Santa Cruz Massacre. I can testify that this is true. For three days the Indonesians denied that any internationals had been killed. Then the official Indonesian report was that Kamal was killed in the crossfire. Then it was suggested that he was some sort of stupid tourist, killed because he should not have been there.

The New Zealand government was initially very helpful in terms of the retrieval of the body, but once this was done it was back to business as usual, [doing] anything to please Indonesia. Malaysia barely acknowledged the killing. The major English-language newspaper wrote of the killing, editorialising generally that young people should not get mixed up in politics, that if they do they are somehow troublemakers.

The Red Cross in Dili was a great help. Kamal was first buried in an unmarked grave in Hera. It was only because of the efforts of the Red Cross representative, Anton Manti, that we had his body removed and were able to have him buried in Malaysia.

This year, on the anniversary [of the massacre], I walked to the place where Kamal was shot. People came out to tell me that the place was a little further along the road. Later that day, I came back to the place. Somebody had come and placed flowers and candles at this place. I thank you.

Alleged killings at Wirahusada Hospital

609. In 1994 two people came forward to claim that they witnessed the killing of people who had been taken to the Wira Husada military hospital after being wounded at Santa Cruz. At the time of the massacre Aviano Antonio Faria was a pupil at the Santo José school and João Antonio Dias a laboratory technician at the Wira Husada Hospital. The two were smuggled out of Timor-Leste and testified to the 50th session of the United Nations Commission on Human Rights in 1994. The
Commission interviewed the two witnesses and a new witness, Inocêncio da Costa Maria Freitas, who had worked for the intelligence branch of the Dili Kodim.

610. Aviano Antonio Faria told the Commission that after he was wounded at Santa Cruz, he was taken from the cemetery to the Wira Husada Hospital and not long afterwards was placed in the morgue. Two Indonesian soldiers came into the room. One had a big stone and the other had two plastic bottles that contained water and some kind of medicine. The soldier with a big stone dropped it on the heads of the seriously wounded. When Faria’s turn came, he suddenly stood up and lied to the soldiers that he was an informer for Kopassus, who had been sent to monitor the demonstration. The soldiers allowed him to go, but before that they ordered him to take the medicine. After the medicine induced vomiting, he was taken to the hospital and received treatment. On the night of 12 November, soldiers came into the room where Aviano Antonio Faria and other patients were sleeping. They asked which of them had come from the morgue. Faria remained silent, and they did not take him.

611. João Antonio Dias told the Commission that tablets of formaldehyde were given to the wounded. He told the Commission that he was ordered to help take the bodies brought in to the hospital on trucks. This made him feel sick and he went to the bathroom of the laboratory where he heard a conversation between his supervisor and a group of four soldiers who had come to the laboratory to get sulfuric acid. The soldiers said they wanted to kill the wounded quickly and silently. His supervisor told them that people would scream if they were given sulphuric acid, so the soldiers left and returned later with a drug. When this was administered to the victims, many screamed and then fell silent. The soldiers took away and burned the clothes and shoes of the dead in front of the morgue. Then a water truck came and washed the ground.

612. Inocêncio da Costa Maria Freitas, the member of the Kodim’s intelligence section, reported to the Commission that he came to Wira Husada Hospital that morning carrying Major Gerhan Lantara who was wounded. While he was there, Kamal Bamadha and Gerhan Lantara’s assistant, Private Domingos, were brought to the hospital. Hino trucks began arriving and he saw about 200 bodies carried into the hospital. He went to the morgue and there he saw two Indonesian soldiers crushing the heads of the wounded lying on the floor with a stone.

Culpability

613. The Indonesian military and civilian investigations described the demonstrators as *bringas* or “wild” and claimed they were armed with rifles, pistols, grenades, swords and knives. Both investigations also claimed that the demonstrators threw a grenade and attempted to seize firearms from the soldiers. One witness told the Commission that some of the demonstrators had grenades. Fernando Tilman, a witness at the trial of Gregório da Cunha Saldanha, is recorded as having told the court that he saw a demonstrator, Alino Brewok, shoot a weapon and saw two other demonstrators carrying rifles. However, he told the Commission that what he had told the court was false. The Indonesian investigations failed to present evidence such as photographs or film that showed armed demonstrators. Adding to the sense that these allegations were fabricated was the fact that the Indonesian list of weapons supposedly seized frequently changed.

614. Because the massacre was filmed by the British film-maker Max Stahl and shown around the world it caused unprecedented international outrage, which the Indonesian government could not ignore. The military’s strategic intelligence agency, Bais, immediately started an internal investigation, but never announced its findings. A National Commission of Inquiry (NCI) was appointed by President Soeharto to carry out an investigation. Its advance report, issued on 26 December 1991, assigned most of the blame to the demonstrators. It concluded that the response of the Indonesian security personnel was a spontaneous reaction to defend themselves, and, because it had occurred without orders from above had resulted in excessive shooting at the demonstrators. Its full report was not made public. In 1992 ten low-ranking
members of the security forces were court-martialed and received sentences of from eight to 18 months. The Indonesian government put the number of confirmed deaths at 19 and those missing at 56 as of 29 November 1991.\textsuperscript{747} However, other sources put the death toll far higher. For instance, the list of victims compiled by two Portuguese non-government organisations, published in 1993, contains the names of 271 dead, 382 wounded and 250 missing.\textsuperscript{1}

615. The figure for the number of wounded on the list compiled by the Portuguese NGOs was confirmed by an internal Indonesian military investigation, which put the number of wounded taken to Wira Husada Hospital at about 400.\textsuperscript{748} In a brief survey of selected Dili neighbourhoods the Commission was able to establish that the whereabouts of 59 people on the Portuguese list of missing people were still unknown. In addition it received the names of a further 18 missing people through its statement-taking process. Excluding duplicated names that were given to the Commission through both processes, the Commission collected the names of a total of 72 people who have been missing since November 1991. It is clear to the Commission that the total number of missing people must be much higher. The Commission’s survey was far from comprehensive, covering only a few of Dili’s neighbourhoods and excluding much of the area immediately around the Santa Cruz Cemetery itself. Moreover, it is clear that many of those who joined the demonstration came from outside Dili and though it is known that several of them too were killed or “disappeared”, their number is not known.\textsuperscript{1} The Commission has no way of judging how many are still missing, but it believes that a figure of 200 is not an unreasonable estimate.

616. The Commission has also received several reports of extra-judicial executions outside Dili at around the date of the Santa Cruz Massacre. In Sorolau (Ainaro, Ainaro) four clandestine activists were killed by soldiers identified as members of Kopassus and East Timorese Milas.\textsuperscript{749} In Maubisse (Ainaro) a group of 14 men were arrested by East Timorese Sukarelawan acting on the orders of the Maubisse Koramil. They were taken to the local Koramil where they were bound and beaten, and interrogated about their supposed clandestine connections. Two of the men died as a result of the beatings.\textsuperscript{750}

617. The Commission believes that a more comprehensive survey than its own is needed. It finds credible reports there is at least one mass grave in Tibar (Bazartete, Liquiça) and possibly another one in Hera (Cristo Rei, Dili) and and believes that a more rigorous investigation is required.\textsuperscript{751} For example, the Commission did not have the resources to conduct exhumations. The Commission recalls that in his report to the United Nations on his mission to Indonesian and Timor-Leste, the Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions, Bacre Waly Ndiaye, cited Article 17, Paragraph 1 of the Declaration on the Protection of All Persons from Enforced Disappearance, which states: “Acts constituting enforced disappearance shall be considered a continuing offence as long as the perpetrators continue to conceal the fate and the whereabouts of persons who have disappeared and these facts remain unclarified.”\textsuperscript{752}


\textsuperscript{1} See, for example, CAVR Community Profile Ilionar II, Ilionar Sub-district, Laúrêm District, which says that 12 people from Ilionar, who attended the Santa Cruz demonstration, were killed or “disappeared”.

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Case study: Indonesian investigations into the events at Santa Cruz Cemetery on 12 November, 1991

Introduction:

618. When film footage of the massacre at Santa Cruz\footnote{Cameraman Max Stahl filmed the demonstration and the reaction by the Indonesian military on 12 November 1991. The film was smuggled out of Timor-Leste within days and broadcast on networks across the world. The Commission has examined this film footage, and holds copies in its Archive. José Ramos-Horta told the Commission that this film footage had changed international perceptions of the situation in Timor-Leste [José Ramos-Horta, Closing Address to the CAVR National Public Hearing on Famine and Forced Displacement, 2003.} was broadcast to audiences around the world it provoked a significant international outcry against the practices of the Indonesian military in Timor-Leste. It brought an unprecedented level of pressure upon Indonesia about the actions of the its armed forces in Timor-Leste. However, as the research presented in this section demonstrates, even in the face of strong international demands to bring those who had killed unarmed demonstrators to account, the institutional practices of ABRI/TNI provided the majority of perpetrators who were most responsible with effective impunity.

619. As reported in this Chapter, scores of unarmed demonstrators were executed by heavily armed members of the Indonesian military forces in the course of what has come to be known as the Santa Cruz Massacre. This included shooting civilians in the back when they were running away, stabbing wounded civilians to death, or killing the wounded who were incapacitated by blows to the head. However, the series of subsequent investigations which were carried out by civilian police, military police and the local military command resulted in the demonstrators, who were the victims of the massacre, suffering even further punishment. Demonstrators were variously killed, rounded up, arrested, or faced unfair trials designed to guarantee convictions and ensure long prison sentences.

620. The investigations were not carried out by independent authorities, but were conducted by persons who were connected institutionally to those under investigation. The investigations were thus designed to condemn the demonstrators and in turn exonerate those responsible for the violence. Ultimately, those military officers who were directly involved in shooting or commanded troops who shot the unarmed demonstrators were protected, with only a few low ranking officers facing court martial on relatively minor charges.

Background:

621. The events leading up to and including the killings at the Santa Cruz Cemetery on 12 November 1991, as well as the trials of demonstrators, are examined at length in other parts of this Report (see in particular, Chapter 7.6 Political Trials, Chapter 7.4 Detention Torture and Ill-treatment, and Part 3 History of the Conflict). The United Nations Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions, Mr Bacre Waly Ndiaye (Senegal) visited Indonesian and East Timor from 3 to 13 July 1994 and examined the events of the massacre at Santa Cruz. He presented his report to the UN Commission on Human Rights in February 1995.\footnote{The evidence which has been presented to the Commission generally confirms the findings of UN Special Rapporteur Ndiaye in his 1994 report on the extra-judicial killings at Santa Cruz.} The evidence which has been presented to the Commission generally confirms the findings of UN Special Rapporteur Ndiaye in his 1994 report on the extra-judicial killings at Santa Cruz.

622. In particular, the UN Special Rapporteur found that:

17. The procession was a peaceful demonstration of political dissent.

18. The claims of some officials that the security forces had fired in self-defence and had respected the principles of necessity and the proportionality of use of lethal force were unsubstantiated.
19. Security forces had used unnecessary force beyond the extended needed for the performance of their duties.

20. The security forces had advance information of the preparations for the demonstration.

21. The demonstrators carried no firearms.

22. The only act of violence by demonstrators, namely, the stabbing of Major Andi Gerhan Lantara and his assistant, Private Domingos, took place some time before the crowd reached Santa Cruz cemetery.

23. No security forces had been killed at or around the cemetery, the site at which they opened fire.  

623. The established international standards for assessment of investigations involving possible violation of the right to life are set out in the Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions.  

624. According to these principles, the massacre at Santa Cruz required a thorough, prompt and impartial investigation. In line with Principle 9, the purpose of the investigation should have been:

   [T]o determine the cause, manner and time of death, the person[s] responsible, and any pattern or practice which may have brought about that death. It shall include an adequate autopsy, collection and analysis of all physical and documentary evidence and statements from witnesses.

625. On this basis, the Indonesian investigations should have attempted to:

   • Identify the numbers and identities of the dead and missing.
   • Distinguish between the different reasons for death: natural death, accidental death, suicide and homicide.
   • Assess whether a person’s right to life was unlawfully taken, that is, taken arbitrarily, for a non-lawful purpose, or in a disproportionate way, or taken summarily.
   • Determine to a sufficient degree individual and/or command responsibility of person(s) under review in order to recommend further action where such action is justified.

626. This section examines the extent to which the various investigations and actions by Indonesian authorities in response to the killings at the Santa Cruz Cemetery satisfied these standards and therefore discharged Indonesia’s duty to hold the perpetrators accountable through a genuine process of investigation, prosecution and punishment of perpetrators.

627. The Commission has considered:

1. The investigations conducted by the civilian police in East Timor.
2. The investigations conducted by the military in East Timor.
3. The investigations conducted by the military police into the actions of military personnel at the incident.
4. The investigation of the National Commission of Inquiry (NSI).
5. Action taken against members of the armed forces, including the trials of members of the armed forces.
Civilian police investigation

628. The Indonesian legal system did not provide the police with authority over the military, and so they could only investigate the actions of civilians. In this case the civilians were the demonstrators and victims of crimes allegedly committed by security forces. Nevertheless, the police were required to undertake a fair and diligent investigation into the entire circumstances of the events before they decided that criminal action against the demonstrators was required.

629. It is clear that the police undertook a large-scale investigation. On 13 December the Chief of Police for East Timor (Kepala Kepolisian Wilayah Timor Timur), Drs. Ishak Kodijat, formally opened an investigation by a 28-person team. However, this investigation was focused from the beginning on bringing the demonstrators to trial. Indeed, on the day of the demonstration and before the investigation had even commenced, the civilian police concluded that subversive crimes had been committed. As a result, the investigation was neither comprehensively nor impartially conducted. The impartiality of the police was further compromised by the fact that the police force was part of the Indonesian armed forces apparatus.

630. The failings in the investigation into the demonstrator’s conduct have been discussed in detail in Chapter 7.6: Political Trials. The evidence examined by the Commission, which included hundreds of official court files and the evidence of witnesses, clearly demonstrated that the court proceedings were designed and implemented to guarantee the conviction of those demonstrators who were charged. Many confessions were obtained through torture, evidence was fabricated, in most cases no defence witnesses were called by court appointed lawyers, none of those charged were acquitted and no appeals were successful. The findings of the Commission included the following:

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* The Commission uses this terminology to distinguish the “civilian police” from “military police”. At the time of the incident and until 1999, both were part of the armed forces.
• The investigation was directed at punishing the demonstration organisers for their defiance and then to pin blame for events at the cemetery on the demonstrators. The Records of Interview and the court transcripts show that the authorities went to great lengths to draw out details about the alleged brutality of the demonstrators and how the security forces were attacked and provoked into shooting in self-defence, while avoiding the issue of what actually happened at the cemetery when dealing with demonstrators or organisers.

• There is nothing on the files of the defendants to indicate that police investigators attended, let alone secured and conducted a forensic investigation, at the site of the mass killings at the Santa Cruz Cemetery. Further, the materials examined by the Commission also do not indicate that any investigation into the alleged stabbings of the two ABRI soldiers outside the Kodim was carried out.†

• Admissions made during interviews by suspects were made under conditions of duress, sometimes torture, and in the absence of obligatory defence lawyers (see Chapter 7.4: Detention, Torture and Ill-Treatment).

• The court files contain the medical reports for the two ABRI members who were attacked by demonstrators, but there was no documentation whatsoever about the demonstrators who were killed or wounded by security forces. There were not even details of the 19 persons (18 unidentified persons plus the Malaysian student Kamal Bamadhaj) that the authorities alleged were the only persons who were killed that day. UN Special Rapporteur Ndiaye concluded the following:

  According to the Chief of the East Timor Police, the bodies of the acknowledged 19 victims were buried at Hera on 13 November, one day after the killings. No adequate autopsy had been performed, no pictures of the corpses had been taken and, to date, 18 of the bodies remain unidentified. It is not known what measures were taken as regards the bodies of victims allegedly buried in mass graves. The Special Rapporteur therefore reached the same conclusion as the NCI, which reported that “there was careless handling of those who died, because although the visum et repertums were performed the deceased were not properly identified. Little opportunity was given to the families/friends of the victims to identify the bodies.”‡

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† The Santa Cruz files in the District Court of Dili reveal that on 12 November the police were gathering items in relation to the stoning of the Bank Summa and the old Regional Police Station (Polwil Lama): Achmad Bey, Kebag Serse (head of the investigation section), issued an order for the seizure of a rock and shards of glass from the Bank Summa® and five rocks and shards of glass from the Polwil Lama [Surat Perintah Penyitaan, No. Pol. SPPNY/ilegible/XI/1991/Serse, 12 Nopember 1991, Kebag Serse, Achmad Bey]. The next day, the police informed the District Court of Dili that they had identified José Francisco da Costa in relation to the stone-throwing and sought to have the confiscation of the rock and shards of glass legitimised [Mohon Persetujuan Penyitaan Barang Bukti, No.Pol. B/1294/XI/1991/Serse. Under the KUHAP, confiscation of evidence requires a court order. An immediate confiscation requires retrospective approval of the court. This was provided by the District Court of Dili on 17 December 1991 in its Penetapan No. 154/Pen.Pid/1991/PN.DIL.]. The same was done in relation to José Barreto, suspected of having thrown the rocks at the Polwil Lama. [Mohon Persetujuan Penyitaan Barang Bukti, No. Pol. B/1243/XI/1991/Serse. Approval was granted by the District Court of Dili on 17 December 1991 in its Penetapan No: 153/Pen.Pid/1991/PN.DIL.]

‡ However, the Second Warouw Report, infra, states that Major Gerhan Lentara was stabbed by Mariano and Siko (witness Julio da Costa) and Private Dominggos da Costa was attacked by Francisco Amaral, p.4.

‡ Ndiaye Report, para.56 and para 57©. The Special Rapporteur reported that all the East Timorese witnesses whom he met said that there had been no public appeal for families to come and identify the bodies, as had been claimed by East Timor’s Chief of Police.
• No photographs of the allegedly armed, violent and “brutal” demonstrators, who taunted and attacked the security forces, were included in the files. This is particularly surprising given the number of intelligence officers who were monitoring the movements of the crowd (one of whom was Major Gerhan Lentara, who was taking photographs when he was stabbed). Only manually drawn diagrammes of events were included. The Commission observes that audio and visual recordings and equipment were confiscated and there was one video in wide circulation showing what happened at Santa Cruz – that made by Max Stahl and shown by Yorkshire Television of the United Kingdom. This was never taken into consideration. Likewise, neither military nor police case files contain statements from any of the foreigners who were present.

• The police failed to properly identify the weapons said to have been seized at the Santa Cruz Cemetery and used against the security forces by demonstrators. There is nothing to indicate who found what, where and when, and thus nothing to show that the items were actually found at the cemetery or on the persons of demonstrators. There is only a list of items on the files accompanied by the description:

Some of the items of evidence were found in the TKP by members of Brimob, and then handed to the Sub-Regional Police of East Timor, then confiscated by Investigators.

• Specific notes were made about items seized from the Bank Summa and the old Sub-Regional Police Station, as well as items seized from the home of accused demonstrators Francisco Branco and Jacinto Alves. The list of items that the police entered in evidence was different from the several military lists (see below), above all for containing no firearms. This discrepancy is significant, for it was the police who were said by the military police to have been in possession of the firearms.

631. The United Nations Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions found that the civilian police investigations were inadequate because:

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1 The absence of this material puts it out of the usual pattern of virtually all the political trials that the Commission has examined. For instance, the case file of Inacio de Jesus dos Santos in relation to a demonstration at the University of East Timor on 9 January 1995, contains several photographs of the demonstration and the arrest of the accused. [Inacio de Jesus dos Santos, Case File: 36/PID.B/1995/PN.DIL].

2 The Commission observes that the failure to use relevant evidence was also a feature at the trials in Jakarta conducted by the Ad Hoc Human Rights Court on East Timor in 2002 and 2003 – perhaps the most striking being the failure to consider film footage showing militia leader Eurico Guterres’ addressing a crowd of militia, in the presence of senior Indonesian officials, just prior to militia went on a rampage around Dili and attacked the home of Manuel Carrascalão and killing at least 12 people. The Commission has also examined this film footage and holds copies of the footage in its Archive.
• As a part of the armed forces, they lacked independence and impartiality.

• Forensic examinations, in particular autopsies and ballistics tests, were inadequate: “The Chief of Police told the Special Rapporteur that the necessary technological means were not available in East Timor.”

• The criminal investigation was inadequate, failing to identify either perpetrators or victims, nor even the number of victims or ascertain the number and whereabouts of missing persons. He particularly noted that the police simply focused on investigating the demonstrators. 660

• There was careless handling of the bodies of the deceased, including burial of the bodies one day after the killings without adequate autopsies, photographs or thorough identification. 661

• Little effort went into identification of bodies and the Rapporteur did not accept that any public appeal had been made for families of the missing to examine bodies at the morgue. 662

Reports by the military command in East Timor

632. The military command in East Timor conducted its own investigations into the events at Santa Cruz. Two reports were prepared by the head of the Operations Implementation Command in East Timor (Komando Operasi Pelaksana Timor Timur, Kolakops Timor Timur, Kolakops), Brigadier General Rudolf S. Warouw, and sent to the Regional Military Command based in Bali. These reports, dated 13 November 1991 and 30 December 1991, presented the official military version of what happened at the demonstration and explained the response of the security forces. They are referred to here as the First and Second Warouw Report respectively. 663 No attempt appears to have been made by the military to investigate the unlawful killings on 12 November 1991 or the other serious human rights violations which took place there.

633. The District of Dili was designated “Sector C” by Kolakops and the sector was under the command of Infantry Colonel Binsar Aruan. Colonel Binsar formed the Combined Company on the night of 11 November to manage the flower-laying ceremony for Sebastião Gomes Rangel, which the military was aware was to happen the next day. The Combined Company was composed of one platoon of the Police Mobile Brigade (Brimob) and two platoons of soldiers from Battalion 303. Some soldiers apparently also came from the Dili District Military Command (Kodim Dili), as well as from Batallion 744.

The First Warouw Report

634. The First Warouw Report reveals that military investigations were carried out immediately after the incident but that only members of the security forces were interviewed. The Report contains a 22-page document signed by Brigadier General Warouw, which is based on a 12-page accompanying document by Colonel Binsar Aruan. Colonel Binsar was the commander of Sector C, the military area covering Dili. He had formed the Combined Company, comprising two

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platoons from Batallion 303 and one Brimob platoon, the evening before the demonstration. The Combined Company was commanded by Second Lieutenant Mursanib.

635. As well as the two written documents, the First Warouw Report also contains diagrammes showing troop movements in relation to the visit of United Nations Special Rapporteur on Torture Professor Pieter Kooijmans which was taking place at the time, and in anticipation of and following the demonstration. It contains details of weapons seized from the Santa Cruz Cemetery and reports that the injured were taken to hospital and 308 persons were taken to police headquarters. Of those, 49 were kept in detention and 259 returned to their families.

636. It is clear that this investigation was not impartial. First, it was made by the person in charge of the armed forces in Timor-Leste, and therefore responsible for the actions of the military at the cemetery. Second, from the outset the military assumed that the demonstration was organised by the Resistance, providing justification for the military's conduct. The First Warouw Report's stated aim was to:

[R]eport to the Command on the case of the demonstration by an anti-integration group with the support of GPK Freti...l...with the purpose of becoming material for consideration in determining what policy should follow.'

637. The military's analysis of the incident relies on the notion that the demonstration was planned by radical and criminal elements; it was not merely a peaceful commemoration mass. The First Warouw Report states that "those we faced were not demonstrators but were armed guerrillas". Two of the differences between this demonstration and a peaceful mass, which were noted by the First Warouw Report, were merely examples of the exercise of the right to freedom of expression:

1. This was the first public display of Freti and Falintil flags.
2. The demonstrators carried posters and banners of GPK leaders said to be symbols of the national unity of East Timor.

638. It was alleged that the demonstration was part of a larger plan by the GPK (that is, the Resistance), to influence a small number of people, including students and youth, to conduct destructive anti-integration activities. This plan was said to include strategies of blowing issues out of proportion and using religion and the Church to influence people. The Report acknowledged that the cancellation of the visit of the Portuguese parliamentary delegation caused much disappointment. The military found that the leadership of the Resistance took the opportunity to plot destructive acts to provoke repressive actions from the security forces. It reported that the Resistance spread false rumours about ABRI. The Report indicates that members of ABRI viewed the demonstrators as part of the Resistance, and therefore as enemies. Demonstrators were therefore seen as deserving, if not legitimate, targets of attack.

639. This demonstration was also said to be different because "demonstrators deliberately attacked ABRI personnel, tried to grab their weapons and insult their honour. This sort of brutal demonstration was a typical insurgent ploy". The supposed armed and aggressive character of the demonstrators was the second key point in the military's analysis of the incident. According to the report, Mursanib ordered his men to fire warning shots into the air but the crowd surged forward again, there were shouts to attack and stones were thrown. After a second round of warning shots were fired a grenade with the pin intact was allegedly thrown at the military and caught by Second Lieutenant Mursanib. There were skirmishes as demonstrators tried to wrestle weapons from soldiers and one soldier's hand was hurt. Finally, given the critical situation, shots

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1 The Kolakops commander in chief, Brigadier General Rudolf Warouw, ordered an "investigation of the case of the demonstration by a Freti group and their supporters". In the First Warouw Report of 13 November.
were fired for between six and eight seconds and then the crowd stampeded and many were crushed.

640. The Report’s view, in light of this version of the facts, was that the security personnel acted in self-defence, without premeditation in a pressured situation where the attacking crowd was threatening their lives and shouting out very hurtful insults. It noted that professional soldiers are required to take firm, quick and precise action at critical moments when their lives and weapons are under threat. It reported that the developments were regretful, but this matter involved ABRI’s efforts to defend the honour and sovereignty of the nation because GPK/Fretilin were a national enemy that had to be destroyed.

641. Recommendations were to:

- Prosecute the leaders and participants in the disturbance for subversion.
- Bring those members of the security forces against whom there was evidence to a court, while those who took part and against whom there was insufficient evidence be sanctioned.
- Refuse entry to journalists pretending to be tourists because of operational reasons.

Failures in the military investigation methods

642. The Commission has identified numerous gaps and failings in the way that the military went about its investigation. First, there were important issues of conflict of interest. The military relied on the officers responsible for the Combined Company for its version of what took place at the cemetery. Further, it used the security forces which had been involved in the massacre who investigated the scene of the crime. In the course of the “cleaning-up” operation, soldiers from Batallion 303 and Brimob gathered together evidence against the demonstrators. They also removed corpses and survivors before forensic investigation of the scene of the crime could be done.

643. The opportunities for planting or destroying evidence in such a situation were manifold. No proper chain of custody of evidence records were kept. There is one general diagramme on file showing where certain weapons were found, but only one weapon (the Mursanib grenade) was recorded as being found by an individual. Other weapons were simply marked as found by military unit, for example, Batallion 303 or Brimob. There was also a high risk of evidence being destroyed. Demonstrators have reported that before the security forces removed them from the cemetery, they saw blood being washed off the road. In fact, this destruction was to continue into the next few days, as bodies of victims were secretly disposed of, without proper forensic handling and without being returned to their families.

644. No records were kept of where each body or injured person was found, or the condition of the body or person. The location of shot persons is particularly important given the claim of self-defence raised by the military. If the military genuinely fired in self-defence, then the victims would have been those closest to the security forces and there would not have been any victims of gunshot wounds inside the cemetery or away from the “confrontation line” between security forces and demonstrators.

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1 The UN Special Rapporteur, who did not have access to the documents examined by the Commission, was nevertheless able to conclude that: “[T]he actions of the security forces were not a spontaneous reaction to a riotous mob, but rather a planned military operation designed to deal with a public expression of political dissent in a way not in accordance with international human rights standards.” [Ndiaye Report].
645. The second report from the commander in chief of Kolakops East Timor, dated more than six weeks after the first report, focused on conveying the intelligence information that had been obtained from individuals charged and interrogated about the Resistance in East Timor. It contained:

- Records showing who was arrested and released or still detained and the charges that had been laid against certain detainees.
- Intelligence reports on the activities of the foreigners who were present at the demonstration.

646. The report was not an investigation into responsibility for the killings and other serious human rights violations perpetrated by security forces at Santa Cruz. Rather, through its detailed descriptions of the structure and strategies of the clandestine network and summaries of testimonies extracted from detained demonstrators, it seems to suggest that this intelligence triumph was a justification for the killings at the Santa Cruz Cemetery.

**Investigations by the Military Police**

647. The investigations into the conduct of the military in East Timor regarding the Santa Cruz killings were carried out by the military police operating out of the Regional Military Command (Kodam) in Bali. The Commission has come into possession of three reports by the military police commissioned to report on investigations into the actions of the Combined Company. These reports, referred to here as the First, Second and Third Military Police Reports, were dated 26 November 1991, December 1991 and January 1992 respectively.\(^{64}\)

**The First Military Police Report**

648. All three reports accept the Kolakops version of the facts of the demonstration, particularly the political background and the dangerous character of the demonstrators. The First Military Police Report states for example:

> The mass of Demonstrators carrying out the demonstration on 12 November 1991 were brutal, emotional and wild as a result of outside instigation from the Anti Integration group, which is suspected of masterminding the demonstration.\(^{65}\)

649. The report confirms that the Combined Company members did everything possible to control the crowd through persuasive means, through positioning and warning shots in accordance with procedures. It states that the security forces could not have anticipated that the mob would get increasingly violent and attack them with sharp weapons, firearms and grenades. The troops were forced to fire in self-defence. The report stressed that Article 49 of the Criminal Code (KUHP) provides that a person acting in self-defence to a direct threat to body, honour or personal property may not be punished. Exceeding the limits in self-defence is permissible when

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\(^{64}\) The Commission has examined the originating report of the massacre, made to the Military Police, and contained in the Berkas Perkara of Sgt. Aloysus Rani (see below). Police Report no. LP-28/A-22/MILITARY POLICE DETACHMENT IX/4/1991, was filed by Second Sergeant Zainuddin, reporting on: "a disturbance between security forces and demonstrators opposed to integration with Indonesia. The cause of the aforesaid disturbance was that a group of youths against integration with Indonesia carried out a violent and brutal demonstration that resulted in security forces opening fire".
it is the “direct result of offence [lit. shakiness of heart] caused by the attack”. So, the report concludes, the security forces acted in accordance with the law.

650. Further, it stated that the attacks by the demonstrators on Major Girhan Lentara and Private Dominggos were criminal acts requiring legal processing.

The Second Military Police Report

651. The Second Military Police Report, at seven pages, presents a new explanation for the serious human rights violations perpetrated at Santa Cruz. It mentions members of the Combined Company and other ABRI members who acted outside of command. Three members of the Dili Kodim reportedly left the Kodim without being ordered to do so, went to the cemetery and fired at the crowd. The three men were Sergeant Major Petrus Saul Meta, First Sergeant Aloysius Rani and First Sergeant Udin Syukur. A member of the police, First Corporal Marthin Alau, also went to the site without orders and stabbed a demonstrator because of his heightened emotion on seeing the actions of the crowd and the tearing of the Indonesian flag in front of the Dili Police Station. The report concludes that these personnel acted on their own initiative, and did so in violation of Article 103 Military Criminal Code (KUHPM).

652. The Commission observes that it is unclear why this element of the story only emerged in the Second Military Police Report in December 1991. All four of the “own initiative operators” say they reported back immediately on return to their respective bases on 12 November and surrendered the weapons they had taken to await disciplinary action. Their role would therefore have been known by the time that the Warouw reports and the First Military Police Report were prepared.\textsuperscript{766}

653. Of serious concern in the Second Military Police Report is the alteration to an original statement given by witness Second Lieutenant Mursanib, who was eventually dismissed from his post. The Commission has examined an original signed copy of the first Mursanib record of interview. It has compared this to the copy of the statement that appears in the Second Military Police Report, a photocopy of the original. At two points in the copied document related to the finding of the grenade the wording has been blocked out and then typed over. These changes were not initialed by the deponent or the interrogators.

The Third Military Police Report

654. The Third Military Police Report, just five pages, introduces two major new features – the role of the Batallion 303 from Taibessi and six other soldiers who acted on their own initiative. It contains summaries of the statements of 36 witnesses and lists 12 potential accused. It highlights the roles of:

- Private Mateus Maya and Private Alfonso who shot dead a foreign journalist (Kamal Bamadhaj) in front of the office of the Dili Department of Information.
- Three Milsas who were attached to Batallion 303/SSM who shot at the crowd on passing Brimob at My Friend Bridge (in Taibessi, near the cemetery).
- Three members of Batallion 303/SYB named Adolfo Tilman, Mustari and Gomboh. They allegedly beat and jabbed their rifles towards some of the demonstrators.
- Second Lieutenant Alex Penpada, platoon commander for intelligence in the Sub-Regional Military Command 164/Wira Dharma. He allegedly beat demonstrators and saw a member of Railakan milita beat demonstrators.

655. New analysis was carried out revealing the role of Batallion 303/SSM that came from Taibessi on hearing about the developing situation at the cemetery:
A unit of Batallion 303/SSM passed in front of SST Brimob from the direction of Taibessi and also from the military police detachment, which it is suspected occurred because SST Brimob appeared doubtful about facing the critical moment described above.  

656. It makes the point that because of this, Batallion 303/SSM arrived before Brimob to confront the demonstrators:

[At] the time of the second shots, some soldiers pointed directly at the target, some of [the soldiers] were ex-Milsas soldiers under the command of Batallion 303, which caused fatalities among the demonstrators. Besides the acts of the riot police above, which were inappropriate, some soldiers, without order, exacerbated the chaotic atmosphere and joined in shooting the demonstrators. When consolidation took place, where the prisoners were grouped together, some members of the security forces, in full uniform, not in full uniform and in civilian clothes, continued to ill-treat the demonstrators.

657. According to the report, the change of status and tasks of Batallion 303/SSM played an important role in why personnel behaved the way they did. Batallion 303 was initially posted to East Timor as a combat force “with the task of hunting, finding and destroying the enemy”. It was noted that the unit was not trained for Territorial duties such as riot control and that given their strong patriotism, the provocation they faced led them to act to solve the problem in the way they knew best.

The military police method of investigation

658. The military police based their findings mainly on interviews. The First Report contains 38 Records of Interview (Rols) with original signatures of the interviewees. The interviews were conducted with 30 members of the Combined Company, eight members of Brimob and 28 soldiers from Batallion 303, four members of Batallion 744 and four civilians. These civilians, Viktor Benevides (15 years), Joanic Santos, Yose (sic) Francisco da Costa and Manuel Eduardo dos Santos, were the first civilians to be interviewed in any of the military and police investigations. Their statements were made and signed at the Military Police Detachment Headquarters IX/4 but it is unclear if they were in detention at the time. The Rols confirm that the demonstrators were violent and aggressive and had weapons such as sticks, knives and rocks.

659. The Second Military Police Report contains five additional Rols – those of the Kodim chief of staff, Pieter Lobo, and the members of ABRI suspected of acting outside of command.

660. The Commission observes that the statements of the security personnel were extremely consistent, often word-for-word, in describing the genuine threat to the security forces and how they acted in self-defence. All security personnel interviewed reported the same aggressive, “wild” and “brutal” crowd; they all heard the same taunts and saw or heard the same things. Such consistency may well be because it reflects the truth; but it may also reflect perversion of the course of justice through a common agreement on the version of events or one that was imposed by investigators. Given that independent witnesses, as reported by international organisations, report with equal consistency that the demonstrators were unarmed, non-violent and did nothing to provoke the security forces who gave no warning before opening fire, a genuine investigator should have considered both versions to make an objective and fair assessment of facts. The fact that the existence and consistency of other accounts was never even considered in the course of the Indonesian investigations is cause for genuine concern about the integrity of the process.
The military police apparently carried out a forensic investigation at the cemetery on 14 November 1991, but this investigation was far from comprehensive. The extent of the investigation was the number of bullet marks noted down on a basic diagramme of the crime scene. Seventy-two bullet marks were counted. All except one were outside the cemetery and were on the cemetery’s front wall, trees and electricity poles. However, angles of entry were not recorded and checked against troop locations and embedded bullets were not removed and taken for ballistics testing. There seem to have been no checks of the site for evidence of other ill-treatment that may have taken place, such as lacerations on the gravestones from sharp weapons or rifle butts. There were no conclusions drawn from the crime scene investigation.
The omissions in the investigations conducted by Indonesian security agencies provide valuable insight into the credibility of the process.

The Commission observes that some questions that should be basic to any genuine and impartial investigation into the lethal use of force by law enforcement officials do not seem to have been asked, and if asked, given appropriate consideration. This is particularly notable in light of the starkly opposed versions told of what happened. For example, it was never asked:

- What sort of forces were deployed to deal with the demonstrators and what sort of equipment were they given? Were these appropriate forces and equipment for the situation at hand? Why were standard riot gear such as rubber bullets, water cannons and tear gas not used?
- What exactly was the threat faced by the security forces? What evidence is there that the soldiers acted in self-defence?
- If the use of force and firearms was unavoidable, as alleged by the military and the NCI, did the security forces exercise restraint and act proportionally in relation to the threat against them and the legitimate objective to be achieved? Was the threat so great as to justify the number of shots that were fired?
- If the use of force was unavoidable and used in self-defence, why is it that, in accordance with questions raised by the UN Special Rapporteur:
  - Demonstrators who were trying to flee were shot in the back. Why, after the shooting had stopped, did soldiers continue stabbing, kicking and beating the survivors (including the wounded) inside the cemetery, on the way to the hospital and in neighbouring villages during the rest of the day, and possibly for several days?²²⁰
  - Why were combat soldiers (Battalion 303) used and not simply Brimob who were trained to deal with riot situations?
  - Was there anyone in overall control of the situation at the cemetery? Who should have been in overall control? What were the methods of coordination between the different forces present?
  - What happened to the dead and disappeared?

Failure to question relevant actors

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²²⁰The overall picture that emerges from the files is that about 140 shots were reported to have been fired. Weapons checks after the event reveal that those members of the Combined Company from Batallion 303 fired 73 times and those from Brimob fired 33 times. Nine warning shots were fired by Batallion 744. At least 25 shots were fired by the Batallion 303 who came from Taibessi. Thus, 140 shots are known to have been fired. In addition, 72 bullet marks were found at the site by military police.
Although the statements taken by military investigators of lower ranking security force personnel appear to have been quite comprehensive, some senior officers involved in the incident were not interviewed by the military police. The commander of Sector C, Colonel Binsar Aruan, and the commander of Battalion 303, Asril H. Tanjung, do not appear to have been questioned as part of the fact-finding investigations that the Commission has been able to examine. Neither were other relevant actors such as the Kodim and Battalion 744 commanders, and those involved in intelligence. The key questions of who was in charge? what was actually ordered on 12 November? and what was done to avert the violence? was, therefore, never clarified. Significantly, Colonel Binsar Aruan was the person responsible for writing the first military version of events, which was adopted in general by all later investigators, even though he was then dismissed.

The testimony of the foreigners who were with the demonstrators was not taken. They were eyewitnesses to what happened and some, such as Allan Nairn and Amy Goodman, were at the front of the demonstration and although not shot, were physically attacked by the security forces. No reason was apparent from the files why they were not formally interviewed or why their public statements were never considered by investigators.

Inconsistencies in the evidence

Investigators failed to resolve numerous inconsistencies in the evidence. Major inconsistencies included:

- Each of the reports from Kolakops, the military police and other statements and records of interview noted numbers and types of weapons recovered from the site. This is important because it goes to whether the demonstrators were indeed armed and whether the security forces had cause to shoot in self-defence. The civilian police found no firearms, only weapons including 26 machetes, 70 knives, one spear and 19 sickles. A member of Brimob testifying in the trial of Jacinto Alves also mentioned only knives, spears, machetes, pipes and flags. 771 Other witnesses and reports mentioned numerous firearms that were reportedly recovered from the site of events, but these reports were also highly inconsistent. The commander of the Combined Company, Second Lieutenant Mursanib, described one G-3 rifle and two FN pistols. 772 This was confirmed in the First Military Police Report in late November. The earlier First Warouw Report, however, prepared the day after the demonstration, reported that as well as those firearms there was one Mauser rifle and one Smith and Weston gun found along with bullets. The Second Warouw Report added another Mauser and a Colt rifle, with the serial numbers of all weapons. No attempt to determine the reason for these inconsistencies appears to have been made by the investigators.

- There were also inconsistencies in the evidence given by individuals. Second Lieutenant Mursanib provided three written statements to military police investigators. 7 These statements had serious contradictions that were never resolved. 5 For example, in his first two records of interview, Mursanib states that he ordered the members of the Combined Company to fire warning shots into the air. In his third statement however, he denies having ordered any warning shots. In answer to the leading question: “Is it true that you gave the order to fire a warning shot and how did that command sound?” Mursanib replied:

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1 The Commission must assume that some kind of investigation into their roles was carried out because these commanders were eventually disciplined. However, it is notable that for some reason their evidence was not taken into account in an attempt to obtain an accurate picture of what happened at the demonstration.

1 17 November 1991 [First Mursanib BAP], contained in First Military Police Report; 25 December 1991 [Second Mursanib BAP], contained in the Rani file; 21 March 1992 [Third Mursanib BAP], contained in Rani file. The Commission has observed that while Mursanib’s later two statements were part of the dossier against Aloysius Rani, the First Mursanib BAP was never submitted to the Military Court.

1 The documentary material examined by the Commission suggests that Mursanib’s changes in testimony may have not been challenged by investigators because the whole exercise was engineered. This is supported by the leading nature of the questions put to him, and the pursuing of questions in supplementary issues when the matter appeared to have been
I did not give an order for a warning shot at that time because the crowd was making a racket. I heard shouts from the south of the small food stall, and the sound of weapons being loaded and members of the 303 that formed part of the Combined Company started firing. I saw members of 303 shooting and yelled at them to stop. [answer to q.6b5]

- Mursanib's role was described inconsistently. In the first Rol of 17 November 1991, Mursanib is clearly identified as the Commander of the Combined Company and this is how he is described in the second Rol of 25 December 1991. However, in the third Rol of March, he describes himself only as a Socio-Political officer, that he never gave any commands, and indeed says that there was never a Combined Company, that the term was possibly just used for convenience.

The fact that these inconsistencies were ignored by investigators, when they are clearly crucial to whether the security forces acted according to procedure and how they were commanded, either reveals striking incompetence or a deliberate effort to obscure the truth.

**Gaps in the forensic investigation**

Similarly, investigators ignored important gaps in the forensic investigation. The projectiles in the bodies of the wounded and dead were vital evidence that should be have been preserved and sent for ballistics testing for matching against the weapons that were fired by the security forces. The files contain no information on what happened to the projectiles removed from the wounded and no attempt to match those to weapons.

Further, the position remains confused on what forensic work was done with the dead bodies. While members of the public claim was that there were no facilities for autopsy in Timor-Leste, the First Military Report claims an autopsy was carried out on a body on the day of the massacre itself and that the cause of death was a bullet that was not fired from a military issue weapon. Also there are 110 names on a list in the court martial file of Aloysius Rani, said to be “autopsy reports” (see below for an analysis of this court martial). The UN Special Rapporteur was told by the chief of police that the 18 unidentified bodies and the body of Kamal Bamadhaj were buried on 13 November 1991 because the morgue of the hospital could only accommodate three to four bodies. The chief of police also told the Special Rapporteur that medical certificates had been issued by the hospital concerning the 19 bodies.  

It is known that the bodies of these 19 persons were hurriedly disposed of at Hera cemetery and not returned to their families. Further, this is not the complete death toll, and reports of mass burials of persons killed at or after the events at Santa Cruz were not followed up. The NCI exhumed a grave at Hera with a tractor. The UN Special Rapporteur was not impressed with those efforts:

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well-settled in earlier interviews, as well as the failure to admit the original Mursanib statement as evidence in the Rani case.

According to Asia Watch in EAST TIMOR: THE MASSACRE COURTS MARTIAL, p. 4, Mursanib was the head of the social and political section of the Kodim (Kasi Sospol).

International standards, reflected in the United Nations Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions, for such investigations require that bodies may not be disposed of until an adequate autopsy is conducted by a suitably qualified expert. Those conducting the autopsy shall have the right of access to all investigative data, to the place where the body was discovered, and to the place where the death is thought to have occurred. If the body has been buried and it later appears that an investigation is required, the body shall be promptly and competently exhumed for an autopsy. Principle 13 states: “The body of the deceased shall be available to those conducting the autopsy for a sufficient amount of time to enable a thorough investigation to be carried out. The autopsy shall, at a minimum, attempt to establish the identity of the deceased and the cause and manner of death. The time and place of death shall also be determined to the extent possible. Detailed colour photographs of the deceased shall be included in the autopsy report in order to document and support the findings of the investigation. The autopsy report must describe any and all injuries to the deceased including any evidence of torture.”
“The Special Rapporteur cannot help being surprised that such an indiscriminate means of digging, contrary to the basic methodology of any expert exhumation and likely to be detrimental to the outcome of any subsequent forensic analysis, was used. The conclusions drawn from this exhumation were irrelevant: the victim was buried in a coffin, completely dressed, and there was only one corpse in the grave. No autopsy was conducted on the body, and therefore no pertinent information, such as the identity of the corpse or the cause of death, was given.”

National Commission of Inquiry investigation and report

662. On 18 November 1991, through Presidential Decree No.53, President Soeharto appointed a National Commission of Inquiry (Komisi Penyelidik Nasional, NCI). The Commission’s review of the NCI’s inquiry is limited because it has had access only to the one-page conclusions of a nine-page preliminary report of the NCI dated 26 November 1991. These conclusions were published by Amnesty International and reproduced as an Annex to the Ndiaye Report. The NCI’s full report has never been made public. Nevertheless, it is clear from the conclusions to the preliminary report and the critiques by other human rights organisations, that the NCI investigation was not comprehensive or impartial. Indeed the NCI agreed with the military version of events without question, despite considerable evidence to the contrary.

663. One of the most serious concerns about the NCI was its lack of independence. It was composed of seven people representing different branches of the government and military establishment: it was headed by a Supreme Court judge with a military background, and members came from ABRI headquarters, the President’s Supreme Advisory Council and the People’s Representative Assembly, as well as the ministries of justice, foreign affairs and home affairs. Amnesty International pointed out that this composition was perhaps the NCI’s most intractable weakness and accordingly East Timorese did not perceive the commission as an impartial body but as a representative of the Indonesian government and military. The NCI acknowledged that it faced difficulties in persuading East Timorese witnesses to deal with it:

[B]ecause of doubt and concern that they would be directly incriminated in the 12 November 1991 Incident in Dili, or out of fear they would be regarded as belonging to the anti integration group.

664. The NCI methods of investigation are described in the report of the UN Special Rapporteur. Work commenced on 21 November 1991 after one week of research in Jakarta was:

[F]ollowed by an investigation in East Timor from 28 November to 14 December 1991. The National Commission of Inquiry [NCI] met with a variety of representatives of the local authorities, members of the Church, members of the armed forces, private individuals and eye-witnesses; visited hospitals and police detention centres; inspected Santa Cruz Cemetery; exhumed one grave at Hera Cemetery; and carried out unsuccessful inspections and excavations at locations at Pasir Putih, Tasi Tolu [sic], and Tibar in response to information received from the local people alleging that those were places of mass burial of victims.”

665. Among the key officials who the NCI met were Governor Mário Carrascalão, Brigadier General Rudolf Warouw and Bishop Carlos Ximenes Belo. It also interviewed 132 witnesses.

666. The Commission observes that the Advance Report opted for the version of events set out in the early Warouw and Military Police Reports: the demonstration was not a religious ceremony in
honour of the deceased Sebastião but a carefully planned criminal act, masterminded by Fretilin. Like the military, the NCI blamed the demonstrators for the attacks on the two security personnel outside the Kodim, and for provoking the security forces with their Fretilin flags, banners and shouts, by being belligerent, aggressive, and by attacking them. The security forces were therefore forced to defend themselves.

667. Also like the military police reports, the NCI report found that there had been “a group” of rogue security forces (“pasukan liar”) out of uniform and acting outside any control or command. It concluded that the killings were not an act ordered by or reflecting official policy, and what happened on 12 November 1991 was essentially a tragedy that should be deeply regretted. The report found that there were weaknesses in the implementation of proper riot-control procedures and some excesses by security personnel. The NCI did not accept the official figure of 19 casualties and 91 wounded, citing unspecified “strong grounds” for concluding that the death and wounded toll exceeded 50 and 91 respectively, but it did not identify those victims.

668. The NCI criticised the handling of the dead. While autopsies were conducted, families were not properly notified and identification was not correctly handled. The NCI recommended that:

[[In order to uphold justice, action must be taken against all who were involved in the 12 November 1991 Incident in Dili and suspected of having violated the law, and they must be brought to trial in accordance with the Rule of Law, Pancasila and the 1945 Constitution upon which the Republic of Indonesia is based.]  

669. It did not substantiate this with recommendations of named individuals for further investigation and prosecution.

670. Based on its own investigations into the situation, Amnesty International was particularly strong in its condemnation of the NCI – stating that its composition and work were fatally flawed and the findings were “unacceptable.” According to Amnesty International, the NCI gave undue credence to military accounts while ignoring or misconstruing independent evidence to the contrary. Interviews with East Timorese eyewitnesses were not conducted in a safe and confidential environment. In fact, those of the 132 eyewitnesses who were not security personnel were either in hospital or in detention when they were interviewed.

671. Further, the NCI’s conclusion that the demonstrators provoked the security forces was tantamount to saying that the expression of political dissent may serve as a justification for the use of lethal force or other unlawful measures against civilians. Criticism of the security forces by the NCI was kept to a minimum. Amnesty International accused the NCI of having failed to obtain accurate details of the numbers and identities of the dead and missing, how they died and their whereabouts, and of missing the point when conducting its one and only exhumation of a grave. There were no specific recommendations for prosecution, beyond the general statement that legal action should be taken against those “involved” in the “incident”. Amnesty International also alleged deliberate obstruction of independent investigation and human rights monitoring following the massacre.

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Amnesty International alleged that the ICRC was prevented from speaking privately to those detained in relation to the events, including those hospitalised; that “the authorities have taken measure to ensure that witnesses, human rights activists and independent observers are not in a position to dispute the official version of events. Some witnesses are said to have been killed and scores have been detained”; that NGOs were threatened, demonstrations were banned and newspapers threatened (in one case three journalists from Jakarta were dismissed after the weekly publication’s publisher was officially warned for publishing the testimonies of 12 East Timorese who witnessed the massacre); that tight restrictions were imposed on access to and reporting about East Timor by foreigners [Amnesty International, Indonesia/East Timor – Santa Cruz: The Government Response, AI Index: ASA 21/03/92, February 1992].
672. UN Special Rapporteur Ndiaye found that while this first ever Indonesian commission of inquiry into gross violations of human rights was an encouraging initiative, there were fundamental flaws that rendered the investigation incompatible with international standards, specifically those set out in the United Nations Principles for the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions:

The institution lacked credibility for lack of independence from the State and was not trusted by the East Timorese.

Its members lacked the necessary technical skills and did not conduct their investigations in a professional manner, for example by using a tractor to excavate alleged burial sites.

Most of the eye-witness investigations were held in prison or at the military hospital and appear to have been monitored by the security forces.\textsuperscript{782}

673. The Special Rapporteur’s concerns were so serious that he recommended that a new commission of inquiry conduct an additional investigation.\textsuperscript{783}

**Action taken against those held responsible**

674. Despite the failings in the investigative process, action was taken against both senior officers and members of the military in relation to the killings at Santa Cruz. Further, although the military structure in East Timor did not change for another two years, there were shifts in personnel.

*Action against senior officers*

675. On 28 November 1991, before the NCI had issued its final report, the most senior military figures in the region, Major General Sintong Panjaitan (the commander in chief of the Regional Military Command Udayana IX) and Brigadier General Rudolf Warouw (the commander in chief of Kolakops East Timor), were dismissed from their positions.\textsuperscript{784}

676. In February 1992, the Chief of Staff of the Army found six officers guilty of misconduct on the basis of a report by a Military Honour Board that he had convened on instructions from President Soeharto. The disciplinary steps taken, as reported by Indonesia to the United Nations Commission on Human Rights, resulted in the following: three officers were dismissed from military service, two were not given any post within the organisational structure of the Army although remaining on active duty, and one was temporarily not given a post within the organisational structure.\textsuperscript{785} UN Special Rapporteur Ndiaye was informed that these six officers were responsible for intelligence and security in East Timor and should have taken steps to forestall the demonstration.\textsuperscript{786} Asia Watch reports that these officers were:
• Dismissed: Infantry Colonel Gatot Purwanto (Intelligence officer Kolakops East Timor); Infantry Colonel Binsar Aruan (commander of Sector C); Brigadier General Rudy Warouw (commander in chief of Kolakops East Timor).
• No post but still on active duty: Infantry Colonel Sepang (deputy commander in chief of Kolakops East Timor and concurrently commander of the Sub-Regional Military Command 164/WD); Infantry Lieutenant Colonel Wahyu Hidayat (Commander of the Kodim 1627/Dili).
• Temporarily not posted but still on active duty: Major General Sintong Panjaitan (commander in chief of the Regional Military Command Udayana IX).

(Note that Sintong Panjaitan was reported by the same organisation to have been dismissed on 28 November 1991.)

677. The Commission has not been able to obtain any information on the proceedings or examined any documents or material that may cast light on these disciplinary actions. However, the Commission notes that there was not an open and transparent judicial process, to which victims and families had access or were able to participate in. This in itself renders the process not an effective remedy for gross violations of human rights. The Commission is not in a position to assess if the accused officers enjoyed fairness and due process in the course of the proceedings against them.

**Internal purges**

678. Independent observers report that there were major personnel movements within the command of East Timor following the massacre at Santa Cruz. Asia Watch reported that every single one of the six Kolakops assistants was transferred out of East Timor, along with Kodim commanders. The commander of the Sub-regional Military Command was also replaced. Batallion 303 was deployed out of East Timor in November 1991.

679. Asia Watch also reported that three officers were given administrative sanction: Lieutenant Colonel Cheri Bolang, chief of staff at the Sub-regional Military Command; Infantry Colonel Dolgi Rondonuwu, operations assistant at Kolakops East Timor; and Infantry Colonel Michael Suwito, territorial assistant at Kolakops East Timor.

**The courts martial in Bali**

680. Ten low-ranking members of the security personnel involved in the events of 12 November 1991 were tried and convicted before Military Courts in Denpasar, Bali. Sentences ranged from eight to 18 months and all those convicted were dishonourably discharged.

<table>
<thead>
<tr>
<th>Name</th>
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<th>Charge</th>
<th>Verdict and sentence</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Udin Syukur</td>
<td>Kodim 1627</td>
<td>Disobeying or exceeding orders (Article 103 KUHPM)</td>
<td>Convicted 18 months</td>
<td>Own initiative operator. Fired four shots or two shots* at the demonstrators, but not charged with killing.</td>
</tr>
<tr>
<td>Aloysius Rani</td>
<td>Kodim 1627</td>
<td>Disobeying or exceeding orders (Articles 103, 126, 124(1) KUHPM); Article 351 KUHP</td>
<td>Convicted 14 months</td>
<td>Own initiative operator. Fired two shots at the demonstrators, but not charged with killing.</td>
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*Contradictory information on the Third Military Police Report.
<table>
<thead>
<tr>
<th>Name</th>
<th>Unit</th>
<th>Charge</th>
<th>Sentence</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Petrus Saul Meda</td>
<td>Kodim 1627</td>
<td>Disobeying or exceeding orders</td>
<td>Convicted 12 months</td>
<td>Own initiative operator. Fired either 10 or three shots at the demonstrators, but not charged with killing.</td>
</tr>
<tr>
<td>Mateus Maya (sic)</td>
<td>Kodim 1627/Dili</td>
<td>Disobeying or exceeding orders</td>
<td>Convicted 8 months</td>
<td>On patrol as a Garneznun, shot a foreigner (Kamal Bamadha). Not charged with killing.</td>
</tr>
<tr>
<td>Afonso de Jesus</td>
<td>Kodim 1627/Dili</td>
<td>Disobeying or exceeding orders</td>
<td>Convicted 8 months</td>
<td>On patrol as a Garneznun, shot at a foreigner (Kamal Bamadha) he had earlier seen in the crowd of demonstrators. Missed. Not charged with attempted murder.</td>
</tr>
<tr>
<td>Mursanib</td>
<td>Dan Ki Gab or Sospol officer</td>
<td>Disobeying or exceeding orders</td>
<td>Convicted 14 months</td>
<td>Loss of control of troops.</td>
</tr>
<tr>
<td>John Harlan Artonang</td>
<td>Platoon leader Batallion 303 II</td>
<td>Disobeying or exceeding orders</td>
<td>Convicted 12 months</td>
<td>Loss of control of troops.</td>
</tr>
<tr>
<td>Handrianus Edi Sunaryo</td>
<td>Platoon leader Batallion 303 III</td>
<td>Disobeying or exceeding orders</td>
<td>Convicted 12 months</td>
<td>Loss of control of troops.</td>
</tr>
<tr>
<td>Yohanes Alexander Penpada</td>
<td>Deputy Intel Officer for Korem 164</td>
<td>Disobeying or exceeding orders</td>
<td>Convicted 8 months</td>
<td>Assault on a demonstrator after the shootings.</td>
</tr>
<tr>
<td>Martin Alau</td>
<td>Police</td>
<td>Assault, (Article 351 KUHP)</td>
<td>Convicted 17 months</td>
<td>Own initiative operator. Stabbed twice, one involved cutting the ear of an identified demonstrator (Simplicio Celestino de Deus). All committed after the shootings.</td>
</tr>
</tbody>
</table>

**Decision to charge**

681. There were at least 72 security personnel directly involved in acts of violence at the Santa Cruz Cemetery, but only 10 were tried. All members of the Combined Company, other than the two Batallion 303 platoon commanders and Second Lieutenant Mursanib, escaped prosecution. It is notable that the Brimob platoon commander, whose men were reported to have fired 33 shots without order to shoot, was not prosecuted.

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2. Contradictory information provided by Mursanib.
682. The failure to prosecute any of the Batallion 303 platoon from Taibessi is also remarkable, given that the Third Military Police Report specifically identified East Timorese soldiers from this battalion and their commander as suspects. Investigations found that they cut across hesitating Brimob and shot at the demonstrators. They included Private Jorgé Barreto, Private Antoni Beretus, Januario Gutteres, Venancio Barreto and Carlos Soares. All said that they were ordered to go to Santa Cruz by their company commander and they shot at the demonstrators upon his order.

683. Even if these men were not charged on the basis that they were following orders, it is unclear why their commanding officer, Infantry Captain Yustin Dino (NRP.30011), was not tried. The Third Military Police Report recommended he be charged and a case was prepared against him on the grounds that it was he who ordered about 24 Batallion 303 soldiers from Taibessi to Santa Cruz and then ordered them to fire on the demonstrators. For some reason this case never went ahead.

684. As a consequence, the blame for the many deaths and injuries at Santa Cruz was shifted onto Second Lieutenant Mursanib, two out of three of his platoon commanders, and a collection of rogue elements comprising individual members of the Kodim, police and intelligence and two members of the Kodim garrison, all of whom acted as “own initiative operators”.

Appropriateness of the charges laid against members of the security forces and the punishment imposed

685. Serious violations of human rights including unlawful killing, enforced disappearance, torture and severe ill-treatment of civilian demonstrators occurred at Santa Cruz. This was not reflected in the charges filed against those members of the security forces who were put on trial. Only two individuals were prosecuted in relation to assaults committed in the cemetery itself, but they were only charged for failure to follow orders or control subordinates.

686. The reason given to UN Special Rapporteur Ndiaye for only minor charges being laid was that it was impossible to link individual killings to individual soldiers. This is not convincing for two reasons. First, it would have been possible to carry out ballistics testing on the bullets removed from the bodies that underwent an autopsy and the bullets matched to individual guns. Second, some killings were clearly linked to individual perpetrators. The Third Military Police Report found that the Malaysian Kamal Bamadhaj was shot at by two soldiers but hit by the shot of Private Mateus Maya (sic), who was out patrolling with the garrison. Reports from the military proceedings in Bali indicate, however, that this evidence was ignored and Mateus Maya (sic) was described only as having fired at unidentified demonstrators when taking the wounded Major Gerhan Lentara to the hospital.

687. The military trials underplayed the seriousness of what occurred at Santa Cruz on 12 November 1991, and light sentences were imposed. The Commission endorses the finding of UN Special Rapporteur Ndiaye that:

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1 Under Article 51 of the KUHP, one cannot be found guilty if one acted in pursuance of superior orders in certain circumstances. The United Nations Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions provides that an order from a superior officer or a public authority may not be invoked as a justification for extra-legal, arbitrary or summary executions.

2 The Commission notes that a bullet removed from the body of 19-year-old João Mica Alves was tested and found to have come from a Mauser, which evidence was used to incriminate the demonstrators.

3 Asia Watch, THE MASSACRE COURTS-MARTIAL, p. 4. The timing suggests that the shooting would have taken place on their return from the hospital, for the two Kodim staff were wounded about an hour before.
[T]he inadequacy of the charges and the inappropriately light sentences imposed by the court martial on the few members of the armed forces accused of having been implicated in the 12 November 1991 incident are in no way a fulfilment of the obligation to punish perpetrators, and thus to provide a deterrent for the recurrence of a similar tragedy in the future. On the contrary, he feels that they illustrate that little importance is given to the respect of the right to life by Indonesian law enforcement officials in East Timor. On the other hand, the 13 civilians involved in the peaceful protest during and after 12 November 1991 were sentenced to terms of up to life imprisonment.790

688. Asia Watch also criticised the light sentences and the secrecy surrounding the questions of how the shooting started or what happened to the bodies of those killed:

[T]he glimpse they offer into military behaviour on November 12 is a carefully managed one, which serves to strengthen the "official version" of events.791

The case against Aloysius Rani

689. The Commission obtained an English translation of the Case Dossier against Aloysius Rani from his court martial in Bali.1 The Commission has also examined the Asia Watch reports on the Court Martial held in Bali between 29 May and 6 June 1992, as well as its report Remembering History in East Timor, the Commission’s collection of military documents in relation to Santa Cruz and the Ndiaye Report by the UN Special Rapporteur.792

690. Aloysius Rani was a member of Kodim who worked on equipment maintenance, and one of four security force members who were alleged to have acted "spontaneously". He was tried for taking a weapon without permission, going on his own initiative to the Santa Cruz Cemetery and shooting at demonstrators on the basis that he was deeply offended by the actions of the demonstrators and their attack on the members of Kodim. This version of events can be traced back to the Second Military Police Report.793

691. The case against Rani was based primarily on witness testimony, from security forces and civilians, including demonstration organiser Gregório Saldanha.1 The only evidence of Rani shooting any of the demonstrators comes from Rani’s own admission that he fired two shots. Not one of the other witnesses saw Rani shoot anyone. Rani’s admission was “supplemented” by a photograph of the gun he is supposed to have taken (G-3, Weapon number 059108, Rifle Butt Number 39) and two bullet cartridges. There were no ballistics tests to confirm if they were fired from the said gun, and there was no description of where, when or how the bullets were found or by whom and how it is known that those bullet cartridges were those fired by Rani.

692. The Commission is not persuaded by the factual scenario put forward by the military in Rani’s case. Not only was this Kodim soldier not part of the Combined Company, but he worked

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1 Regional Military Command, Udayana, Military Police, Case Investigation File, No. DPP-10/A-09/Military Police Regional Command IX/1992, April 1992. The documents in it are consistent with documents contained in the military documents on Santa Cruz in the Commission’s possession [for example, statements on a particular date are satisfactorily translated when compared to original language versions]. The CAVR therefore believes it may consider this to be a reliable translation of a file which it has not cited in original form.

1 In a 2001 interview with UNTAET Civpol (police), after relating how he was beaten many times in detention by Sergeant Martinus Wae and another, Gregório Saldanha stated that “I cannot remember the date but I was also made to sign a statement for Aloysius Rani, an Indonesian Army soldier who was charged by his superiors for acting without orders. I do not know the name of the person who made me to sign the statement”. [Gregório Saldanha, interview with UNTAET Civpol, 31 March 2001].
on equipment maintenance at the Kodim. The Commission notes that after seeing the two wounded Kodim staff brought in, he was sufficiently composed to go back into the canteen to have some tea, not overcome with patriotic emotion as suggested. While in the canteen, someone is supposed to have come in to tell him he had been left behind so he grabbed a G-3 weapon from the guardroom without permission and headed out to the Santa Cruz Cemetery in a taxi. There, he was sufficiently composed to wait for the Combined Company, not his own unit, in the taxi before joining them in a formation. He then fired two shots, not an emotional outburst as portrayed.

693. This explanation is so unlikely and convenient that the Commission concludes that it was devised by the military for the purpose of scape-goating an individual and thereby avoiding any responsibility being attributed to the military command structure.

Conclusions

694. The Indonesian authorities conducted investigations into the massacre at Santa Cruz through at least four channels: the civilian police, the local military command, the regional military police and a commission of inquiry appointed by the President. Despite the number of personnel involved and the number of reports produced through these investigations, the Commission is of the view that Indonesia did not meet the standards set out in the Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions. In particular there was inadequate efforts “to determine the cause, manner and time of death, the person responsible, and any pattern or practice which may have brought about that death. It shall include an adequate autopsy, collection and analysis of all physical and documentary evidence and statements from witnesses”. The Commission notes in support of this that:
• Not one of the investigations was sufficiently impartial or independent to conduct an
objective and credible investigation. The civilian police, the local military command in
Timor-Leste and the military police were all part of the apparatus that was under
investigation. Their findings and the way in which they carried out their investigations
reveal that from the outset their role was to exonerate the military as an institution and
condemn the demonstrators. This position was only confirmed by the report of the NCI,
which was composed of individuals who were part of the Indonesian government and
military establishment and thus insufficiently distanced from the State apparatus being
investigated.

• The entire investigation process, including the NCI and various military and civilian
investigations, was secretive and lacked transparency. Only the Advance NCI report was
made public.764 The courts martial of the eight low ranking officers were public, but the
proceedings against senior officials were in secret.

• The previously confidential documents that the Commission has examined reveal that
these investigations were wholly biased in favour of the security forces and focused on
justifying the actions of the security forces. There was no examination of the contentions
of both sides, rather the version of events provided by the military officers responsible for
the incident was accepted without question. The First Warouw Report, which provided
this version of events, was completed the day after the massacre and was based solely
on military sources.

• There were striking inadequacies in the investigation of the crime scene by all
investigators. The civilian police did not carry out any forensic examination at the scene
of the deaths. The “clean-up” efforts of the military were inadequately documented and
carried out in a way that left manifold opportunity for fabricating and/or destroying
evidence.

• The evidence of the witnesses interviewed by investigators raised numerous questions
about what occurred at the Santa Cruz Cemetery which were never adverted to by the
investigators, let alone resolved satisfactorily. Further questions that were central to the
claims of self-defence by the military personnel were never asked by any of the
investigators during the course of the investigations, leaving the picture of what occurred
vague and unconvincing. These irregularities are of such significance that the
Commission concludes that they were part of an attempt at manufacturing an account of
what happened on 12 November.

• The light charges (disobeying orders, assault) and sentences for the security forces were
wholly disproportionate to what happened and are particularly objectionable given the
serious charges and sentences imposed on the demonstrators. This reveals not just
imbalance but deliberate and cynical manipulation of the criminal justice process. Even if
the security personnel who were punished were involved in violations of human rights, it
appears likely that they were scape-goated in order to shield others.

695. Overall, the complex tragedy of Santa Cruz was made all the more tangled by what appears
to have been damage limitation and deliberate attempts to manufacture a version of what
happened by representatives of the Indonesian security forces. The processes of accountability
that were provided were deeply flawed and unbalanced, and involved collaboration between
military, police and judiciary. The Commission is satisfied that a deliberately manipulated version
of events at Santa Cruz was presented and accepted by both military and civilian courts dealing
with the matter. The investigations and trials were not intended to seek the truth of why the
massacre at Santa Cruz happened, how events unfolded and the full consequences in terms of
human life. They were also not intended to bring those responsible to account, but rather served
to continue and strengthen the institutional mechanisms of impunity which protected members of
ABRI/TNI involved in serious human rights violations.
696. In 1994 UN Special Rapporteur Ndiaye concluded that the victims of human rights violations and their relatives had not had an effective remedy. The Government of Indonesia has still not provided to the victims and families either basic information on the dead and disappeared or justice or reparation for harms suffered. The Government of Indonesia has not made public any information that would contribute to the public record of what happened, nor has it provided assistance with locating or identifying dead and missing persons. This uncertainty is the cause of continued suffering for the families of victims. This is an continuing violation of the right to an effective remedy, and the failure to resolve the issue of the disappeared is an continuing human rights violation, as well as of violation of Indonesia’s international obligations.

697. The failure of the State of Indonesia to respond in an appropriate manner to the unlawful actions of its security forces violated its treaty obligation as an occupying power to investigate, prosecute and punish those responsible for grave breaches against civilians (Article 146, Geneva Convention IV).

**Unlawful killings and enforced disappearances (1992-1995)**

698. In 1992 the number of fatal violations committed by ABRI again decreased significantly from their annual level in the previous decade. In March 1993, the Operations Implementation Command (Kolakops) in East Timor was abolished and the Korem again became the peak military command responsible for the military's full territorial structure as well as for external troops deployed from outside Timor-Leste in both territorial and combat roles. During 1993 and 1994 the Indonesian military committed relatively few fatal violations.

699. In 1995, however, there was not only an increase in fatal violations committed by the Indonesian military, but also a marked shift westwards in their location to the districts of Ermera, Bobonaro and Liquiça.

**Executions in Gariana, Liquiça (January 1995)**

700. On 12 January 1995, members of the Liquiça Kodim killed six unarmed men near the aldeia of Gariana, Vatuvou (Maubara, Liquiça), allegedly while searching for Resistance fighters who had participated in an armed clash with ABRI the day before in Leotela Village (Liquiça, Liquiça). Those killed were: José Nunes, the sub-village head of Gariana, Agusto Pinto, Abel Nunes, Victor, Americo de Araújo and Osorio Soares. Eyewitnesses who later spoke to the Indonesian National Human Rights Commission (Komnas HAM) about the killings reported that five of the six were lined up in a ditch and executed. Testimony given to the Commission confirms that all six were executed and that more than one may have been beaten before being killed.
Testimony of Jacinta Alves Correia

One witness to the killings at Gariana was Jacinta Alves Correia. Jacinta, her mother and her father were beaten by Indonesian soldiers who searched her house in pursuit of a suspected member of Falintil. Two of those killed were her younger brothers, Americo and Osorio. She gave the following testimony about the incident to the Commission:

My father, mother, big sister, and little brothers Osorio and Americo, and me, all went to weed the corn field. In the afternoon, at around 5.00pm, we returned home. My mum and dad sent the five of us home first. When we got home, my little brothers, Osorio and Americo, put the buffalo in its pen. My sister and I hung the clothes out to dry on the fence. While we were hanging out clothes and bringing the soap back inside the house, suddenly we saw my Uncle Antonio, carrying his bag, running through the front door. Lots of soldiers were following behind him.

Antonio was a member of Falintil. He entered the house. The military began to surround our house. My two brothers, back from tending the buffalo, arrived and saluted the soldiers. The soldiers didn’t accept their greetings, they were angry. My sister, her four-year-old child Joaquina, my brothers and me, approached a few steps and greeted the soldiers, but they said nothing and didn’t accept our salutes. Among the military that came was one named Custodio, who had his weapon fully cocked, chasing Antonio. The two of them were fighting inside the house.

The five of us just stood there, shocked, watching. After that Antonio ran off, I don’t know where. The soldiers shot at him from behind, but he wasn’t hit. Then the soldiers came back with their guns and approached Osorio and Americo. The soldiers hit them with their guns, kicked them with their boots, and threw rocks at them. I came to say sorry to the soldiers, and said: “Sorry, soldier, sir, we were all in the fields, we just got back, and the boys were putting the buffalo away in its pen”…They said “Liar! You’ve been hiding guerillas and Frelilin”...

They hit me twice in the back with their guns, and twice in the face. They also hit my feet, and other parts of my body. They said: “Kill them all, don’t let these two live”. Then they came running back carrying machetes to kill my sister and I. Luckily, however, they just hit us. After that, I saw the soldiers start hitting my two younger brothers. They hit them with guns, kicked them and threw rocks at them, until Osorio collapsed. It looked like Americo was still standing, but then they tied him up with four other people from Maubara: Abel, Victor, Augusto and José.

After being tied together, they were taken away. Just then my mum and dad came home. As they approached, a soldier lifted up his machete and said: “Old man you are lucky, if you had been here a few minutes ago, you would be dead by now.” The soldier hit my mum and dad a couple of times with the machete…After that, they dragged the five young men into the gutter. They tied Osorio’s feet up to some bamboo, and dragged all six of them into the gutter, and shot them on the spot. 796

701. Four days later Indonesian soldiers returned and burned Jacinta Alves’s house to the ground. 799 In June 1995 Jacinta Alves was flown to Bali where she gave testimony before a military commission. In the end, two of the perpetrators—First Lieutenant Jeremias Kase and an East Timorese, Private Rusdin Maubere—were sentenced to four -and-a-half, and four years in jail. Both men were dismissed from the military, but it is unclear whether either of them served any time of their sentences. 800

Executions in Baucau and Manatuto during the visit of European Union (EU) representatives (June 1997)

702. East Timorese youth, particularly those who participated in rallies and demonstrations, were often the target of the Indonesian military violence during this period. For example, when an EU
delegation arrived in Baucau on 29 June 1997 to meet with Monsignor Basilio Nascimento, the Bishop of Baucau, a student demonstration in support of East Timorese independence was held outside of the Church of Santo Antonio. According to one report, shortly after the delegation entered the Church, a group of approximately five East Timorese and Indonesian men, dressed in black and armed with Indonesian military-issue weapons, arrived at the demonstration and began to threaten the youths gathered there. One of the men reportedly shot and killed a student named Orlando da Costa. Approximately seven other youths were injured in the clash. Shortly after the shooting, Indonesian troops from the Baucau Kodim, led by Kodim Commander Lieutenant Colonel Wisnu, arrived on the scene. Rather than retrieve the body and pursue the killer, the commander instead warned church officials that they should not be harbouring pro-independence supporters in the Church. The parish priest of the Baucau had to intervene to prevent a further clash between Indonesian military personnel and the demonstrators.

703. On 16 June 1997, shortly before the EU visit, another youth was shot dead by Indonesian military in Aitas (Manutato). The killing led to protests in Dili and ultimately to an admission of responsibility by the Indonesian military. A third youth was killed on 28 June during a clash between Indonesian military forces and protesters trying to make their way to Dili for the arrival of the EU delegation.

**Executions and disappearances in Alas, Manufahi (November 1998)**

704. An Indonesian military crackdown in the Sub-district of Alas, Manufahi District in November 1998 resulted in numerous extrajudicial killings as well as “disappearances” and unlawful detentions. It seems that these killings were retaliation for two attacks by the Resistance that caused the deaths of numerous Indonesian soldiers. In late October 1998, members of the Resistance executed four people suspected of being intelligence agents for the Indonesian Special Forces (Kopassus) in Same and who had allegedly tried to infiltrate a clandestine meeting at a transmigration camp in Weberek, near Alas, (Manufahi). The four men were reportedly captured, disarmed, bound with rope and stabbed with spears by Falintil troops. Three of the four men died immediately. The fourth allegedly escaped to Same, but subsequently died. In the aftermath of the killings, most of the villagers in Weberek fled to the mountains fearing retaliation by ABRI. Although a patrol of Indonesian soldiers reportedly visited Weberek shortly after the killings, there was no immediate retaliation until after a Falintil attack on the Koramil in Alas.

705. On the morning of 9 November 1998, Falintil fighters and young civilians from the aldeia of Lurik Taitudak, (Alas, Manufahi) attacked the Koramil in Alas. Three Indonesian soldiers were killed and at least 11 were taken into Falintil custody. After the attack the group of approximately 50 attackers fled in two groups toward Turiscai.

706. In the immediate aftermath of the Falintil attack, local residents fled to the church in Alas Town, located approximately 200 metres from the Koramil itself. On the afternoon of 9 November Adriano Fernandes, who had reportedly participated in the raid but was unarmed, was shot by ABRI soldiers from the Koramil in Alas as he ran towards the church to seek protection. Reportedly, the body of Adriano Fernandes was hacked to pieces and left in a swamp 50 metres from the road, behind the military base near Dotik. According to one report, shortly before the killing of Adriano Fernandes, the Koramil commander, Antonio Pereira went to the church and demanded to know where to find the weapons stolen from the Koramil. Soldiers from the Koramil subsequently forced those seeking shelter in the church to move to the school across from the Koramil.

707. The Indonesian military intensified its operations in the aftermath of Falintil's attack on the Alas Koramil, detaining a large number of people during the following weeks and destroying the
fields and livestock of many Alas residents. Shortly after the attack, soldiers from Battalion 744 arrived in Alas and began to chase the group of attackers northward toward Turiscai.

708. On the morning of 13 November Indonesian soldiers from Battalion 744 detained and executed Vicente Xavier, village head of Taitudak (Alas, Manufahi), for his alleged involvement in the 9 November attack. He was executed in the house of a friend in Bakiri, Fahenean (Fатурберлиу, Manufahi), to which he had fled after the incident. On 13 and 14 November, ABRI soldiers from Battalions 744 and 745 also detained and beat numerous people in Alas Town and Lurin, and attempted to kill others. In one case, a man was reportedly tied up for a week until 19 November in Taitudak, when he was stabbed with a knife in the back which pierced his chest. During this time Vicente Sarmento also disappeared from Dotik. It is suspected that he was killed by Indonesian soldiers from the Koramil in Alas. The Commission has received testimony that several days after the attack, military personnel also searched the home of a suspected Falintil sympathiser in the village of Bubususu (Fatuberliu, Manufahi). They were looking for documents and for youths injured during the attack in Alas. In the process they killed at least one person.

709. After the killings in Alas and Fahenean, (Fatuberliu, Manufahi), Battalion 744 continued moving north, searching for clandestine members suspected of being involved in the attack. In an incident on 17 November, members of Battalion 744 shot Armando Enrique Perreira, also suspected of involvement in the attack, as well as Patrição and another man who were with Armando at the time. Patrição died from the gunshot wound. Armando and a second man, Remecio, survived and then, reportedly, were beaten and tortured with machetes, put in a military helicopter and never seen again.

710. The Commission has reason to believe that several other residents of the Alas area were executed or “disappeared” in the period from 9 November until December 1999. In the following weeks, a further 13 people are believed to have been killed, all of them known members of the Resistance. A number of people who fled from Alas after the attack were reportedly among the refugees killed during the attack on Manuel Carrascalão’s house on 17 April 1999.

Precursors to 1999 militia killings

711. Although most militia groups were formally established in 1999, some groups were already active before then. The fall of President Soeharto and the rise of the spirit of Reformasi in Jakarta led to more open campaigning by pro-independence supporters in Timor-Leste, including an increase in Falintil activities (see 7.2.5.9 below). The Commission has received reports of killings attributed to militia throughout 1998. Several of these militia were long-established, but new groups were also beginning to form. For example, the Commission received reports of killings by Halilintar militia, which had been active in Bobonaro since 1994, in January 1998, including the killing of four men in Ataba in Indonesian intelligence and a group of Halilintar militia led by Paul Gonçalves. Militia activity was documented in the districts of Bobonaro, Baucau, Liqueça, Oecuss, Covalima and Manufahi during this time. The Commission received testimonies which mention the Halilintar, Tim Saka, Dadurus Merah Puth, Darah Merah, Besi Merah Puth, Sakunar, Laksaur and Ablai militias as perpetrators in extra-judicial executions during 1998. Most of these testimonies are about killings that occurred in the final months of the year.

<table>
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<tr>
<th>Table 37 - Fatal Violations and Disappearances of Civilians Committed by ABRI, 1990-1994, as reported to CAVR</th>
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1Human Rights Watch, “East Timor Massacre Reports Still Unconfirmed, Both Sides Must Respect Rights”. [date not listed], http://www.hrw.org/press98/nov/etimor1123.htm at 19 May 2005; according to HRVD Statement 01531, two people were detained for seven days beginning 9 November.

2HRVD Statements 01581 and 03483. The Korem commander, Colonel Tono Suratman, confirmed the death of Vicente Xavier in a statement published in the Dili daily newspaper Suara Timor Timor, November 1998.
### 7.2.3.10 Fatal violations committed by Fretilin/Falintil, 1980-1999

712. Between 1980 and 1999 there were sharp fluctuations in the number of killings of civilians by Fretilin/Falintil. It is difficult to assess the number of unlawful killings of civilians by Fretilin/Falintil at any time for two conflicting reasons. On the one hand the Commission acknowledges that there may be under-reporting of fatal violations committed by Fretilin/Falintil because survivors, witnesses, or family members may be reluctant to implicate persons and institutions which played a critical role in the struggle for independence.

713. On the other hand, because East Timorese society became so heavily militarised during the Indonesian occupation, the status of many of the civilians who were killed by Fretilin/Falintil was often ambiguous. These included people who were forcibly put in harm’s way, whether as Hansip, TBOs (tenaga bantuan operasi, operations assistants), members of militia groups or persons required to perform night guard duties. The Commission believes that responsibility for deaths in these circumstances should rest primarily with those who put the victim in harm’s way. Moreover, roles which in most of Indonesia were not heavily militarised, including those of Hansip and village chiefs and other members of the civil administration, became highly militarised in occupied Timor-Leste.

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**Table 38** - Fatal violations and disappearances of civilians committed by ABRI, 1994-1998, as reported to CAVR

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- 233 -
714. Because the dividing line between combatants and non-combatants was often blurred, it has not always been possible for the Commission on the basis of the information available to it to judge whether a violation has in fact occurred, and if it has, where responsibility for it lies. All of the categories of victims discussed in this section—“civilians”, “Hansip” and TBOs—should be regarded as subject to these caveats. According to data received by the Commission, the highest number of reported fatal violations by Fretilin/Falintil took place in 1982, 1984 and 1998-1999. There was a steady decrease in reported violations between 1985 to the early 1990s. However, after 1995 the number of fatal violations continued to rise, reaching a peak in 1999. In all years, however, the number of unlawful killings of civilians committed by Fretilin/Falintil was smaller than those committed by ABRI/TNI and its auxiliaries, and in almost all years it was much smaller.

Unlawful killings and enforced disappearances by Fretilin/Falintil in 1980s

715. In the early 1980s Falintil staged a large number of attacks on military-controlled settlements, often burning houses. It appears that these attacks were intended to demonstrate to the population now under Indonesian control that Falintil had survived and, at times, to warn, even threaten, that resistance would continue. As more and more East Timorese civilians were forcibly recruited to take part in Indonesian military operations, Fretilin/Falintil forces began also to target them during skirmishes with Indonesian forces.

716. In August 1980 the Indonesian military forced civilians in Viqueque and Baucau to participate in an Operasi Kikis, to search for the remaining Falintil forces around Mount Matebian. During the course of this operation a number of civilians were killed, some shot by Falintil and others killed in crossfire when ABRI and Falintil forces engaged in armed combat. For example, the Commission heard about the killing by Falintil forces of six East Timorese men who had been recruited as TBOs for the Operasi Kikis in Queleca (Baucau). In another testimony, a deponent told the Commission about the killing of his brother, in similar circumstances:

In July 1980, Battalion 141 forced my brother Miguel, along with his friend Abilio Kuluina, to take their belongings from Abere, Luro Village to a place called Luturo, in the forest near Laga. Once there, they stayed three nights. Suddenly they were attacked by Fretilin forces, and there was shooting between ABRI/TNI and Fretilin. My brother was shot during that attack and later died from his wounds.

717. The Commission has also received information about several cases in 1980 in which Indonesian military personnel ordered civilians to search for relatives in the forest on their own. Suspicious of informants and wary of being attacked, on occasion Fretilin/Falintil arrested, threatened and in some instances killed civilians. In Macadique (Uatu-lari, Viqueque), for instance, an informant told the Commission:

On 6 September 1980, members of ABRI/TNI, Village head of Vessoru, José Fernandes and a sub-village head, Afonso Mascarinhas, forced Sebastião Mau Lequi, Manuel Kaidawalita, Lorenço Kaidawalita, Julio Boru Kumu and Valente Noco Rau to go to the forest to look for Falintil. When they arrived in a place called Makhili, they meet Falintil and Sebastião Mau Lequi was shot dead by Falintil. The other four was escaped to Uatu-Lari town.

718. Another deponent told the Commission about a similar case in Caicasa (Fatuberiu,, Manufahi) in 1980.
In 1980, ABRI/TNI forced Miguel Maia, José Kehimau, and Domingos Berleik to look for weapons in the forest near Caicassa. When they arrived at Uma Creda, in the area of Caicassa, all three were captured by Falintil. But Miguel Maia ran away, and he was shot by Falintil. He was only wounded, in the right arm. The two others, however, were bound and then killed by Falintil. Their bodies were beheaded and then dumped, in the same location.

719. The Commission received only one report about the deliberate execution of a civilian by Falintil in 1980. In this case Falintil executed a man named Bere Alas, who was reported to be politically "opposed" to Fretilin, in Laclubar, Manatuto.

720. In contrast with the year before, in 1981 Fretilin/Falintil carried out very few military actions. The Commission received only two reports of civilians killed by Fretilin/Falintil forces, both of which occurred were related to Operation Security (Operasi Keamanan, also known as Operasi Kikis) and in both of which the victims were reported to be TBOs.

721. There are several possible reasons for this lull in killings. First in March 1981 Fretilin held a national conference at Mabai (Lacluta, Viqueque), meaning that many local commanders were either traveling or engaged in the political reorganisation that followed the conference. Second, between June and September the Indonesian military staged the massive Operation Security, during which Fretilin/Falintil forces were forced to lay low and find ways to avoid being detected. Third, Falintil suffered large-scale casualties in the Aitana region in September 1981, after which time was needed to consolidate forces and re-establish contact between commanders.

722. In 1982, however, there was a dramatic increase in Falintil attacks on both military and non-military targets. These cases are evenly distributed throughout the eastern half of the island (Manatuto, Manufahi, Viqueque, Baucau and Lautém). Some of these attacks were directed against village guard posts, resulting in the death of members of the civil defense force or other civilians posted on guard duty. The Commission heard the account of the victim of a Falintil attack on the village of Manumera (Turiscai, Manufahi) in 1982. He and three others, Martinho de Jesus, Filomeno de Jesus Borges and Mateus were on night duty in a guard post:

At the time the four of us were sound asleep. Suddenly we were wake up by Falintil who already surrounded us. They tied our hands up. They said: "You are the people who usually walked into the forest to lead the TNI to find us in the forest. All of you must die tonightht". Then the Falintil commander, who wore white trouser and had his face closed, took a machete and cut Mateus’ throat and threw him to as far as 10 metres. After that he came back and cut Filomeno’s throat, and threw him to the ground. Then he started to cut Manuel, my older brother’s throat and threw him to the ground. After that, he cam to me and cut my neck three times, and also threw me to the ground. But my throat was not severed. When they left, I stood up and could see my three friends, all of them dead. I tried to get up and managed to move about 20 metres. I sat in a gutter till morning. In the morning someone came to take the three bodies and me to Turiscai. Later they took me by plane to Dili for treatment.

723. In early 1982 Falintil also allegedly attacked and killed a Hansip member named Gaspar Soares, who was walking home from the market with his wife in the sub-district of Baguia (Baucau). In addition to attacks on guard posts, Fretilin/Falintil also killed a number of civilians
in the eastern half of the territory. For example, the Commission heard about this attack in Lore, where a woman was killed:

In 1982 a Fretilin/Falintil member, I don’t know his identity, came to the aldeia of Maloru in Lore 1 Village (Lospalos, Lautem). He approached the house of Cecilia Sarmento. He forced the door open and beat Cecilia until she was screaming but nobody bother to came out to help her, because everybody frighten. Cecilia then carried out of the house and the house was set on fire. Cecilia’s husband, Marcos Sarmento, who was on night duty at the Neighbourhood Security Post, arrived and fought with the Fretilin/Falintil members. However Marcos was injured on his right hand by a member of Fretilin/Falintil, and his hands were tied behind his back. In front of her husband, Cecilia was killed with a machete, and her body thrown onto the fire of the burning house. The perpetrators entered the kitchen and removed all the kitchenware, such as plates, pots, jerry-cans, and then the Fretilin/Falintil members left the village, while they shot wildly about.838

724. In 1982 the people of Timor-Leste took part in an Indonesian national election for the first time. Fretilin/Falintil carried out several attacks before and at the time of the election, apparently in an attempt to embarrass Indonesia and prove that the Resistance was still a force. On 14 April Falintil attacked a guard post in Leohat (Soibada, Manatuto), killing Antonio Lopes and Antonio da Costa.839 On 24 April 1982, Falintil attacked the village of Lugasa (Viqueque, Viqueque), burning homes and killing two people, João Soares and Labi Mau.840 The day before the election Falintil reportedly carried out a number of attacks in Viqueque, causing the authorities to move all the voting centres into the town of Viqueque.841

725. On the day of the election Falintil reportedly killed four civilians in Bahoi, Iliheu, Manatuto, Manatuto). A deponent told the Commission:

On 5 May 1982 Falintil attacked the community in the aldeia of Bahadik, taking their property and livestock. The members of the community run away but, the Falintil killed three people: Casametan, Marae Cipriano, and Olosaba...[I]n Metadolok, Falintil my father, Leki Mau, though my brother managed to escape. After this incident, ABRI/TNI moved the people of Bahadik to Laclo for three days. After three days, the community returned to the village, because ABRI/TNI set up there permanently as security for them.842

726. Falintil also staged attacks immediately before or on the day of Indonesian public holidays or important anniversaries in the Resistance calendar.8 On 16 August, a day before Indonesian Independence Day, Falintil forces killed two Hansip members, Teofilo and Julio Mendes, who were traveling to the town of Laga (Baucau).843

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8 According to one former Falintil commander, one reason Falintil carried out attacks on Indonesian public holidays was that ABRI reduced its vigilance on those days [see CAVR Interview with José da Conceição, Dili, 19 October, 2004].
727. The most dramatic Falintil attack occurred four days later, on 20 August, which was the anniversary of the founding of Falintil, in various locations in Ainaro and Manufahi Districts; however, no information is available about civilian casualties (see section on the Mauchiga attack and ABRI retaliation below). A month after the attack, as the Indonesian military was conducting a crackdown on civilians in Ainaro, Falintil forces staged another attack in Manufahi District. An informant told the Commission:

On 27 September 1982, Falintil attacked and burnt 13 civilian homes in the village of Turin [Lurin, Taitudak (Alas, Manufahi)]. They arrested Marçal, Domingos da Costa, Domingos and Bernardo, and took them to the forest. After several days, three of the arrested men ran away and returned to the village. The fourth, Bernardo, had been killed already.644

728. Civilians who were took positions in the Indonesian local government structure were targeted by Falintil. On 5 October 1982, Indonesian Armed Forces day, Falintil conducted a bold attack on Com (Moro, Lautém), killing the village secretary, along with two Hansip members. One deponent told the Commission:

On 5 October 1982, at 12.00 midnight, a group of Fretilin, about 60 of them, led by M231, attacked the aldeia of Com. The community were assembled under a banyan tree in the village of Vaiolvaia. Then they [members of Fretilin] summoned various people, Francisco, Orlando, and Modesto, whom they suspected. My father, Francisco, was shot dead straight off by M231, because at the time my father was a member of Hansip…Fretilin considered them to be traitors, who had to be wiped out. After committing the killings and detentions, they [Fretilin] returned to the forest, and didn’t come back to Com again.645

729. Soon after the Indonesian military ordered a group of civilians to search for Falintil guerrillas in the forests of Moro. A deponent explained to the Commission:

On October 1982, ABRI/TNI 315 sent Manuel, José Cabral, José Celestino, Adão Soares, Nokomata and Paul off to summon their friends, to go into the forest to seek Fretilin. They went to Malauro, and the next day to Makedel, near Moro, and then to Soruwaku, near Maina I. After four days, Fretilin caught one of them, José Celestino. During the day his friends went off to eat, [but when they returned] Fretilin was waiting for them. They were ordered to give up all their belongings. Then [a person from] Fretilin stabbed Paul, and he died on the spot. The others ran away and reported the incident to ABRI/TNI 315.646

730. Some time in 1982 Falintil also attacked the village of Carlilo (Aiteas, Manatuto, Manatuto), killing two or three people.647

731. As these cases illustrate, during 1982 Falintil carried out a series of attacks on Indonesian military forces, members of the civil defence and East Timorese civilians who were recruited to take part in military operations. At times Falintil forces also burned villages. In late 1982, however, Indonesian military officers sought to make contact with members of the Resistance and there
was a decrease in fatal violations committed by both ABRI and Fretilin/Falintil. The March 1983 cease-fire meetings between ABRI and Fretilin led to a four-month period during which the number of killings by either ABRI or Falintil fell sharply. Following the August 1983 uprisings and the massive new Indonesian military operation that followed them, Fretilin/Falintil is reported to have committed very few fatal violations against civilians during the second half of 1983.  

732. In 1984, however, there was a marked increase in Falintil attacks, including the killing of civilians. Most of the cases occurred in Lautém and Viqueque. The available data strongly suggest that, in response to the brutal military crackdown on civilians and new operations against the Resistance, Falintil retaliated. The Commission has received reports about eight attacks in which Falintil burned homes and killed at least one civilian (two cases in Lautém, three in Viqueque, two in Baucau, and one in Ainaro). The data suggest that the primary target of these were individuals known to be collaborating with the Indonesian occupying forces (most frequently Hansip members), and that the burning of homes was intended as a warning to the rest of the community about the consequences of collaboration. For example, on 10 February 1984 Falintil forces attacked Uani Uma (Watu-Carbau, Viqueque), killing a Hansip member and three civilians and burning houses. A deponent told the Commission:

On 10 February 1984, Falintil forces attacked the Hansip base in the aldeia of Kaidilale, village of Uani Uma, Watu Carbau causing the deaths of Hansip member Sico Ana and three other people, from bullet wounds. Meanwhile, the houses of Pedro, Luis, Martinho Pinto, Bernardo Loirei, Pedro, Gregório, Antonio and Alberto were burnt. Apart from that, they stole 20 buffalos, that were intended to be shared out among the community. That night the villagers were afraid, and ran to another village until the situation was safe.

733. In another case, from Ainaro, a deponent explained that the victims of the attack were people known to be from families affiliated with the (pro-integration) Apodeti political party:

In November 1984, the Falintil commander M232, along with his subordinates attacked Cassa, burned civilian houses and killed two dato [noble] people, Maukoli and Adolfo.

734. Elsewhere, civilians were killed during Falintil attacks on Indonesian military personnel, as illustrated by this testimony from Same (Manufahi):

In 1984 we went to the Same Church to organise some documents. I returned home with two Indonesian soldiers, pak Dor, and pak Usi, and a man called Manuel. At the place called Bisakrem or sometimes called Grotto, we were attacked by Falintil, and pak Usi and Manuel were killed. I was shot in the back. At the time, there was heavy rain and mist, and I couldn’t tell which members of Falintil shot me. When I regained consciousness, people brought me to Same Hospital along with the other victims.

735. The Falintil offensive in 1984 appears to have been strategically targeted. Despite the large number of Falintil attacks in 1984 the Commission received only two reports of civilians who were ordered by the Indonesian military to search for Falintil and were subsequently killed. One

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1 HRVD Statement 06001. HRVD Statement 07521 and Statement 07515, which reports the attack taking place on 16 February 1984.
deponent told the Commission about a Falintil attack in Builale (Ossu, Viqueque), but justified it on political grounds:

*In 1984 in the Village of Builale at 10.00pm, an incident occurred, when members of Falintil...attacked the people of Builale, burning their houses and destroying their property...They also killed someone called Olocai. They did this in order to prove to the international community that there was still war in Timor Lorosae.*

Table 39 - Civilians and Hansip/TBO killed by Fretilin/Falintil, 1980-1984, reported to CAVR

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**Fatal violations committed by Fretilin/Falintil, 1985-1989**

736. During 1985 to 1989 Falintil carried out a large number of attacks on ABRI and the civil defence forces. There are also many reports of Falintil attacks on villagers. One reason for this may be that the Indonesian crackdown in 1983-1984 disrupted, and in places destroyed, the clandestine networks supporting the Resistance, and hence Fretilin/Falintil was now forced to obtain food and supplies by force.

737. Whereas in 1984 there was a resurgence of attacks by Falintil against military and civilian targets, in 1985 and 1986 there was a significant shift to direct combat between ABRI and Falintil forces. An Indonesian military publication reports that ABRI lost 122 personnel in 1985 and 169 in 1986, after which the figures are much lower. The most dramatic Falintil attack occurred in 1987 when Falintil killed 30 Indonesian combat engineers in Iliomar, Lautém. The increase in direct combat between ABRI and Falintil was accompanied by a corresponding reduction in civilian fatalities committed by Falintil.

738. Nevertheless, during this period there were a number of notable developments. First, there was a sharp decrease in Falintil attacks in which civilian dwellings were burned: four cases in 1985, none in 1986, one in 1987, one in 1988 and none in 1989. Second, in 1985-1986 half of all people killed by Falintil were Hansip: two in Iliomar, four in Viqueque, and seven in Manuafahi. Most significantly, fatal violations committed by Falintil shifted from the traditional Falintil strongholds in Lautém, Viqueque and Baucau to the districts of Manatuto and Manuafahi. For

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1. 25 *Tahun Darma Bhakti Kostrad*, [no bibliographical information provided], pp. 86-88. This pattern roughly corresponds to data collected by the Commission from gravestones in Indonesian military cemeteries in Timor-Leste, although these data show peaks of 62 in 1985 and 32 in 1986, after which the annual totals are in the low 20s.
example, a deponent told the Commission about a Falintil attack on the village of Manehat (Barique/Natarbora, Manatuto) in which houses were burned and several civilians were killed:

On 5 May 1985 Falintil attacked the area of Manehat during the night. During the attack Falintil burned 15 people’s homes, including my house [João de Carvalho]. Apart from the arson, they shot two civilians dead, and injured one person. Falintil also stole the people’s belongings and their food.\textsuperscript{856}

739. The increase in such cases in Manatuto in 1985 might be related to the ongoing political conflict within Fretilin—including the disappearance of Falintil commander Kilik Waigae and the subsequent surrender of Mauk Moruk—and the appointment of new Falintil commanders in the region.

740. In 1987, during which Indonesia held another national election, there was an increase in the number of civilians killed by Falintil but there are no reports about Hansip having been killed. At least one (and perhaps more) of the Falintil attacks in 1987 was directly related to the election. A deponent told the Commission about a Falintil attack on a group transporting election boxes in Natarbora, Manatuto.

My husband, João Oscar, with three of his friends, Americo, Mario Belo and Sebastião Alves (Milsas), went to Betano [Same, Manufahi] on a tractor...intending to pick up election boxes. As they were on the way back, Falintil blocked the road and shot them dead. I was told this by a friend of my husband, who collected their bodies from the site and returned to my house.\textsuperscript{857}

741. As was the case five years earlier, in 1987 Falintil also carried out attacks on 17 August, Indonesian Independence Day.

On 17 August 1987, at 9.00pm, four Falintil members attacked aldeia of Besusu in the village of Uma Berloik [Alas, Manufahi]. I [Joaquina Fernandes] didn’t know them, but I knew they were from Falintil...During the attack, they burned our neighbour’s house and open fire to threatened the community. We are run away to hide in the rice fields around the aldeia...At the time, I managed to yell from the rice fields to my husband [Duarte Vassalo] to get out of the house, fast. As he came out he was shot dead. He died on the spot, because the shot went straight through his ear. They also burned another three houses.\textsuperscript{858}

742. In contrast to the tumultuous years of the mid-1980s, the Commission has received extremely few reports about fatal violations committed by Falintil in 1988 and 1989. Most of these killings appear to have been targeted at specific individuals who collaborated with the Indonesian military or, in one case, a former Falintil fighter who had surrendered and returned to his community.\textsuperscript{1}

| Table 40 - Civilians and Hansip/TBO killed by Fretilin/Falintil, 1985-1989, reported to CAVR |
|-----------------|-----------------|-----------------|-----------------|-----------------|

\textsuperscript{1} For the latter, see HRVD Statement 00666. Note too that one attack and killing in 1989 took place on Indonesian Independence Day; see HRVD Statement 03037.
Continuing the trend established in the late 1980s there were few reports to the Commission of fatal violations by Falintil during the first half of the 1990s. This trend is explained by several related developments. In 1987 the armed Resistance, Falintil, was formally separated from Fretilin, and a new policy was adopted shifting the focus of the struggle to urban protest. Although Falintil remained alive and militarily capable, this policy shift gave greater prominence to public protests in the towns than to Falintil’s previously favoured tactic of demonstrating that it was a force still be reckoned with through shows of force in the countryside. This trend was accelerated by the Indonesian decision in late 1988 to “open” East Timor to Indonesians, to allow greater freedom of movement and to allow foreign tourists to visit the territory. This policy shift by Indonesia reinforced the new focus on non-violent urban protest. At the same time the decision to pursue a “national unity” strategy and to build as broad as possible a base of support for the Resistance, including by winning over East Timorese who were collaborating with the Indonesians, probably also contributed to the decline in violence in these years.

Between 1996 and 1998, however, there was a sudden surge in fatal violations committed by Falintil. There are several notable features of these killings. First, unlike in the 1980s, when the majority of civilians killed by Fretilin/Falintil were in the eastern half of the territory, during the late 1990s these cases were evenly divided between the east (Lautém, Viqueque and Baucau) and the west (Ermera, Covalima, Bobonaro and Liquiça). This shift reflected the change in leadership on the ground in Timor-Leste following the capture of Xanana Gusmão. Although Xanana Gusmão remained Falintil Commander in Chief while in prison, Konis Santana, in his capacity as CNRM chief of staff, acted as day-to-day commander of Falintil and established his base in Ermera (see Part 5: Resistance: Structure and Strategy).

Second, unlike in the 1980s when Falintil targeted members of the civil defence force, guard posts manned by civilians, individuals out hunting or those sent to search for Falintil, in the late 1990s most extra-judicial executions committed by Falintil were targeted against collaborators or civilians working as spies for the Indonesian military.

However, Falintil continued to carry out occasional attacks on the Indonesian military and members of the civil defence groups, as well as civilians on guard duty. In March 1990, for example, Falintil attacked a guard post in Carlilo (Aiteas, Manatuto, Manatuto). A deponent told the Commission:

\[\text{Although there were also cases in which Falintil killed the wrong person [see HRVD Statement 04156].}\]
On 23 March 1990 saya [Mateus Soares Mauk], with my friends José Soares Laka, Domingos Ramos, Sebastião Ximenes, Antonio Coli, Domingos Larak, Hermenegildo Soares, Mateus Go'o and also my father Antonio Soares, were on night duty at the Neighbourhood Security Post in Carlito, Kampung Baru. At around 9.00pm Falintil attacked the Post. Antonio Celo Soares died during the attack, while me and two of my friends José Soares Laka and Domingos Larak were injured, respectively, on the thigh, buttock, and leg as a result of the shooting. While the attack was happening, a group of Falintil stole a pig belonging to Mateus Go'o, maize, rice and clothes.\footnote{745}

747. The Falintil attack and execution at the home of a teacher named Castelo in Fuioro (Lospalos., Lautém) is illustrative of the targeting of those seen as collaborators. On the evening of 28 May 1997 Castelo, his family and several Indonesian teachers were watching television when Falintil guerrillas arrived at the house and asked why they had signed documents supporting the integration of East Timor with Indonesia. Castelo, two of his children and a friend were shot, and when the other teachers tried to flee they too were shot. The Commission received the following testimony from the wife of one of the victims:

On 28 May 1997 at about 6.20pm in the village of Ira-Ara, [Fuioro] in Lospalos, my husband, EP, went to C’s house, to watch them put up their satellite dish. Not long after, Falintil attacked C’s house and asked Z, my younger sibling: “Where is C?” Z told them that C was in the house, and we began to hear shooting from the direction of the teacher’s house and of C’s house. After that I wanted to find out what was happening at C’s house, but hearing the shooting going on I had to hide in the bushes. After the shooting stopped at around 10.00 pm, I went to C’s house to find out what had happened. I found my husband, EP, laid out on the floor, dead, with his friends C, V and B.\footnote{746}

748. Another example of a Falintil attack against civilians working for the Indonesian military was described by a deponent in Dilor (Lacluta, Viqueque):

Manuel de Araujo was forcibly recruited by Kopassus as a spy for Falintil in the forest and bringing information back to Kopassus. He continued that work through 1 July 1996 when he and his friend André Sarmento to go into the forest to obtain palm wine in the area called Kulu Uhi. Later in the evening we heard gun shots...Because they don’t arrive until late evening, we report to Kopassus commander and Koramil commander...On the next day, 2 July 1996, Kopassus commander Raul, his deputy Mamat, Milsas commander called Filipe Parada, a member of Koramil called Jacinto, Babinsa called Julio Riberu, a Binpolda called Lorenzo, the village head Jose Maria Soares, and community members of Dilor went to Kulu Uhi looking for Manuel and Andre. They found the two bodies. They were dead not because of shooting but because their hands were tied behind their backs, beaten and stabbed with knife, and their head were stoned. Their body were hung on a tree.\footnote{747}
749. The third notable feature of Falintil attacks during this period was the string of election-related actions in May 1997. In early May Falintil attacked a truck carrying Brimob members (Police Mobile Brigade) in the sub-district of Quelecai (Baucau), killing several of them. Days before the election, due on 25 May, clandestine members, cooperating with Falintil, staged a bold attack on the Brimob compound in Bairro Pite, Dili. Several civilians were reported killed during the attack, although the statements received by the Commission indicate that they were hit by shots fire from the Brimob compound rather than by the attackers.

750. There were also occasions when Falintil members committed what can only be described as criminal attacks on civilians. One deponent from Akaderu Laran (Kakae Uma, Natarbora, Manatuto) told the Commission:

On 13 February 1994, at around 9.00pm Falintil attacked. At the time my mother, Faustina Soares, had just come out of the kitchen and was entering the house when she was shot by Falintil, twice. One bullet hit her in the head, and she died immediately. As my mother died, my wife, Antoneta Lopes, went out and caught a glimpse of a Falintil person with dreadlocked hair as he was retreating. Those Falintil also stole three sacks of fertiliser that they thought was rice. Elizio and I were shouting at them that “you are not men, you don’t seek the enemy, you just kill poor, innocent people”.

**Fatal violations by Falintil in 1999**

751. As is the case for extra-judicial executions committed by the Indonesian military and militias, the killing (and disappearance) of civilians by Falintil in 1999 can be divided into three periods: (i) January until the end of May; (ii) the UNAMET period from the beginning of June until the Popular Consultation on 30 August; and (iii) September until the end of October.

752. The patterns of Falintil killings of civilians during these three periods more or less mirrored those of killings by the Indonesian military and the militias, though their scale was incomparably smaller throughout: relatively high numbers of cases were reported in the first and third of these periods, while there was an almost complete lull during the UNAMET period from June until the ballot on 30 August. Moreover, as with the killings by militia groups and the Indonesian military, Falintil’s fatal violations were heavily concentrated in western districts, though in its case particularly in Ermera and Bobonaro. For almost all of 1999 Falintil was under orders from its high command not to respond to militia violence in kind. In view of the fact that these orders were generally obeyed and the number of incidents reported was small, the degree of institutional responsibility for those violations that did occur may not be high.

753. The Commission has received reports about 11 fatal violations (killings and disappearances) committed by Falintil between January and May: in February three civilians were killed in Covalima; in March two civilians were killed in Ermera; in April two civilians “disappeared” in Baucau and one individual was killed in Bobonaro; and in May individuals were executed singly in Ermera, Covalima and Liquiça. In terms of the number of violations, the identity of victims and the locations, these cases appear to be a continuation of the pattern observable during the previous three years. Of all these cases the one with the most far-reaching consequences during the first half of 1999 was the killing of Manuel S. Gama, the former Sub-district head of Cailaco (Bobonaro) and a well-known pro-autonomy figure, and an Indonesian soldier near the village of Purogoa (Cailaco, Bobonaro) on 12 April 1999. His death led to a massive retaliatory crackdown in
Cailaco and beyond by the TNI and their militia allies, and the mobilisation of new militia groups in Bobonaro District (see below, for a full account). 865

754. During the UNAMET period, from June-August, violations by Falintil virtually ceased. The Commission received only one report, about the disappearance of a man in the district of Baucau. 866 It is also worth noting that on 16 May, Falintil forces in the sub-district of Lolote (Bobonaro) attacked Indonesian military personnel and militia members, killing three combatants. 867

755. When the results of the Popular Consultation were announced, the Indonesian military and militias launched a massive attack on the civilian population and destroyed both public buildings and private dwellings throughout the territory. Although Falintil continued to be cantoned, in the western districts of Ermera, Bobonaro and Liquiça members of Falintil carried out what appear to have been revenge killings against individuals who were identified as pro-autonomy, even though complicity in the earlier violence was not always clear. 868 There were also instances where Falintil retaliated against militia groups and TNI units during this period. A deponent provided this description of one such incident in Lautém:

_On 8 October 1999 Falintil forces, with their leader M233, ambushed some members of Tim Alpha [militia] in a place called Warusira, Tenu, subdistrik Mora [now distrik of Lautem]... Falintil forces shot Mário João Lopes and his friends dead in this incident...because they were suspected of killing the nuns. I got this information about the killings from the Falintil commander M233, after the killings._ 869

756. In all the Commission received information about 22 extra-judicial executions and seven disappearances committed by Falintil in 1999, 17 of these coming in the post-ballot period.

Table 41 - **Civilians and Hansip (in parentheses) killed by Fretilin/Falintil, 1990-1999, reported to CAVR**

<table>
<thead>
<tr>
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<td>-</td>
<td>1</td>
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<td>1</td>
<td>1</td>
<td>9</td>
<td>5</td>
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<tr>
<td>Manatuto</td>
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<td>7</td>
<td>3</td>
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<tr>
<td>Dili</td>
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</tr>
<tr>
<td>Total</td>
<td>2(1)</td>
<td>-</td>
<td>4</td>
<td>-</td>
<td>3</td>
<td>2</td>
<td>22</td>
<td>15</td>
<td>17</td>
<td>29</td>
</tr>
</tbody>
</table>

* The figures for 1999 include seven individuals who were allegedly disappeared by Falintil: in Baucau two individuals in April and one in June, and in Ermera four individuals in September.
7.2.3.11 Unlawful killings and enforced disappearances, 1999

757. The Commission estimates that in 1999 TNI and militia were responsible for the unlawful killings of between 1,400 and 1,500 civilians. The Commission received statements reporting the unlawful killing of 785 people by the TNI or the militia in Timor-Leste between 1 January and 25 October 1999. Another 27 persons were reported to the Commission to have been killed in refugee camps in West Timor. Bobonaro, Covalima and Oecusse were the three districts that reported the highest number of killings and disappearances.

758. All accounts agree that Bobonaro District suffered the highest number of unlawful killings and disappearances in 1999. The Commission received statements describing the deaths of 141 civilians from killings and disappearances in the district. At least nine militia groups existed in Bobonaro in 1999 and each of the six sub-districts had at least one militia group. The oldest aggressive militia group in the district was Hallilintar, led by the Integration Fighters’ Force (Pasukan Pejuang Integrasi, PPI) supreme commander, João Tavares (see Militia Table in Part 4: Regime of Occupation). Hallilintar, based in Maliana and Atabae, operated in the whole district and, at times, beyond it. Among the other major militia groups, Dadurus Merah Putih (Maliana), Firmi Merah Putih (Balibo), Saka Loromonu (Balibo) and Hametin Merah Putih (Bobonaro) were the most active. The TNI’s relations with militia groups in the district were close. The Kodim commander, Lieutenant-Colonel Burhanuddin Siagian, was a strong supporter of militia groups. Lieutenant Sutrisno, the Maliana Kodim Chief of Intelligence, was another TNI officer heavily involved in organising the militia groups and coordinating their activities.

759. Covalima District was almost as badly affected as Bobonaro. The number of killings and disappearances reported to the Commission was 131. The main militia group in the district, Laksaui, was active as early as January 1999 in the central and western areas while the eastern sub-district of Mape/Zumalai was mostly covered by the Mahidi militia group from the neighbouring district of Ainaro. The Laksaui militia group, led by Olivo Mendonça Moruk, received strong support from the local military and civilian authorities including the Kodim commanders, Lieutenant-Colonel Ahmad Mas Agus (who was replaced by Lieutenant-Colonel Liliek Koesharianti in late August 1999) and the district administrator, Colonel Herman Sedyono.

760. Oecusse District reported 125 killings and disappearances to the Commission. The majority of the reported killings occurred in the post-ballot period. The early departure of UN staff and international observers, the absence of armed pro-independence groups and the late arrival of Interfet gave the TNI and militia groups free rein to create havoc for two months after the announcement of the ballot result. The geographical proximity to Indonesian territory also provided a safe haven for the preparation of operations. The militia group in Oecusse, Sakunak, was led by Simão...
Lopes, former Sub-district administrator in Passabe and Oesilo in the 1980s, and who in 1999 worked in the Fishery Agency of Oecusse District. Sakunar received the full backing of the highest military and civilian authorities in the district, including District Administrator Filomeno Mesquita da Costa, the chief of police, Lieutenant-Colonel Wilmar Marpaung, and the Kodim commanders, Lieutenant-Colonel Kamiso Miran and Lieutenant-Colonel Bambang Sungesti, who replaced Lieutenant-Colonel Miran in early August 1999.

761. Based on testimonies received by the Commission, a significantly larger number of unlawful killings took place in the western districts than in the eastern districts — the western districts being closer to the Indonesian border and being where the more notorious militia were based. Other than the three districts mentioned above, Dili and Liquiça also registered high levels of killings and disappearances in 1999. The remaining two districts which suffered relatively high numbers of fatalities were Ermera and Lautém. Viqueque and Aileu were the least affected districts. One of the main factors determining the scale of the killings was the strength of the local militia group in each district. Notorious militia groups such as Dadurus Merah Putih, Laksaar, Aitarak, Tim Pancasila, Mahidi, Besi Merah Putih and Sakunar were based in the districts that suffered the highest levels of fatal violence. Meanwhile, Aku Hidup untuk Integrisi in Aileu and Tim Makikit in Viqueque were less aggressive than other militia groups.

762. The unlawful killings were usually enacted by multiple perpetrators using a variety of weapons ranging from machetes to homemade guns to automatic firearms. Victims were often individually targeted for their pro-independence affiliations. Particularly vulnerable were students, those participating openly in CNRT campaign activities, and East Timorese staff of UNAMET. Violence was targeted at not only its direct victims but also at intimidating others in the community. Apparently for this reason victims were often mutilated before or after they were killed.

763. There are clear signs that TNI co-ordinated with militia groups in the killings. Coordination existed at various levels including funding, training, directing, or even commanding militia at the scene of an attack. In some cases TNI members were directly involved in killing civilians. As a general pattern, TNI members were more directly involved in violence where the local militia group was still weak. This was particularly the case in the early months of 1999. If TNI members were not directly involved, they were often at the scene doing nothing to prevent militia members from carrying out atrocities, giving tacit approval to the violence. Some militia leaders, such as Joanico Belo, commander of the Saka militia group in Baucau, and Cesario Tilman, a member of the Mahidi militia group in Ainaro, were in fact TNI soldiers. Civilian authorities such as district administrators, sub-district administrators and village chiefs were also often involved in supporting or carrying out militia activities. Some local civilian leaders were also members of local militia groups.

764. The victims of unlawful killings by TNI and militia were mostly real or suspected supporters of independence. Many of them were known independence supporters including CNRT members, clandestine members, Falintil supporters, student activists and their relatives. Sometimes a list of the persons to be killed had been made. Local leaders who were seen to be sympathetic to the independence cause and Catholic priests, nuns and brothers were sometimes targeted. Victims also included ordinary people who attempted to escape from TNI and militia out of fear, and villagers who fled to the mountains after the ballot, thus disobeying orders to go to West Timor (see Chapter 7.4:

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*Links among the Indonesian military, civilian authorities and the militia were embodied in individuals such as Vidal Doutel Sarmento who was a District Administrator (Bupati) in Manatuto, a member of TNI Special Forces (Kopassus) and a founder of and adviser to the Mahadomi militia group. Olívio Mendonça Moruk, a Bupati and military commander in Covalima was also leader of the Laksaar militia. The AHI (Aku Hidup untuk Integrisi, I Live for Integration) militia in Aileu were set up and supported by the civilian district administration.*
Detention, Torture and Ill-Treatment, section on displacement before and after the Popular Consultation, 1999). Because of these actions these people came under suspicion of having pro-independence sympathies. In a very arbitrary pattern, the TNI and militia also attacked suspected pro-independence villages by burning houses and killing civilians. Many random killings also occurred, particularly after the announcement of the result of the ballot, by soldiers of Battalion 745 in late September as they withdrew from Lospalos to Dili.

The violence in 1999, including killings and disappearances, occurred in three distinct phases, each with its own patterns of abuse. The first covered the months January to May, the second covered the months from June to 29 August and the third covered from the day of the ballot on 30 August until late October when Interfet had established control over the whole territory. The majority of unlawful killings took place in the periods before the arrival of UNAMET and after the ballot, suggesting that these killings may have been closely related to the presence or absence of the United Nations and international scrutiny of TNI behavior.

January to late May

The militia, often in collaboration with ABRI/TNI, committed many serious atrocities, including mass killings and disappearances, which occurred before UNAMET began its operations in Timor-Leste. This is the period during which militia groups began to take their characteristic form through recruitment, training, inaugurations and consolidation within an overarching structure. During this period militia targeted people regarded as having pro-independence sympathies. The Commission received testimonies showing that between January and the end of May 1999, more than 250 people were unlawfully killed or disappeared. Beginning in January, the violence accelerated to a peak in April before falling off in May. It included several attacks on places of refuge for internally displaced persons that occurred as negotiations leading to the 5 May Agreements, signed by the Portuguese and Indonesian governments under UN auspices, reached their final phase.

Early June to 30 August

The number of people killed in acts of political violence fell sharply as UNAMET, international observers and journalists established a presence throughout the territory from early June. Executions during this period also took a different form. Killings were committed primarily by East Timorese militia, sometimes with the aid of Indonesian TNI personnel in civilian clothes. The Indonesian military apparently tried to disguise their direct involvement in executions and other violations during this period. In late August, however, coinciding with the designated campaign period, there was a surge in violations of all kinds, including killings. The main targets of these killings were students and CNRT members participating in campaign activities. During this period more than 30 cases of killings and disappearances were reported to the Commission.

30 August to late October:

This period of relative calm ended dramatically as soon as the voting concluded, when militia and TNI executed local UNAMET staff on 30 August and 2 September. In much of the territory, however, the violence began in earnest on 4 September, the day the result of the ballot was formally announced. The announcement was made in the

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* Geoffrey Robinson discusses these three periods as the pre-UNAMET period, the UNAMET period and the post-ballot period [Robinson, *East Timor 1999*, OHCHR submission to CAVR, pp. 44-47]
morning, and by early afternoon the militia, TNI soldiers and police had taken to the streets in towns and villages across the territory, firing their weapons, attacking supporters of independence, and burning houses and public buildings. Formally the TNI took over responsibility for law and order from the police on 4 September and on 6 September President Habibie declared martial law in Timor-Leste. Despite these actions, ostensibly taken to restore order, the number of killings and disappearances peaked during this period with more than 560 incidents. The number of killings reported to the Commission as having occurred in this relatively short period was 528, by far the highest number reported for any of the three periods described above.

Table 42 - Killings and disappearances of civilians by militia and TNI in 1999, reported to CAVR

<table>
<thead>
<tr>
<th>Location</th>
<th>Jan-May*</th>
<th>Jun-Aug</th>
<th>Sept-Oct</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lautém</td>
<td>4</td>
<td>1</td>
<td>41</td>
</tr>
<tr>
<td>Viqueque</td>
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<td>3</td>
<td>4</td>
</tr>
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<td>Baucau</td>
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<td>3</td>
<td>-</td>
</tr>
<tr>
<td>Manatuto</td>
<td>5</td>
<td>1</td>
<td>-</td>
</tr>
<tr>
<td>Manufahi</td>
<td>8</td>
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<td>-</td>
</tr>
<tr>
<td>Ainaro</td>
<td>5</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Aileu</td>
<td>-</td>
<td>-</td>
<td>-</td>
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<tr>
<td>Ermera</td>
<td>30</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>Covalima</td>
<td>22</td>
<td>10</td>
<td>1</td>
</tr>
<tr>
<td>Bobonaro</td>
<td>52</td>
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<td>9</td>
</tr>
<tr>
<td>Liquiça</td>
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<td>-</td>
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</tr>
<tr>
<td>Dili</td>
<td>24</td>
<td>6</td>
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<tr>
<td>Oecusse</td>
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<td>4</td>
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<tr>
<td>West Timor</td>
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<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Sub-totals</td>
<td>223</td>
<td>34</td>
<td>528</td>
</tr>
<tr>
<td>(comprise killings and disappearances)</td>
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*January–May: unlawful killings and disappearances before the arrival of UNAMET

769. Before early June, it was common for unlawful killings to be carried out by both TNI and militia groups working together. The open collaboration of the TNI and the militia contrasts with the period when UNAMET was present and the Indonesian military made some effort to disguise its role in the violence. The Commission received reports of killings and disappearances during the first five months of 1999 in 12 of Timor-Leste’s 13 districts, the exception being Aileu.

770. The most killings and disappearances that occurred from January to May that were reported to the Commission occurred in Bobonaro and Covalima Districts, with 52 and 50 respectively. The majority of the cases reported to the Commission from Bobonaro gave evidence of close cooperation between the TNI and militia groups. The following tables summarise these cases except for those that occurred in April 1999 which are discussed separately below.

Table 43 - Killings and disappearances jointly by TNI and militia groups, January–March, May 1999, Bobonaro District

<table>
<thead>
<tr>
<th>HRVD Statement</th>
<th>Summary</th>
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<tr>
<td>1122</td>
<td>On 4 January members of the Joint Intelligence Unit (SGI) and Halilintar militia, led by M295, killed a Fretilin supporter, Valentino Guilhermino, in Alipusra, Atabae (Atabae).</td>
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On 27 January members of SGI and Halilintar militia attacked Abel Martins at his home in Faturasen, Rairobo (Atabae). He was shot to death.

On 16 March BMP militia together with TNI members from the Koramil Atabae, were checking travellers at Sukaer Laran in Atabae. They captured Armindo Bento, a passenger on a bus going to Dili, because his identity card had expired. Bento was reportedly severely tortured and then killed.

On 19 March TNI and Halilintar members raided a meeting of clandestine members in Ritabou (Maliana). Witness testimonies cite the presence of Halilintar Commander M295, M56 and a member of the TNI, M57 [East Timorese]. Shot to death in the attack were Pedro dos Santos, Domingos dos Santos, José Barros and Fonseca Asu Mau. Other participants in the meeting escaped.

A CNRT leader, Bonifacio Barreto, was abducted by members of Kodim Maliana, the SGI and the Saka Loromonu militia in May. He was taken to the beach in Batugade, where he was reportedly murdered and his body put in a bag and thrown into the sea.

On 7 May Halilintar militia, led by M295 killed Agusto Soares at Bea Horo, Ritabou Village. On 17 May Longuinos Batu Mali was reportedly stabbed to death at the Bulobu River in Ritabou by Dadurus Merah Putih members and members of the District Military Command in Maliana.

Members of Halilintar militia, under M295, reportedly killed Luciano from Hauba (Maliana) on 17 May and Petrus Santos on 19 May and were implicated in the disappearance of Eugenio da Silva Gonalves, a high school student from Maliana, on 29 May.

Hametin Merah Putih militia reportedly killed Domingos Lole Mau in Edeoa, Kota Boot Village (Bobonaro, Bobonaro) on 9 May.

On 11 May Dadurus Merah Putih militia, including M58, killed Pedro de Jesus in Holgaul, Leber Village (Bobonaro, Bobonaro).

On 17 May Dadurus Merah Putih members arrested Fernando Correia at the church in Bobonaro, took him to the DMP post in Bobonaro, and then to the aldeia of Manu Aman, Tunu Bibi (Maliana) where he was reportedly killed.

During this same period two militia groups, Mahidi and Laksaur, were active in the sub-districts of Covalima District. The Commission received a testimony describing an unlawful killing in the aldeia of Oebaba, Mape (Zumalai, Covalima). A TNI soldier and three Mahidi members. According to João da Costa Fernandes Cardoso, on 24 January, Fernando Cardoso was beaten by the soldier and two Mahidi members before he was shot dead by a third Mahidi member who stole his motorcycle and Rp800,000.872

The table below summarises all cases reported to the Commission of killings and disappearances which took place in Covalima District from January to May 1999, except for incidents in April 1999 which are reported seperately below.

On 24 or 25 January Mahidi militia, under the command of Cancio Lopes de Carvalho attacked the village of Galitas, Mape/Zumalai, because villagers were suspected of providing food to Falintil. Olandino Pereira, his pregnant daughter Angelica de Jesus and her brother Luis Pereira, were all killed. Another villager, Adelino Barreto, was seriously wounded during the attack.

On 27 February Mahidi and Laksaur militia groups went on an operation in Suai Town and abducted three persons known as Pedro, Francisco and Vitorino who were beaten, then taken away in a car and not seen again.

On 3 March Mahidi militia killed Luis dos Santos, his wife Fatima Mesquita and

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1 Killings and disappearances which took place in April 1999 reported in section below.
The coordinated surge of violence in April 1999: killings in Liquiça, Cailaco and Dili

773. The Commission has received evidence showing coordinated violence throughout Timor-Leste taking place in April 1999, in the month before the 5 May Agreements. In April 1999, three incidents involving major violations of human rights occurred in Liquiça, Bobonaro and Dili.

774. The first massacre in 1999 took place at the Liquiça Church on 6 April. This incident, during which as many as 60 people seeking refuge at the church were killed,\footnote{776} is illustrative of the organised nature of TNI/militia violence. Before this incident, in early April, TNI and Besi Merah Putih (BMP) militia intensified their campaign of violence against pro-independence activists and the civilian population of Liquiça. On 5 April, in three separate incidents, three supporters of independence—Herminio dos Santos, Ildio dos Santos and Laurindo da Costa Gonçalves—were abducted by members of BMP.\footnote{775}

775. In response to this deterioration of security, people from sub-districts of Liquiça and Maubara began to seek refuge at the Catholic church in Liquiça town (Liquiça, Liquiça). Approximately 2,000 people, including women and children, had gathered at the church compound by 6 April. Early on the morning of 6 April, BMP militia along with TNI troops, including ones from the District Military Command in Liquiça, the Sub-district Command in Maubara, members of the Special Forces Command and Battalion 143, as well as Mobile Police (Brimob) from Dili and local police, arrived at the church. Two police officers demanded that Father Rafael dos Santos hand over Jacinto da Costa Pereira, the village chief of Dato (Liquiça, Liquiça), along with another man, as both were identified as pro-independence leaders.

776. The Commission received a large number of statements about the massacre at the Liquiça Church.\footnote{777} According to a witness, between 12.00 noon and 1.00pm, Brimob members fired shots into the air and then militia members entered the compound.\footnote{778} Tear gas was thrown into the priest’s residence forcing many people to flee. As they fled, they were brutally attacked by TNI and militia members waiting for them outside. According to Father Rafael’s account the assailants killed the men but allowed the women and the children to leave the area.\footnote{779} Then they entered the priest’s house and executed any persons they found inside. The BMP commander, M61, was seen inside the church compound with his men. When most of the refugees had left the church and the parish house, BMP members, police, and soldiers, including Sergeant M62 [East Timorese], came in looking for stragglers. Those they found were killed.\footnote{779} Some people fled to the house of the district administrator, Leoneto Martins, where pursuing militia and soldiers killed or severely injured them.
777. It is difficult to estimate the exact number of victims because the bodies of the dead were taken away. While the official provincial police (polda) report said that only five people died in the attack and its aftermath, other estimates put the number between 30 and more than 100. After the massacre at the Liquiça Church many people fled to Dili and sought refuge at the house of Manuel Carrascalão where they were attacked again by BMP and Aitarak militia on 17 April.

778. Killings of real or perceived supporters of independence in Liquiça continued after the Liquiça Church massacre. On 7 April Fernando da Costa was allegedly stabbed to death at the Koramil in Liquiça by militia members. On 9 April on the orders of M65 [East Timorese], a BMP commander for Bazartete and Liquiça, a man known as Carlos was allegedly arrested, taken to the beach in Pala near the Indonesian military cemetery and killed. He had documents concerning CNRT activities in his pocket. On 14 April, Henrique Borges, Carlos dos Santos da Costa and Leo Lakon were killed at the beach in Pilila, Leohata (Liquiça, Liquiça) by an Indonesian TNI member, M302. On 21 April Felix Barreto was killed by BMP militia members in Ulmera (Bazartete, Liquiça). On or about 27 April Tobias Alves Coreia and Elias Ataidi were killed by militia in Tutuge, Loidahar (Liquiça, Liquiça) because they were identified as pro-independence supporters. It is alleged that their names were on a list drawn up by TNI officer Sergeant M62 [East Timorese] and others. On 26 April in Maubara, a man named Abel was arrested and taken to the lake to be executed. Abel has not been seen since.
A survivor of the Liquiça Church Massacre

On the morning of 5 April, 1999 I was walking from the Social-Political Affairs office in Liquiça to my house when I met my friend Lukas, from Flores, Indonesia. He encouraged me to go home quickly, saying, “I’ve heard that the Besi Merah militia are at the border of Liquiça and Maubara.” But I decided not to go home. I went instead to a meeting about the Easter youth commemoration in Manatuto. I met with my friends Jacinta, Suzi, and Ermelita. We weren’t sure whether it would be a good idea to participate in the commemoration so we went to ask Father Rafael’s opinion. While we were meeting with Father Rafael, the village head, Jacinto da Costa came and told us that a youth had been killed and others wounded in an attack by the militia and military.

We left Father Rafael’s house early in the afternoon. When I got home I went to see Aquelina to get some more information. Aquelina lives close to the Welcome sign in Liquiça. As soon as I got to her house I heard more shooting, coming from the direction of Pukalaran. I went straight home and found that my family had already fled to the church in Liquiça. I joined them there. There were many people hiding in the church including people from the villages of Dotasi, Guiu, Leopa and Upper and Lower Caimeo. In the afternoon the militia and the military looted and burnt down the houses of the Sub-district administrator, João Bosco, and Agustinho. For the two days that we were in the church we did not do anything else but pray. At night we couldn’t sleep, and outside the church the militia were harrassing us with threats and foul language.

At 9.00am on 6 April Eurico Guterres, the Aitarak militia commander, and his men came to the church office in Liquiça to talk with Father Rafael and Father José. We heard that during that meeting Eurico Guterres said he was going to make a request of the district administrator, Leoneto Martins. Eurico said that if Leoneto met the militia’s demands the militia would let the people go home safely. But Eurico’s meeting with Leoneto did not produce that guarantee.

Initially Mobile Brigade police came to the church as if to rescue the people. In fact, Brimob were the ones who started the shooting. Around 1.00pm, the Besi Merah militia along with the police and the military attacked the church. They fired shots into the air to give the signal to the militia to enter the church, and then they started shooting the people. Wearing masks that covered their faces the militia and the military then attacked with axes, swords, knives, bombs and guns. The police shot my older brother, Felix, and the militia slashed up my cousins, Domingos, Emilio, and an eight-month old baby.

Because Brimob and the military were slaughtering people who had been hiding in the priest’s office, everyone started running out of the church trying to find places to hide and to save themselves. I left with Emilio’s wife and we went to the Convent. As we left I saw Miguel was still alive, but Loidahar and someone else from Maubara were lying dead near the church bell.

The militia, police and military had prepared a truck to carry people to the district administrator’s house. When we arrived the militia continued their actions and continued beating and stabbing civilians. Several people died at the district administrator’s house. Luckily there was a nurse there who attended to the wounded. After about three hours Agustinho, a civil servant in Maubara, made an announcement to the people, saying, “Go home and raise the Indonesian flag. And tie it to your right hand to show that we are all people who are prepared to die for this flag.”

One week after the massacre a TNI soldier from the eastern sector, called Pedro, told me that the military from Kodim were also involved. I heard that the bodies of those who died were taken in a truck, but I don’t know where they were taken.

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779. The second major event in April 1999 took place in the sub-district of Cailaco (Bobonaro). On 12 April, TNI soldiers and Halilintar militia executed at least seven
people. This was in retaliation for the murder of at least one TNI soldier and a local pro-autonomy figure, Manuel Gama, in an ambush near Purogoa Village earlier the same day. After the death of Manuel Gama, soldiers and militia searched for suspects. The Commission received at least one report of attempted murder during these initial sweeps. A group of about 30 people were taken from the aldeia of Marco, and some were severely beaten at the sub-district military command post.

780. Residents and civil servants had been ordered to gather at the home of Manuel Gama, where the body was being prepared for burial. Several senior civilian and military officials arrived at the house, including the District Administrator, M70 [East Timorese], Head of the District People’s Representative Assembly, Jorgé Tavares, the district military commander, Lieutenant-Colonel Burhanuddin Siagian and his intelligence chief, Lieutenant Sutrisno, and militia commander João da Silva Tavares. On the orders of Lieutenant Sutrisno, four pro-independence supporters - Paulino Soares, José Pou Lelo, Antonio Soares, and Manuel Mau Lelo Araujo - were taken from the house to the Joint Intelligence Unit compound next to the sub-district military headquarters. The district commander, Lieutenant-Colonel Burhanuddin Siagian, and the Haililintar militia leader, João Tavares, accompanied Lieutenant Sutrisno to the sub-district command post. There the detainees were shot dead by TNI soldiers and Haililintar militiamen. After the executions, the leaders returned to the home of Manuel Gama where they threatened to kill other pro-independence supporters. One witness recounts:

Not long afterwards, several soldiers came from the sub-district command headquarters and dragged [my] friends - Antonio Soares, José Pou Lelo, Paulino [Soares] and Manuel Mau Lelo de Araujo – by their hands. Then several high-ranking civil and military leaders from Maliana arrived, namely: Bobonaro District Administrator M70 [East Timorese], Head of the District People’s Representative Assembly, Jorgé Tavares, João da Silva Tavares, Commander of Maliana District 1636, Burhanuddin Siagian and Chief of Intelligence, Sutrisno. The District Administrator and Head of the District People’s Representative Assembly entered the house of mourning and the TNI District Commander, Chief of Intelligence and João Tavares headed directly to the sub-district command post. We were busy hanging awnings [for the funeral] when suddenly we heard gunfire. Everyone was startled because those four people were shot in front of and beside the sub-district command post at a distance more or less 100 meters from the house of mourning. Then João Tavares and the TNI District Commander came to the house of mourning and screamed, “All you here, you are all part of the Security Disturbance Gang; we should kill you all.”

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1 The dead have been identified as: Paulino Soares (34), José Pou-Lelo (37), Antonio Soares (45), Manuel Mau Lelo Araujo, Carlito Mau Lelo (32), Domingos Resi Mau (29) and João Evangelista Lima Vidal (40) [Robinson, OHCHR Submission to CAVR, April 2004, p. 197]. According to Adriano João there was an eighth victim, João Matos, a farmer from Meligo, the same village as Carlito Mau Lelo [“Kasus Eksekusi 12-04-1999 di Cailaco”, unpublished manuscript, June 2004].
2 It is generally believed that Manuel Gama was killed during a Falintil attack [see, for example, HRVD Statements 1116-04; 5535; SCU Indictment 02/2003, paragraph 41], but according to one source, TNI was also a possible suspect in the murder: “Until now information about who the actual perpetrator of that murder was is still not consistent (with) accusations back and forth between TNI and Falintil in the forest.” [CAVR Interview with Adriano João, Dili, 21 September 2004].
3 According to Serious Crimes Unit (SCU) Indictment 02/2003, Bobonaro military officials visited the house of Manuel Gama where Lieutenant Sutrisno gave the order to arrest the four victims. The officials then went to the Sub-command
781. On the same day, three other victims—Carlito Mau Leto, Domingos Resi Mau, and João Evangelista Lima Vidal—were taken into custody at the site of Manuel Gama’s murder near the village of Purogoa by TNI soldiers. Lieutenant Sutrisno was reportedly present when soldiers and militiamen beat the detainees. Carlito Mau Leto and Domingos Resi Mau were reportedly brought back to the Sub-district command post in Marco, Cailaco and executed. The wife of João Evangelista witnessed her husband’s murder:

“...At that time we heard the sound of gunfire, but we didn’t know what the shooting was about. A little while later we heard the news that someone had killed Manuel Gama. We immediately went outside. The Indonesian military from the Cailaco Sub-district military post came, carrying the corpse of Manuel Gama. They began inspecting every house in the vicinity of the killing. Soldiers from the Cailaco Sub-district post apprehended my husband, João Evangelista Lima Vidal...They caught him, beat in the mouth with their weapons, kicked him, and tied him up. He was taken to the site of the killing at Purogoa, in the village of Meligo...They chased me away, yelling, “Get out of here!” At that very moment, they dragged my husband away and shot him. My relative Pedro took me by the hand and said, “Come on, let’s leave for Marco, rather than stay here and be shot as well.”

782. These murders were the first in a series over the following two weeks targeting pro-independence supporters in the sub-district of Cailaco. During this period soldiers and militia looted houses, detained and ill-treated hundreds, raped women and girls and killed about 20 people. They include: Aprigio Mali Tae and Carlos Sama-Lelo, both killed on 17 April, Antonio Basilio and Armando Berlak, both killed in the village of Manapa on 19 April by Dadurus Merah Putih militia members, and José Barros and Cornelio Rodrigues da Silva, both killed on 20 April.

783. The killings on 17 April were allegedly committed by the Cailaco militia, Guntur Batu-Laka, Halilintur and the Joint Intelligence Unit. Dadurus Merah Putih, which was set up immediately after the 12 April killings, allegedly killed Antonio Maia and Armando Berlak on 19 April while members of militia groups Guntur Batu-Laka and Halilintur, the local Territorial Combat Battalion (Batalyon Tempur Territorial, BTT) and the Joint Intelligence Unit allegedly committed the killings on 20 April.

784. Calistro da Cunha was abducted on 24 April by the Kaer Metin Merah Putih militia and TNI members, including M66 and M67 (both East Timorese). He was taken to the village of Molop (Bobonaro) where he was handed over to a group of Halilintar militia and Koramil soldiers. He was killed by Halilintar militia from Maliana in Omelai, Molop. His body was buried the following day at the Guda cemetery by his family.

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post where Sutrisno ordered the detainees to be shot. Several CAVR interviews suggest that only civilian leaders went directly to the Gama house, while the militia and military leaders went straight to the military command post and shot the detainees who were already detained there.

According to HRVD Statement 1116-04, this victim is called Domingos Leki Mau.

According to HRVD Statement 1865 and Adriano João [“Case of 12-04-99 execution in Cailaco”, unpublished document], all victims were executed in front of the TNI Sub-district command office in Marco, Cailaco, but SCU indictment 02/2003 [paragraphs 76-83] describes these three victims as executed on a hill in the village of Purogoa not far from the site of Manuel Gama’s death.
785. Less than two weeks after the massacre at the Liquiça Church, BMP and Aitarak militia members, together with TNI, killed at least 19 people in Dili on 17 April 1999 during an attack on the home of Manuel Carrascalão.† Once again, the attack showed clear signs of military and militia cooperation.

786. The attack took place after a large gathering of some 5,000 members of Integration Fighters’ Force (Pasukan Pejuang Integrasi, PPI) in front of the Governor’s Office in the centre of Dili. During the rally the Aitarak leader, M76, incited the crowd to capture and kill those who did not support integration with Indonesia. The rally was attended by senior government officials, including the provincial Governor, Abilio Soares, the District Administrator of Dili, Domingos Soares, the East Timor military commander, Colonel Tono Suratman, the assistant for operations to the army chief of staff, Major General Kiki Syahnakri, and four other senior military officers. When the rally was finished, M76 led a large group of militia on a parade through Dili. They attacked various targets along the way before reaching the home of Manuel Carrascalão. Approximately 150 refugees were sheltering there, having fled other attacks such as that in Liquiça. In the attack on the house, Aitarak and BMP militia killed Manuel Carrascalão’s teenaged son, Manuelito. Others were killed or severely injured by militia who wielded machetes and knives. Among those killed were Eduardo de Jesus, Alberto dos Santos, Antonio da Silva Soares, Januario Pereira, Raul dos Santos Cancela, João dos Santos, Crisanto dos Santos, Rafael da Silva, Afonso Ribeiro and César dos Santos. Augustinho Benito X. Lay, who was severely wounded during the attack, survived.† Some of the refugees tried to climb over the fence to escape but could not because the house was surrounded by armed men. Multiple witnesses have confirmed that TNI officers in plain clothes from the Koramil in Maubara participated in the attack. Furthermore, the commanding TNI officer for East Timor, Colonel Tono Suratman, refused to intervene when Manuel Carrascalão requested that he stop the attack.‡

787. The massacre at the house of Manuel Carrascalão was not the only fatal incident in Dili that day. Manuel Pinto, a clandestine member who had just arrived at the Becora bus terminal from Baucau, was killed in the attack by TNI and militia members, including M75. He was taken wounded to the Motael Clinic where he died. ³

788. After the 17 April massacre, the village of Hera (Dili) became a focus of intensive violence. On 20 April Luis Dias, a Fretilin member, was killed in Hera by militia and TNI members. ⁴ On or about 1 May Longuinhos da Silva de Jesus, a well-known independence supporter in Metinaro, was arrested and taken away by Aitarak commander M77. His body was found a few days later on the beach near Hera. ⁵ On or about 8 May Thomás Ximenes and Sebastião Gusmão were killed by members of the Aitarak militia group in Hera. ⁶

Killings in Covalima, Ermera, Manufahi Districts in April 1999

789. A dramatic increase in violence during the month of April was also documented in three other districts—Covalima, Ermera and Manufahi.

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1 According to the CAVR Gravestone Survey Research Team, “...the interview was followed by counting all the gravestones found in the Public Graveyard [by the beach] in Leboco-Maubara-Liquiça, 19 new graves were those of victims from Maubara who were massacred at the home of Manuel Carrascalão on 17 April 1999.” [CAVR Field Report, 21 October 2003].

2 HRVD Statements 0354; 4629; 4661; 6940; Deputy General Prosecutor for Serious Crimes, Indictment against Eurico Guterres, et al., Case No. 02/2002, paragraphs 27-53. HRVD Statement 6940 alleges that a militia member M80 from the village of Leorema (Bazartete, Liquiça) was actively involved in the killings at the house of Manuel Carrascalão. HRVD Statement 4661 alleges that militia member M80 took part in the killing of Raul dos Santos.

3 Confirmed by Irish Foreign Minister David Andrews and Basilio Araújo who were present when this conversation took place.
790. In Covalima District violence escalated in mid-April after the Laksaur militia was established. While killings by the Mahidi militia group in the eastern area of the district decreased in this period, the Laksaur militia group stepped up its activities in the central and western areas such as Suai Town, Tilomar and Maucatar. In Suai Town on 12 April a group of Laksaur militia members led by M78, killed clandestine member, Sabino Gusmão, at the local fuel station in Suai. M78 allegedly ordered his men to kill Sabino who was stabbed by a militia member named M79 and died of his injuries.907

791. On 13 April a group of Mahidi militia members led by M81 went to a house in the village of Dais (Maucatar, Covalima) where some students from the University of East Timor (Unitim) were staying as part of a work experience programme (Kuliah Kerja Nyata, KKN). They severely beat João da Silva Ximenes, one of the students, and he died shortly after. They also took Bernardino Simão to the house of the Mahidi commander in Zumalai, Vasco da Cruz, where several other people were already detained. Soon after Bernardino Simão and and Inacio Barreto, who was also detained at M82’s house, were taken by Mahidi militia. Neither has been seen since.908 In the village of Zulo, Mape/Zumalai, on 18 April the commander of Mahidi in Zulo, M82, ordered his men to kill Alvaro Tilman who tried to escape from detention at the house of M82.909

792. Disappearances also suddenly increased in April and many of them reportedly involved TNI members. The victims included Mateus Gusmão910, Alvaro Barreto911, Marçal Amaral912, Felix Amaral, Abilio Mau Lear,913 Justino Amaral, Amaro de Araújo and Benedito do Nascimento915. Mateus Gusmão and Alvaro Barreto are reported to have disappeared at the Kodim Suai, and Benedito do Nascimento at the Koramil in Sale (Tilomar). Marçal Amaral and Felix Amaral were reportedly taken away by TNI members, and Amaro de Araújo was taken away by TNI and police members.

793. On 23 April a group of Laksaur militia members led by Olivio Moruk and TNI soldiers attacked the aldeia of Nikir, Raihun (Tilomar), killing Tomás Cardoso, Paulo Ximenes and Aleixo Ximenes.916 They took Rodificus Rabo to the forest. He was not seen again and it is believed that he was killed.917 Two days later the same group went in search of people who had fled to the hills and killed Yosef Leki, Tito Mali and Januário Maia.918

794. In Ermera District in April the arming of the local militia groups by the TNI led to an upsurge in violence. The Commission received information that a former Darah Merah commander, M83, received seven automatic rifles and four vehicles from the district military commander of Ermera in April. M83 had about 200 militia members under his command in Hatulia.919 During April in Hatulia, Armando Gomes and Calistro were reportedly killed in the village of Leimea Kraik,920 Marito Tavares and Antonio de Deus in Kukara, Manuseu Village, and a man known as Venancio in the village of Ailelo (Hatulia).The Commission also received information that in April, M83’s militia group attacked pro-independence supporters and burned houses in Kukara in retaliation for the killing of one of his men by the CNRT. The Commission was told that M83 shot dead two CNRT members known as Mau Laho and Domingos.921 In early April in Lasaun (Atsabe), Adelino Magalhães and Velsior Pelo were reportedly killed by one or more TNI members of the Atsabe Koramil.922 According to witness testimony, Adelino was blind-folded, thrown into a ravine and shot.923

795. On 11 April Filipe dos Santos and one other student were reportedly shot to death by the TNI, and on 14 April Helder Martins was reportedly shot to death by the TNI and the police.924 Towards the end of April Florindo de Deus was arrested, held in custody for two weeks in Atsabe, and on the way to Gleno was reportedly killed. A witness alleges that Tim Pancasila was responsible for the death of Florindo de Deus.925 On or around 20 April a group of TNI and militia members launched an operation in Lebu
Targeting of pro-independence activists, CNRT members and students

796. In Manufahi District on 17 April, after the inauguration of the PPI and subsequent attack on pro-independence supporters in Dili, Ablai militia began a campaign of violence. In same, on 17 April, Ablai militia led by Bernadino da Costa attacked the community of Tirilolo, Hola Rua. In the attack they killed Luis Boco-Siri, whose house had been a hiding place for supporters of independence, and Agapito de Araújo. On the same day, Ablai militia members, including Bernadino da Costa, attacked Gratu Village in the sub-district of Same. As the men had fled to the mountains, the women were forced to call their husbands to return to the village. A few men came out of hiding into the village, including Carlito de Araújo. He was interrogated and was killed, allegedly by M85 and M86. On 17 April Duarte Lopes (Duarte Bere Siri) was allegedly killed by M87 in Orem, Hola Rua Village. On 24 April Afonso da Costa, an 18-year old student at the University of East Timor, was arrested at Anilum, Hola Rua Village, taken to the top of the mountain above Orem and allegedly killed by M85 and M88.

797. Another pattern which emerges from the data gathered by the Commission is that Indonesian military and militia groups specifically targeted pro-independence activists during this period. This is particularly the case for those who were open about their pro-independence activities and who actively engaged in campaigning—whether as members of the CNRT or in other organisations of civic education such as the Student Solidarity Council of East Timor (ETSSC or Dewan Solidaritas Mahasiswa dan Pelajar Timor Timur, DSMPPT). The district of Dili was especially hard-hit in this regard. For instance, Benedito de Jesus was killed on 14 February, Joaquim de Jesus on 24 February, and João Teixeira on 11 March. In the case of João Teixeira, he was tortured and beheaded. In all three cases the killers included members of the TNI or the Indonesian police force. Similar killings continued during April and May in Dili and Hera.

798. For instance in April, students from the University of East Timor (Untim) were participating in a social work programme in Suai, Covalima District. Their post was attacked by Mahidi militia led by M81 on 11 and 13 April. The second attack resulted in fatalities of two students, Bernardino and João, who were beaten and stabbed. In Maucatar on 11 April, Laksaur militia and TNI members captured and beat Mateus Gusmão when they failed to locate someone else they were seeking. The next day, Mateus Gusmão was taken by motorcycle to the district military command post, and he has never been seen again.

799. The Polytechnic in Hera (Dili) was regarded as a centre of pro-independence student activity, and was occupied by the TNI and militia members on 10 May. At the beginning of May, two pro-independence students from the Polytechnic, Augustino de Carvalho and Estêvão Xavier Pereira, were allegedly tortured and killed while in TNI/militia custody at the Polytechnic. The bodies of the two students were later recovered in Akanunu near Hera.

800. During this period sporadic killings took place throughout Timor-Leste, targeting suspected pro-independence supporters. In March 1999 a series of abductions and

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The Commission also has evidence of at least four rapes by Ablai militia that took place during these attacks [see Chapter 7.7: Sexual Violence].

1 HRVD Statement 0085. According to a report by the Timor-Leste human rights group, Yayasan HAK, these two students were kidnapped by Mahidi militia members and disappeared on 12 April when they were on their way from Suai to the village of Beco.
killings by BMP took place in the district of Liquiça. A man known as Mau Kuru was killed in Palistela, Guguleus (Maubara, Liquiça), allegedly by members of the BMP militia group, including M88 and M89, because he was accused of burning an Indonesian flag. In the same month Domingos Carion was shot to death by a group of TNI members in Mato, Lisadilia (Maubara, Liquiça). Domingos Carion was a member of a pro-independence group which was travelling to Galai, Lisadilia Village, to help evacuate the villagers to the mountains.

801. Also in March several men disappeared in Baucau while in the custody of TNI. In one incident, TNI members chased five men as they were travelling from Caicido to Buburaga in the sub-district of Baucau. Two of the men—Carlito and Abreu—escaped, but Apeu, João and Marçal were taken to the Baucau airport and were not seen alive again. According to another testimony, three men—Marcal, Abrio and Angelino—were caught in Baucau by members of Battalion 745 because they were suspected of being members of Falintil. They were taken to army headquarters and disappeared.

802. The Commission also received information suggesting that at least three people were killed or disappeared in April in Manatuto District. On 16 April, Aquelino da Costa Guteres, who was planning to meet a Falintil Commander in Manatuto, was caught by TNI soldiers and was never seen again. On 24 or 25 April, Marcelino Soares and a 16-year-old student at a junior high school in Dili named Mateus Soares were reportedly arrested by East Timorese auxiliaries in the village of Pualaka. They were taken to Mount Hatuharik in Manelima Village (Laclubar, Manatuto) where they were reportedly executed.

803. As the CNRT opened headquarters in various districts, they came under threat by both militia and military. In at least one case, attacks on CNRT offices during this period resulted in a death. On 9 April 1999 the district commander of Ermera (Dandim), Lieutenant-Colonel Muhamad Nur, met leaders of Darah Integrasri, the FPDK and the BRTT in the district capital, Gleno. The following day, TNI from Kodim 1637 and militiamen burned down the CNRT headquarters in Gleno and killed a well-known CNRT supporter and local parliamentarian, Antonio Salsinha Lima.

804. On 9 May a clandestine member, Eugenio Antonio Castro, was reportedly shot by members of the police and the Altarak militia in Bemori (Dili), when he joined a crowd burning tyres on the street. The following day a group of militia members reportedly came to Bemori and attacked another clandestine member, Flavio Urbano Saldanha Ribeiro, at his home. A relative alleged that the attackers were Besi Merah Putih militia who shot the victim, slashed his head, cut his throat, and cut off his genitals.

805. On 16 May a group comprising members of the TNI, the SGI and Tim Pancasila launched a major attack on the village of Atara (Atsabe, Ermera) at about 5.00am. The group included the SGI commander in Atsabe, M91 [East Timorese], two Babinsa, M92 and M93 [both East Timorese] and an East Timorese TNI member, M94. In the attack the group killed six villagers. The victims were suspected of clandestine activities and included João Sarmento, Urbano Pereira, Rogério Talo Ati, Abel de Jesus, Paulo Gonçalves and the local CNRT treasurer, Justiliano Pereira.

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1 HRVD Statement 7675-02. According to the Robinson, East Timor 1999, OHCHR submission to CAVR, five unnamed young men were detained on 17 March 1999 in retaliation for the killing of a TNI soldier that month. Three were reportedly later discovered in a shallow grave at Triloka, near Baucau airport [p. 140].

2 In the first incident, Abreu and Marcal are named; in the second Marcal and Abrio (also spelt Abriu) are named. Further investigation is required to determine if these statements are different versions of what happened to the same individuals.

3 According to the Robinson, East Timor 1999, OHCHR submission to CAVR, TNI troops mounted a major operation in Laclubar in apparent retaliation for the alleged murder by Falintil of the Team Morok militia commander and TNI soldier, Filomeno Lopes da Cruz [p. 178].
Deaths in custody

806. In addition to reports of large-scale arrests and torture in detention, the Commission received numerous reports of deaths in detention during this period. For example, Fernando da Costa, a CNRT supporter, was detained on 5 April in the town of Liquiça by a group of TNI, BMP militiamen and police. After being badly beaten outside his house, he was taken to Liquiça District police station (Polres), where he was detained for two days. On 7 April he was reportedly taken from his cell and transported to the Maubara Sub-district Military Command, accompanied by Sergeant M62 and a BMP commander, M65, where he reportedly died after being repeatedly stabbed.943

807. The Commission received reports that on 15 April Evaristo Lopes was tortured and murdered by TNI and Tim Alfa militia while in custody and under the supervision of a member of Kopassus, Indonesian Sergeant M96 in Lautém.944 The Commission has also received reports of the deaths of at least three people as a result of torture during interrogation by militia and members of the Koramil in Lacluta, Viqueque on 30 April.945

808. On 8 May in Bobonaro District, TNI members, including East Timorese Sergeant M97 from the intelligence section of the Maliana Kodim and Dadurus Merah Putih members, arrested Manuel Pinto Tilman and Abilio Cardoso in Lalebol (Bobonaro, Bobonaro) accusing them of being Falintil members. After being detained in the town of Bobonaro, on 15 May the two were reportedly taken to the Nunura bridge in Maliana and executed. The indictment of the Deputy General Prosecutor for Serious Crimes alleges that Mau Buti shot Manuel Pinto Tilman in the lower hip, while Inacio Conceição stabbed him. The indictment also alleges that Mau Buti shot Abilio Cardoso in the head.946

809. During this period the BMP militia in Liquiça are also reported to have killed a number of people after taking them into custody. On 5 May two men named Antonio and Rosario were reportedly tortured to death by a group of BMP members at or near the BMP post in the aldeia of Ediri, Vatuvou Village (Maubara, Liquiça).947 On 10 May Albertino Martins was allegedly shot to death by a BMP member at the Gicu River in Maubara.948 On 15 May a group of BMP and TNI members launched an operation in Asumanu Village, (Liquiça, Liquiça). On that day three villagers in Asumanu, known only as Moises, Martinho and Natalino, were seen tied and blindfolded, and some time later they were found dead at the village cemetery.949

Other killings, January–May 1999

810. The following table provides a summary of unlawful killings and disappearances reported to the Commission which took place in the districts where the level of fatal violence was relatively lower.

<table>
<thead>
<tr>
<th>District</th>
<th>Summary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ainaro</td>
<td>On 3 January in Manutasi (Ainaro) members of the Mahidi militia group erected a checkpoint at Fatuk Maria. When pro-independence supporters went to the checkpoint to demonstrate against it, members of the militia, including M99, M100 and M101, shot at them. Julio de Araújo and Reinaldo Martins were shot to death and another five were wounded in the attack.950 On 26 February a group of Mahidi members, including M102, M103, M104, killed a suspected supporter of independence, Joaicoiano, in Cassa.951</td>
</tr>
<tr>
<td>Bauca</td>
<td>On 5 February TNI members of the Rajawali unit captured Duarte Guterres in Loikiku, Uai Laha (Venilale). The TNI members shot him in the leg, put him into a cave and closed it with a big rock. Guterres later died.952 On 26 March TNI soldiers, including First Sergeant M105 [Indonesian] of the Kodim intelligence section, shot to death two men fleeing from them and a woman who</td>
</tr>
</tbody>
</table>
happened to be working in a nearby field in Gariuai (Baucau). The victims were Ildefonso Pereira (Eldefonso Faria), Nazarito Xavier and Estefania Freitas. All of them were supporters of independence, although it is not clear whether the perpetrators knew it at the time of the killings.963

**Dili**

On or about 25 January Lucio Ribeiro from Comoro, Dili, who had been missing for three days, was reportedly found dead in an old transmigration area in Loes (Maubara, Liquiçá).964

On 24 February Joaquim de Jesus and one other were reportedly shot to death in Becora by members of the Aitarak militia group accompanied by TNI members.955

**Ermera**

In May, Albino da Costa956 was killed by the BTT (Territorial combat battalion) and TNI Partisans and Constancio Carvalho was killed by members of Darah Merah Putih (DMP) militia.957 They were both reportedly killed in Maaubu Village (Hatulia). In Kaiturloa, Uruhau Village Albino de Carvalho was killed by a BTT unit of TNI.958 and Abrão Salsinha Soares was killed by DMP militia.959 Bernabel Araújo960 was killed in Asulau Village by DMP militia. In June Luis Alves was reportedly killed in Raitumura, Urahou Village by DMP militia961 and Francisco Alves Caralhera in Lilimau, Manusea Village962 also by DMP militia.

On or around 30 May in Hatugau Village (Letefoho) the CNRT Nurep secretary, Luise Martins, was reportedly beaten to death by members of SG.963

**Lautém**

A clandestine member, Rosa Maria, was reportedly killed by a Team Alfa member while hiding in the forest in January.964

On or about 21 April a clandestine member, Evaristo Lopes, was tortured and stabbed to death by militia members and a TNI member at the headquarters of Team Alfa located in the Kopassus post in Laueru (Lospalos). The Team Alfa member, João da Costa, and a Kopassus Sergeant M96 [Indonesian], stabbed Evaristo Lopes.965

In Somoco, Lospalos, Virgilio de Sousa was killed at his home by Team Alfa members.966

On 23 April on a hill called Panili Cacaven in the village of Cacaven, Lospalos, Lamberto da Silva, a former Falintil member, was killed by members of the Territorial Combat Battalion (BTT), an East Timorese TNI Corporal M165 and another Timorese M166967

**Manatuto**

Another supporter of independence, Humberto Casamiro Barros, was shot to death by Filomeno Brito in an attack by members of the Mahadomi militia on the house of a known pro-independence activist, Gregório Sebastião Gusmão in the village of Haturalan (Laleia).968

During this pre-ballot period the district administrator, M107, gathered five village chiefs and the Sub-district administrator of Soibada and interrogated them about their clandestine activities. After the inquiry the village chiefs were allowed to return but the Sub-district administrator, Zoalino Soibada, remained. He and a teacher named Vicente were later killed.969

**Manufahi**

Moises Soares was taken prisoner by Mahidi in Beikala Village (Hatu Udo, Ainaro). On 28 April a group of Abai militia and Kopassus members under the command of Captain M108 [Indonesian] traveled from Same to Beikala to take custody of Moises Soares, who was suspected of killing a member of Kopassus in Alas. The Abai and Kopassus members took Moises Soares in a vehicle towards the sub-district of Same. The following day he was found dead in Betano (Same).970

In the sub-district of Alas in May José Antonio was arrested by a Koramil member M104 [East Timorese], at the Kelan River. He was taken to Dotik (Alas) and was never seen again.971

In Feriksare, Taitudal (Alas), Domingos Sanches de Jesus was captured and taken to the Koramil. He was severely beaten and it is claimed that as a result of the beating he died.972

In the sub-district of Turiscai a man named Angelito was killed in May when a group of militia members together with members of Battalion 743 launched an operation in the village of Liurai (Turiscai) under orders from Koramil commander M105 [Indonesian].973

**Oecusse**

In April 1999, after the Sakunar militia was formally established, a clandestine member named Bobo Noni in the sub-district of Passabe was killed by the Sakunar commanders M111 and M11. The circumstances of the killing are not clear but at the same time livestock of villagers were also reportedly stolen.974

**Viqueque**

On 30 April in the sub-district of Laututa, leaders of the village of Ahic were beaten and kicked by Babinsa and Milias. Pedro da Costa Araújo died from his wounds. Eyewitnesses testify that TNI members were present at the scene, including the Koramil commander M113.975

The Commission received information that Vicente Alves and Caetano Duarte Gusmão

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1 The Commission has received unconfirmed reports that the former sub district administrator is alive and living in Kupang, (West Timor, Indonesia)
June–30 August: unlawful killings from the arrival of UNAMET until the Popular Consultation

811. In the period after the arrival of UNAMET and international observers in June, but before the announcement of the results of the Popular Consultation on 4 September, there were significantly fewer reported cases of executions and disappearances. However, even during this period there were times, such as during the campaign period and in the days after the ballot itself, when violence increased. Overall, the Commission received reports of executions and disappearances in eight of the 13 districts during this period: Bobonaro, Dili, Oecusse, Liquiça, Ermera, Viqueque, Lautém and Covalima.

812. The districts reporting the highest number of unlawful killings and disappearances to the Commission were Oecusse (ten killed and two men disappeared), Bobonaro (eight deaths) and Dili (five deaths and one disappearance).

Table 47 - Unlawful killings and disappearances reported to the Commission, June to 30 August 1999

<table>
<thead>
<tr>
<th>District</th>
<th>Event Description</th>
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<tbody>
<tr>
<td>Bobonaro</td>
<td>Halilintar militia reportedly killed two men in Atabae Sub-district during this period. Agustinho Ximenes was reportedly captured on 6 July in the village of Aidabaleten, taken to the house of João Tavares where he was tortured, and then taken to the mountains where he was killed. Felix Tabesi Maria was reportedly captured in the village of Hataz on 28 August, when he was trying to flee to the mountains, and was killed. In August members of the Dadurus Merah Putih militia group, possibly with TNI members, reportedly killed a group of four supporters of independence in Anapal, Molop Village (Bobonaro). The four victims were Cipriano Espirito Santo, José Efi, Armando Barreto Moniz and Natalino Moniz. In Maliana Sub-district on 18 August Dadurus Merah Putih militia, under the command of Timorese TNI Sergeant M114, took Augusto Martins, a university student and pro-independence campaigner, from a minibus at a checkpoint in the village of Lahomea. He was taken to the house of Sergeant Manuel Lopes where he was beaten and stabbed. He died in the evening. The UNAMET Civpol accompanied Indonesian police to the location where his body was recovered, but the police failed to conduct an investigation. The next day members of Dadurus Merah Putih reportedly killed Agusto Marques, a university student, in the village of Lahomea.</td>
</tr>
<tr>
<td>Dili</td>
<td>On 19 June three young men from Lospalos, whose identities are not known, were reportedly killed in Becora. On 25 July José Soares was reportedly killed by shots fired from a passing vehicle near Fatu-Ahi. On 1 August Angelino Amaral (Sabino) was shot to death outside the UNAMET district headquarters in Lahane. On 27 August, Francisco Nascimento disappeared after he went to his office. His wife, who testified to the Commission, believed that her husband was tortured at the Hotel Tropical, the headquarters of the Aitarak militia group, and that his body was buried behind the Dili heliport with the bodies of two other people.</td>
</tr>
</tbody>
</table>
| Oecusse   | In June, a known pro-independence activist in the village of Lalisuk (Pante Makasar) was abducted and subsequently disappeared. José Talua’e, the local leader of a clandestine youth group Fitun, was reportedly visited by a Kodim intelligence member named Bertolomeu and was asked to go to Kefamenanu, West Timor, to buy a muffler for a motorbike. When his wife came back home, she found her husband had not returned. He has not been seen since. Inácio Haumetan, a CNRT supporter in Oecusse, was killed on 20 August by Sakunar militia. At least six pro-independence supporters were killed, numerous others were detained and beaten, and large-scale destruction of property took place by Sakunar militia and the Indonesian military between 28 and 30 August. At least two CNRT members were killed on 28 August when Sakunar militia, with TNI, mobil police, and Aitarak militia from Dili BMP from Liquiça, attacked pro-independence campaigners. On 29 August, two men known to be CNRT members disappeared after being detained in Malelat (Passabe) by
813. Other killings reported to the Commission include the execution of suspected clandestine members in Hatulia (Ermera) by Darah Merah Putih militia on 8 June and 16 June. On 8 August Mariano da Costa, a UNAMET employee, was allegedly arrested by a group of BMP and TNI members in Dato (Liquiça, Liquiça) and on the orders of Sergeant M62 [East Timorese] and a BMP commander, M65. He was allegedly executed by BMP militia members. His body has not been found.

814. Although there were few reports of killings during the voter registration period, harassment and intimidation of the population continued. The Commission received information about a man named Filipe who was reportedly abducted by a group of about 10 BMP members after they registered at the UNAMET Kailema registration centre in Lebuhei, Dato Village (Liquiça). In her testimony Filipe’s wife stated:

*On 24 July, my husband and I went to register to vote in the Popular Consultation. After registering, we were just relaxing for a while when suddenly we were approached by 10 people…They captured my husband and took him off in the direction of Fatukesi [Liquiça]. From that time until now my husband has never come home, and I don’t know whether he is alive or dead.*

815. During the campaign period, which extended from 14–27 August, numerous instances of violence occurred, including targeted killings of pro-independence activists, students and others openly campaigning for independence. For instance, on 11 August, one day after opening their office in Viqueque, Student Solidarity Council (ETSSC) members were attacked by militia. In three separate attacks, three students were killed: Rogério Soares (Rogério Amaral), Mariano Soares Pinto (Mariano Gusmão) and Carlos Sarmento.

816. The final day of campaigning for pro-autonomy supporters was 26 August. They carried out large rallies across Dili. They attacked and burned buildings, injured two journalists, and killed eight people. A shooting incident that took place in the afternoon in Kulu Hun was preceded by a clash between pro-autonomy campaigners and pro-independence youths in the area. When a group of pro-autonomy campaigners passed by the Kulu Hun bridge, pro-independence youths began throwing stones at them. In a highly charged situation a man named Marcus wearing a pro-autonomy shirt was chased and stabbed from behind. He was immediately taken to the hospital in Bidau. Three members of the Indonesian police mobile brigade (Brimob) started shooting The crowd began to flee in panic. In the shooting incident, four young men were killed. One was Bernardino Joaquim Afonso Guterres, a student of Satya Wacana University in Salatiga who had returned to Timor-Leste for the Popular Consultation. His killing was filmed and a photograph of his dead body appeared on the cover of *Time Magazine* in December 1999. An eyewitness told the Commission:

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1 The Robinson, *East Timor 1999*, OHCHR submission to the CAVR also describes the attack on the CNRT office in Viqueque on 11 August. Also in Viqueque District, Domingos Aparicio and another man named Idelfonso were reportedly killed by members of the Naga Merah militia in Beasu Village (Viqueque) in the pre-ballot period, although precise dates are unavailable [HRVD Statement 4127; Amnesty International ASA 21/49/99].
Suddenly I saw Bernadinho running from the bridge towards us. He passed in front of us. Spontaneously I shouted: “Bedinho [Bernadino], watch out!” Many policemen were running after him. Two policemen were already preparing to shoot. One policeman on the left side near the Virgo shop shot in the air, and the other on the right side near the Saint Charity Convent shot directly at Bernadino. It was about eight metres from the spot where I was standing.

The policeman shot Bernadino from behind. I don’t know which part of his body he hit, but Bernadino instantly fell on the ground. A lot of blood spilt on the street. His arms and legs were moving for about five minutes, and then the movements stopped.995

817. The other three victims were Adelino de Jesus da Silva (23), Virgilio da Costa Rodrigues (Azildo) (26) and Atanazio Moniz de Jesus (Ameta) (23). The families and friends of the victims told the Commission that the three were all young clandestine members in the area, and that they were hit by bullets in the face, the chest and the neck respectively.996

818. The situation was also deteriorating in other districts. In Covalima, on or about 27 August, Damianus da Costa Nunes and José Pereira, members of the Laksaur militia group in Fatume, under the command of Henrikus Mali, allegedly killed Jaime da Costa Nunes, a known pro-independence activist. The following day José Pereira and another member of the Laksaur militia group went to the house of Jaime da Costa Nunes and showed his wife a pair of human ears and human genitals and told her that they belonged to her husband.997

819. In Lautém on the evening of 27 August, the last campaign day for pro-independence supporters, a group of TNI and Team Alfa members attacked the CNRT office in Lospalos. They fired at the house of Verissimo Dias Quintas and set the house and the CNRT office on fire. Some 30 CNRT supporters were inside the compound. In the attack Verissimo Dias Quintas was assaulted with machetes and died.998

820. In the district of Liquiça on 26 August, a person named Henrique was reportedly killed by a group of four Kodim members at Filita, Lauhata Village (Bazartete). The same day two more young men were reportedly killed at Filita by BMP members but their identities are not known.999

821. The Commission also received reports that on 27 August, Dadurus Merah Putih and Halilintar militia, in the presence of Indonesian military and police officers, attacked campaigners in the village of Tapo Memo (Maliana, Bobonaro), killing as many as four people: Raul dos Santos, Paulino, Felis Laku and Jaime.1000 A witness to one of the murders recounted:
At that time we were approached by Dadurus Merah Putih militia members named M118 and M119. They were conducting a military operation in Memo. My husband was hiding in the house, but M118 found him. They shot him dead immediately, because they thought my husband was Deker, one of the Falintil Commanders of the Southern Company. The first time they shot him he didn't die, but he ran until he collapsed in the Uluhati River, and they shot him again. I took him to the Maliana hospital, where he died on arrival...They burned down our house with everything in it.\textsuperscript{1001}

30 August-October: unlawful killings and disappearances after the Popular Consultation

822. The day of the ballot, 30 August, was largely peaceful. There were several notable exceptions, however, such as the killing of UNAMET staff in Ermera (see below), and continued violence in several districts, including Oecusse, Ermera and Manufahi.

823. From Oecusse, the Commission received reports of attacks on 30 August, including the attempted killing of a man active in the clandestine movement in the sub-district of Pante Makassar.\textsuperscript{1002} The Commission received multiple statements describing an attack by the Sakunar militia group, led by M120, M121 and M112, on the village of Bobometo on 31 August. They burned more than 100 houses. Horacio Tabes, a local leader, was said to have been killed in the attack. He was reported to have been decapitated.\textsuperscript{1003}

824. The Commission also received reports of the killing by Ablai militia of two men as they returned from a polling station near Same (Manufahi). Team Sasurut and Ablai militia led by Bernadino da Costa stopped a group of people returning from the vote in Holarua and took them to the militia post in Datina, Holarua (Same, Manufahi). They separated Armindo da Costa and Carlito da Costa, took them to a nearby coffee plantation, tortured them and cut off their heads.\textsuperscript{1004}

825. From Ermera District, the Commission received evidence regarding the disappearance of a teacher called Carlos from Baboe Kraik (Atsabe). He was reportedly held at the village office of Malabe and taken away, never to be seen again.\textsuperscript{1005} Manuel Oliveira was killed by Tim Pancasila militia and TNI members in Atara.\textsuperscript{1006} FO from Lauala Village (Ermera) was another pro-independence activist. On 6 September she was arrested, taken to a Darah Integrasi post and then to a house where she was allegedly raped by a Naga Merah militia commander, M123, and three of his subordinates. She was again taken back to the militia post where she was threatened by M123 wielding an automatic rifle, tied up with a rope and then executed in Manten Nunutali, an uninhabited area of Lauala.\textsuperscript{1007}

826. The pattern of targeting individuals suspected of having pro-independence sympathies, CNRT leaders, students and UNAMET staff by the TNI and militia continued on a much larger scale after the announcement of the result of the ballot on 4 September. With most of the international community evacuated and the remaining UN staff isolated in their compound in Dili, the TNI and militia began to operate together openly, as they had in the pre-UNAMET period. Further, during this period, executions became increasingly less discriminate. Violence was targeted not only at individual pro-independence activists, but extended to their families and friends. Religious leaders and church workers also became the targets of attacks. TNI and militia attacked and killed internally displaced people seeking shelter in church and government buildings. In some cases, the male youth of entire communities were targeted.
827. Testimonies received by the Commission indicate at least 501 people were reported killed or disappeared in the period across the 13 districts after the ballot, and 27 were killed or disappeared in West Timor (see Table 1 above). A number of cases highlighted below illustrate the various patterns of violence in this period, but they do not give a comprehensive account of the many victims of TNI and militia violence during this period. At the end of this section summaries of cases known to the Commission are provided.

The targeting of East Timorese UNAMET staff

828. On the day of the ballot and the days immediately afterwards, East Timorese UNAMET staff became particularly vulnerable to TNI and militia violence, as the UN quickly withdrew its international staff from the districts. During the week between the end of the campaign and the announcement of the ballot results, four UNAMET employees were executed by militia and TNI.

829. On 30 August, the day of the ballot, TNI soldiers and Tim Pancasila militia attacked the polling station in Baboe Leten (Atsabe, Ermera). The group, including a Timorese TNI member, M106, assaulted three UNAMET staff, Orlando Gomes, João Lopes and Alvaro Lopes. The first two died while the third survived, though he was severely wounded. Orlando Gomes was the CNRT representative in the village. João Lopes was assaulted when he was carrying a ballot box to a waiting UNAMET vehicle. Present at the scene were a TNI member, Pedro dos Santos, the Malabe village chief, M125, and a militia member, M126. M106 is alleged to have been involved in both killings. Orlando Gomes was reportedly stabbed by M126, M125 and M106.1008

830. Three days later, on 2 September, TNI soldiers including Lieutenant M68 [Indonesian], Sergeant M128 and Darah Merah Putih members went to the house of a UNAMET staff member, Ruben Soares. The Darah Merah Putih members broke into the house, dragged him outside, and stabbed him. Ruben Soares was smashed on the head with a rock. Another UNAMET staff member, Domingos Pereira, came out of the next house and was reportedly shot by Sergeant M128 and also stabbed. Both died from the injuries they sustained.1009

831. The killing of EO from Gleno illustrates the type of violence inflicted on outspoken pro-independence women activists. Ana Xavier da Conceição Lemos was a school teacher and secretary of the CNRT-affiliated women’s group, the OMT (Organizaçao de Muheres Timorenses, Organisation of Timorese Women) in Ermera. Her family were well-known supporters of independence and her brother was a Falintil commander. She also worked as a UNAMET staff member in Ermera. A former member of the Darah Merah militia group told the Commission that on 13 September the Darah Merah commander, M129, ordered him and some other militia members to kill Ana Lemos. The militia group took her to the border area of Tokoluli (Railaco, Ermera) and there a militia member stabbed her to death.1010 Before being killed, she was detained at the headquarters of Darah Merah and also at a house where she was treated as a slave. A TNI member, M130, was seen together with EO in a truck.1011 EO reportedly told her close friend that she was raped by a military officer.1012 Two TNI members, M131 and M132, are also believed to have been involved in the ill-treatment and the death of EO.1013

832. According to the OHCHR submission to the Commission, at least 14 local UNAMET staff members were killed in 1999: João Lopes, Ruben Barros Soares, Domingos Pereira, José Ernesto Jesus Maia, Orlando Gomes, Leonel Silva de Oliveira, Manuel de Oliveira, Mariano da Costa, Ana Lemos, Carlos Maia, Abrui da Costa, Hilario Boavida da Silva, Francisco Taek and Paulos Kelo. The submission concluded: "It is not
clear that all of those killed were targeted because they were UNAMET employees, but most were.\footnote{According to Serious Crimes Unit Indictment 13/2003, Eurico Guterres and Matteus de Carvalho are responsible for the killing of nine people and the forced disappearance of six others on or about 5 September 1999 during the attack on the Dili Diocese [Deputy General Prosecutor for Serious Crimes, Indictment against Eurico Guterres et al., Case No. 13/2003, VII. The Charges, A., Counts 3-5].}

**Attack on the Bishop’s residence and other places of refuge in Dili**

833. In addition to targeting individuals associated with the Resistance, the TNI and militia targeted those in places of refuge. In the aftermath of the announcement of the results of the ballot, as violence increased throughout the territory, thousands of people sought refuge in churches, in church grounds, and sometimes in police and government buildings in the hope of finding some protection. Instead the TNI and the militia specifically targeted these places, the most notorious example being the massacre at the Suai Church on 6 September 1999.

834. In Dili, on 5-6 September, as many as 15 people were killed or disappeared during and after combined TNI and militia attacks on the Dili Diocese (Camara Eclesiastica) compound, the house of Bishop Belo, the Canossian Convent, and the office of the International Committee of the Red Cross. At about noon on 5 September as many as 50 armed Aitarak militiamen, led by M298, assaulted the approximately 300 people who sought refuge in the Dili Diocese compound. They destroyed and set fire to the buildings. A large number of TNI and police personnel were present at the scene but took no action to prevent the attack, and some TNI and police joined in the attack. All of the refugees were forced from the compound and across the road to the Dili port area where those believed to be students, UNAMET staff or CNRT members were singled out for especially harsh treatment. They separated the men from the women and children, and drove the women and children to the Polda (provincial police) headquarters in Comoro, leaving the men behind. They allegedly assaulted eight men who were perceived to be pro-independence supporters, and tried to drive them away in a pick-up truck. But members of the police ordered the militia members to take them to the Wira Husada Military hospital. A number of men who had come out from the Dili Diocese compound were taken away and disappeared. Among the victims were Cassiano Morais, Hilario Boavida, Lorenzo Boavida, Jorge Mesquita da Costa Rego, Mario Belo, Thomas Belo, Tiago Kofi, Alexandre Mesquita da Costa Rego, Vergilio Fernandes Augusto da Costa, Marito Mesquita, Jose Martins de Sousa, Francisco Boavida, Eugenio da Costa and Leonel da Silva de Oliveira. Jose Fernando Nilton da Costa was another who was driven away from outside the Dili Diocese in a Kijang pick-up. He escaped, but due to the stab wounds he had sustained he died at the Motael Clinic on 5 September.\footnote{\cite{footnote}}

835. On the following day, 6 September, further attacks took place on three other places of refuge in Dili—the Canossian Convent, the compound of the International Committee of the Red Cross (ICRC) and the residence of Bishop Belo. Approximately 100 people and nine nuns were sheltering in the Canossian Convent. In the compound of the International Committee of the Red Cross (ICRC) an estimated 2,000 people had gathered in the days after the vote. Firing their weapons and shouting, the militiamen forced the refugees from the ICRC compound. Once again, suspected pro-independence activists were separated from the others before being marched away. The most widely reported and thoroughly documented of the three attacks targeted an estimated 5,000 people who had sought refuge in Bishop Belo’s residence. At least 15 people were seriously wounded, and one person is known to have been killed in the attack. The Commission also received information that Vicente da Costa Carlos Tilman, who is believed to have sought refuge at the Bishop’s residence, disappeared after the 6 September attack.\footnote{\cite{footnote}} Mário Coreia Fernandes was taken away from Bidau Santana by a
group of four men wearing masks after he had escaped the attack at the Bishop's residence on 6 September, and also disappeared.1017

The Suai Church Massacre

836. One of the worst massacres of this period occurred at Our Mother of Rosário Church (Nossa Senhora do Rosario) on 6 September in Suai. The massacre was a premeditated act of mass killing against an unarmed civilian population. It was also a coordinated operation of TNI and Laksaur militia members involving TNI premises such as the sub-district military command post in Salele (Tilomar, Covalima) and the district military command post in Suai.

837. Our Mother of Rosário Church had been a place where the civilian population from all sub-districts in Covalima sought refuge from January to September 1999, as members of the Laksaur and Mahidi militias and the TNI terrorised those perceived to be independence supporters.1018 During the Popular Consultation the church became the focus of expressions of hostility by pro-autonomy supporters in the area. After the announcement of the result of the ballot, TNI and militia members intensified their threats by firing their guns into the air in the vicinity of the church. On 5 September Father Dewanto asked the district police commander, Lieutenant-Colonel Gatot Subyaktoro, to provide security for the people sheltering in the church compound, as the militia began a campaign of violence in Suai Town. The Commission received reports suggesting that on 4 and 5 September, at least five people were killed and subsequently the flow of refugees to the church grounds swelled.1019 The commander assured the priest he would arrange security for them. On the same day Father Hilario Madeira advised the people in the church compound to seek refuge elsewhere, on the grounds that the church was no longer safe for them. About 500 people left the church compound and went into hiding in the nearby forests.

838. In the morning of 6 September the Laksaur militia group under the command of M78 and M59 gathered at the Koramil in Salele, which was also the militia headquarters. Following the arrival of a truck full of TNI soldiers, M78 told his men that they would attack the church that day. The militia group under M78 and M59 went to the Kodim in Suai and then to the house of the district administrator, Colonel M133 [East Timorese]. In the afternoon, at about 2.30pm, the militia group left the house for the church. M133 followed them from behind, dressed in a TNI uniform and armed with a rifle.

839. On arrival, the militia and TNI members surrounded the church. The attack began with the throwing of two grenades into the church compound and was followed by shooting. They entered the church compound and attacked the people sheltering there. They killed many civilians including three priests, Father Hilario Madeira, Father Tarsisius Dewanto and Father Francisco Soares.1020 Between 27 and 200 people were killed during the attack and another 30 in targeted killings that followed. The Commission received numerous accounts of executions during the attack, including several accounts of rape and the execution of women and children.1 A witness told the Commission that

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1 The exact death toll in the attack is not known. The OHCHR Study puts it at at least 40. The Indonesian Commission on Human Rights Violations in East Timor (KPP-HAM) estimates that 50 were killed, while Yayasan HAK places the figure between 50 and 200. Approximately 27 bodies were recovered from mass graves in West Timor on or about 22 November 1999 under the direction of KPP-HAM [see Deputy General Prosecutor for Serious Crimes, Indictment against Herman Sedyono, et al., paragraph 311].

1 M167 and M168 shot dead ten civilians, including a woman named Matilde who was seven months pregnant, which resulted also in the loss of her baby [HRVD Statement 3624]. Others shot dead included Eufraja Gusmão Amaral, the daughter of Mário Gusmão [HRVD Statement 7390], Paulus Seran [HRVD Statement 3638], and Patricio Mau and Carlos Yosep [HRVD Statement 8577]. Miguel da Cruz de Conceição gave testimony that Benyamin and Alto from Zumalai, two of eight friends killed during the attack, were beheaded [HRVD Statement 6351]. A woman who was raped at the church subsequently died as a result [HRVD Statement 8459]; another woman who was shot survived [HRVD Statement 3637].
militia members decapitated two persons, Benyamin and Carlito from Zumalai.\textsuperscript{1021} Another witness told the Commission that Jacinta Gusmão’s neck was slashed with a sword.\textsuperscript{1022} Father Francisco Soares was also reportedly slashed in the neck and the stomach.\textsuperscript{1023}

840. Colonel M133, Lieutenant M134 [Indonesian], M78, M59, M135 and M136 [all East Timorese] were present and participated in the attack. A woman who had sought refuge at the church testified about the close coordination between the civilian authorities and militia in the attack:

\begin{quote}
In March 1999 my whole family left our house. We hired a minibus to take us to the Suai Church because a district military command soldier, Private Second Class Afonso Mau, often spied on our house.

We remained at the church until August.

After the ballot, we came back to the church. On 6 September, the church was attacked by militia. My husband had run away to the forest the day before that. I was in Father Hilario’s dining room, with my mother-in-law and sister-in-law. There was shooting from 2.00 to 3.00pm. Then the district administrator, M133, and the village head [of Foholulik Village, Tilomar Sub-district], M78, came and said, “Just kill all the men, spare the women,” in front of us all.\textsuperscript{1024}
\end{quote}
Feliciano Cardoso, witness to the Suai Church Massacre

After my family participated in the referendum on 30 August 1999, we immediately sought refuge in the church. At that time, Suai was controlled by a joint group, namely the Laksaur and Mahidi militia [Live or Die for Integration with Indonesia], TNI and the Lorosae Police Contingent. Late on the afternoon of 6 September, the joint militia began shooting. Their attack on people gathered in the senior high school killed many people. They then headed for the church. All the windows were smashed and the door broken down. They invaded and ordered all the people inside to go out and surrender. Some of us, including myself and my three children, remained in the church. Others went outside, including my husband. The militia began to shoot those who went outside the church. I don’t know how, but my husband managed to get away and run back into Father Hilario’s room, which was located at the back of the church. Others were wiped out by the Laksaur/Mahidi team...

When the militia began to burn the church, we ran to the priests’ house that was beside the church. That was when I could no longer see my husband. I saw Father Francisco holding up both hands and saying to the militia, “Enough. Don’t shoot anymore. All of us are Timorese. Stop.” The Father screamed when he saw how many victims had fallen. However the militia paid no attention to his screams. Then a militia, M137, who came from Raimea Village in Covalima, approached Father Francisco. He pretended to hug the priest, then escorted him down to the grotto of the Virgin Mary. When they came back, M137 shot the priest. But Father Francisco was not yet dead, so M137 took a sword and stabbed Father Francisco in the chest. That is when he died.

I saw my husband run from the priests’ room when he heard the shooting. He was very emotional seeing that the priest had been shot. There was a group of militia outside the church, [including] M138 and M139 who were carrying weapons—AR-16, SKS and a sword. They began to shoot in the direction of my husband, but their weapons didn’t fire. One of the militia asked my husband, “Why don’t you run?” My husband answered, “I am a man. Let me be shot on my own land! Viva Xanana Gusmão! Viva Timor-Leste!” Then M139 took his sword and stabbed my husband in the left hip, and the sword came out on the right. He also slashed his left shoulder, his left foot and his right hand twice each. At about 4.00pm, my husband drew his last breath.

Those of us who survived were ordered out [of the church]. We were shoved, kicked with boots, trodden upon and beaten. They pointed guns and machetes at us all the way from the church to the Kodim 1635 building...There were many people at the Kodim, among them Domingas, the wife of the [CNRT] zone leader of the sub-district of Zumalai [Covalima], with her daughters, Zulmira, Fatima, Agustina, Cinta and Monica...While at the Kodim we were verbally abused, ridiculed and given leftover food. The other women and I did not eat because we were afraid of being poisoned. On 13 September 1999...the Kasdim [Kodim chief of staff] ordered our move to Betun [West Timor] on four trucks...but at the Camenasa [Suai, Covalima] crossroads we were left by the side of the road.

On 14 September 1999, at approximately 7.00pm, an East Timorese Laksaur member, M169, took away a girl who was with me at the time. She was forced into a hardtop jeep and taken away. On the same evening at 7.30pm, a friend and I also continued with the help of a Mahidi member we knew...He took us by foot to Betun. We were escorted by two police officers on motorcycles. Walking from the Camenasa crossroads to Betun, West Timor, took eight hours. We arrived on 15 September 1999 at 10.00am. [Just as we arrived] the girl was brought back by Laksaur member M169 on a motorcycle. When she got off the motorcycle she could not walk because she had been raped. She arrived with injuries and blood on her genitals, I treated her...she drank [a concoction of] water and betel leaf [sirih], I washed her with sirih water and leaves that I had boiled.
We were ordered to report at the Betun Military Command. We lived for two months at the Betun police station. While there we never felt safe because of the terrorising by the militia all day long. Our desire to return home became stronger when we heard that some refugees had returned to Suai. Quietly we ran off and returned to Suai on 11 November 1999.

Seeking refuge with the police: executions at the Maliana police station

841. In some cases individuals or entire communities sought assistance from the police who, under the terms of the 5 May Agreements, were responsible for security—a fact that had been a central part of the UNAMET public information campaign in the preparations for the ballot. Sometimes police officers did attempt to protect individual East Timorese. For instance, a sympathetic Brimob officer in Gleno (Ermera) made several attempts to hide UNAMET staff member EO from the militia, though she was ultimately raped and murdered. In most cases the Indonesian police completely failed to intervene to prevent violence. There were instances when they became the targets of violence themselves when they did attempt to intervene. For example, on 6 September, a police officer, Bernabe de Jesus, in Hatupal (Maubisse, Ainaro) was shot dead by militia and TNI from the Maubisse Koramil after he intervened to prevent militia from looting and burning the village.

842. TNI and militia cooperation, and the complicity of the Indonesian police, are graphically illustrated by events at the district police station (polres) in Maliana, Bobonaro, where a large number of residents of Maliana sought refuge from the post-ballot violence.

843. On 8 September, the TNI and militia groups carried out systematic killings against perceived supporters of independence who had gathered at the Maliana police compound. They killed at least 13 people, including a 12-year-old boy. The following day TNI and militia groups hunted down those who had managed to escape from the Maliana police compound and killed at least another 13 people. The killings on 8-9 September can be seen as the culmination of the systematic and well-coordinated operations by the TNI and militia over the previous months to eliminate supporters of independence in Maliana. Without an international presence in the area, the military authorities could be openly involved in planning and carrying out the executions of those they had long perceived as their enemies. Following are excerpts from the indictment filed by the Deputy General Prosecutor for Serious Crimes on 10 July 2003.

844. Lists of people sheltering in the police compound were prepared. At a meeting on 6 September in the compound, attended by, among others, the district police commander, Major Budi Susilo; the district military commander, Lieutenant-Colonel Burhanuddin Siagian; the district administrator, Guilherme dos Santos; the district command’s head of intelligence, Lieutenant Sutrisno; the commander of Hallilitar, João Tavares; the chairman of the district assembly (DPRD) and of the district branch of the United Forum for Democracy and Justice (FPDK), Jorgé Tavares; and Natalino Monteiro Gonçalves and Marcos Tato Mali, commander and deputy commander of DMP militia in Maliana. After this meeting the displaced, who up to that point had been camping in tents in areas thoughout the compound, were ordered to concentrate at the back of the compound.

845. In the afternoon of 8 September, TNI soldiers from units briefed the Dadurus Merah Putih militia units under their command at places in and around Maliana Town including the villages of Holsa, Lahomea and Ritabou. At a meeting in Ritabou, a joint intelligence unit (SGI) member, M140 [Indonesian], provided the militia gathered there with a list of names and told them to go to the police station, locate the people on the list and kill them. All the militia who were to take part in the operation then met at the Maliana
Koramil where several TNI members, including Lieutenant M68 [Indonesian], were also present. Sergeant M141 [East Timorese] ordered Dadurus Merah Putih members to divide into several groups and shortly after 5.00pm gave each group specific tasks such as locating and killing identified supporters of independence and forming a cordon around the compound to prevent escape.

846. The attack began and lasted for about three and a half hours. The 13 killed during the attack were Manuel Barros, Julio Barros, Domingos Gonçalves Pereira, José da Costa Gutères, José Abel, Francisco Paixão Fatima Martins, Martinho Marques, José Barros Soares, Lorenço dos Santos Gomes, Joaquim Monteiro Gonçalves, José Moniz da Cunha, Damião da Cruz and Daniel Barreto. Manuel Barros was a member of DPRD II and a CNRT leader. Julio Barros was a former Sub-district administrator of Maliana. Domingos Gonçalves Pereira was the village head of Ritabou. José Barros Soares was only 12-years-old and was probably killed because he was the son of CNRT leader Augustino Soares. During the attack Lieutenant M68 [Indonesian] and East Timorese TNI sergeants M75, M142, M141, M143, M97 and M144 were commanding the militia.

847. The disposal of the bodies of those killed was carried out in coordination with the militia group in Batugade, Saka Loromonu, under the direction of M145, the Saka Loromonu commander, and his deputy, M148. The bodies were carried to the beach located near the Old Portuguese fort in Batugade. Then under the command of Sergeant M141 [East Timorese], the SGI member, M140 [Indonesian], and the two Saka Loromonu commanders, the bodies were tied to sand-filled sacks, loaded onto fishing boats and taken out to sea and dumped.

848. Further, according to the Deputy General Prosecutor for Serious Crimes, on 9 September, Timorese Sergeant M147 who was at the house of Natalino Monteiro Gonçalves in Ritabou Village (Maliana, Bobonaro) received information from a villager that a group of people who had escaped from the police compound had been discovered on the river bank near a place called Mulau about 2 km from Ritabou. Sergeant M147 then ordered a group of Dadurus Merah Putih militia to accompany him to Mulau. In this operation, 13 pro-independence supporters were killed. The victims were: Lamberto de Sá Benevides, Abílio Marques Vicente, Augusto dos Santos Marques, José Barreto, Pedro Luís, Lucas dos Santos, Luís Soares (Luís dos Santos), Jeroni Lopes, Domingos Titi Mau, Manuel Magalhães, Carlos Maia, Ernesto da Coli and Paul da Silva. The first nine of them, from Lamberto de Sá Benevides to Domingos Titi Mau, were ordered by Sergeant M147 to kneel down and raise their hands. Sergeant M147 shot them one by one with an automatic rifle. The other four were separately captured and killed. Manuel Magalhães and Ernesto da Coli were each shot and then stabbed. Carlos Maia was stabbed to death and Paul da Silva was shot several times while trying to surrender. Manuel Magalhães was a CNRT leader and Carlos Maia a prominent pro-independence activist. All the bodies, except that of Paul da Silva, were carried to the beach in Batugade. Under the command of the two commanders of Saka Loromonu the bodies were also dumped at sea. The body of Paul da Silva was discovered in the Mulau area in September 1999 and buried. The remains of Carlos Maia and Lamberto de Sá Benevides were discovered on the beach in Batugade and buried. One day after the killings in Mulau, on 10 September, two East Timorese policemen, Filomeno Guterres and Martinho Lopes Amaral, were killed 150 metres from the river bank in a similar fashion for their suspected CNRT sympathies.

In the Deputy General Prosecutor’s Indictment, Mulau is referred to as a village, but is neither a hamlet (aldeia) nor a village (suco).

According to HRVD Statement 2587, Jeroni’s full name was Jeronimo Lopes.
**Executions at Maliana police station**

The following are excerpts from two eyewitness accounts of the killings at the Maliana police station, both of which illustrate the failure of the Indonesian police to intervene. The first comes from a woman who lost six family members in 24 hours, including three younger siblings and her husband, killed either at the police station or subsequently hunted down and killed at Mulau near the village of Ritarubu:

_We went to the police station on 3 September 1999. When we left our house we didn't take anything with us. Once we got there, the situation at the police station was like normal, except that several of the police who were under suspicion had relieved of their weapons by their superiors. On 4 September 1999 we gathered to hear the results of the referendum as they were announced by UNAMET. That evening several militia members came to where we were staying, because there were a lot of young people there. They asked us, "Why did you run to the police?" We remained silent. One of my younger brothers wanted to reply, but he stayed quiet too. Moments later, he asked us, "Are you afraid to die?" But we all remained silent._

On the evening of 8 September 1999, just after 5.00pm...the militia began their action at several locations in the police complex. [They said], "The police are doing nothing, so we have a right to take action." Then they began to attack from every direction. Many militia members came into the area where we were staying. Soon I heard the voice of a man crying out, "Ai, I am dying." After that I saw four militia carrying a corpse passed me, just two or three metres away, very close. Even though there was a hedge of flowers between us, it was still very close, right by my side. In front of me were five bodies, until it got dark and I couldn't tell any more, but one was wearing shorts and a black jacket, and was rather fat. When they dragged that body, I leaned closer to the hedge to see more clearly. [When they neared] the walls of a house, he came to life and cried out. They stomped on him. Every time they dragged a corpse away, it took four militia, not just one. That's how they handled the bodies at the Maliana police station.

_No action was taken by the Lorosa’e Contingent at that time. After seeing the scenes of murder they went inside their office and just sat on their hands. They were right beside us, but they did nothing. They closed the doors to the office when they saw the people running there to ask for protection. They wouldn't let them in. That is why I saw so many people gathered in front of the doors of the Lorosa’e Contingent. Their doors were closed._

Among those targeted was the prominent Maliana pro-independence figure Manuel Barros, former chairman of the PDI-P group in the district assembly (DPRD II), who on 2 September had taken refuge at the police station with his family including his brother Julio Barros, former administrator of Maliana Sub-district. At least four people witnessed his killing, including one man who was just a metre or two away when it happened. Shortly before Manuel Barros was killed, the two of them pleaded with the Indonesian police officers from the Lorosa’e Contingent to intervene but they refused:

_My friend and I were in a state of panic. Moments later we met Manuel Barros. He [Barros] and I ran to the Lorosa’e Contingent to ask for help. When we entered the office of the Lorosa’e Contingent a group of people followed the two of us. I succeeded in getting into the office, but they threw me out and yelled, "Get out of here! Get out! This is not your hiding place. If you don't want to leave, we'll shoot." The people in the police station compound had placed their hope in the Lorosa’e Contingent, because they were the ones who had been given the mandate from the United Nations to provide security in Timor-Leste at that time._

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Anyone who was able to get into their office was immediately chased out again. Manuel Barros went outside first and I followed him. While we were still standing outside, leaning on the wall of the building, we saw militia dragging the corpse of Domingus Pereira, who had the rank of first corporal and was the village head of Ritabou, in Maliana Sub-district. Manuel Barros was shocked to see that, and ran immediately. We both ran to our tents. Manuel Barros, when he arrived at his tent, was immediately stabbed with a samurai sword by a Dadurus Merah Putih militia, and died on the spot. These were his last words: “Oh God, I am really going to die.” In that situation, I couldn’t do anything. My relative, Natalia Verdial, pulled me in and put me under her mattress, and they lay down on the mattress. I stayed there until late at night.1033

Institutions: Church and clergy targeted

849. While some members of the clergy had been the object of intimidation by the Indonesian military and militia before the Popular Consultation, in the aftermath of the ballot they became the victims of some of the most brutal killings. In addition to the murder of Father Hilario Madeira, Father Francisco Soares and Father Tarsisius Dewanto at Suai church, clergy in other parts of the country also came under attack. In Dili on 11 September, German/Indonesian Father Carolus Albrecht, the director of the Jesuit Refugee Service in Timor-Leste, was shot in his home.1034 In one of the most gruesome incidents of the post-ballot period, a group of five religious members and four lay people were ambushed and killed by a gang of Team Alfa militiamen near Lospalos.

850. The murder of nine people by a group of Team Alfa members led by Joni Marques on 25 September, on the road from Lautém to Baucau near the Verokoco River, took the largest number of lives of any single incident that occurred in Lautém District after the ballot in 1999. The victims included five religious members, namely Sister Erminia Cazzagina, Sister Celeste de Carvalho, Brother Jacinto Xavier, Brother Fernando dos Santos and Brother Valerio da Conceição. The victims also included an Indonesian journalist, Agus Muliawan, and Cristovão Rudy Barreto and Titi Sandra Lopes who were riding in the same vehicle with the nuns and brothers. Izinho Freitas Amaral was caught separately at the same location by the militia group and killed with the other eight. Sister Erminia is said to have been killed as she knelt in prayer. The leader of the group, Joni Marques, said that he had been told that members of Catholic religious orders were also supporters of independence and therefore should be eliminated.†

Killings and disappearances during the withdrawal of Battalion 745

851. While Indonesian military forces stationed throughout the country were responsible for extra-judicial executions and disappearances in specific locations, in some cases an individual military unit or group of units committed killings in multiple locations. The Commission was informed that in addition to being responsible for several killings near Lospalos after the ballot,‡ members of Battalion 745, under the command of

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1 The indictment by the General Prosecutor of the UNTAET reads: “At around 1600 hours, the mini bus passed Lautém junction and approached the vicinity of the village of Verokoco. The road passes along the River Malailana.” [Case No. 09/2000, paragraph 36]. There is no village by the name of Verokoco, but there is a river by that name.

2 HRVD Statement 2285. General Prosecutor of the UNTAET, Indictment against Joni Marques, et al., Case No. 09/2000, paragraphs 33-40. Special Panel for Serious Crimes, Judgment, 11 December 2001. Seven militia members, including Joni Marques, were found guilty by the Special Panel for Serious Crimes.

† According to OHCHR Submission to CAVR, April 2004, p. 240, Battalion 745 was responsible for killing 10 people between September 8 and 13 in Lautém District. The CAVR database contains only two HRVD statements which directly attribute responsibility to Battalion 745 during this period of time: HRVD Statement 8747 (on 10 September Jaime and Marito are detained and brought to 745 headquarters in the village of Fuloro, and never seen again) and HRVD Statement 8742 (four people were executed by members of Battalion 745 on 12 September after they had first burned houses in the aldeia of Kanto in Fuloro Village). Other HRVD statements reporting executions and disappearances in Lautém District between 4 and 20 September are: 3941; 7626; 2261; 7620; 8734; 8747; 7622; 8738; 8742; 8743; 8762 and 2255.
Major M148 [Indonesian], were also responsible for the murder of at least 18 people in Baucau, Manatuto and Dili Districts, during the battalion’s withdrawal to West Timor in late September.

852. On 20 September, approximately 120 members of Battalion 745, along with soldiers from the Lautém District military command, formed a convoy to escort military vehicles along the coast to West Timor. Witnesses have testified before the Special Panel for Serious Crimes in Dili that before the convoy left the town of Lautém, soldiers from Battalion 745, in the presence of Indonesian Major M148 and East Timorese Platoon Commander Lieutenant M149, detained, shot and burned the bodies of three men, Amilicár Barros, João Gomes and Agusto Venacio Soares, near a rice warehouse.1035

853. As the convoy passed through Laga in Baucau, several houses were destroyed. Two young men were killed on 21 September near Boile in Bahú Village (Baucau, Baucau) on the road from Laga to Baucau by soldiers in Battalion 745 and another four, including two women, were killed as the convoy moved through Buruma and Caibada in Baucau Town.1036 In addition it is believed that soldiers from the same Battalion also killed four men in Laleia in Manatuto District and detained three more people nearby, who have not been seen since.1037

854. On 21 September Battalion 745 arrived in Becora on the outskirts of Dili. A car which contained an unnamed British journalist and an American cameraman, an East Timorese interpreter and an East Timorese driver was forced to stop. Sancho Ramos de Ressurcían, the driver, was hit in the head with a rifle butt with the blow forcing his right eye out of its socket. Anacleto da Silva, the interpreter, was taken away and was never seen again. As the convoy proceeded down the Becora Road, members of the battalion shot at a group of three men as they walked down the street, wounding one of them and killing another, Manuel Andreas. A Dutch journalist who had arrived in Dili that afternoon to cover the arrival of the Interfet for the Financial Times, Sander Thoenes, was also killed by soldiers from Battalion 745. The East Timorese driver of the motorbike on which Sander Thones was riding tried to make a U-turn to escape but was told by the soldiers to stop. The driver managed to escape but Sander Thones was shot by one of two soldiers, one of whom was identified as Lt. Camilo dos Santos.1038 His ears were cut off and part of his face was sliced off.1039

855. The convoy proceeded to the Sub-regional military headquarters (Korem) in the centre of Dili, then to the town of Balibo, arriving in Kupang on 22 September. Although Major M148 and two other officers were subsequently interviewed by military police, no TNI officers have been disciplined or prosecuted in connection with the killings as of August 2005.1040

Targeted communities: killings at Mau-Nunu, Passabe and Maquelab

856. As already noted, TNI and militia executions became increasingly less selective and began to target whole communities or sections of communities. Violence was directed at clergy, the families of CNRT members and even members of the Indonesian police force who attempted to intercede on behalf of victims. During September and October, entire communities were also targeted because of their perceived pro-independence sympathies, because certain known clandestine figures had lived there, or because Falintil had been known to be active in the area.

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1 The Indictment of the General Prosecutor of Timor-Leste (Case No. 10/2002) mentions a village of Buile in Laga Sub-district, Baucau District.
857. For instance, after the announcement of the result of the ballot in Ainaro, TNI and Mahidi militia, led by M81 and his brother, M151, killed or disappeared more than 20 people, which culminated in a brutal attack on civilians in the village of Mau-Nunu (Ainaro, Ainaro). The attack took place on 23 September, after Interfet had arrived in Dili. The militia involved in the attack had fled to Atambua, and then returned to attack Mau-Nunu, round up residents and forcibly deport them to West Timor. On the morning of 23 September approximately 60 East Timorese, mostly Mahidi militia members, and at least two Indonesian soldiers, attacked the village of Mau-Nunu. The militia group reportedly included M152, M153 and M154. After entering Mau-Nunu from several directions, the militia began to fire weapons into the air and to order the residents out of their houses to be deported to West Timor. Some militia carried cans of gasoline and began to set fire to houses and to kill livestock.

858. According to interviews with witnesses, statements submitted to the Commission and allegations in an indictment issued by the Deputy General Prosecutor for Serious Crimes in Dili, Mahidi militia killed at least 13 people, including women and children, during the attack. One family fled the initial attack by hiding in a shallow riverbed leading up to a ridge behind Mau-Nunu. A young woman, Francisca Maria Almeida and her two-year-old son, Isadoro hid there with her parents, Ernestina and Francisco Bianco, and her sister-in-law, Isabel Maria Almeida. They hid in a hole in the ground next to a stream just below the ridge. When several Mahidi militia from Cassa (Ainaro, Ainaro) found them, they shot and killed Ernestina and Francisco Bianco and Isabel Maria Almeida. When Francisca Maria Almeida was shot, the bullet went through her body, seriously wounding her and into the body of her two-year-old son. Isadoro, who was also shot in the head and was killed. Another woman and her young daughter hiding nearby were also shot and wounded. The other victims killed in Mau-Nunu were Armando, Jacob Bianco, Lobotina, Jorgé Correia Barros Xavier, João Nunes, Lucinda da Silva Bianco, Afonso Ramos, Miguel Monis and Alcino Araújo. As many as 75 villagers were forcibly relocated first to Cassa, and then deported to Atambua, West Timor.

859. In a case from a submission given to the Commission in July 2004, Regina Bianco narrated the killing of her mother, Belinha da Silva Bianco Lopes.

Beginning 23 September 1999, my mother and I were at home when suddenly Mahidi militia entered our house in Mau-Nunu. The militia members included M138, M155, M158, M159, M161 and M164, wearing t-shirts with Mahidi written on them and fully armed with SKS [automatic rifles], grenades and samurai [swords]. They entered the house and destroyed all our possessions, then took them outside and burnt everything.

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1 All bracketed numbers are to HRVD statements: Jonino Gomes killed in Ainaro by Mahidi [3321]; several days after Moises was captured by Mahidi militia members and taken to the Mahidi post in Beikala, on 4 September he was taken away by Ablai milita and was not seen again [1312]; Felix de Araújo killed in Mulo 4/9 by TNI [7408]; Fernando Gomes killed in Cassa on 4/9 by Mahidi [7414]; Domingos Guro killed by TNI Kodim Ainaro and Mahidi in Beikala on 6/9 [1375]; 1308; 1329; 1373; 1374]; Bernabe de Jesus killed in Maubisse by TNI on 6/9 [5965; 5955]; Avelino Magno killed by Mahidi in Ainaro on 9 September [3336]; Moises and Octavio killed by Mahidi on 12 September in Hatu-Udo [2002]; Carlito, Lucio da Costa, Henrique killed in Aulto on 9 September [7416]; Constancio Araújo killed in Leolima on 12 September [2017]; Paulino Maria Bianco by Mahidi in Cassa on 12 September [2676; 2731; 2008]; Americo Soares by TNI in Ainaro [3362]; Sancho by Mahidi and TNI in Ainaro on 16 September [9118]; Ramiro and José Guterres in Ainaro by Mahidi on 17 September [3359]; and three youths in Beikala by TNI Battalion 301 on 19 September [1399].

2 The Deputy General Prosecutor’s Indictment does not include Armando or Lobotina, and Lucinda da Silva Bianco is called Lucia da Silva.
Mass executions at Passabe and Maquelab, Oecusse

860. The executions which occurred at Passabe and Maquelab near the Indonesian border in the enclave of Oecusse also illustrate the extremes to which the TNI and militia went in order to punish entire communities for choosing to separate from Indonesia. In both cases TNI and militia chose the villages in which a number of pro-independence leaders lived and conducted a massive purge of young men.

861. Those killed in the Passabe massacre on 10 September were people who had fled from the three villages in the sub-district of Oesilo. On 9 September members of the Sakunar militia group were ordered to go to Imbate, West Timor (Miomaf Timur Sub-district, Timor Tengah Utara District, Indonesia) on the orders of M115. On the way to Imbate, at a place named Puput, West Timor, militia members reportedly hacked to death a civilian, Neti Lafu, from Usitakeno Village (Oesilo, Oecusse). Meanwhile the people from the three villages who had fled to the mountains in Imbate were told to come down to the Imbate village office to register their names. When they arrived, about 55 young men considered to be pro-independence supporters were separated from the rest. The young men included Francisco Sufa, Lambertu Punef, Paulinus Neno, José Ulan, Zacarias Mauno, Adriano Neno, Zacarias Tolo, Kolo Lopo, None Sufa, Kobus Henas, Dominikus Obe, Yohane Suni, Baptista Elo, Poto Ulan, Poto Mauno, Martinho Bobo, Ili Afoan and Poto Sufa. A witness told the Commission that Ernesto Bobi attempted to escape on the way but was hacked to death. They were forced to leave Imbate on foot. At around 3.00am on 10 September they reached the border between Timor-Leste and West Timor at Teon Lasi. After the group crossed the Noel Passabe River, at a place called Nifu Panef, the militia started killing the young men. In total, more than 47 men were killed, while seven or eight managed to escape. Gabriel Kolo, André Ulan, Anton Sabraka, Florenço Tacaqui, Tomás Bubun Antonio Sila, Mateus Ceus, Agustinho Eko and Bonifacio Bobo, all members of the Sakunar Militia, are alleged to have taken part in the killing of the young men. The same militia went to Passabe and ordered villagers to

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1 HRVD Statement 6909. Martinho Bobo seems to have successfully escaped [see HRVD Statement 2828].
go to the site of the killings and bury the bodies. The villagers were also threatened that if they did not keep secret what they had done, they would be killed.  

862. The Commission received numerous statements from survivors, witnesses and family members of the victims of the massacre. A Sakunar militia member who accompanied the prisoners, gave the following testimony to the Commission:

In September 1999 I was called by M182 and his son M183 to join the Sakunar militia of Meocona, Usitasae Village [Oesilo, Oecusse]. After I joined, I was given match[es] by M165 in order to burn the homes of the people of the sub-district of Passabe…On the ninth, I saw M299, M187, M190, M191, M194, and M115 from Passabe and three TNI soldiers, also from Passabe, M165, M196, and M198, carrying their weapons along with more militias than I could count. They were…headed toward Imbate, West Timor, to capture CNRT members who were hiding there. They caught the CNRT members and brought them to the village office of Imbate. At that time I went with the militia to Imbate. After they brought the CNRT victims to the Imbate village office, they were tied in a chain. There were about 70 people tied up. They came from Bobometo Village [Oesilo, Oecusse]. Then we took them at night to the area of Teon Lale in Abani Village. At about 3.00am the victims were shot dead by the TNI soldiers; and some were hacked to death by M115, the Sakunar militia leader. I also hacked one person in the neck, but he didn’t die. About 69 people were killed by the Sakunar militia at Teon Lale, Abani Village, in the sub-district of Passabe.

863. A survivor of the killings also made a statement to the Commission:

Those of us who were tied up at that time numbered about 70 people. After we were tied, we were ordered out of the village office to Nefopana [Passabe, Oecusse]. But the Sakunar militia members beat us from behind with clubs until we were black and blue. At 03.00am arrived at Nefopana, where M201 and M204 began by cutting the throat of Marcos Kono. He died immediately. Then M206 told his friends to get rid of the body. Hearing him speak that way, Lafu Seco and I immediately threw ourselves to the ground. Then two victims fell on top of us, and their blood covered us, so it appeared that we were dead, too.

864. At approximately 6.00am, about 100 men from Passabe Village were instructed by militiamen to gather tools suitable for road repair work. They were then taken to the site of the killings and ordered to bury the bodies where they had fallen.

865. A second mass execution took place in the vicinity of Maquelab (Pante Makassar, Oecusse) on 20 October. In the early afternoon of that day armed militiamen, riding in eight trucks, came to the area looking for people who had fled Maquelab for the safety of the mountains. They found a large group of about 300 people from the village and told them they had to return with the militia to Maquelab so that they could travel safely to West Timor. The militia then marched them the five kilometres back to the village. On arrival at Maquelab the militia commander, Bonifacio Bobo, pulled from the
group Atili da Costa and Paulus Cussi, two CNRT leaders, took them behind the Maquelab market and shot them dead.

866. About 30 minutes later the deputy commander of Sakunar, Laurentino (Moko) Soares, arrived at the scene, selected four men, ordered them to stand and shot them. The victims were the CNRT chief of security and UNAMET local staff member, Francisco Taek; another UNAMET local staff member, Paulos Kelo; a pro-independence student, Mateus Ton;̊ and a CNRT leader, João Talias. Immediately after these executions, and evidently on command, the Sakunar militiamen set about burning all the houses and buildings in Maquelab, without exception. In the course of the afternoon they also killed another six, possibly seven, people in the village, before moving to West Timor, Indonesia.1053

867. A witness told the Commission:

On 20 October 1999, about 20 people composed of members of TNI, the police, Sakunar and Aitarak militias staged a major attack on the people of Taiboco [Pante Makassar, Oecusse]. At that time my family and I had taken refuge at Neten Abas. Nonetheless, the Sakunar militia commander, M213, succeeded in finding us. After they caught us, they forced us to give them money. We were able to collect about Rp300,000 which we gave to them so they wouldn't kill us. After we had given them the money, we were closely guarded by the Sakunar militia. We were forced to walk about five kilometres from our hiding place in Neten Abas to the market at Maquelab. After we arrived at the market in Maquelab, there was a Sakunar militia named M212 who tried to kill me by swinging his machete in its sheath; it hit me directly on the mouth and teeth. As a result I lost three teeth and bled heavily, and I became dizzy. But I stayed quiet, I didn't yell out or cry. After that we sat down, and about 30 minutes later Sakunar commander M213 came and pulled away Atili da Costa and Paulus Cussi. The two of them were taken to the back of the market, near the toilet, and they were both shot to death and their bodies thrown in the rubbish hole.

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1 HRVD Statements 0377; 0865; Deputy General Prosecutor for Serious Crimes, Amended Indictment Against Laurentino Soares aka Moko and Bonifacio Bobo aka Bone, Case No. 13/2002 (OE-4-99-SC), paragraphs 14-29. There is slight variation in the spelling of the victims’ names. According to HRVD Statement 0377, the victims’ names are Atili da Costa and Paulus Cussi. This compares with Atilio Costa and Paulo Cusi [HRVD Statement 0865] and Justilio da Costa and Paulus Kusi [Deputy General Prosecutor Indictment, paragraph 22].

1 The Deputy General Prosecutor’s Indictment names this victim as Mateus Tone [Case No. 13/2002, paragraph 18].
About 30 minutes later a vice commander of Sakunar, M120, arrived on a motorcycle. There was no discussion. He immediately called four people, João Talias, Paulus Kelu, Mateus Ton and Fransisco Taek. After the four had been called forward, M120 pointed with his finger and said, "You, get up!" to the first person, João Talias. He had just stood and walked about two paces forward when he was shot...through the chest. After that, the same thing was done to the next two people, and then to the last one, Fransisco Taek...Then all their families and the other people gathered there were ordered to bow their heads, and not to cry out or weep. The four victims were put into a Kijang car owned by Moro Soares and taken somewhere, I don't know where. Then we were all told to get on a truck to evacuate to Kefa [Kefamenanu, West Timor].

**Other mass executions**

868. The Commission also received testimonies about other mass executions which took place during the post-ballot violence. On 12 September there was a mass killing of villagers in Covalima District, in the village of Lactos (Fohoren, Covalima) after the people refused to be taken to West Timor. After the announcement of the result of the ballot the villagers of Lactos went into hiding in the hills. The Laksaur militia group in Lactos, led by its commander, M111, and his deputy, M220, received an order from the overall commander of Laksaur, M78 in Salele (Tilomar, Covalima) that the whole civilian population had to go to West Timor.

869. On or about 12 September, after talking privately with Lieutenant M222, the commander of the TNI unit in Lactos (Fohoren, Covalima), Cosmos Amaral, ordered his men to go and fix a broken water pipe. After fixing the pipe, one group comprised of Lieutenant M222, and some 20 TNI soldiers, M220 and a number of militia members and East Timorese military-trained auxiliaries (milsas) led by M224 found the villagers and told them that they had to go to West Timor.

870. The villagers, armed with machetes, answered that they would not go. When the villagers moved forward, suddenly the TNI members, the East Timorese auxiliaries (milsas) and militia members started shooting, killing 14 villagers. Another man was stabbed to death. The victims of the killings were: Antonio Amaral Bau, Alberto Fereira, Ernesto Carvalho Letto, Anito Coli, Anito Mali, Anito Bau, Daniel Monis Acı, Domingos Amaral, Eurico Bau, Daniel Taek, Abel Soares Gomes, José do Rego, Geraldo Amaral and Boaventura de Araújo. The man stabbed to death was Boaventura.

871. Another mass killing took place in Becora (Dili), a pro-independence stronghold, on 4 September. Members of the Aitarak and Besi Merah Putih militia groups, together with TNI 744 members and policemen, reportedly killed eight men. The victims included André de Araújo, Cristovão da Silva, Domingos Martins da Silva, Joaquim da Costa, Filipe dos Santos and Carlos Martins Oliveira. The other two victims are known only as Marcelo and Aceng or Asam.

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1 Further investigation is needed to determine the location of this mass execution. HRVD Statement 6270 places it in Lactos Village whereas the Deputy General Prosecutor’s Indictment [Case No. 9/2003] describes TNI and milsas members going to Rai Ulun in Lactos. However, Rai Ulun is an aldeia in Leohitu Village (Balibo, Bobonaro).
Testimony of a child survivor

In the village of Lourba (Bobonaro, Bobonaro), Dadurus Merah Putih militia attacked viciously days after the results of the ballot were announced. One family experienced an horrific attack at their house, resulting in the mother and father, and their 17-year-old daughter being shot and hacked to death. Their daughter, aged nine, whose words are reproduced below, was hacked with a machete across her nose. The scar is still clearly visible today. Her cousin, who was seven years old at the time, was also hacked with a machete in the mouth, smashing her teeth. The daughter who survived told the Commission:

My name is A, I am the youngest of four children. I do not really know anything about politics. My parents often did clandestine work and sometimes helped Falintil. But I do not know if that is political work. My whole family was pro-independence, but I do not know much. The situation in Bobonaro was bad. My parents were getting anxious, but we children did not know about politics, so we just felt the same as usual. On 30 August 1999, we were told not to leave the house because otherwise we would be shot by the militia and TNI. So we just stayed at home. When the referendum results were announced my parents were really happy because we had won and the situation was not as bad as before the referendum. So we all just relaxed at home.

On 6 September 1999, the Dadurus Merah Putih (DMP) militia and TNI arrived in Lourba Village and started shooting brutally into the air and abusing the local people. Early in the morning on 7 September the village was surrounded by DMP and TNI, but my parents and I didn't know. My mother saw that TNI had surrounded our house and she yelled out to my auntie who lives close by. Then she told us to run outside because both the houses were surrounded. My auntie ran out and was shot straight away by TNI. She was hit in the left hip but still managed to escape.

Our whole family stayed inside. We couldn’t go out because the TNI were ready for us. The other neighbours had run all over the place, some were hiding in their gardens, and others in the thick bush. But my mother still said we could not go outside, we should just stay put, why should we run? In the end we all tried to go out through the back door. My father tried to run, and the TNI and the militia chased him and then shot him. Then they hacked him to death on the spot.

I was following my mother who had me by the hand, but they stabbed her right through the chest and out the other side. Then they cut her thigh and she lost hold of my hand. When she let go of my hand I started to cry and hug her because she was badly wounded. But then they cut me on the nose. Before she died, she said, “Stay child, we may all die, but we will have independence.” Then she took her last breath as she squeezed my father’s hand. There was a lot of blood from all the knife wounds so I passed out next to my mother. The militia thought I was dead so they left.

Suddenly mother’s spirit lifted me up and placed me next to the house, and I came to consciousness. Then I looked over at my auntie’s house and saw them throwing my cousin. Her body was covered in blood from a stomach wound. My older cousin Lucia was dead and my aunt was hiding in a ditch. Because my family were all dead or badly wounded, the militia and the TNI left.

An hour later our neighbours came back to rescue us, the badly wounded, and to recover the bodies of mother, father and Lucia. That night we were able to “hade mate” [stay awake with the deceased until the following morning], but towards morning, the militia and TNI suddenly attacked again. We locked all the corpses in a room and ran outside.

Then we left for Mount Lour. When we got there, Falintil treated our wounds with traditional medicine. After a while we came down from the mountain and found that the militia and TNI had destroyed the house. The corpses had been dragged away and eaten by dogs and other animals. For four months we tried to collect what remained of their bones.
Killing refugees in the camps in West Timor

Killing refugees in the camps and other places in West Timor

872. Thousands of people were forced into trucks and boats by Indonesian security forces and militia groups to be evacuated to West Timor (see also Chapter 7.3: Forced Displacement and Famine). Some went voluntarily, seeking safety. The majority were transported to camps. Security conditions in the refugee camps in West Timor were appalling. Most refugee camps were organised by the Indonesian authorities and military or militia leaders controlled the camps as “camp coordinators.”1058 More than 200 refugee camps were established in the four districts of Belu, Timor Tengah Utara (TTU), and Timor Tengah Selatan (TTS), and Kupang. According to the Provincial Refugee Relief Coordinating Body (Satkorlak PBP NTT), on 4 September there were 336,043 refugees (56,334 households) in West Timor. By mid-October the figure had dropped to 264,454 refugees.1059 The UNHCR gives a figure of 250,000-280,000 people.1060 In addition to those who were taken to the refugee camps, there were also East Timorese who fled or were taken forcibly into West Timor individually or in small groups. All categories of refugees were at risk, particularly if they were identified with the pro-independence cause.

The information about human rights violations committed by TNI and militia members in refugee camps and elsewhere in West Timor in September and October 1999 is fragmentary. Almost none of these human rights violations has been investigated properly by responsible authorities. Thus, among those who are believed to have been killed or disappeared in West Timor was the senior CNRT leader, Mau Hodu Ran Kadalah (José da Costa), but the Commission has been unable to establish the circumstances of his disappearance or death, or, in case of the latter, precisely where his body was buried. The general picture then remains limited but accounts strongly suggest that many serious human rights violations were perpetrated against real or suspected supporters of independence there. The Commission received information on 27 killings and disappearances that occurred in two districts, Belu and Timor Tengah Utara.

Belu

873. Belu District, and its capital Atambua, were the location of the highest number of refugees during this period. In Belu at least 20 people were killed or disappeared. Agustinho Martins Trindade had been forcibly recruited to Aitarak. While in Atambua he was reportedly killed.1061 Armando da Silva was reportedly arrested by three policemen. His wife went to the police station and asked about her husband, but she was threatened and asked if she also wanted to die like her husband. Armando da Silva was not seen again.1062 Venancio do Rego, the village head of Fatumean, Covalima District and a clandestine member, was arrested by Laksaur militia members in Nenuk, and he was not seen again.1063 Vong Neong Song and his family sought protection at the regional police station in Dili and on 9 September they boarded an Indonesian military boat. Vong Neong Song disappeared on his way to Atambua.1064

874. Celestino Correia was allegedly killed at a refugee camp in Kolam Susu (Atapupu Sub-district, Belu District) West Timor on 14 September. A son of M295, the Haililantar
and Armui militia commander, attempted to force Celestino Correia to join the militia, but he refused. M295’s son was slightly injured during the incident and he was brought to the clinic. Apparently in retaliation, M295, Anastacio Martins and two others found Celestino Correia. Anastacio and the other two beat Celestino to death in the presence of other refugees.  

875. Georgina Tilman was among the refugees from Ermera staying in Siskoe, Atambua. On 18 September, a soldier called Domingos Maia, a driver for the government in Ermera who was forced to become a driver for the Darah Merah militia, asked him to join him to go see refugees from Ermera who were staying in Siskoe. There Domingos saw Georgina Tilman washing her face while being guarded by an armed man. Two days later Domingos Maia was told that Georgina had been taken away and released at the intersection in Mandoki (Atabae, Bobonaro). He went there and found the dead bodies of Georgina and her five children. The bodies were buried at the site.  

876. On 19 September Manuel Soares and Mário de Araújo were playing volleyball at the Atambua sports ground (West Timor) when they were reportedly forced into a car and taken to Buas by a group of AHI militia members from Aileu under the command of M160. There they were tied up and taken into a bamboo forest where they were reportedly killed.  

877. A former Falintil member, Pascoal da Costa Calau, was reportedly abducted from the Tanah Merah elementary school by a group of about 20 Aitarak militia members on 30 September. He was not seen again.  

878. Apolinario Maujoni was among the refugees from Bobonaro staying in Lakmaras (Atambua, West Timor). On 12 October he was arrested with one other man and was reportedly killed. He was not seen again.  

879. On 15 October, Edmundus Bere, who had worked with the Student Solidarity Council of East Timor (ETSSC or Dewan Solidaritas Mahasiswa dan Pelajar Timor Timur, DSMPTT), was arrested and taken to the Laksaur militia post in Lakmaras (Atambua, West Timor), where he was beaten and had salt placed in an open wound. On 17 October he was reportedly killed at a place called Bora (West Timor).  

880. Those who tried to contact their families at Mota’ain (Belu, West Timor) near the border were also targeted. Agusto Soares met with his sister on 20 October at Mota’ain. After the meeting, Agusto Soares was reportedly killed by Darah Merah Putih militia from Ermera. Clandestine member Celestino Soares, who was staying with his family stayed at Tenu Bo’ot (West Timor), was taken by members of the Aitarak militia group. On 30 October his body was found in Saloreh (West Timor).  

Timor Tengah Utara (TTU)  

881. Timor Tengah Utara District shares a border with the enclave of Oecusse. Most of the killings in TTU reported to the Commission involved Sakunar militia targeting refugees from Oecusse who had known affiliations with CNRT. The Commission received testimonies about at least seven refugees who were killed or disappeared.  

882. Firmino No’o was a pro-independence student. One day in September, when he was returning to Oecusse from Hali he was stopped at the militia post in Oel Faub, Kefamenanu because he was wearing a t-shirt with the letters CNRT on it. He was tied

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1 Georgina Tilman was an ailen sarani or younger “baptism” sibling of Domingos Maia. This means that Domingos Maia’s biological parents were the godparents of Georgina and present as witnesses when Georgina was baptised.
up and beaten by Sakunar militia including their commander, M120. He was reportedly taken to Oelfaub, Iri, and there he was killed. His body is believed to have been buried in West Timor and has not been recovered.1073

883. In late September a CNRT member, Horacio Auni, was reportedly taken away by Sakunar militia commander, M120, at the refugee camp in Bu’uk and was not seen again.1074

884. Constancio Seni, an inhabitant of Oesilo Sub-district, Oecusse District, fled to Oeneno, Kefamenanu (West Timor), when his village was attacked by Sakunar on 8 September. He was reportedly taken away by a large group of about 70 militia members. He was not seen again.1076

885. Batista Bobo, an inhabitant of Tumin, Bobometo Village, fled to Bu’uk, Kefamenanu to escape an attack of Sakunar on his village on 8 September, but was reportedly killed in Bu’uk on 9 September.1076
## Other post-ballot killings and disappearances reported to the Commission

886. In the following table, the Commission has summarised other incidences of unlawful killings and forced disappearances from 1999 which have been reported.

<table>
<thead>
<tr>
<th>Sub-district, District</th>
<th>Summary of cases</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Aileu, Aileu</strong></td>
<td>On 4 September a group of AHI militia members reportedly killed Antonio Ribeiro in Malere, Seloi Village. On the same day another group of AHI members led by the Liurai M163 reportedly killed a man known as Marçal from Viqueque in a location called Mantane, Lausi Village. On 5 September a group of AHI members shot two young brothers, Guilherme and Gabriel de Deus Lobato, both of whom died after having reached Rihui, Madabeno Village (Laulara). On 6 September the Babinsa of Aisirimou, Sergeant Domingos Alberto Carlos, shot CNRT member Elias de Araújo to death. Sergeant Carlos also allegedly ordered two AHI leaders with him, Carlos José and Almeida Martins, to kill Evaristo Lere Barreto. The two men hacked Evaristo Barreto to death with machetes. A man known as Maulere was found dead at the Manutane River. It is believed that he was killed by a pro-integration group. On 9 September a TNI member, Gaspar Leite, allegedly shot Domingos Maukinta* to death in an attack on the village of Hohulu. On 11 September an AHI member reportedly killed Tome Araújo in Malere, Seloi Village. On 13 September Marcelino Timosila was reportedly killed at the base camp of the Aileu Kodim by a TNI member. On 16 September a member of the Darah Integrasi militia group reportedly killed a man known as Domingos. On 17 September João da Conceição Tilman was reportedly shot to death by members of TNI at Kodtalirei River on his way to a place called Maurusa.</td>
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<tr>
<td><strong>Laulara and Liquidoe, Aileu</strong></td>
<td>On 6 September a TNI member, Adolfo Amaral, shot Francisco Aleixo (aka Carvalho) at the Dili-Aileu road junction near Koto Lau Village (Laulara). He died on the spot and his body was found about a month later. On 17 September a combined group of AHI and TNI members shot Marçal Alves to death in the aldeia of Urbada, Fucuculau Village (Laulara). In Liquidoe Sub-district, after the announcement of the result of the ballot, a group of Rajawali allegedly led by M175 [East Timorese], killed Miguel F Soares.</td>
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<tr>
<td><strong>Ainaro, Ainaro</strong></td>
<td>On 5 September a group of Mahidi members, including Fernando Lopes and Anigio de Oliveira, attacked Fernando Gomes at his house in Cassa. Fernando Lopes allegedly shot him to death. On 13 September Mahidi members reportedly killed Paulino Maria Bianco. Paulino Bianco had been detained the previous day and on 13 September he was handed over to the Mahidi leader, M81. His head was covered with a plastic bag, and on M81’s orders he was taken to a place called Siledena Hare Kain and killed. On 6 or 7 September a man known as Domingos Guru was shot and hacked to death by a combined group of TNI and Mahidi members in the village of Beikala. Accounts suggest that a TNI soldier, Syamsudin, was involved in the killing of Domingos Guru. On 30 September a group of about 10 Ablai members led by M186 reportedly killed Maria Imaculada near a cave in Lesso, Beikala Village.</td>
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<tr>
<td><strong>Hatu Bulico, Ainaro</strong></td>
<td>On 4 September Diogo de Araújo and Felix de Araújo, both suspected as CNRT sympathisers, were reportedly killed at the TNI and Mahidi post in Calihatà, Mulo Village.</td>
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<tr>
<td><strong>Hatu Udo, Ainaro</strong></td>
<td>On 4 September a man known as Moises was caught by Mahidi members and held at the Mahidi militia post in the village of Beikala for several days. He was then taken away by Ablai militia who took him to Same. He was not seen again. On 6 or 7 September a man known as Domingos Guru was shot and hacked to death by a combined group of TNI and Mahidi members in the village of Beikala. Accounts suggest that a TNI soldier, Syamsudin, was involved in the killing of Domingos Guru. On 30 September a group of about 10 Ablai members led by M186 reportedly killed Maria Imaculada near a cave in Lesso, Beikala Village.</td>
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<tr>
<td><strong>Maubisse, Ainaro</strong></td>
<td>Joana Soares and her son, Eusebio Nurega, were killed, reportedly when houses in Aihou, Aituto village were burned. The exact date of the incident is not known.</td>
</tr>
<tr>
<td><strong>Quelicai, Baucau</strong></td>
<td>On 10 September TNI and Tim Saka allegedly killed Sebastião dos Reis in Guruça Village.</td>
</tr>
</tbody>
</table>

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1. According to HRVD Statement 4861, the victim’s name is Domingos de Jesus Mesquita.
2. HRVD Statement 5957. The statement appears to report that the burning of the houses occurred in August but such an incident is more likely to have occurred in September.
On 11 September a group of Team Saka members led by commander Manuel Ariate, his deputies, Cosme Moreira and Virgilio Soares, and Rajawali commander Cristiano Ximenes approached Pedro da Cruz Soares, a supporter of independence living in the aldeia of Abo Lir. Cosme Moreira shot him to death.1095 Team Saka led by Manuel Ariate also reportedly shot to death a young man from Gurucu known as M300 on 9 September.1096

**Laga, Baucau**

A group of TNI soldiers killed at least two persons in separate incidents. 1st Sergeant Faustino dos Santos, 1st Corporal Agustinho Soares and 2nd Sergeant Tomás Cardoso (aka Tomás Maurade), all from the Kodim’s intelligence section, allegedly killed Armando Belo Pires at Laga beach on 11 September. Armando Belo Pires was a resident of Soba Village. He walked down to the beach to visit some relatives who had gathered there to wait for a ship to West Timor. The soldiers accused Pires of being a Fretilin member and reportedly killed him in open view of the many waiting for ships.1097 Faustino dos Santos and Agustinho Soares led a patrol team the next day to the village of Tequinnomata. When they arrived near the village Agustinho Soares ordered his men to kill any man or woman they saw. Faustino dos Santos approached a house where Marcela Buti Fatima was holding a baby and standing behind the back door which was half open. He reportedly fired his weapon at the back door and shot Fatima in the leg. She died of her injuries in the evening.1098

On 21 September six villagers were killed in Laga by members of Battalion 745 under the command of Major Jacob Djoko Sarosa when the troops passed along the main road from Laga to Baucau. Battalion 745 had committed killings in Lautém before it entered the district of Baucau. Two brothers, Egas da Silva and Abreu da Costa, went to Buruma Village near Baucau Town and warned the villagers not to come out onto the main road because TNI soldiers were killing people. On their way back to their village, Buile, travelling by motorbike, they encountered the Battalion 745 convoy. They jumped off the motorbike and attempted to run into a rice field but were shot by members of Battalion 745.

In Buruma Village, Lucinda da Silva and Elisita da Silva were shot to death, and in Caibada Village, Victor Belo and Carlos da Costa Ribeiro were arbitrarily shot to death.1

**Venilale, Baucau**

On 11 September a combined group of TNI soldiers and Team Sera militia members, including Agustinho, captured Faustino dos Santos, a pro-independence clandestine member. He is believed to have been taken to Baucau and killed there.1099 The next day a combined group of TNI and Team Sera members reportedly shot Francisco Guterres to death in Uato Haco Village, while he was working in the fields with his wife. His wife heard the perpetrators accuse Guterres and herself of feeding Falintil soldiers.1100

**Atabae, Bobonaro**

A group of Halilintar militia under M203 reportedly killed Rui-Mau on 15 September.1101 Halilintar militia also killed a clandestine member, Estévão, in Hataz Village (Atabae).1102

**Baiðbo, Bobonaro**

Some time in September Halilintar reportedly killed a clandestine member, Francisco Nafan, at the Badut Mean River in Batugade Village.1103 At midnight on 6 September the Firmi militia group, led by commander M205, took out eight prisoners from the residence inside Baiðbo’s old fortress, which was the militia’s headquarters and detention centre. The eight were not seen again. The victims were Aleixo Paicheco, Francisco Maya, Patricio dos Santos, Cornelis Calouz, Gabriel dos Santos, Carlos de Carvalho, Benjamín Lucas and Francisco Paicheco.1104

On 7 September a TNI member, Francisco dos Santos Laku, reportedly ordered Armindo dos Santos, Mário de Carvalho and other TNI members to kill Celestino Fernado at a checkpoint on the road outside the aldeia of Berame, Baiðbo Village. Celestino Fernado was then reportedly taken to a nearby dry riverbed and stabbed to death by Armindo dos Santos and Mário de Carvalho.1105 Firmi militia allegedly abducted three pro-independence activists, including Jorgé Mau Loe and Elias Pires, from their homes in Leo Lima Village on or about 10 September. The three were held at the house of the Firmi commander, João Oliveira, for one night and at the house of Marcos Leo Soro for four nights. On 15 September they were transferred to Batugade by Firmi members, including the Firmi deputy

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1 Deputy General Prosecutor of Timor-Leste, Indictment against Maj. Jacob Djoko Sarosa and Lt. Camilo dos Santos, Case No. 10/2002, paragraphs 62-86. The dead bodies of Egas da Silva, Abreu da Costa, Elisita da Silva and Victor Belo, lying at their respective houses, were filmed by Indonesian journalist Agus Muliawan who was killed by Team Alfa militia members four days later in Lautém. The film footage of the victims was later recovered and used in a Japanese documentary program on the death of Agus Muliawan broadcast on 28 November 2000, “NHK Special – East Timor: Records of the Dark September”.

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commander, Joaquim Maia. At a clearing beside the road to Atambua Jorgé Mau Loe and Elias Pires were allegedly stabbed to death by Firmi members including Francisco Pedro (Geger), while the third man escaped.\textsuperscript{1106}

**Bobonaro, Bobonaro**

On 5 September Halilintar reportedly killed João Morais in Oe-Leu Village.\textsuperscript{1107}

On 10 September militia and TNI members abducted Lucinda Saldanha in the Lourba Village and TNI member Paulino de Jesus allegedly stabbed her in the back, killing her.\textsuperscript{1108} A group of TNI members including Paulino de Jesus, also allegedly killed two supporters of independence, Egas Cardoso and his wife Aliança de Jesus, in Lourba Leten, Lourba Village on 16 September.\textsuperscript{1109}

Halilintar and Dadurus Merah Putih also allegedly killed Samuel Guterres, Marcelina de Jesus and Antonio Barreto in Lourba Leten on 22 September for their connection with Falintil.\textsuperscript{1110}

In the village of Ai-Assa Afonso Pereira and Armando Guterres were reportedly killed on 14 September by a group of militia under the command of a man known as M217.\textsuperscript{1111}

On 14 September a group of Hametin Merah Putih members, including M219, M221 and M223, reportedly killed Martina Maia.\textsuperscript{1112}

On 20 September a group of Hametin Merah Putih members, including M225 and M221, reportedly abducted Luis Maia in Tebabui Village, took him to Carabau and killed him there.\textsuperscript{1113}

In the village of Malubu a group of TNI members and Halilintar militia reportedly killed Henrique de Araújo in front of his home in Raimatete on 16 September.\textsuperscript{1114} In the village of Cota Bo'ot, Florindo Cardoso Gomes from Dili was reportedly shot to death on 16 September in a location known as Hauba in Cota Bo'ot by TNI or militia members believed to be attached to the SGI.\textsuperscript{1115}

José Godinho was detained by members of the Bobonaro Sub-district military command and Hametin Merah Putih and was reportedly shot to death by a member of the Bobonaro Sub-district military command on 22 September.\textsuperscript{1117}

**Cailaco, Bobonaro**

In September two brothers, Armando and Quintilão, went down to Miligo Village to look for food and were reportedly detained by the village head. They were not seen alive again.\textsuperscript{1118}

On 21 September Halilintar members reportedly killed Daniel Leal in Airae, Meligo Village, because his son gave support to Falintil.\textsuperscript{1119}

**Lolotoe, Bobonaro**

On 8 September members of Kaer Metin Merah Putih led by their commander, José Cardoso Ferreira (Mouzinho), killed Mariana da Costa and Carlito Freitas in Sibi, Opa Village.\textsuperscript{1120}

On 16 September members of Kaer Metin Merah Putih led by José Cardoso Ferreira killed Augusto Noronha and Antonio Franca in Raimea, Opa Village.\textsuperscript{1121}

**Maliana, Bobonaro**

On 2 September TNI soldiers and Dadurus Merah Putih members surrounded the office of youth group Juventude Loricó Assuwain (JLA). Dadurus Merah Putih members started throwing stones at the building. When JLA members threw stones back onto the road, the TNI soldiers opened fire into the group of JLA members. Mateus de Conceição was shot by Sergeant M227 [East Timorese] twice, and Silvano Mali Talo was also shot. Mateus was taken to the house of a friend and Silvano was taken into the office. Darah Merah Putih members then set fire to the office in which Silvano was located. Mateus died later the same day and the burnt remains of Silvano were found in October in the destroyed JLA office.\textsuperscript{1122}

On 7 September a group of Halilintar members, including M228, M229 and M230, reportedly killed Ermino Xavier Viana, Venancio César Mouzinho, Leoneto Gusmão Pereira and Martino de Fatima at the Mesak River in Odamau Village.\textsuperscript{1123} On or about the same day, Halilintar members including João Maia\textsuperscript{1} and Augusto Asameta Tavares went to Tapo Memo and there João Maia, assisted by Augusto, found Paulino hiding in the ceiling and stabbed him to death with a spear.\textsuperscript{1124}

Halilintar was also reportedly responsible for the murder of Mário dos Santos in Nunura some time in September.\textsuperscript{1125}

On 7 September Dadurus Merah Putih killed at least two, possibly three, people in Mugis, Odamau Village. In one incident Dadurus Merah Putih reportedly killed Abilio Soares and one other man who refused to go to West Timor.\textsuperscript{1126} In another case Dadurus Merah Putih reportedly killed Faustino Martins Mota.\textsuperscript{1127}

On or about 9 September a group of about 20 men including Sergeant Frederico

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\textsuperscript{1} Perhaps João Maia. Halilintar militia João Maia is also implicated in the murder case of Santara Tavares [see HRVD Statement 1164].
### Fatumean, Covalima

On 30 August the Laksaur militia group in Fatumean began looking for three known supporters of independence, Raimundo de Oliveira, Martinho do Rego and Abel Pereira. The three—two of them with their wives—fled to Fohoren Sub-district, but were all captured and taken back to the militia headquarters at the Koramil in Beluluik Leten (Fatumean). On 4 September the three were allegedly killed by Henrikus Mali and two other Laksaur members at the militia headquarters. After the announcement of the result of the ballot the Fatumean Laksaur militia group under the command of Henrikus Mali started registering villagers to be taken to West Timor. On or about 5 September a supporter of independence from the aldeia of Manekiik in Beluluik Leten Village, Agapito Amaral, went to see a Laksaur platoon commander in Fatumean, Yakobus Bere, with a machete in his hand because he did not want his family to be taken to West Timor. He was allegedly shot in the stomach by Yakobus Bere and later his throat was allegedly cut by a militia member on Yakobus Bere’s orders. Agapito Amaral’s mother, Rosalina Cardoso Belak, was also allegedly killed because she went to the militia post and shouted insults at the militia for killing her son.

On 8 September a TNI soldier, Simão Nahak, allegedly ordered other TNI soldiers and militia to kill clandestine member Suri Atok and his adopted son José Ramos in Dato Rua Village (Fohoren).

### Zumalai, Covalima

Mahidi militia reportedly attacked a group of some 10 people seeking contact with Falintil and killed Daniel Cardoso, Albru Amaral and Francisco Ribeiro. On 10 September Luis da Conceição was reportedly killed in Zulo Village by a member of the paramilitary group, Gadapaksi. In Fatuteulu two Mahidi militia members took away a clandestine member, Mateus Mota, from his home. He was not seen again.

### Suai, Covalima

On or about 6 September Albino Nahak was allegedly taken away by two members of the Laksaur militia group, Baltazar Moruk and Damião da Costa Nunes. His body was later found in a location called Legore. On or about 7 September Domingos Bau Koli (Domingos Andrade) from Kamenasa Village was allegedly killed by Laksaur militia members led by Olivo Tatoo Bau. On 8 September Olivo Tatoo Bau allegedly killed Simplicio Doulet Sarmento who was heading to West Timor by stabbing him at a checkpoint in Salele.

On 9 September, TNI member Lieutenant Sugito, commander of the Suai Sub-district military command post, and some Laksaur militia members arrested a group of five supporters of independence in Suai. Lieutenant Sugito and Laksaur militia operations commander, Alípio Gusmão, allegedly decided that the five were to be killed. Three of the five were allegedly shot by Laksaur militia member Americo Mali, and their
Elizio Martins and Mateus Amaral from Kiar Village (Maucatar) went to the Suai district military command post after ordered to assemble there before being taken to West Timor. Because they did not want to be taken to West Timor, they escaped from the district command post. They were soon captured. Allegedly on the orders of Lieutenant Sugito and Olivo Moruk, the Lakusar commander, they were taken into the forest and were killed.

On or about 26 September members of the Laksaur militia under the command of Egidio Manek, including Silvestre Atai, allegedly attacked a place in the Wesei Forest where villagers were hiding and killed Domingos Barros. Silvestre Atai allegedly beheaded of Domingos Barros.

Two youths, known as Mário and Domingos, were reportedly killed at the Mahidi headquarters in Beco, Suai Town on 5 September. Two persons known as José and Quintinho were killed at the Telkom (Suai Town) on 5 September. Felix Mali, a leader of the clandestine group Korenti Mate Fatin, in Debos (Suai Town) was killed by Joanco Gusmão on 5 September.

A woman known as Veronica was killed in Matai on 9 September. A man known as Paul was killed at the Suai Koromil (1635-01) on 9 September. Manuel Mali was killed in Kamanasa on 10 September. Manuel Amaral Tilman was killed in Debos on 11 September. Luis Amaral was killed in Debos on 13 September. Terezinha Bete was killed in Kamanasa on 24 September. A man known as Lorenço was killed in Debos on 4 October. A man known as Alcino was killed in Feras on an undetermined date. The Commission also received information on disappearances of Ilizaro Martins of Debos, Carlito Barros of Lakorak, Moises Barros of Kamanasa, Paulus Berbesin, Felix Amaral and Marçal Amaral Corte Real of Debos, and José Soares of Wedari. Most of them disappeared in September.

### Tilomar, Covalima

On 15 September at the Sub-district military command post in Salele, Egidio Manek allegedly ordered about 150 Laksaur militia members, who had returned from West Timor, to attack the neighborhoods of Kulit and Aidere in Suai Town. They were to arrest all the villagers and to kill those who tried to escape. In the attack on Aidere, Carlos Yosep and Patricio de Jesus Ximenes were killed. On 25 September, members of the Laksaur militia group including Simão Nahak (TNI), Illidio Gusmão, Marcel Mendonça and Yosep Leki attacked the Wea Forest where villagers from Nikir were hiding, and in the attack Titus Mali, Damião Ximenes and Januario Maia were killed.

In a quite similar pattern, on or about 26 September members of the Laksaur militia group including Illidio Gusmão, Robert Ximenes and Yosep Leki, attacked a group of villagers from Wetabe who were hiding in Mudasikun Forest, and in the attack Paulino Cardoso was killed.

### Maucatar, Covalima

On or about 7 September, José dos Reis, who refused to be taken to West Timor, was allegedly killed by Damião da Costa Nunes and the TNI member, Simão Nahak, on the road not far from Matai Village in Maucatar.

On or about 9 September, in two separate incidents, Paulus Amaral and Mário Martins, both villagers from Loho Rai, Matai, were taken away by TNI and Laksaur militia members, including Americo Sefan (TNI), Olivo Tatoo Bau, Henrikus Nahak and Paulus Berbosi. The bodies of the two were later found floating in the river in Loho Rai.

The same militia group continued to be active in October. Three persons from Lookeu village, Frederico Barros, Lorenzo Gusmão and Nazario Guterres were allegedly killed by members of the group.

### Fatululik, Covalima

On or about 19 September the TNI member, Simão Nahak, took away an...
Covalima

independence supporter, José Pereira Coli, from the Alastehen militia post. Some time in January 2000 the villagers found his remains and buried them.1167

During October two persons known only as Joni and Anis were taken away from Wemer, Fatuloro Village, Fatululik Sub-district. They were reportedly taken to Atambua, West Timor by members of the Army Strategic Command (Kostrad) and then were killed.1168

West Dili, Dili

On 1 September Guido Alves Coreia, a CNRT member from Mascarenhas, Dili, was allegedly killed by members of the Aitarak militia group led by Aitarak’s Company C commander Beny Ludji.1169

On 7 September Rui Abel was killed in Dare.1170

On 13 September about 20 members of the Naga Merah militia group and TNI arrested Afonso Goncalves and shot and killed him in Bairro Pite because they could not find his brother for whom they were looking.

Around 14 September Francisco Besi Cano was beheaded at the Aitarak post in KAMPUNG ALOR, Dili. The Fatuhada village head, Mário Aitade, was allegedly present at the scene.1171 Armando Barros, an estafeta with Falintil, fled from Alieu to Colmera in Dili where he is said to have been killed.1172

Thomás Americo, well known as a boxer who had competed internationally for Indonesia, from Vila Verde was taken into a Kijang jeep owned by the former village chief of Hera at the ACAIT building on 7 September and was driven away by members of the Aitarak militia group led by a man named M259. Américo has not been seen again.1173

Carlos Manuel da Silva was taken away from the Polda headquarters around 10 September and was not seen again.1174

On 12 September Abilio Paicheco was arrested, taken first to the Aitarak headquarters, at Hotel Tropical, and then to the Aitarak post in Surik Mas. From there he was taken toward West Timor. On the way to West Timor, near the Loes River at the village of Guico (Maubara), he was reportedly taken out of the vehicle and handed over to the Besi Merah Putih militia. He is believed to have been killed after that.1175

East Dili, Dili

On 31 August in Hera, a CNRT member, Mantus de Araujo and Martinho Vidal, a member of the human rights group, Kontras, were arrested and taken to the house of Mateus de Carvalho, the commander of Company D of the Aitarak militia. Mateus de Carvalho allegedly told his men to “go and do your job”. The two were then taken to the militia post across the road and there they were allegedly stabbed and died of their injuries.1176

On 1 September Marcelino Fausto de Oliveira was reportedly assaulted and burned with petrol by members of the Aitarak militia group in the presence of Brimob and TNI members. His family found his body at the hospital in Toko Baru and buried him in Matadouro.1177 On the same day João Xavier Fernandes, was reportedly shot to death by TNI members and his body buried at the front of his house.1178

José Barbosa died after he was hit by a bullet fired from a Kijang jeep driven by the Aitarak militia members near the Chinese cemetery in Taibessi.1179 José Pinheiro was reportedly killed by a member of the Aitarak militia group and a policeman near the Gedung Negara which had been the Governor’s residence in Portuguese times.1180 On 4 September Marcelo Agosto was shot to death by members of the Besi Merah Putih and the Aitarak militia groups in Masaur Debu, Becora.1181

Around 4 September Luciano Sequira was shot to death by members of the Aitarak militia group in Camaea.1182

On 6 September in Hera Domingos Nunu Alves, accused of assisting Falintil, was allegedly shot to death by a TNI soldier. Antonio Pinto.1183

Metinaro, Dili

Antonio Fernandes was arrested around 5 September in Metinaro, taken to the police station, and was later reportedly killed.1184

On 7 September Antonio Saldanha Fernandes, the principal of the primary school in Metinaro and also an active CNRT member, was shot to death by a TNI soldier, José Soares, at the Koramil. The Koramil commander, Lieutenant Untung, was present at the Koramil at the time.1185

Ermera, Atsabe

On 31 August in Lasaun Village members of Team Pancasila acting on the orders of TNI soldiers arrested Manuel de Oliveira, a UNAMET staff member at the Lasaun polling station. The group of militia members, including Agustino da Costa, severely beat Manuel de Oliveira. Agustino da Costa allegedly fired two shots at him causing his death.1186

Also in Lasaun in mid-September, a supporter of independence, Domingos Remkult, was reportedly shot dead by a militia member.1187

Hatulia, Ermera

In Hatulia, violence erupted immediately after the ballot. On 31 August in Manusea Village, the commander of the Naga Merah militia group, M265, allegedly stabbed
**Railaco, Ermera**

The Darah Merah commander, M266, and the Naga Merah commander, M265, were also responsible for the death of a civil servant of the Ermera District government, Agustinho Soares dos Reis, on 9 September in Bugasa Atas, Gieno. Members of the Darah Merah militia group, including Jakel and Abrão Martins, killed a youth, Moises Soares, at Riamori, (Letefoho) in September. The Darah Merah commander, M266, and militia member, M269, are alleged to have been responsible for the death of a man named Ameu in September in Railaco Kraik Village.

**Lospalos, Lautém**

In the western village of Cacaven, Mateus Nunes was reportedly killed at the TNI post in the village on or about 9 September. His throat was reportedly cut and his body was thrown into a well. In the northern village of Raça, Joaquim Ovimarais, Antonio Oliveira, Marito Bernardino, Paul and Serafim were reportedly killed between 10 and 13 September. Statements allege that TNI members stationed at Mauloho, Raça village, were involved in all these killings. In the village of Fuiloro, where Batallion 745 was stationed, Martinho Branco, Marcelo Jeronimo, Julião de Azis and Helder de Azis were captured while in hiding and were taken to Poiihoro, Fuiloro and allegedly killed on or about 13 September, despite serving as supporters of independence from Fuiloro were taken to the Kodim headquarters where they were executed or disappeared. The victims included Afonso dos Santos, Noberto da Luz Nato, João, Sikito, Olantinho, Serpa Pinto, Jaime, Marito and Francisco dos Santos. It is alleged that some were thrown into a well in Sawarika, Fuiloro.

**Moro, Lautém**

In Moro Sub-district, killings were reported in the villages of Parlamento, Lautém and Com along the north coast. On 20 September TNI soldiers, allegedly of Battalion 745, arrested Agusto Soares and João Gomes and tortured them to death at the beach in Parlamento. The victims had come down to the beach to see if they could go to West Timor. The bodies of the two men and a third victim, Amilcar Barros, were allegedly burned behind the Dolog, a rice warehouse, in the town of Lautém. On 21 September, when a group of men were looking for food in a coconut grove in the aldeia of Ira-Ara, Parlamento Village, they encountered a group of Tim Alfa militia members, including Joni Marques, Team Alfa Commander and a member of TNI special forces command (Kopassus), and Paulo da Costa. Members of the militia group fired at them, and then Joni Marques allegedly shot Alfredo Araújo to death. Paulo da Costa allegedly shot Calisto Rodrigues to death. In Com João Viela left a cave at Luaira, where he and his family were hiding, to look for water but did not return. He was later found dead. His wife heard that he was shot, although it is not known who shot him. Benedetto Marques Cabral from Moro was allegedly killed by a group of Team Alfa members, including José Valente, when he came down from the mountains to look for food.

**Bazartete, Liquiça**

In the village of Metagou on 3 September a group of TNI soldiers and BMP members arrested a number of residents including Jacinto dos Santos, Pedro Alves and Francisco da Silva because they were suspected of being CNRT supporters. The following day the three were taken behind the school where other villagers had been ordered to dig a grave. The three were executed one by one by militia members, including Anastacio Martins and Domingos Gonçalves. The villagers were ordered to bury them immediately after the executions. On 5 September a group of BMP militia members, again including Anastacio Martins and Domingos Gonçalves, went to a location known as Muka Bera and burned houses.

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1 General Prosecutor of Timor-Leste, Indictment against Major. Jacob Djoko Sarosa and Lieutenant Camilo dos Santos, Case No. 2002/10, paragraphs 35-40; General Prosecutor of the UNTAET, Indictment against Joni Marques, et al., Case No. 2000/9, paragraphs 26-28. The decision of the Special Panel for Serious Crimes, however, states that the cause of the death of Aleixo Oliveira cannot be determined with existing evidence and that therefore the accused for the killing of the victim was not guilty [see Special Panel for Serious Crimes, Judgement, 11 December 2001].

Team Alfa militia was also sometimes referred to as Jati Merah Puth militia.
Maubara, Liquiça

Bruno Cardoso was reportedly taken to the BMP post at Aliatu, Lubulogor, Guguleur Village on 6 September and killed.\(^{1210}\)

Manatuto, Manatuto

Armando da Cunha from Maabat Village was reportedly abducted on 5 September and after some days he was reportedly shot to death by a TNI soldier.\(^{1211}\) On 8 September Filipe Soares was taken away from the old police station (Polres lama) where he had taken refuge with many others, and he was reportedly shot to death by Mahadomi militia leader M274.\(^{1212}\) On 11 September Francisco Gusmão was shot to death by a TNI soldier in Manatuto when he was looking for food with some 20 others.\(^{1213}\) On an undetermined date, Atai da Costa was reportedly taken to the beach in Sau Village and was killed there by Mahadomi militia leaders, M275 and M276.\(^{1214}\) On 11 September TNI and Mahadomi members attacked more than 100 civilians from Maabat Village who were hiding in the mountains around Kakurut Liden. In the attack Antonio Pinto was shot to death. On 13 September the CNRT coordinator in Sau Village, Nazario Lino Pereira Belo, was captured at the Manatuto bridge by Mahadomi militia members and taken to the militia post in Manatuto where he was allegedly stabbed to death by them. On 16 September clandestine activist Sebastião da Costa was killed at the beach in Manatuto after being detained at the TNI compound.\(^{1215}\)

Laclo, Manatuto

On 7 September Mahadomi members, while apparently with TNI soldiers patrolling in Laclo, reportedly killed Jacinto Correia, Gilberto Madai, Domingos Carceres and André Carceres.\(^{1216}\) In Wehau, Aniceto Santos was reportedly arrested and shot to death by a police officer\(^{1217}\) and Alexio da Cunha was stabbed to death.\(^{1218}\)

Soibada, Manufahi

Mauleki was reportedly shot in the leg and then was stabbed to death with a knife by TNI soldiers when he was working in the fields.\(^{1219}\) On or about 3 September, on the orders of Ablai militia leader Guilhermino Marçal, militia members arrested Bendito Moniz at his home in Letefoho Village,\(^{1}\) took him to the Ablai headquarters in Same and killed him.\(^{1220}\) On 9 September Lorenço Tilman was killed allegedly by João Sarmento and Benjamin Sarmento because he refused to board a truck to be transported to West Timor.\(^{1221}\) On 9 September João da Silva, together with some other villagers from Fahluhun, Hola Rua, came down from the mountains to gather food and encountered a truck carrying by Kopassus members and Ablai members at Fatu Maromak, Hola Rua. They were shot at and João da Silva was hit but did not immediately die. On the orders of one of Kopassus members in the truck a militia member, Clementino Alves, stabbed João da Silva to death.\(^{1222}\) On 12 September when members of the Ablai militia group burned down houses in Ailule, Letefoho, a bedridden villager, Lorenço da Costa, was not able to leave his house and died in the fire.\(^{1223}\) Lorenço da Costa reportedly shouted to take him out but to no avail.\(^{1224}\) On 16 September a group of Ablai militia members allegedly killed a supporter of independence, Marcelino Verdial, in front of his eight-year-old daughter.\(^{1225}\) On 24 September four persons were killed by a group of TNI and Ablai members, led by TNI Lieutenant Sumino, in Betano Village.\(^{1226}\) The group was returning to Betano from Atambua to deport more people to West Timor and all these killings occurred on their way back to Betano. The four were apparently targeted by the group but were not necessarily known pro-independence activists. Florindo Pereira Soares, a mentally ill man, was spotted, arrested and stabbed to death.\(^{1227}\) Marten Gaspar Soares was spotted, chased and shot in the chest by Lieutenant Sumino himself. Remezio da Costa was stopped and shot from behind while he was still being questioned.\(^{1228}\) Finally Egas Monis Tilman was spotted, chased, stabbed and shot.

Betano, Manufahi

Some time in September a group of Ablai members led by the Babinsa of Betano, Mohammad Ruri, and Kopassus member, Gualter Vidigal, burned down houses in Betano Village. Guilhermino Tilman was able to crawl outside although he suffered

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\(^{1}\) According to Deputy General Prosecutor for Serious Crimes, Indictment against Nazario Vital dos Santos Corte Real, et al.; “Bendito Moniz went to his house in Letefo [sic] aldeia, Hola Rua village to take his personal belongings” [Case No. 13/2004, paragraph 52]. Letefoho and Hola Rua are two different villages in Same Sub-district.

\(^{2}\) HRVD Statements 0919; 0957 refer to a location called Buku Merah, while General Prosecutor of the UNTAET, Indictment against Anastacio Martins and Domingos Gonçalves, Case No. 11/2001, refers to a location called Muka Bera in paragraphs 34-45.

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According to paragraph 14: "Domingos Kolo and his family lived in the aldeia of Nitas, village of Nibin, Oecusse.

On 7 September, at a meeting held at the district military command headquarters, orders were given to the militia group to attack the villages around Passabe and Oesilo. Simão Lopes, the overall commander of the Sakunar militia group, was to lead one group to attack the villages around Passabe. Laurentino Soares (Moko) was to lead another attack on the villages around Oesilo. The group led by Simão Lopes walked to Nibin in the village of Usitakeno, and there they allegedly killed the pro-independence village chief, Armando Sani. A sub-group of militia members, led by Quelo Mauno, allegedly killed Domingos Kolo in the aldeia of Nitas, Usitakeno Village. The militia group also set fire on houses and killed livestock belonging to the villagers. The group then attacked Quibiselo, Bobo Manat, and in the attack Victor Punef, Yacobus Siki, Yosep Noni Maknun, Augustino Ulan, Zacharias Ena, Mikhail Sasi, Yacobus Oki and José Siki were killed. According to one statement, Quibiselo was attacked from four directions, Pure, Noel Ekat, Imbate (West Timor) and Passabe. After destroying the aldeia of Quibiselo, the group led by Simão Lopes proceeded to Tumin, Bobo Manat.

Meanwhile the group led by Laurentino Soares also attacked Tumin, burning houses and killing livestock. According to a statement, Tumin was attacked from three directions. In the attack on Tumin, Marcos Sufa Afoan, Filippus Tualaka, Laurentino Ulan Cono, Augustino Neno, Naub Lape, Alberto Afoan, Nenu Catu, Ciprianus Anin and Francisco Elu were killed. In these attacks on the three villages around 18 villagers were killed.

A massacre of about 47 young men from these villages occurred on 10 September at a place in the sub-district of Passabe. Many other killings in Oesilo were reported. The victims included four brothers—Bonat Afoan, Paul Ase, Kusi One and Punef Bonat—Francisco Kefi, Firmino Nahak, Sufa Tabun, Neno Katu, Francisco Sani, Francisco Sanan and Cipriano Kono. Paulo Sequeira, the aldeia head of Pune, Usi Tasai Village, and a CNRT member and another CNRT supporter in the village, Stanislaw Bala, were allegedly killed by a group of TNI soldiers including Jorgé Ulan, João Gomes and Blasus Manek on 11 September.

The Sakunar militia group in Naetuna, Abani Village, including Umbertus Ena (aka Mala Cloe), burned houses in Nakome on or about 9 September. One or two days later the same militia group came back to Nakome and ordered the villagers to gather in front of a house that was not burnt. The militia members surrounded the villagers so that no one could escape and then began stoning them. The militia members targeted three suspected supporters of independence: Ernesto Lafu, Serafim Tolo and Vicente Quelo. They repeatedly struck the three villagers with machetes. Ernesto Lafu and Vicente Quelo died from their injuries.

On or about 16 September a group of Sakunar militia members led by Laurentino Soares (Moko) attacked Usi Taco Village, burned many houses and reportedly killed Lazaro Bano, Celestino Cab and Seni Tui Anin. The same day in the village of Lela Ufe Leonardo Anin and Antonio Beto were reportedly killed. Anin was a Hansip and was a CNRT activist with responsibility for intelligence. Beto was also a CNRT member. César Gutieres was reportedly killed by members of the Kefamenanu Kodim in West Timor, in Bene Ufe Village some time in September. Sylvester Saco was reportedly killed some time in September in the village of Suni Ufe. Much later, on 20 October in Suni Ufe, Umberto Taek and Berta Bala were reportedly killed as they were suspected of being CNRT members.

From 22–28 September the following persons were reported killed in attacks by militia members or TNI soldiers: Maria Au, En Labi, Antonio Hunu, Oscar Francisco da Costa, João Eko, Fagundo Bano, Leovigildo Bano, Ambrosio Bobo, Angelo Caet, Tuin Cab, Ernesto Cab, Tolo Cusi, Luis Coftalan and Domingos Vaz were reported killed in Lifau Village in October, and Neon Colo, Puin Tanessi and Neon Sufa in the rice fields of Letefoho, Lifau Village.

* Deputy General Prosecutor for Serious Crimes, Indictment against Quelo Mauno, Case No. 3/2003, paragraphs 10-22. According to paragraph 14: "Domingos Kolo and his family lived in the aldeia of Nitas, village of Nibin."
Besides the mass executions in and around the aldeia of Maquelab, Taiboco Village that occurred on 20 October already discussed above, another incident occurred on 22 October, the same day that Interfet troops reached Oecusse. A small group of about 12 Sakunar militia members led by M292 came to the aldeia of Nus Lao, Bobocase Village and captured Francisco Anton, Frimino Anton and Marcelino Cono. The militia group reportedly took the three to Naimeco Village and killed them there.

<table>
<thead>
<tr>
<th>Location</th>
<th>Event Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lacluta, Viqueque</td>
<td>On 10 or 11 September Jeronimo de Carvalho was reportedly killed by a man called Antonio or Amtuno in Dilor Village (Lacluta). The perpetrator was disguised as a madman, approached the victim and hit his head with a wooden stick. He then ran way into the forest. He reportedly confessed in a later investigation by the pro-independence group that he had received money from militia and TNI members to carry out the killing. On 26 September Sirilio Bosco, a CNRT member, was reportedly beaten to death. He and other four persons were going to meet a Falintil commander in Kadoras and were ambushed by a group of five men. The Commission heard of killings of independence supporters in Dilor Village (Lacluta) first on 10 or 11 September, then again on 26 September.</td>
</tr>
<tr>
<td>Ossu, Viqueque</td>
<td>On 11 September independence supporter Manuel Carvalho was reportedly shot to death by members of the Naga Merah militia group in Builale Village.</td>
</tr>
</tbody>
</table>
7.2.4 Findings

887. Based on the quantitative analysis of data gathered through its statement-taking process and its graveyard census, the Commission has found that approximately 18,600 East Timorese non-combatants (with a margin of error of +/- 1,000) were killed or disappeared during the period of the conflict.

888. The Commission finds that the highest number of killings and disappearances of non-combatants occurred between 1975 and 1983, and in 1999. The overwhelming majority of all unlawful killings and enforced disappearances documented through the Commission’s statement-taking process were committed by the Indonesian security forces, including its East Timorese auxiliaries: 57% were committed by the Indonesian military and police; nearly one third, 32%, were committed by East Timorese auxiliaries under the control of the Indonesian security forces.

889. The Commission finds that the Resistance also committed unlawful killings and disappearances during the period of the conflict. Out of all killings and disappearances reported to the Commission through its statement-taking process, 29.6% were attributed to the members of the Resistance.

890. Large-scale disappearances took place in 1979-1980 in the Eastern and Central Regions, and 1983-1984 in the Eastern Region. Of the disappearances reported to the Commission, 70% were attributed to the Indonesian security forces and 27% to the East Timorese auxiliaries of the Indonesian military.

891. Although the Indonesian security forces were responsible for the overwhelming majority of fatal violations under its control, the Commission notes that East Timorese, either acting alone or members of the Indonesian security forces, were involved in committing more than one quarter of these crimes.

7.2.4.1 Internal conflict, 1974-1976

892. The Commission finds that a multitude of unfavourable factors conspired to generate the uncontrolled violence during the period of internal conflict. They included:

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*Auxiliaries comprise “civil defence” groups (including Hansip, Ratih, Wanra and Kamra), members of the local administration, paramilitary groups (such as Tonsus and the various “Teams” that were forerunners of the militia groups formed in 1998-99), and the militia groups themselves.*
• Portugal’s tardiness in producing a broadly acceptable timetable for decolonisation
• Indonesia’s increasingly overt interference in the territory’s affairs
• The failure of all the international actors who might have restrained Indonesia to affirm unequivocally that a forcible Indonesian takeover of Portuguese Timor would be an unacceptable violation of the principle of the right to self-determination
• The lack of political experience of the newly formed political parties, including their tolerance of violence
• The formation and arming of militia affiliated with political parties
• The abandonment by East Timorese and Portuguese members of the colonial army and police of political neutrality
• The failure of the organs of law enforcement of the Portuguese Government to act to control outbreaks of violence during the build-up of tension before 11 August 1975 and after this date.

893. The Commission notes that the few institutions in the territory that might have played a mediating role and promoted dialogue, including the Catholic Church, failed to do so. Instead they took sides and fanned the flames of conflict.

894. The Commission finds that deep-seated communal differences, often based on personalities and economic interests, heavily influenced the shape of politics in the months leading up to the internal armed conflict. As political parties fought each other for local dominance, through intimidation, violent rhetoric and actual violence, the climate was created for the killings and revenge killings that were a feature of the armed internal conflict of August-September 1975. While political life throughout the territory was disfigured in this way, the districts of Liquiça, Ermera, Manatuto, Aileu and Manufahi were the most affected.

895. The Commission finds that Indonesia’s actions from 1974 were a major contributor to the deterioration of an already volatile situation. These actions culminated in the incursions of September-November 1975 and the full-scale invasion of 7 December 1975 during which Indonesia exploited and exacerbated East Timorese divisions by mobilising anti-Fretilin forces to join its aggression against the territory. Executions of detainees, which had already become a feature of the conflict between August and October 1975, occurred on an unprecedented scale in December 1975-January 1976, as Fretilin executed detainees in response to the advance of Indonesian forces.

UDT

896. The Commission finds that:

6. UDT members and supporters carried out unlawful killings and enforced disappearances of civilians in Dili, Ainaro, Liquiça, Ermera and other districts after it launched its armed movement on 11 August 1975. Most of the victims were Fretilin members and supporters. Some victims were innocent bystanders killed in place of a Fretilin member who managed to escape and people who had the misfortune to encounter a group of armed UDT supporters.

7. UDT members and supporters committed unlawful killings between August and October 1975, targeting suspected members of Fretilin in Liquiça, Dili, Ermera, Manatuto, Manufahi, Bobonaro, Oecusse and other districts. This sharp increase in number of fatal violations by UDT took place under the pressure of the advances of Fretilin.
8. UDT leaders, members and supporters killed persons identified as being affiliated with Fretilin in a variety of circumstances. In the immediate aftermath of launching of the armed movement, Fretilin supporters were captured, killed and often beheaded in Manufahi, Liquiça and Ermera, sometimes by UDT mobs acting on the orders of their leaders. Prison guards killed individual detainees in UDT detention centres, sometimes, as in Palapaço (Dili), on their own initiative, and sometimes as in Aifu, Ermera on the orders of party leaders. In late August and early September 1975, persons who had been detained in the days after UDT launched its armed movement were executed in Manufahi and Ermera as Fretilin forces advanced on these areas.

9. The victims of these unlawful killings by UDT were predominantly military-aged men with real or suspected association with Fretilin. However, the Commission also received reports of children among groups of executed detainees.

10. Methods of unlawful killing included:

- Armed groups of UDT members shooting unarmed civilians in groups
- The execution of civilians using traditional weapons, such as machetes, spears and knives
- The holding of ritual ceremonies before and after killing
- Beheadings, and display of the decapitated heads as trophies
- The severing of body parts, such as hands, and disembowelment
- The display of corpses in front of homes of Fretilin members
- The disposal of dead or fatally wounded bodies in gorges and rivers
- The execution of detainees in detention centres, and in isolated places in the countryside, including coffee plantations. Some detainees had their hands tied with wire at the time of execution. Others were brought out of detention centres in small groups and then executed.
- Beating before execution
- Disappearance

897. The Commission does not believe that the UDT Central Committee ordered the killing of civilians, including the execution of detainees. However, it contributed to a climate in which such killings were likely to occur by inciting its followers over the radio to arrest political opponents as part of a purge of "communists". However, the Commission learned that individual members of the UDT Central Committee played a direct role in inciting violence at district level. Other members of the UDT Central Committee would have been aware that UDT commanders, members and UDT forces were conducting unlawful killings, as is evident by the sporadic efforts of some of them to stop them occurring.

Fretilin

898. The Commission finds that:

11. Before UDT’s armed action of 11 August both Fretilin and UDT members and supporters conducted sporadic attacks on rival villages, in which civilians were killed. These attacks occurred with greatest regularity in the area of Laclubar (Manatuto), Turiscai (Manufahi) and Maubisse (Ainaro). The most serious of these attacks was a Fretilin assault on the village of Maulau (Maubisse, Ainaro) in which around 40 people, mainly UDT supporters, were killed.
12. Fretilin’s response to UDT’s armed action of 11 August was an armed “general insurrection”, in which its members unlawfully killed leaders, members and supporters of UDT and other opposition parties. Between August and October 1975 Fretilin members and supporters carried out reprisal unlawful killings in numbers which surpassed the victims of the killings by UDT.

13. The victims of these unlawful killings by Fretilin were predominantly military-aged men with real or suspected association with UDT. To a lesser extent, in some parts of the country, leaders, members and supporters of Apodeti were also targeted.

14. Fretilin members and supporters conducted sporadic execution of detainees, both individuals and in groups, in Aileu and Liquiça Districts, within a week of the armed action by UDT. Among those executed were surrendered combatants and civilians. There were instances, including in the districts of Liquiça and Manufahi, where local Fretilin leaders halted the execution of detainees.

15. Fretilin leaders ordered the evacuation of detainees from Dili and other areas to Aileu in September, October and December 1975. As Indonesian troops advanced, the security situation deteriorated further, leading to an atmosphere of uncontrolled fear and vicious resentment towards those regarded as actual or potential collaborators with the invaders. Hundreds of detainees were executed by Fretilin forces in Aileu, Maubisse (Ainaro) and Same (Manufahi) in December 1975-January 1976. The Commission believes that these executions, several of which were mass executions, resulted in a number of fatalities that was far higher than in the earlier period of the internal conflict.

16. Method of unlawful killings included:

- Deadly assault as part of attack against a community perceived to support opposing party
- Beating prior to execution
- Shooting using Mauser, G-3, and other firearms
- Discarding of bodies by throwing them into burning house
- Lack of treatment for wounded detainees
- Beheading
- Tying to a flag-pole, lining-up, or being tied-up for execution
- Deadly assault using traditional weapons, such as machetes, spears and knives
- Throwing grenades into enclosed spaces where detainees were being held

17. Although the unlawful killings committed by Fretilin members and supporters were in retaliation for acts of violence perpetrated earlier by UDT, Fretilin leaders failed to control its forces in order to prevent excess fatal violations throughout the country.

ABRI/TNI

899. The Commission finds that:

18. Covert Indonesian intelligence operations, high-level contacts with leaders of the East Timorese political parties, and the military training of East Timorese in West Timor exacerbated the rising tensions between the political parties, and were probably decisive in UDT’s decision to launch its armed action.
19. Indonesian covert military operations were directly responsible for unlawful killings of dozens of civilians in the districts of Bobonaro, Covalima and Ermera in August-November 1975. The training given by Indonesian military personnel in West Timor to Apodeti and UDT members and the deployment of these "Partisans" with Indonesian troops in the incursions of August-November 1975 and during and after the full-scale invasion of 7 December 1975 aggravated the hostility between Fretilin and those parties, and thereby played a part in Fretilin killings of persons associated with UDT and Apodeti before and after the invasion.

**ABRI, UDT and Apodeti**

900. The Commission finds that:

20. ABRI used members of UDT, Apodeti and other parties in a variety of roles during and after the invasion, including as auxiliaries, translators, informants and administrators. Members and supporters of UDT and Apodeti recruited and trained by the Indonesian military aided and abetted ABRI in the commission of unlawful killings and enforced disappearances during and after the invasion.

**7.2.4.2 Indonesian Occupation 1975-1999**

**The Resistance**

901. The Commission finds that:

21. The Resistance also committed unlawful killings and disappearances over the whole period between the Indonesian invasion and during the whole period of the conflict. During this period less than one-third, 29%, of all unlawful killings and disappearances reported to the Commission through its statement-taking process were committed by forces affiliated with the Resistance movement. Moreover, these violations were heavily concentrated in the early years of the conflict. While 49% (561/1,145) of documented killings and disappearances in 1975 were attributed to Fretilin/Falintil, its share of the total fell to 16.6% (563/3,398) in the period 1976-84 and kept on falling during the remaining years of the conflict, to 3.7% (18/488) of killings and disappearances in 1985-98 and to 0.6% (5/898) in 1999.

902. The Commission heard extensive testimony about the killing of non-combatants perpetrated by Fretilin and Falintil during the period February 1976-79. During this period leaders and members of both organisations were implicated in fatal violations in most districts across the territory. Senior Fretilin leaders and Falintil commanders ordered many of the killings reported to the Commission, and in some instances themselves perpetrated them. Although some of those killed were civilians previously associated with UDT and Apodeti, who were collaborating with the Indonesians, most of those who were killed, disappeared or died of deprivation or other kinds of ill-treatment during this period were themselves members of Fretilin or Falintil or members of the civilian population living in Fretilin bases.

903. Between 1980 and 1999 not only was the scale of reported killings by Falintil far lower than in 1976-79; the pattern was also very different from in the earlier period. The victims tended not to not to be persons who were associated with the Resistance, but individuals who were working with the Indonesians (sometimes against their will) and the random casualties of Falintil attacks.

904. The Commission heard of a number of killings committed by Fretilin after February 1976 through to 1979 against persons who were associated with other parties,
most of the victims known to the Commission being associated with UDT. The killings tended to occur in areas such as the districts of Ermera, Baucau and Manatuto, where support for both UDT and Fretilin had been strong and the level of violence during the “civil war” had been particularly intense.

905. In some instances UDT members were killed by ordinary Fretilin members motivated by feelings of revenge. In other cases, such as the killing of at least nine people in Venilale (Baucau) between 1 and 12 February 1976, there is evidence of higher-level involvement. The Commission also received reports of the killing of former UDT members who were suspected of spying for the Indonesians and of persons who were executed because they had allegedly been in contact with UDT-affiliated relatives in the Indonesian-controlled areas.

906. In 1976-77 around 60 people were executed or died in detention, as a result of conflicts within the Resistance. They included:

- Aquiles Freitas, commander of the Bero-Quero Command in Quelicai (Baucau), and several of his chief associates, including Ponciano dos Santos, Antonio Freitas and João Teodoso de Lima were executed at Lobito (Vemasse, Baucau) and in Baguia (Baguia, Baucau) in December 1976-January 1977.
- Francisco Ruas Hornay and at least 14 of his followers, who were executed in Iliomar (Lautém) in November 1976
- The former Falintil Deputy Chief of Staff, José da Silva, and possibly 40 of his followers, who were executed or died in detention between October 1976 and August 1977 after being arrested in Ermera District in October 1976

907. In the Fretilin internal conflict that erupted in 1977 several hundred followers and suspected followers of the Fretilin President, Francisco Xavier do Amaral, were executed or died as a result of torture and ill-treatment in detention. The purge was concentrated in Aileu and Manufahi in the North Central and South Central Sectors, and to a lesser extent in Quelicai in Baucau District and Uatu-Carbau and Uatu-Lari in Viqueque District in the Central Eastern Sector and Covalima and Ermera in the South Frontier and North Frontier Sectors. Those targeted included members of the Fretilin Central Committee, senior military commanders and middle-level cadres of Fretilin and its affiliate organisations as well ordinary Fretilin members, Falintil troops and members of the civilian population living in the Fretilin bases.

908. Many of the victims of these purges died in horrific circumstances, including:

- In public mass executions conducted with the utmost brutality
- As a result of severe deprivation in extremely primitive detention centres, including Renals, (National Rehabilitation Centres) where the food, shelter, sanitation and medical treatment that prisoners were given were grossly inadequate
- As a result of severe torture in detention, involving such methods as burning with hot irons, repeated heavy beatings, hanging the victim from a tree and the cutting of the victim’s body.

909. The Commission finds that the senior Fretilin leaders not only knew of and approved these practices, which generally occurred at or near places where the Fretilin Central Committee and the Sectoral and Zone administrations had their bases, but in many instances were themselves direct perpetrators.
910. In addition to the killings and deaths related to political conflict within Fretilin there were other circumstances in which Fretilin/Falintil committed these violations. Among the categories of victims reported to the Commission to have been executed or to have died of deprivation or other kinds of ill-treatment while in detention were the following:

- Civilians who were suspected of planning to surrender, were in the process of surrendering, or who had actually surrendered
- Local Fretilin or Falintil leaders or members who had encouraged the civilian population to surrender
- People who broke away from the main population concentrations and were captured
- Detainees killed as Indonesian forces closed on the areas where they were detained
- Villagers suspected of or actually belonging to “pro-integration” parties killed as Indonesian forces advanced on an area
- Persons holding dissenting ideological views
- People who after surrender were ordered by ABRI, Hansip or members of the civil administration to return to the mountains or forest to try to persuade people still holding out to surrender
- Persons who rejoined the Resistance after previously surrendering or being captured by the Indonesians
- The relatives of collaborators, as well as collaborators themselves
- Persons blamed for failed Falintil attacks on Indonesian bases and successful Indonesian attacks on Fretilin and Falintil bases
- People living in Fretilin bases who had been in contact with relatives or others in Indonesian-controlled areas
- People living in the Resistance bases, under Indonesian control or in areas not fully under the control of either side who were found looking for food or going about their daily activities

911. While acknowledging the intense pressure created by indiscriminate Indonesian offensives against their bases, particularly in the later years of the 1976-79 period, the Commission holds the Fretilin/Falintil leadership of the time responsible for creating an atmosphere of violence and ideologically-based intolerance which provided the preconditions in which this wide range of killings could occur. In addition the Commission finds that Fretilin/Falintil leaders and commanders were responsible for ordering or directly perpetrating many of these killings.

1980-99

912. Between 1980 and 1999 there was a sharp drop in the number of killings attributed to Fretilin/Falintil. Because East Timorese society became so heavily militarised during this period, the status of many of the civilians who were killed by Fretilin/Falintil was often ambiguous. They included people who were forcibly put in harm’s way, whether as Hansip, as persons forcibly recruited as TBOs (tenaga bantuan operasi, operations assistants) or to take part in the various Operasi Kikis, persons required to perform night-guard duties or as unwilling recruits to the militia groups. The Commission believes that responsibility for deaths in these circumstances should rest
primarily with those who put the victim in harm’s way, namely the Indonesian security forces. In addition many of the victims of Falintil killings were Hansip, village chiefs and other members of the civil administration, holding positions that, unlike in most of Indonesia, had become highly militarised in occupied Timor-Leste.

913. Because the dividing line between combatants and non-combatants was often blurred and because it is not always clear from the available information that a particular victim was a specific target, it has not always been possible for the Commission on the basis of the information available to it to judge whether a violation has in fact occurred, and if it has, where responsibility for it lies.

914. The downward trend in unlawful killings by the Resistance, which was particularly marked during the final decade of the Indonesian occupation, is explained by several related developments. A new policy was adopted shifting the focus of the struggle to urban protest. Although Falintil remained alive and militarily capable, this policy shift gave greater prominence to public protests in the towns than to Falintil’s previously favoured tactic of demonstrating that it was a force still be reckoned with through shows of force in the countryside. This trend was accelerated by the Indonesian decision in late 1988 to “open” the territory partially to outsiders. At the same time the decision to pursue the National Unity strategy and to build as broad as possible a base of support for the Resistance, including by winning over East Timorese who were collaborating with the Indonesians, probably also contributed to the decline in violence in these years. As a part of this strategy, in 1987 the armed Resistance, Falintil, was formally separated from Fretilin.

915. During the period 1980-98 Falintil killed civilians in the following circumstances:

- During attacks on military-controlled settlements in early 1980s, which were apparently intended to demonstrate to the population now under Indonesian control that Falintil had survived

- During Indonesian military operations for which East Timorese had been recruited, usually forcibly

- During attacks on villages in the mid-1980s, which were apparently in response to major Indonesian operations and intended to show that Falintil still retained a military capacity to launch such attacks; village guards and Hansip were particularly vulnerable to be killed during such incidents

- During attacks launched at particular times, including anniversaries (such as Indonesian Independence Day and the anniversary of the founding of Falintil) and during national elections (in 1987 and 1997), when they could be expected to attract attention internationally and in Indonesia and Timor-Leste

916. These killings occurred in the context of military operations and as noted above, the Commission often found it difficult to establish whether civilians killed in these circumstances were specifically targeted.

917. There were instances of targeted killings reported during this period, where, for example, Falintil killed civilians who had been ordered by ABRI/TNI to search for relatives in the forest on their own, when it assassinated members of Hansip and other collaborators and before and after the Popular Consultation in 1999. In several of these cases the Commission received credible information that the Falintil High Command did not institutionally condone these violations.
Indonesian security forces and its auxiliaries

918. The Commission finds that:

22. Members of the Indonesian security forces and their auxiliaries committed and condoned widespread and systematic extra-judicial executions and enforced disappearances during the period of the Indonesian occupation of Timor-Leste.

23. Of all unlawful killings and disappearances reported to the Commission through its statement-taking process, just over 70% (4,174/5,944) were attributed to the Indonesian military and police and East Timorese auxiliaries, acting alone or jointly.

Table 48 - Estimated number of unlawful killings by Indonesian security forces and auxiliaries.

<table>
<thead>
<tr>
<th>Violations by:</th>
<th>Indonesian military, police &amp; Timorese auxiliaries acting alone or jointly</th>
<th>Timorese auxiliaries acting alone</th>
<th>Indonesian military &amp; police acting alone</th>
<th>Indonesian military and police acting together with Timorese auxiliaries</th>
</tr>
</thead>
<tbody>
<tr>
<td>All violations</td>
<td>71,917</td>
<td>14,704</td>
<td>43,323</td>
<td>13,550</td>
</tr>
<tr>
<td></td>
<td>84.40%</td>
<td>17.30%</td>
<td>50.90%</td>
<td>15.90%</td>
</tr>
<tr>
<td>Illegal killings</td>
<td>3,455</td>
<td>835</td>
<td>1,972</td>
<td>630</td>
</tr>
<tr>
<td></td>
<td>67.60%</td>
<td>16.30%</td>
<td>38.60%</td>
<td>12.30%</td>
</tr>
<tr>
<td>Disappearances</td>
<td>719</td>
<td>105</td>
<td>494</td>
<td>120</td>
</tr>
<tr>
<td></td>
<td>86.30%</td>
<td>12.60%</td>
<td>59.30%</td>
<td>14.40%</td>
</tr>
</tbody>
</table>

24. Indonesian security forces, acting without its East Timorese auxiliaries, were responsible for the majority of civilian killings during the period of the occupation, during the years of 1975, 1979 and 1983. These peaks coincide with periods of large-scale military operations, where thousands of people experienced detention, displacement and food shortages.

25. East Timorese auxiliaries acting without members of the Indonesian security forces were responsible for lesser number of civilian killings during the period of occupation, during the years of 1975, 1979, 1983. However, East Timorese auxiliaries acting without members of the Indonesian security forces were responsible a majority of civilian killings in 1999, during the time of the Popular Consultation. This shows a shift in the strategy of the Indonesian security forces who armed, trained and directed local militias to carry out unlawful killings and enforced disappearances on their behalf.

26. Unlawful killings and enforced disappearances by Indonesian security forces and their auxiliaries took place in all 13 districts, with the highest number being recorded in the eastern districts.

27. Victims of unlawful killings and enforced disappearances were predominantly men of military age with a real or suspected association to groups resisting the occupation, including Fretilin/Falintil, clandestine networks, or other pro-independence groups. Women and children who were thought to be family members of those mentioned above were also victims of these fatal violations to a lesser degree. Typically, women and children were killed during massacres, when indiscriminate shooting and attacks led to large number of fatal casualties.
28. Indonesian security forces and their auxiliaries used enforced disappearances as a strategy to control counter-insurgency activities, particularly in the eastern and central regions. The strategy was particularly effective in instilling fear in the general community, disrupting the lives of the families of the victim.

1975-1984

29. Indonesian forces were responsible for unlawful killings and enforced disappearances of civilians during the invasion of Timor-Leste. In Dili hundreds of civilians were executed, apparently in revenge for deaths of Indonesian soldiers. Most of these killings took place on 7-9 December in areas such as Colmera, Vila Verde, Matadouro, and along the Maloa River to Alok Laran, where Fretilin forces actively resisted the invading forces. Dozens of ethnic Chinese, who lived around Colmera, were executed near the harbour, as were captured leaders and members of Fretilin and their relatives, including Isabel Barreto, the wife of Nicolau Lobato, the Fretilin Vice-President and RDTL Prime Minister.

30. The Commission received many reports of Indonesian forces killing civilians as they advanced into other parts of the territory. Sometimes those killed had been denounced as members of Fretilin, but many of the victims of these killings were randomly targeted members of the civilian population. Ordinary civilians were targeted in a variety of other circumstances: while looking for food or going about their daily activities, after encountering Indonesian security forces on operations, in retaliation for Falintil attacks, and on suspicion of working with or having knowledge about Fretilin/Falintil.

31. Throughout the early years of the occupation, but in particular between 1978 and 1979, ABRI/TNI commanders, troops and auxiliaries committed systematic and widespread unlawful killings and enforced disappearances of surrendered civilians and combatants.

919. In addition to the executions of individuals and small groups, the Indonesian security forces and their auxiliaries carried out a widespread and systematic campaign of killings and disappearances directed at surrendered and captured members of Fretilin and Falintil. The Commission finds that these killings and disappearances carried out as part of a systematic plan, devised at the highest levels of the military command structure and coordinated by newly-created Korem under the command of then Colonel Adolf Sahala Rajagukguk, whose purpose was to eliminate surviving leaders of the Resistance movement. It reaches this conclusion on the basis of the following considerations:
• The campaign occurred in a number of different places at around the same time, and resulted in the execution or disappearance of at least 600 people between March and September 1979.

• Its targets were mainly people who before their surrender or capture had been Fretilin activists, often though not exclusively ones holding senior positions in the organisation, or members of Falintil, again often though not exclusively commanders.

• The particular time during which these killings and disappearances occurred was a period of transition when Operasi Seroja Joint Task Command was being dismantled and replaced by the East Timor Sub-Regional Command (Korem), a change that was intended to mark the normalisation of the situation in Timor-Leste.

• Many of those who fell victim to the campaign had been captured or had surrendered well before they were executed or disappeared, and had in some cases been integrated into Indonesian auxiliary units, such as Tonsus and Hansip, or the civil administration.

• In several of the districts where the executions and disappearances took place the Commission learned that lists of targeted individuals had been drawn up.

• The treatment of the victims was uniform: most of the victims were held in specific detention centres from which they were taken to specific places of execution where they were killed by specific military or auxiliary units.

• The Commission also found that a detainee who was eventually executed might be transferred from one place of detention to another, often in a different district, before being executed, one indication of overall coordination.

• Another indication of coordination was the wide range of institutions which were involved in the execution and disappearance of detainees, including the units of the territorial structure from the Korem down to the Koramil, combat battalions and the regional combat regiments (Resimen Tim Pertempuran) which commanded them, Hansip, paramilitary teams such as Team Nuklir and Tonsus, and the civil administration.

• The killings were widely known about at the time both by detainees and by the wider population and were perceived by both to constitute a coordinated campaign.

• The language used by perpetrators in different districts to account for the disappearance of the victims was frequently uniform, with detainees who had been taken away for execution being described as “having gone for a bath” or “gone to school”.

32. Throughout the occupation ABRI commanders, troops and members of the civil administration forcibly recruited tens of thousands of civilians to participate in military operations, known as Operasi Kikis, to search for and destroy what remained of the armed Resistance in the mountains. The largest of these operations took place in but in June-September 1981, when as many as 60,000 East Timorese were recruited to converge on Falintil positions.

920. The Commission has found that in September 1981, at the conclusion of the Operasi Kikis of June-September 1981, Battalions 321, 744 and/or 745, Marine Units, and Hansip attacked Falintil forces who had gathered in the area of Mount Aitana on the Manatuto-Viqueque border and subsequently executed more than one hundred and, possibly several hundred, Falintil troops and civilians, including women and children, who were accompanying them. At the time that they were killed these victims were either at the mercy of Indonesian forces or in their custody after surrender or capture.

921. Throughout the occupation, but in particular in the early 1980s, ABRI/TNI commanders, troops and auxiliaries committed systematic and widespread unlawful killings and enforced disappearances of civilians to punish communities collectively that were suspected of supporting Falintil forces. The indiscriminate punishment of persons known to have previously been involved with the Resistance movement and the collective
punishment of communities were particularly severe in the aftermath of Falintil attacks on military targets. For example:
• After the Resistance mounted attacks on military targets in Marabia and Becora in Dili on 10 June 1980, hundreds were detained. The Commission compiled the names of 121 people who disappeared, were executed (sometimes in public) or died in detention as a result of severe torture and deprivation of food and medical treatment in the weeks after the attack. This figure does not include people who were selected for transportation to the island of Ataúro between July 1980 and August 1981 for their alleged involvement in the attacks. For these people, who constituted the first groups of people to be sent to Ataúro since the invasion, conditions were particularly harsh and it is known that many of them died on the island.

• After Falintil attacks on Mauchiga (Hato Builico, Ainaro) and Rotuto (Same, Manufahi), in the area of Mount Kablaki on 20 August 1982, troops and commanders from the Ainaro Kodim, the Dare Koramil and the 5th Combat Engineering Battalion (Zipur 5), and Hansip, detained hundreds of men and women from Mauchiga and the surrounding communities. A special project undertaken by the Commission recorded that more than 50 people from the village of Mauchiga alone were executed or disappeared in the following months. Many of them were killed in the most brutal fashion, both publicly and at an execution site, called Jakarta 2, at Builo, near the town of Ainaro, where victims were hurled into a deep ravine. Others were raped, and some 600 people from the area were forcibly displaced to Ataúro Island and other locations where many of them died of deprivation.

• After the joint attack by Falintil and East Timorese Ratih (civil defence) in Kraras (Viqueque) on 8 August 1983, troops and commanders of Kopassandha, Kodim Viqueque, Battalions 328, 501, 745 and Hansip, carried out a series of executions, in which more than 200 civilians, mostly men, who had fled from the village were hiding in various locations around Kraras, in the months of September-October 1983.

• After the defection of more than 30 armed members of Hansip, with their families and members of a clandestine youth group, in Mehara (Lautém) on 9 August 1983, smaller-scale defections in Lore in Lospalos Sub-district (Lautém) and Serelau in Moro Sub-district (Lautém), and the discovery of a plan for a similar action in Iliomar, Indonesian military forces detained hundreds of men and women throughout the district. Between August 1983 and March 1984 around 100 civilians, mostly men, were executed in various locations throughout the district.

• The “uprisings” in Viqueque and Lautém marked the end of a ceasefire that had been agreed between Indonesian forces and the Resistance in March 1983 and the start of a new operation, Operasi Persatuan (Operation Unity), which the recently-appointed commander – in chief of the Indonesian armed forces, General Benny Moerdani, said was aimed at the total eradication of the Resistance. One of the chief targets of this operation was civilians involved in clandestine activity. The Commission received testimonies about the execution and disappearance of more than 250 civilians in the districts of Lautém, Viqueque, Baucau, Dili, Aileu, Manufahi, Ainaro, Bobonaro and Covalima between August 1983 and mid-1984 (excluding those killed in Viqueque in the immediate of the attack on Kraras), as well as the arrest, detention and torture and ill-treatment of many others, including their long-term detention either without trial on Ataúro and elsewhere or after blatantly unfair trials. The systematic nature of these executions is evident to the Commission from the remarks of the commander – in chief of the Indonesian armed forces, from their scale and also from documentary evidence received by the Commission that village chiefs and members of the civil defence forces were ordered to draw up lists of people who had been active in the Resistance in the past, which formed the basis for the violations that followed. In addition, as with the executions and disappearances of 1978-79, the operation of 1983-84 involved the mobilisation of a wide range of institutions within the security apparatus and the civil administration, including the Special Forces (Kopassus), all levels of the territorial structure, combat battalions, the civil defence forces, paramilitary teams, the civilian and military police and local government officials.
33. In the period 1985-1998 the number of killings and disappearances committed by ABRI and its auxiliaries declined relative to the earlier years of the occupation. However, the Indonesian security forces continued to kill and cause the disappearance of civilians with real and suspected association to groups resisting the occupation, including members of Fretilin/Falintil, the clandestine networks and other pro-independence groups.

922. Although the number of fatal violations decreased, those that occurred could not be regarded as the exceptional acts of “rogue elements”. Impunity created a climate in which the following institutional practices were tolerated and condoned:

- The execution of civilians who were forcibly recruited to partake in military operations or exercises during military action
- The execution of civilians in place of escaped combatants
- Opening fire on a group of unsuspecting people or individuals carrying out daily activities, for no apparent reason
- Opening fire into a crowd of unarmed demonstrators

923. These practices are illustrated by the following cases:

- On 12 November 1991, Indonesian security forces opened fire on a group of demonstrators who were carrying pro-independence banners and flags at the Santa Cruz Cemetery in Dili. The demonstrators had proceeded to the cemetery to commemorate the death of Sebastião Gomes Rangel, a clandestine activist killed during a raid of the Motael Church on 28 October 1991. At least 75 civilians, and almost certainly many more, were killed at the cemetery and afterwards.

- On 12 January 1995, in Gariana (Maubara, Liquiça), in response to a failed attempt to capture a suspected Falintil combatant, Indonesian security forces dragged six civilians into a ditch and executed them.

- In retaliation for the execution of suspected informants and an attack on military targets by Falintil in Alas (Manufahi), in October and November 1998, Indonesian security forces and auxiliaries detained hundreds of civilians, and 20 people were executed or disappeared in the following weeks.

34. Responding to international and domestic pressure, the Indonesian military conducted internal investigations and brought judicial proceedings against relatively junior personnel in at least two instances cases, following the Santa Cruz Massacre in Dili in 1991 and the killing of six civilians in Gariana (Maubara, Liquiça) in 1995. In both cases court martial proceedings resulted in the low-ranking soldiers receiving light sentences, of between eight months and four years. The proceedings were not conducted in such a way as to establish the truth of what happened during these incidents or command responsibility for those atrocities.
35. The institutional practice of the Indonesian security forces shifted in the 1990s, resulting in a further decline in the number of unlawful killings and enforced disappearances, particularly after the Santa Cruz Massacre of November 1991. The shift was influenced by a number of factors, including an increasingly bold and sophisticated clandestine movement which made use of international media and human rights mechanisms and diplomacy, heightened international scrutiny after the Santa Cruz Massacre, the establishment of the Indonesian Human Rights Commission, the emergence of a human-rights focused Indonesian and East Timorese civil society, and finally, Reformasi (Reformation) in Indonesia. At the end of the 1990s, in response to the growing outspokenness of the pro-independence movement, the number of unlawful killings and enforced disappearances rose again. However the majority of these acts were no longer directly committed by members of the Indonesian security forces, but by their auxiliaries.

1999

36. In 1999 Indonesian security forces and their auxiliaries conducted a coordinated and sustained campaign of violence, designed to intimidate the pro-independence movement and then to ensure a pro-Indonesian result in the Popular Consultation, organised by the United Nations. Thousands of civilians were detained, hundreds of thousands were forcibly displaced, and at least between 1,400 and 1,500 were killed or disappeared during the course of the year. The majority of fatal violations took place in April, before the signing of the May 5 Agreements, and in September-October, after the announcement of the result of the ballot.

924. Impunity created a context where the unlawful killing or enforced disappearance of civilians was tolerated, supported and condoned. As in earlier years when ABRI/TNI launched operations against the civilian population, it mobilised all branches of security apparatus, including auxiliaries, and much of the civil administration in pursuit of its goals. Throughout this period ABRI/TNI, the police and militia groups acted in a coordinated manner. Military bases were openly used as militia headquarters, and military equipment, including firearms, were distributed to militia groups. Some ABRI/TNI personnel were also militia commanders or members. ABRI/TNI intelligence officers provided lists of the names of people to be targeted, and coordinated attacks. Civilian authorities openly provided state funding for militia groups and participated in militia rallies and other activities.

925. The extent of this collusion is illustrated by the following cases:
On 6 April 1999, approximately 2,000 civilians who had sought refuge in the Liquiça Church were attacked by Besi Merah Putih militia, together with soldiers from the Liquiça Kodim, Brimob (police mobile brigade). At least 30-60 civilians were killed, their bodies transported in military trucks and discarded in secret locations.

On 12 April 1999, in retaliation for an alleged Falintil killing of an ABRI/TNI soldier and a pro-autonomy leader, hundreds of civilians in the villages in Cailaco Sub-district (Bobonaro) were rounded up and required to attend the funeral of the pro-autonomy leader. At least seven suspected pro-independence supporters were executed by TNI soldiers and Halilintar militia at the Koramil, 100 metres away from the mourners. Another 13 were executed in the following weeks.

On 17 April 1999, at the end of a pro-autonomy rally in front of the Governor’s Office in Dili attended by Governor of East Timor, the District Administrator of Dili, the Mayor of Dili, the provincial military commander, Colonel Tono Suratman, the Assistant for Operations to the Army Chief of Staff, Major General Kiki Syahnakri, the Regional Military Commander (Udayana), Adam Damiri, and two other senior military officers, Aitarak militia conducted a violent rampage, culminating with the attack on the house of Manuel Carrascalão where hundreds of displaced persons had sought refuge.

On 6 September 1999, Laksaur militia, together with members of Indonesian security forces, attacked thousands of refugees who had sought safety in the Suai Church (Covalima). At least 27 people were killed, including three priests, possibly more. The bodies were burned, and some were transported across the border to be buried in a secret location in West Timor (Indonesia).

On 5-6 September 1999, Aitarak militia, together with members of Indonesian security forces, attacked hundreds of refugees who had sought safety in church-related places, such as the diocesan office complex, the Bishop of Dili’s house, convents, and the ICRC office. At least 19 civilians were killed or disappeared. The previous day, on 4 September, the militia attacked the pro-independence stronghold of Becora in Dili, killing at least seven men.

On 8 September 1999, Dadurus Merah Putih and other militias, under the command of Indonesian security forces, attacked thousands of refugees who had sought safety in the Maliana police station, hunting down and killing those who escaped the following day. Before the attack CNRT leaders urged members of the Indonesian police to give them protection, but their pleas were ignored. At least 26 civilians were killed or disappeared, mostly local CNRT leaders and suspected pro-independence supporters, including one 12-year-old boy. The bodies were disposed of at a secret location.

On 12 September 1999, Laksaur militia and Indonesian security forces, during an attempt to forcibly deport villagers from the village of Laktos, Fohorem (Covalima) killed 14 men who resisted being moved to West Timor.

On 21 September 1999, ABRI/TNI soldiers from Battalion 745 randomly shot civilians during their retreat from Lospalos (Lautém) to Dili, and eventually to Kupang (West Timor, Indonesia). At least eight people, including a foreign journalist, were killed or disappeared during their journey from Lospalos to Dili.

On 20 October 1999 Sakunar and Aitarak militia and Indonesian security forces, while rounding up villagers from Maquelab (Pante Makassar, Oecusse) for deportation to West Timor, executed six men in the Maquelab market. Another six were killed later during an attack on the village.
37. In 1999 victims of unlawful killings and enforced disappearances were predominantly men of military age with a real or suspected association to pro-independence groups, including CNRT, the clandestine movement and student and youth organisations. However, since the objective of the military and its allies was to intimidate the general population into voting for "integration" with Indonesia, their target was broad and their methods indiscriminate. Thus, women and children seeking refuge with their families were also killed during massacres. Other groups perceived to support pro-independence groups, such as the clergy, students, and local UNAMET staff were also targeted, particularly after the announcement of the ballot results.

38. Throughout the period of occupation (1975-1999), methods and circumstances in which unlawful killings were carried out included:
• Indiscriminate shooting of unarmed groups of civilians
• Dividing groups of unarmed civilians by gender, then indiscriminate shooting of the men
• Ordering of victims to dig their own grave before execution
• Ordering of victims to line up in formation before line by line execution
• Execution of unarmed individuals by close-range shooting
• Discarding of bodies by burning, by speedy secret burials without any attempt in identifying the victim and next of kin, by dumping into a well, lake, or ocean
• Throwing of grenades at unarmed group of civilians
• Death in custody by beating and torture
• Immediate execution after capture during military operations
• Public beheading
• Public staged or real acts of cannibalism
• Public cutting of body parts
• Public display of decapitated head, or severed limbs or body parts
• Forcing of civilian to kill another civilian under duress
• Tying to a moving vehicle to be dragged to death
• Immolation
• Tying up on a cross before execution
• Throwing down a cliff, sometimes after being wounded
• Burying of wounded victim alive
• Public execution where a married couple was stripped naked, hit on the back of the neck into a grave
• Public fatal beating
• Parading of corpse
• Deadly assault using traditional weapons, such as machetes, spears and knives
• Death by acts of torture
• Abduction followed by disappearance, in some cases blind-folded and tied-up
• Targeted killing by militia from lists drawn up by military personnel
• Execution of detainees in detention centres, and in isolated places in the countryside, including in lakes and from rural bridges
• Displaying of human ears and genitals to family members of the disappeared
• Rape before the killing of female victims.

39. Among this litany of atrocities, there were a small number of brave individuals who baulked at the command to execute unarmed civilians and sought to prevent these crimes.
• A member of Battalion 745 from Bobonaro refused to execute a group of civilians, which included women and children, preventing a massacre in Rotuto (Manufahi), in 1982.

• An Indonesian member of Brimob smuggled a female CNRT leader to safety the day after the ballot in Gleno, Ermera, in 1999. Although she was initially safe, she was eventually raped and killed by militia when she attempted to return home a week later.

• An East Timorese police officer was shot and killed by militia and ABRI/TNI when he attempted to prevent militia members from looting and burning a village in Maubisse (Ainaro).

926. Throughout the occupation Indonesian military commanders ordered, supported and condoned systematic and widespread unlawful killings and enforced disappearances of thousands of civilians in Timor-Leste. The sheer number of these fatalities, the evidence that many of them occurred during coordinated operations conducted across the territory, and the efforts of domestic and international non-government and domestic effort to inform the military and civilian authorities in Jakarta that these atrocities were happening rules out the possibility that the highest reaches of the Indonesian military, police and civil administration were ignorant of what was going on. The systematic failure of the Indonesian military and civilian leadership to prevent and stop these acts which they must have known about, and to punish the direct perpetrators of these crimes, is itself evidence of complicity.

40. Without full disclosure, the Indonesian military continue to perpetuate and support acts of enforced disappearances. Acts constituting enforced disappearances should be considered as a continuing offence as long as the perpetrators continue to conceal the fate and whereabouts of persons who have disappeared.


7 Domingos Oliveira, testimony to the CAVR National Public Hearing on The Internal Political Conflict, December 15-18 2003.


12 CAVR Community Profile in Mulo, Hatu Builico Sub-district, Ainaro District, 2 February 2004; CAVR Community Profile of Kasabauk [then Maudemo], Tilomar Sub-district, Covalima District; CAVR Community Profile of Uaitame, Quelecai Sub-district, Baucau District, 12 December 2003; CAVR Community Profile of Orlalan/ Batara, Laclubar Sub-district, Manatuto District, 24 January 2003; CAVR Community Profile of Bibileo, Lacluta Sub-district, Viqueque District, 5 June 2003; CAVR Community Profile of Saburai, Maliana Sub-district, Bobonaro District, 13 January 2003.

13 HRVD Statements 1003; 1670; 3576; 8427; 8130; 4990 and 4993.

14 CAVR, Community Profile of Maluau, Maubisse Sub-district, Ainaro District, 26 May 2003; see also HRVD Statements 4993; 4990 and 8130.

15 HRVD Statement 6443.

16 HRVD Statement 2507.

17 CAVR, Community Profile, Vila Verde, Mascarenhas and Rumbia, Dili District, 10 June 2003.

18 CAVR, Community Profile, Asucai Lorosae, Dili District (undated).

19 CAVR, Community Profile of Bemori, Dili District, (undated).

20 CAVR Interviews with Carlos Vicente de Sousa, Guillerme Martins and Manuel Henrique Ena, Darulete, Liquiça, March 8 2004; see also CAVR Community Profile of Darulete, Liquíça, 13 February 2003.

21 CAVR Interview with Guillerme Martins, Darulete, Liquíça, 8 March 2004; see also HRVD Statement 3570.

22 CAVR Interviews with Adelina Freitas, Vicente de Sousa, Guillerme Martins and Henrique Ena, Darulete, Liquíça, 8 March 2004.

23 HRVD Statement 3003.

24 HRVD Statement 5428.

25 HRVD Statement 3570

26 HRVD Statement 2054.

27 CAVR Interview with Brigida Martins, Liquíça, 10 March 2004. Corroborated by HRVD Statement 3003.

28 CAVR, Community Profile, Manelobas Village, Maubisse Sub-district, Ainaro District, 23 May 2003.

29 CAVR, Community Profile, Manetu Village, Maubisse Sub-district, Ainaro District, 8 July 2003.

30 CAVR, Community Profile, Edi Village, Maubisse Sub-district, Ainaro District, 9 June 2003.

31 CAVR, Community Profile of Maluau, Maubisse Sub-district, Ainaro District, 26 May 2003; see also HRVD Statement 4993.

32 CAVR, Community Profile, Asumano, Liquíça Sub-district, Liquíça District, 6 February 2003.

33 CAVR Interview with Manuel Luis, Lisbon, Portugal, 10 March 2004; see also HRVD Statement 0280.

34 CAVR, Community Profile, Asumano, Liquíça Sub-district, Liquíça District, 6 February 2003.

35 HRVD Statement 4882.

36 HRVD Statement 5467.
37 HRVD Statement 1071.
38 HRVD Statement 6199.
39 CAVR Interview with Francisco Barbosa, Turisciai, Manufahi, 8 September 2003.
40 CAVR Interview with Francisco Xavier do Amaral, Dili, 18 June 2004.
42 CAVR, Community Profile Orlalan/ Batara, Laclubar Sub-district, Manatuto District, 24 August 2003; see also CAVR Interview with Francisco Barbosa, Turisciai, Manufahi, 8 September 2003.
43 HRVD Statement 1413.
44 HRVD Statement 1468.
45 CAVR Community Profile, Asumano, Liquiça Sub-district, Liquiça District 6 February 2003.
46 CAVR Interviews with Manuel Henrique Ena and Carlos Vicente, Darulete, Liquiça, 8 March 2004.
47 CAVR Interview with Carlos Vicente, Darulete, Liquiça, 8 March 2004.
48 CAVR Community Profile, Darulete, Liquiça Sub-district, Liquiça District, 13 February 2003.
49 HRVD Statement 1088.
50 CAVR Interview with Mário (Marito) Nicolau dos Reis, Dili, 17 January 2002 and 27 July 2003; CAVR Interview with Maria José Fatima Ximenes, Dili, [undated]; CAVR Interview with Manuel Agustino Freitas, Bobonaro, 12 June 2003; see also HRVD Statements 3742; 5698 and 03715.
51 CAVR Interview with Mário (Marito) Nicolau dos Reis, Dili, 17 January 2002 and 27 July 2003; corroborated by HRVD Statement 5698.
53 See generally Mário Lemos Pires, Descolonizaçao de Timor, Chapter on the UDT Coup.
54 CAVR Interview with João da Costa, former UDT detainee, Same, 24 June 2003; see also HRVD statement 06465 01; CAVR Interview with Francisco Gonçalves, then Fretilin detainee, Dili, 14 June 2003.
55 CAVR Community Profile, Laclo, Atsabe Sub-district, Ermera District, 16, June 2003.
56 HRVD Statement 2223.
57 HRVD Statement 8345; see also HRVD Statement 8384.
58 CAVR Interview with Elidio Maria de Jesus, Dili, 24 June 2003.
60 Ibid.
61 Ibid.
62 CAVR Interview with Rosa Pina Meneses [victim’s wife] Dili, 22 August 2003; see also CAVR Interview with Laura Pina Meneses Belo, Dili, 22 August 2003.
64 CAVR Interview with Xavier do Amaral, Dili, 18 June 2004.
65 HRVD Statement 9182.
67 Ibid.

CAVR Interview with Lorenço dos Santos, Poetete, Ermera, 25 August 2003; see also CAVR Interview with Manuel Duarte, Urahou, Hatulia, Ermera, 23 September 2003; see also CAVR Interview with Florentino de Jesus Martins, Poetete, Ermera, 25 August 2003.


HRVD Statement 9016.

HRVD Statement 7946.

CAVR Interview with Adelino Maia, [undated]; see also HRVD Statement 1688; see also CAVR Interview with Carolino Madeira, Lauana, Letefoho, 24 September 2003.

HRVD Statement 1082.

HRVD Statement 1082.

HRVD Statement 2610.

HRVD Statement 6990.


CAVR Interview with Claudio Vieira, Bairro Pite, Dili, 10 June, 2004.

HRVD Statement 1136.

HRVD Statement 4607.

Ibid.


CAVR Interviews with Tomás Gonçalves, 8 June 2004 and 13 September 2004.


It appeared in The Canberra Times on 29 October 1975.


CAVR video-recorded Interview with Guido dos Santos, Balibo, Bobonaro, 21 July 2004.

See CAVR researcher’s affidavit on conversation with Guido dos Santos.

CAVR Interview with Olandino Luis Maia Guterres, Dili 7 June 2004.


CAVR Interview with Lay Kuo Nhen, Dili, 23 February 2004; CAVR Interview with W2, Dili, 24 August 2004; see also submission to CAVR, interview with Chong Kui Yan, Anthony Goldstone, Australia, 1984.

CAVR Interview with Afonso Luis Silveira, Dili, 14 December 2003.

CAVR Interview with anonymous informant [W2], 24 August 2004, Dili; see also submission to CAVR, “East Timorese killed as a direct result of the Indonesian Invasion of East Timor in 1975 and the subsequent occupation of East Timor by Indonesian Military Forces,” Anthony Goldstone.

CAVR Interview with anonymous informant [W2], 24 August 2004, Dili; see also submission to CAVR, “East Timorese killed as a direct result of the Indonesian Invasion of East Timor in 1975 and the subsequent occupation of East Timor by Indonesian Military Forces,” Anthony Goldstone.


CAVR Interview with Alberto de Oliveira Camara, Dili, 17 August 2004. This account is supported by CAVR Interview with Francisco da Cunha, Dili, 3 February 2004.

CAVR Interview with Francisco da Cunha, Dili, 3 February 2004; see also CAVR Interview with anonymous informant [A3], Dili, 16 August 2004.

CAVR Interview with Felismina dos Santos da Conceição, Dili, 19 November 2003.

CAVR Interview with Francisco Soriano, Dili, 4 July 2004.

HRVD Statement 2566.


CAVR Interview with Domingos Freitas, Dili, 29 June 2004.

CAVR Interview with Filomeno Gomes, Dili, 25 June 2004.

CAVR Interview with Alexandrino do Rego, Dili, 22 August 2004.

CAVR Interview with Sebastiana Henrique Guterres Soares Belo, Dili, 14 August 2004.

CAVR Interview with Alberto de Oliviera Camra, Dili, 15 August 2004.

HRVD Statement 3708.

CAVR Interview with Maria Filomena Godinho Isaac, Dili, 13 August 2004.

HRVD Statement 3708.

CAVR Interview with Acacio da Costa Carvalho, Dili, 16 August 2004; see also HRVD Statement 5072.

CAVR Interview with anonymous informant [A3], Dili, 16 August 2004, Dili; see also HRVD Statements 5072, 5069, and 5070.


CAVR Interview with Iria de Araújo, Dili, 4 August 2004.

CAVR Interview with Danilo de Araújo, Kupang, West Timor Indonesia, 21 July 2004.

CAVR Interview with anonymous informant [A3], Dili, 13 August 2004.


CAVR Interview with anonymous informant [W2], Dili, 24 August 2004.


CAVR Interview with anonymous informant [A3], 13 August 2004. This is supported by the testimony of Chong Kui Yan; see Amnesty International, East Timor Violations, p. 26.


See Julius Poer, Benny Moerdani, Portrait of a Soldier Statesman, Yayasan Kejuangan Panglima Besar Sudirman, Jakarta, 1993, p. 400; see also Saleh Kamah, Seroja, p. 154; see also Hendro Subroto, Eyewitness to Integration of East Timor, Pustaka Sinar Harapan, Jakarta, 1997, p. 182; See also CAVR Interview with Herminio da Costa da Silva, Jakarta, Indonesia, 9 August 2004.


CAVR Interview with anonymous informant [A3], Dili, 16 August 2004.

CAVR Interview with Alexandrino do Rego, Dili, 4 February 2004.

Ibid.

CAVR Interview with Alberto de Oliveira Camara, Dili, 17 August 2004.

CAVR Interview with Alexandrino do Rego, Dili, 4 February 2004.

CAVR Interview with anonymous informant [W2], Dili, 24 August 2004.

CAVR Interview with anonymous informant, Melbourne, Australia, [undated].

CAVR Interview with Iria de Araújo, Dili, 4 August 2004.

Ibid.

Ibid.

CAVR Interview with Francisco Soriano, Dili, 4 July 2004.

CAVR Interview with Iria de Araújo, Dili, 4 August 2004.

CAVR Interview with anonymous informant [W2], Dili, 24 August 2004; see also HRVD Statement 05064.

HRVD Statement 09068.


CAVR Interview with Humberto Martins da Cruz, Dili, [undated].


CAVR Interviews with João da Costa, Letefoho, Same, 24 June 2003; Francisco Gonçalves, Dili, 14 June 2003; and Aleixo Ximenes, Dili, 2 February 2004; and HRVD Statements 09016, 09068 and 04742.

CAVR Interviews with João da Costa, Letefoho, Same, 24 June 2003; and Assis dos Santos, Maliana [undated].


CAVR Interview with Assis dos Santos, Maliana, [undated].

HRVD Statement 9026.

CAVR Interview with João da Costa, Same, 24 June 2004. On the central role of César Maulaka; see also CAVR interviews with Luis Filipe Aquino Caldas, Dili, [undated], and with Francisco Gonçalves, Dili, 14 June 2003.

See also HRVD Statements 9016 and 9026.

CAVR Interviews with Manuel Gaspar (Torado), Uaitame, Uatu-Lari, Viqueque, 19 September 2003; Agostinho Boavida Ximenes (Sera Malik), Soe, West Timor, 28 August 2004.


CAVR Interview with Jacinto Alves, Dili, 11 May 2004.


CAVR Interview with Francisco Gonçalves, Dili, 14 June 2003.

CAVR Interview with Humberto Martins da Cruz, Dili, [undated].

CAVR Interview with Francisco Gonçalves, Dili, 14 June 2003


CAVR Interviews with José Catarino Gregório Magno Trindade de Melo (Labut Melo), Kupang, 23 July 2004; and with Herminio da Silva da Costa, Jakarta, 9 August 2004.

CAVR Interview with José Catarino Gregório Magno Trindade de Melo (Labut Melo), Kupang, 23 July 2004.

CAVR Interview with Francisco Gonçalves, Dili, 14 June 2003.

CAVR Interviews with Francisco Gonçalves, Dili, 14 June 2003; Luis Antonio de Aquino Caldas, Dili, [undated]; and Agostinho Boavida Ximenes (Sera Malik), 28 August 2004, Soe, West Timor, Indonesia.


HRVD Statement 0166.

HRVD Statement 5040.

HRVD Statements 2208 and 3564.

HRVD Statement 3554.
See, for example, HRVD Statements 05058 and 03254.


HRVD Statement 3829.

HRVD Statement 0537.

HRVD Statement 5363.

HRVD Statement 3897.

HRVD Statement 3067.

HRVD Statement 5235.

HRVD Statement 3551.

HRVD Statement 1669.

HRVD Statement 0447.

HRVD Statement 0487.

HRVD Statement 4495.

HRVD Statements 1347 and 3152.

HRVD Statement 5052.

HRVD Statement 8909.

HRVD Statement 6409.

HRVD Statements 01311, 03372, 01043, 01687, 01311, 03372 and 03252; see also Lucio Meneses Lopes, testimony to the CAVR, National Public Hearing on Massacres, 19-23 November 2003.

HRVD Statement 4531.

HRVD Statement 5493.

See, for example, HRVD Statements 2238, 0503, 7411, 4984, and 4995.

HRVD Statement 3372.

HRVD Statement 8536.

HRVD Statement 3091.

HRVD Statement 7210.

HRVD Statement 4474.

HRVD Statement 4200.

HRVD Statements 5264, 5279.

HRVD Statement 6547. For other killings by Tonsus in this area, see HRVD Statements 05296, 08014, 06480, 01938 and 06553.
See, for example, HRVD Statements 8538, 8538, 0543, 6179, 6179, 7696, 7676, 7076, 3165, 3252, 5336, 5263, 8345, 6179, 7988, 0446, 2510, 7803, 3091, 8950 and 4185-05.

HRVD Statement 0543.

HRVD Statement 7431.

HRVD Statement 4216.

See HRVD Statements 02323, 05288, 05365, 03429, 05408, 00079, 03401, 03224, 04073, 02257, 02264, 05324, 06961, 05408, 04073, 03429 and 04085; and CAVR, Community Profile Debu-Waen, Mahaquidan Alas Sub-district, Manufahi District, CAVR, Community Profile, Hera, Cristo Rei Sub-district, Dili District, and CAVR, Community Profile, Liurai, Aileu Town Sub-district, Aileu District.

HRVD Statement 08911.

For 1980, see HRVD Statement 06961; CAVR, Community Profile, Liurai, Aileu Town, Aileu Sub-district, Aileu District; and CAVR, Community Profile, Hera, Cristo Rei Dili District; for 1983-84, see HRVD Statements 04772 (Manufahi), 01447 (Aileu), 02323 (Baucau), 02359 (Baucau) and 03834 (Baucau).

HRVD Statements 04073, 04085 and 03219; and CAVR Interview with Florindo Sarmento, Aileu, [undated].

HRVD Statements 03224, 03218, 03219, 92979 and 02082.

HRVD Statements 02257, 02252, 02264 and 02259; CAVR, Community Profile, Iparira/Laiara, Parlemento Village, Moro Sub-district, Lautém District.


See, for example, HRVD Statements 05395, 06802, 07781, 09188, 07076, 07930 and 07117.

HRVD Statement 01810.

HRVD Statement 01659.

HRVD Statement 08529.

HRVD Statement 02224.

HRVD Statement 03828.

HRVD Statement 03019.

HRVD Statement 08089.

HRVD Statement 07699.

HRVD Statement 07696.

HRVD Statement 07497.

See CAVR, Community Profiles of Liurai Village and Manumera Village, Turiscai Sub-district, Manufahi District.

CAVR Case Summary: Massacre in Foholau, Turiscai, Manufahi; and HRVD Statements 06640 and 07532.

See, for example, HRVD Statements 1810, 3551, 1669, 1659, 8529, 5434, 2214, 7532 and 7485.

HRVD Statement 01379.

HRVD Statement 02214.

HRVD Statement 05985.

See, for example, HRVD statements 01484 and 04765.
CAVR Interview with Luis Pereira, Laclubar, 12 April 2003.

HRVD Statement 01757.

HRVD Statement 02294.

HRVD Statement 08897.

HRVD Statement 04765.

HRVD Statement 07906.

HRVD Statement 04146.

CAVR Interview with José Francisco Pires I Silva, Dili, 12 January 2004.

HRVD Statement 02127.

HRVD Statement 04448.

HRVD Statement 05324.

CAVR Interviews with Pedro Pinto, Uatu-Carbau, Viqueque, 14 December 2003 and Tomás da Cruz; and HRVD Statement 07367, which also names Carlos, Manuel Kaimuadee, Delin and Francisco Borulau as victims.

On Pasmar 9, see HRVD Statement 07699; on Pasmar 10, see HRVD Statement 02385; on Battalion 315, see HRVD Statements 02798and 06059; on Battalion 328, see HRVD Statements 03898 and 07329; on Battalion 721, see HRVD Statements 00490, 00494, 00481 and 03829; on Battalion 312, see HRVD Statement 02294; on Battalion 202, see HRVD Statements 04200, 07431. 04456, 00487, 06032, 07455.

HRVD Statement 03083. Other disappearances from Battalion 202 headquarters in Uaida are reported in HRVD Statements 03085, 03154, 03122 and 03138.

Testimony of Onu Bu, CRRN Communiqué, 1983, p. 34.

CAVR Interview with Carmen da Cruz, Dili, undated.

CAVR Interview with Meria Montalvão, Dili, undated.

Father José Tavares, Tuba Rai Metin, Base de Apoio session, 27 March 2002.


CAVR Interview with Aleixo Ximenes, Dili, 2 February 2004.

See HRVD statements 08041, 05671, 03759, 08037, 03742, 08115, 05775, 03529.

Interview with Justino Mota, Lisbon 4 July 1984 (Document submitted to CAVR by Anthony Goldstone).

CAVR Interview with Maria de Fatima Vaz de Jesus, Bebora, Dili, 23 September 2004.

CAVR Interview with Merita Alves, ex-detainee and member of the Fretilin Central Committee. Dili, 19 September 2003.

HRVD Statements 05671 and 03759; and Interview with Justino Mota, Lisbon 4 July 1984 (Document submitted to CAVR by Anthony Goldstone).

CAVR Interviews with Constantino dos Santos, Quelicai (Baucau), 28 November 2002 and Zeferino Armando Ximenes, Baucau, 13 June 2003; CRRN Communiqué, Testimony of Onu Bu, July 1963; Gatimor No 6; and Interview with Justino Mota, Lisbon, 4 July 1984.

CAVR Interview with Maria de Fatima Vaz de Jesus, Bebora, Dili, 23 September 2004.

Ibid.
CAVR Interview with Constantino dos Santos, former Hansip member, Quelicai, 23 March 2004.


274 CAVR Interviews with Rui Lopes, Camenassa, Covalima, 31 October, 2003; and with Merita Alves, Dili, 19 September 2003.

275 Interview with Virginia da Cruz Dias Quintas, Lisbon, 6 April 1985 (Document submitted to CAVR by Anthony Goldstone).

276 CAVR Ringkasan Kasus: Penghilangan Maria Gorete Joaquim. (CAVR Case Summary the Disappearance of Maria Gorete Joaquim).

277 CAVR Interview with Merita Alves, Dili, 19 September 2003.

278 CAVR Interviews with Constantino dos Santos, Letemumu, Quelicai, Baucau, 28 November 2002; Cipriano Ximenes, Quelicai, Baucau, 28 November 2002; and Leonel Guterres, Quelicai, Baucau, 28 November 2002.


280 CAVR Interviews with Fernando José Freitas Soares and Venancio dos Santos Alves, Quelicai, 2 May 2004, and Zeferino Armando Ximenes, Baucau, 13 June 2003; Gatimor No 6 (Document submitted to CAVR by Anthony Goldstone) and CRRN Communiqué, July 1983.

281 CAVR Interviews with Constantino dos Santos, Letemumu (Quelicai, Baucau), 13 June 2003; and José Correia (Calala), Tirilolo (Baucau, Baucau), 24 March 2004.

282 HRVD Statements 00595 and 00597; and Gatimor No 6.

283 HRVD Statement 00187.

284 HRVD Statements 00572 and 07800.

285 HRVD Statements 07092 and 07800.

286 CAVR Interview with Zeferino Armando Ximenes, Baucau, 13 June 2003; and CRRN Communiqué, Testimony of Onu Bu, July 1963.

287 CAVR Interview with Constantino dos Santos, Letemumu, Quelicai, Baucau, 28 November 2002

288 CAVR Interview with Zeferino Armando Ximenes, Baucau, 13 June 2003.

289 Ibid.

290 CAVR Interviews with Constantino dos Santos, Letemumu, Quelicai, Baucau, 13 June 2003; and José Correia (Calala), Tirilolo, Baucau, Baucau, 24 March 2004.

291 See, for example, HRVD Statements 00597 [Celestino Peloy and Agapito Gama].

292 HRVD Statement 0528.

293 HRVD Statement 6113.

294 HRVD Statement 5324.

295 HRVD Statements 7715 and 2363.

296 HRVD Statement 0538.

297 HRVD Statement 0556.

298 HRVD Statement 4448.
HRVD Statement 2364.

CAVR, Community Profile of Uaitame Village, Quelicai Sub-district, Baucau District, 12 December 2003.

HRVD Statement 02361.

HRVD Statement 06099.

HRVD Statement 06104.

HRVD Statement 07787.

CAVR Interview with Maria Teresa Corvelo Avila Marçal Sarmento, Dili, 4 October 2005.

Ibid.

CAVR, Community Profile, Bauro Village, Lospalos Sub-district, Lautém District, and CRRN Communiqué, 23 July 1983.

HRVD Statements 05332, 05660 and 04422; and CAVR, Community Profile, Fuirolo Village, Lospalos Sub-district, Lautém District.

CRRN Communiqué, 23 July 1983.


HRVD Statements 00737, 00740, 00741, 00713, 00702, 00706, 07586 and 00788; Xanana Gusmão, Timor-Leste – Um Povo, Uma Pátria, p. 45 and Sarah Niner (ed), To Resist is to Win: The Autobiography of Xanana Gusmão, p. 63; and CRRN Communiqué, 25 July 1983.

HRVD Statements 02257, 02252, 02264 and 02259; and CAVR, Community Profile, Aldeias of Iparira and Laiara, Parlemento, Moro Sub-district, Lautém District, 6 March 2003.

HRVD Statement 01623 and CAVR, Community Profile, Loro Village, Tutuala Sub-district, Lautém District, 22 November 2002.

HRVD Statement 01623; see also CAVR, Community Profile, Loro, Tutuala Sub-district, Lautém District, 22 November 2002.

HRVD Statements 01618, 00615, 01622, 01636, 00740, 01649 and 02286.

HRVD Statement 02254.

CAVR, Community Profile, Aldeias of Pitiitei, Etepiti and Ira-Onu, Com Town, Moro Sub-district, Lautém District, 6 March 2003.

HRVD Statements 01604 and 01638.

HRVD Statement 02300.

HRVD Statements 02115 and 03979.

HRVD Statement 03968.

HRVD Statement 01650.

HRVD Statement 02130.

HRVD Statement 07586.

HRVD Statements 05364, 05365, 05369 and 05376.

HRVD Statements 05364, 05365, 05369 and 05376.

HRVD Statement 00703; CAVR, Community Profile, Raça Village, Lospalos sub-district, Lautém District, and CRRN Report, 23 July 1983.
CAVR, Community Profile, Lore I Village Lospalos Sub-district, Lautém District; and HRVD Statement 05345.

CAVR Interviews with Saturnino Tilman and Mateus Conceição.

HRVD Statements 01506, 01576 and 01587; and CAVR, Community Profile, Manus, Taitudak Village, Alas Sub-district, Manufahi District, 4 October 2002.

HRVD Statements 4750 and 5410; CAVR, Community Profile, Letefoho, Same Sub-district, Manufahi District; and CRRN Communiqué, 25 July 1983.

HRVD Statements 5153, 3429, 4071 and 3427; and CAVR, Community Profile, Debu-Waen, Mahaquidan Village, Alas Sub-district, Manufahi District, 3 December 2003.

HRVD Statements 03401, 03403, 03429, 04071 and 04088; CAVR, Community Profile, Uma Metan, Mahaquidan Village, Alas Sub-district, Manufahi District; and Ringkasan Kasus: Pembantaian di Uma Metan. (Case Summary: Slaughter at Uma Metan)

HRVD Statements 4073, 4081 and 4085; and CAVR Interview with Saturnino Tilman. Dili.

HRVD Statements 4088, 4071, 4069 and 4100; and Ringkasan Kasus: Pembantaian di Uma Metan. (Case Summary: Slaughter at Uma Metan)

HRVD Statements 06621, 06525, 06610; and CAVR, Community Profile, Manumera Village Turiscai Sub-district, Manufahi District, 12 August 2003.

HRVD Statements 03491 and 03790; and CAVR Community Profile, Manumera Village, Turiscai Sub-district, Manufahi District, 12 August 2003.

HRVD Statement 03464; and CAVR Community Profile, Caicasa Village, Fatuberliu Sub-district, Manufahi District.

CAVR, Community Profile, Fatucahi Village, Fatuberliu Sub-district, Manufahi District.

HRVD Statement 03424.

HRVD 03482 and 03278; CAVR, Community Profile, Clacuc Village, Fatuberliu Sub-district, Manufahi District.

HRVD Statements 03474 and 03492.

HRVD Statement 03471.

HRVD Statement 05759; and CAVR Interviews with Bernardo da Costa and Elizio Teofilo; and Maria José da Costa, testimony to CAVR National Public Hearing on Famine and Forced Displacement, 28-29 July 2003.

See, for example, HRVD Statements 04185, 04200, 07450 and 07458.

HRVD Statements 04815

HRVD Statement 06093; see also CAVR Interview with Brigadier General Taur Matan Ruak, Dili, 9 June 2004.


Informações, op.cit.

CAVR, Community Profile, Macadique Village, Uatu-Lari Sub-district, Viqueque District, [Undated].


HRVD Statements 03894, 00552, 03888, 03514 and 05112.
353 HRVD Statement 03514.

354 See HRVD Statements 02166 and 03759.

355 HRVD Statement 06490.

356 HRVD Statements 06068, 03894 and 03888; and CAVR Interview with Aleixo Ximenes, Dili, 2 February 2004.

357 CAVR Interview with Aleixo Ximenes, Dili, 2 February 2004; and HRVD Statement 03733.

358 HRVD Statement 03033.

359 HRVD Statement 09004.


361 Laporan Kegiatan di Uaibitae (Report on Activities in Uaibitae), Anonymous Submission to CAVR.

362 Laporan Kegiatan di Uaibitae (Report on Activities in Uaibitae); and CAVR Interviews with Abilio Quintão Pinto, Dili, 7 February 2003 and Augusto Pires, Dili [undated].

363 CAVR Interview with Marito Reis, Baucau, 23 September 2003.


365 CAVR Interview with Marito Reis, Baucau, 23 September 2003.

366 CAVR Interview with Luis da Costa, Lisbon [undated].

367 CAVR Interviews with Marito Reis, Baucau, 23 September 2003; Aleixo Ximenes, 28 May 2004; Luis da Costa, Lisbon [undated].


369 HRVD Statement 00570; and CAVR Interview with Agostinho Boavida Ximenes (Sera Malik), Soe West Timor, Indonesia, 28 August 2004.

370 HRVD Statement 04444.

371 CAVR, Community Profile, Iliomar II, Iliomar Sub-district, Lautém District; and HRVD Statements 03962 and 03969.

372 CAVR, Community Profile, Iliomar II, Iliomar Sub-district, Lautém District; and HRVD Statement 03982.

373 HRVD Statements 06386 and 09471.

374 HRVD Statements 09471, 06354, 06395 and 06407.


376 CAVR Interview with Jeronimo Albino, Ermera, 10 September 2003; see also HRVD Statement 08385.

377 HRVD Statement 06395.

378 CAVR Interviews with Celestino de Carvalho Alves, Fatubessi, Ermera [undated], and Fatubessi, Ermera, 27 June, 2004.

379 A Nossa Vitoria É Apenas Questão de Tempo, Comunicado do Comité Central da Fretilin de 14/9/77, Edições Comité de 28 de Novembro, Lisbon, March 1978, pp. 8-9 and 15. [Original: “o mais vil traidor que a nossa Historia conhece.”]

“A Nossa Vitoria”, p. 15.

CAVR Interviews with Jeronimo Albino, Ermera, 10 September 2003; and Eduardo de Jesus.


CAVR Interview with Maria Fatima Vaz de Jesus, Bebora, Dili, 23 September 2004.

CAVR Interviews with Maria Fatima Vaz de Jesus, Bebora, Dili, 23 September 2004; and Xanana Gusmão, Dili, 7 July 2004.

CAVR Interviews with Bernardo da Costa, 5 September 2003; and Maria Fatima Vaz de Jesus, Bebora, Dili, 23 September 2004.

HRVD Statement 05758.

Thomás Araújo, Case Summary 908, Kotomori, (Remexio Alieu) [undated].

CAVR Interview with Francisco Xavier Amaral, Dili 18 June 2004.

HRVD Statements 08100 and 05812.

HRVD Statement 07902.

HRVD Statements 00166, 09120, 04882, 04875, 04878 and 05745.

HRVD Statement 04878.


HRVD Statement 08100.

HRVD Statement 05807.

CAVR Interview with Antonio Amado de Jesus Ramos Guterres, Laclo, Manatuto, 6 November, 2003; Antonio Amado de Jesus Ramos Guterres, testimony to CAVR National Public Hearing on Massacres, Dili, 19-21 November 2003.

HRVD Statement 08100.

HRVD Statement 05812.

HRVD Statement 05810; and CAVR Community Profile, Faturasa Village, Remexio Sub-district, Aileu District, 20 June 2003.

HRVD Statement 05760.

CAVR Interview with Antonio Amado de Jesus Ramos Guterres, Laclo, Manatuto, 6 November 2003.

See 7.4.4.2 and CAVR Community Profiles, Hoholau, Aileu Town Sub-district, Aileu District; and Lausi/Bandudato, Aileu Town Sub-district, Aileu District 16 February 2004.

HRVD Statements 06995, 04830 and 05063.

HRVD Statements 06504, 07902, 08002 and 08010.
On Laclubar and Natarbora, see HRVD Statements 05771, 05056 and 05279; on Metinaro see HRVD Statement 05056 and CAVR Interview with Antonio Amado de Jesus Ramos Guterres, Laclo, Manatuto, 6 November 2003.

Domingos Maria Alves (Ambulan), testimony to CAVR National Public Hearing, Dili, 19-21 November 2003; and HRVD Statement 0802.

HRVD Statement 04815.

Among the survivors were Tobias Mendonça, Jorgé and Thomás Araújo [HRVD Statements 04882 and 0481]5; and CAVR Interview with Thomás Araújo CAVR Interview 14 October 2003.

Domingos Maria Alves (Ambulan), testimony to CAVR National Public Hearing, Dili, 19-21 November 2003; and Thomás Araújo, CAVR Interview 2003.

HRVD Statement 08002.

HRVD Statement 04815; CAVR, Community Profile, Ahic Village, Lacluta Sub-district, Viqueque District, 22 November 2002.

HRVD Statements 05807, 05810, 05811.

CAVR Interview with Jacinto A Junior, Baucau, 28 May 2004; Quelicai Uaibitae Document, submitted to CAVR by Anthony Goldstone; and HRVD Statements 07442, 07443 and 07588.

CAVR Interview with Xanana Gusmão, Dili, 7 July 2004.

CAVR Interview with Jacinto A. Junior, Baucau, 28 May 2004.

HRVD Statement 07512.

CAVR Interview with Xanana Gusmão, Dili, 7 July 2004.

HRVD Statements 04158, 07442 and 07443; CAVR Interviews with Jacinto A Junior, Baucau, 28 May 2004; and Quelicai Uaibitae Document, submitted to CAVR by Anthony Goldstone.

HRVD Statements 07442 and 07443.

Sarah Niner (ed), To Resist is to Win!: The Autobiography of Xanana Gusmão, pp. 49-50.

HRVD Statement 00095.

CAVR, Community Profile of Uaitame, Quelicai Sub-district, Baucau District; CAVR Interview with Agostinho Boavida Ximenes (Sera Malik), Soe (West Timor), 28 August 2004.

HRVD Statements 03804 and 03818.

HRVD Statement 06033. See also HRVD Statement 07443.

Quelicai Uaibitae Document, Submitted to CAVR by Anthony Goldstone.

HRVD Statement 07588.

See, for example, HRVD Statements 02992, 08225, 05771, 07837, 07990 and 08022.

For some of these cases, see HRVD Statements 04899, 06995, 02231, 08022, 05712, 06938, 00128 and 03900.

See, for example, CAVR Interviews with Antonio Amado de Jesus Ramos Guterres, Laclo, Manatuto, 11 December 2003; José Manuel do Santos, Remexio, Aileu, 6 October 2004; and José Manuel Monteiro, Remexio, 6 October 2004; and HRVD Statements 06033, 00114, 05056, 07902, 01502, 06995, 02086, 03818, 02056, 07902 and 04878, 02195, 03160, 03179, 02056, 06498, and 00200.


HRVD Statement 06641.

HRVD Statements 03157 and 03160.

HRVD Statements 07704, 06033, 05056, 02195 and 05056.

HRVD Statements 00114, 02086, 03818 and 00200.

HRVD Statement 00200 and CAVR Interview with Maria Fatima Pinto, Dili, 31 May 2004.

HRVD Statement 06938 (Metinaro).

See also CAVR Interview with Xanana Gusmão, Dili, 7 July 2004.

CAVR Interview with Antonio Amado de Jesus Ramos Guterres, Laclo, Manatuto, 11 December 2003; and HRVD Statements 03804, 03818, 05842 and 08024.

HRVD Statements 03804 and 03818.

HRVD Statements 05842, 08024, 03804 and 03818.

HRVD Statement 08024.

HRVD Statement 00128.

HRVD Statements 03179, 09093, 03562 and 03597.

HRVD Statement 03179.

HRVD Statements 02123 and 03858.

HRVD Statement 02203.

HRVD Statement 4675.

HRVD Statement 2043.

HRVD Statement 3159.

HRVD Statement 3045.

CAVR, Community Profile, Raça Village, Lospalos Sub-district, Lautém District.

HRVD Statement 2137.

HRVD Statement 3824.

HRVD Statement 0418.

HRVD Statement 4384.

HRVD 04479 and CAVR, Community Profile, Laclo, Atsabe Sub-district, Ermera District. 26 June 2003.


HRVD Statements 00633 and 03033.

HRVD Statement 03906.

HRVD Statement 05028.

HRVD Statement 08013.
HRVD Statement 03808.

HRVD Statement 08607.

HRVD Statement 04384.

HRVD Statement 4610.

HRVD Statements 00403, 02719, 04187, 04992, 03974, 05771, 02056, 01902, 04095, 01711, 03027, 06950, 04604, 05567, 02148, 06950, 06490, 04384, 07612, 09093 and 03114.

CAVR Interview with Xanana Gusmão, Dili, 7 July 2004.

See, for example, HRVD Statements 06950, 04604, 09093 and 04148.

A Nossa Vitoria, op. cit., p.20.

HRVD Statement 04148.

CAVR, Community Profile of Puno, Pairara Village Moro Sub-district, Lautém District, [undated.]

HRVD Statement 02056.

HRVD Statement 04095. For other examples, see HRVD Statements 02179, 04498, 03114 and 01902.

HRVD Statement 02778.

HRVD Statement 07149.

HRVD Statement 02148.

HRVD Statement 07612.

HRVD Statement 02098.

HRVD Statements 5783 and 4188.

HRVD Statement 4188.

HRVD Statement 0615 and 0616.

Community Profile, Suhu-Rama, Inur Fuik, Sub-district of Nain Feto, District of Dili.

HRVD Statement 04087.

Xanana Gusmao, To Resist is to Win!, Aurora Books, Melbourne, 2000, p. 68.


CAVR Interview with Bernadino Villanova, Atauro, Dili, 7 March 2002.

CAVR Community Profile, Dare, Vera Cruz, West Dili.

CAVR Community Profile, Benamauk Village, Camea and Fatuahi, Cristo Rei Sub-district, Dili District

CAVR Community Profile, Becora/Culuhun, Cristo Rei Sub-district, East Dili.

HRVD Statement 00177; see also Interview with Justino Mota, Lisbon, 3 July 1984 (Submission to CAVR by Anthony Goldstone).

HRVD Statements 09471, 08311, 08063, 08275; Neil Barrett Interview with David Ximenes; and “En Nome de Presos de 10/6/80”, CRRN Communiqué, 13 July 1983; Interview with Antonio Barbosa, Lisbon, 5 April 1985 (Submission to CAVR by Anthony Goldstone).

HRVD Statements 00072; and interview with Antonio Barbosa, Lisbon, 5 April 1985 (Submission to CAVR by Anthony Goldstone).
CAVR Interview with Maria de Fatima Martins, Selo Malere, Aileu, undated; and HRVD Statement 3217.

CAVR Community Profiles, Hera, Cristo Rei Sub-district, East Dili; and Becora/Culuhun, Cristo Rei Sub-district, East Dili.

HRVD Statement 01626; and “En Nome de Presos de 10/6/80”, CRRN Communiqué, 13 July 1983.

Neil Barrett Interview with Maria Imaculada Araújo; Amnesty International Report, 1985; and “En Nome de Presos de 10/6/80”, CRRN Communiqué, 13 July 1983.


HRVD Statement 5655; Neil Barrett Interviews with Maria Fatima Pinto and Maria Imaculada Araújo.

HRVD Statement 0072.

HRVD 0076.

Neil Barrett Interview with David Ximenes, Dili 2003.

Neil Barrett Interviews with David Ximenes and Maria Fatima Pinto, Dili 2003; HRVD Statements 00076, 04864 and 08063.

HRVD Statements 03490 and 06983; and “En Nome de Presos de 10/6/80”, CRRN Communiqué, 13 July 1983.

HRVD Statement 03490; and Neil Barrett Interview with David Ximenes.

HRVD Statement 08735.

Neil Barrett Interview with Maria Imaculada Araújo, Dili 2003.

HRVD Statement 08275.

HRVD 08031; and CAVR, Community Profile, Suhu-Rama, Inur Fuik, Nain Feto Sub-district, East Dili District.

CAVR Interview with José Simões, Dili, 9 March 2004.


HRVD Statements 09011 and 05010.


HRVD Statements 03121 and 00072; and “En Nome de Presos de 10/6/80”, CRRN Communiqué, 13 July 1983.

HRVD Statement 06961.

HRVD Statement 06941.

HRVD Statements 05735, 06959 and 06995.

CAVR Community Profile, Suhu-Rama, Inur Fuik, Nain Feto Sub-district, Dili District; HRVD Statements 05078 and 08031.

HRVD Statement 06956.

CAVR Interview with Anselmo Fernandes Xavier, Com, Lautém, 10 October 2003.

CAVR Interview with Abílio Quintão Pinto, Lioiar, Lautém, 7 October 2003.

Written statement provided to CAVR by Fernando Ximenes, Ossu, Viqueque, 2 October 2003.

HRVD Statement 01459.
CAVR Interviews with João Bosco and Valdemar Sarmento, 14 July 2003; Raimundo Hornay Ximenes, Fatuberliu, Manufahi, 20 October 2003; HRVD Statement 00427.

Written statement provided to CAVR by Fernando Ximenes, Ossu, Viqueque, 2 October 2003.

Xanana Gusmao, Sarah Niner (ed), To Resist is to Win!, pp. 67-68.

CAVR Interviews with José de Jesus dos Santos, Dili, 28 June, 2004; and Cancio da Costa Viegas, September 25, 1981.

CAVR Interview with Sebastião da Cunha, Manatuto, 12 May 2004; and José de Jesus dos Santos, Dili, 28 June 2004.

CAVR Interview with Sebastião da Cunha, Manatuto, 12 May 2004.

CAVR Interview with Anacleto Ximenes, Cairui, Manatuto, 12 March 2004.

HRVD Statement 07101.

HRVD Statements 04424, 01628, 00801, 05346 and 05331.

HRVD Statement 07599.

HRVD Statement 05340.

HRVD Statement 05358.

HRVD Statement 06780.

CAVR Interview with Dinis Amaral, Dare, Ainaro, 1 June 2003.

CAVR Interview with Adelino de Araujo, Mauxiga, Ainaro, 29 May 2003.

CAVR Interview with Ana Britos, Mauchiga, Ainaro, 31 May 2003.

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HRVD Statement 06767.

HRVD Statement 05776.

HRVD Statement 05024.


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CAVR Interview with Bendito Gomes, Marco, Cailaco, Bobonaro, 14 June 2004; Adriano João, “Kasus eksekusi 12-04-99 di Cailaco” [“Case of 12-04-99 execution in Cailaco”], unpublished manuscript, 10 June 2004, CAVR Archive.

HRVD Statements 5639-02; 6749; 6680; 6687.

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HRVD Statements 0116; 0159; Deputy General Prosecutor for Serious Crimes, Indictment against Marcelino Soares, Case No. 11/2003, paragraphs 14-20.

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HRVD Statement 4585.

HRVD Statement 9031.

HRVD Statement 2530.

HRVD Statement 4597.

HRVD Statement 9471.

HRVD Statement 4598.

HRVD Statements 3557; 3573.


HRVD Statements 8104; 0135 [killing by Aitarak in Metinaro in April]; 0159 [João Bosco, Luis Diaz disappeared in Hera]; 3757 [Luis Diaz in Hera]; 0116 [Luis Diaz in Hera]; 3886; 8068 and 8104.

HRVD Statement 3655.


General Prosecutor of the UNTAET, Indictment against Armando dos Santos, Case No. 2001/16, paragraphs 13-16.

HRVD Statement 4678.

HRVD Statement 7825.

HRVD Statement 3883-03.

HRVD Statements 6493; 6496.

Robinson, *East Timor 1999*, OHCHR submission to CAVR, April 2004, p. 162; HRVD Statements 8385; 8296; 8295; 3510; 1705.

HRVD Statements 3886; 8068. The name of the victim is alternatively referred to as Eugenio Fatima.

HRVD Statement 8104.

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HRVD Statements (Manuel Oliveira) 2160; 2163; 2509; 4553.

HRVD Statement 6200.

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HRVD Statement 9471.


Ibid, pp. 221-224. Deputy General Prosecutor for Serious Crimes, Indictment against Eurico Guterres, et al., Case No. 13/2003, paragraphs 27-77. HRVD Statements 5664 (Vicente da Costa Carlos Tilman’s disappearance from the Bishop’s residence); 5678 (disappearance from Bidau Santana after being moved from the Bishop’s residence after attack).

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