

£EAST TIMOR @After the Massacre

Introduction¹

About 100 people were killed and scores were wounded when Indonesian security forces opened fire for several minutes on a group of mourners at Santa Cruz cemetery in Dili, East Timor on 12 November 1991. Dozens of others were badly beaten during the incident. The victims, many of them school students and other young people, were among an estimated 3,000 people who had gone to the grave of Sebastiao (Gomes) Rangel, a young man killed on 28 October when Indonesian troops entered the parish church of Motael, Dili, where he and about 20 other political activists had been hiding.

At least 42 people, and possibly as many as 300, have subsequently been detained, and some have reportedly been tortured and killed in police and military custody. According to one report, between 60 and 80 detainees, including witnesses of the Santa Cruz massacre, were taken from various prisons in Dili on 15 November, driven to a spot several miles outside the town, shot and buried in unmarked graves. Dozens of East Timorese were reportedly detained for questioning in Jakarta, on 20 November, following a demonstration in which they called for a thorough investigation into the killings and a referendum on East Timor's political status.

Indonesian government and military authorities have expressed regret at the deaths and the government has established a National Investigation Commission to inquire into the incident. However, the authorities have attempted to justify the massacre by claiming that security forces used force only when attacked and provoked by "a brutal mob". Several eyewitnesses, including a delegate of the International Committee of the Red Cross (ICRC) and a number of foreign journalists, have stated categorically that the procession and graveside ceremony were peaceful and that the soldiers opened fire without warning and without provocation. Amnesty International has viewed film footage and photographs of the incident which corroborate their testimony.

Amnesty International is calling for a thorough, impartial investigation into the circumstances of the massacre at Santa Cruz, and of the alleged extrajudicial executions of 15 November. It is also seeking guarantees that those responsible for extrajudicial executions or for the ill-treatment of prisoners will be brought promptly to justice. It believes that investigations must be carried out by an independent body which has no link with the security forces allegedly responsible for the massacre. It also believes that any investigating

¹ This document provides further information on the killings at Santa Cruz cemetery, Dili, originally documented in an Amnesty International report, East Timor: The Santa Cruz Massacre (ASA 21/23/91), dated 14 November 1991, and on subsequent developments to 21 November 1991.

body must include a team of trained forensic experts. The organization urges the Indonesian authorities to permit investigations to be carried out under the auspices of a recognized international body, such as the United Nations (UN) Special Rapporteur on Summary or Arbitrary Executions.

Amnesty International is also seriously concerned for the safety of those arrested during and after the Santa Cruz incident, as well as scores of suspected political activists arrested during the past year. It is urging that those detained solely for their non-violent political activities or beliefs be immediately released and that, following their release, their safety be guaranteed.

Update on the Santa Cruz Massacre

The testimony of several foreign eyewitnesses confirms earlier reports that the killing at Santa Cruz appeared to be organized and pre-meditated, and that the procession was peaceful.² There does not appear to be any substantial evidence to support the government's claim that the killing was provoked by a violent attack by demonstrators, or the existence of a riotous mob. In important respects, the accounts of military and government authorities are entirely at odds with the weight of eyewitness and circumstantial evidence.

Several eyewitnesses have explicitly refuted claims by the Indonesian military authorities that the soldiers opened fire in response to some threat or physical provocation, such as a gunshot. One said that "*...there was absolutely no physical provocation visible throughout the whole procession*". Another said: "*It was a case of a planned and systematic massacre... This was a very disciplined operation. This was not a situation where you have some hothead who ran amok.*" Film footage of the incident, viewed by Amnesty International, shows soldiers armed with automatic weapons moving confidently, almost casually, around the cemetery and its perimeter during the course of the shooting. It is evident from their demeanour that they are neither encountering nor expecting physical opposition of any sort. The film also confirms that the security forces opened fire several minutes after the procession reached the cemetery and not during a scuffle in front of the Governor's office as military authorities have alleged.

Describing how the shooting began, one eye-witness said: *...as soldiers leapt off the trucks they formed a line and jogged towards the people and without warning opened fire directly into the crowd indiscriminately killing all in their view...many were shot in the back.*

² For a description of the massacre itself, see Amnesty International's [East Timor: The Santa Cruz Massacre](#), (ASA 21/23/91), dated 14 November 1991.

Another said: "*As the soldiers turned the corner they raised their M-16s and began all at once firing into the crowd.*"

The firing of automatic weapons reportedly continued for between two and three minutes without interruption, but then continued sporadically for some time. An eyewitness said that minutes after the shooting began he saw about 100 bodies lying on the ground, but he could not say how many were dead. Witnesses who had taken cover inside the cemetery said they saw soldiers beating those they found, including the wounded, with truncheons and the butts of their automatic weapons. One foreigner, discovered by soldiers while hiding in the cemetery, said:

I left the crypt with at least 10 people bleeding profusely and several dead. All the way to the entrance to the cemetery I was confronted by soldiers brandishing knives and bayonets and thrusting them towards my face. I was kicked and beaten and had guns put to my head while they screamed at me.

Unofficial estimates of the number of people who died at Santa Cruz cemetery range from 50 to more than 200. Amnesty International has so far learned the names of more than 60 people feared to have died in the incident, or shortly thereafter (See Appendix I). The government claims that 19 people were killed and 91 injured in the incident.

Arrests

An estimated 300 people are reported to have been arrested following the Santa Cruz incident, although the government has only acknowledged holding 42 people. One person detained for questioning but later released said he counted 12 vehicles arrive at the police station in Dili, each carrying dozens of people, stripped to the waist and tied. There have been reports of the torture and killing of some detainees and there is serious concern for their safety. There is also concern for the safety of dozens of suspected political activists arrested during the past year, including at least 20 detained in the aftermath of the 28 October 1991 incident at the parish church of Motael, Dili, in which Sebastiao (Gomes) Rangel and one other man died.

Reports from Dili say that security forces and government backed vigilantes have detained dozens of people in house to house searches since the Santa Cruz incident. The whereabouts of many of those detained remain unclear, and relatives fear that they may have been killed. According to one report, three men from a single family and several other men from Bidau, Dili, were taken from their homes by security forces on or about 18 November, and have not been seen since. Arrests have also been reported from several places outside of Dili, including Baucau, Ainaro, Liquica and Lospalos, but the names of those detained are not yet known.

Military authorities have prevented relatives from visiting the wounded in hospital and those detained by the military and police. They have also prevented representatives of the ICRC from conducting independent and confidential visits to prisons and hospitals.

An ICRC official said on 20 November that the conditions laid down by the military were unacceptable. *"We need to see the injured in the hospital, talk to them without witnesses... I cannot accept half steps. We have made many compromises but not any more."*

The Reported Killings of 15 November 1991

Amnesty International has received unconfirmed reports that between 60 and 80 more people were extrajudicially executed on 15 November, and their bodies buried in large unmarked graves outside of Dili. The reported killings occurred just two days after the Armed Forces Commander, General Try Sutrisno, called for the "trouble-makers" in East Timor to be shot. Those killed are said to have included witnesses to the 12 November incident as well as suspected or known political activists, arrested at the time of the incident and in house to house searches in the following days. According to reports, they were taken in military trucks from various prisons in Dili to a place on the outskirts of town. Before being loaded onto the trucks, the prisoners were reportedly made to strip naked; they were blindfolded and their hands were tied behind their backs. They were reportedly taken to the edge of newly-dug ditches and shot with automatic weapons. The troops responsible were said to have been members of the 700th and 744 Battalions of the Hasanuddin Division, based in South Sulawesi.

An eyewitness said that he would provide further details before a UN fact-finding delegation only if his safety could be guaranteed. A foreigner in Dili on 15 November said that, at about 11:45 am on that morning, he heard *"... a volley of automatic rifle fire that resounded right through the valley which lasted approximately 45 seconds..."*, followed by sporadic fire for about 30 seconds. A number of people in Dili reported independently that they had seen between two and four trucks, each carrying dozens of people, leaving town earlier that morning. One claimed to have seen a large pit, about 6 feet deep and measuring about 25 feet by 30 feet, in which it was said the dead were buried.

Unlike the massacre at Santa Cruz, the alleged killings of 15 November were not directly witnessed by foreigners and there are no photographs or films of the event. The sole eyewitness to the event is unwilling to testify for fear of reprisals from the security forces. This has led to some confusion about whether the killings took place; an Indonesian military spokesman has called the report *"a big lie"*. In Amnesty International's view, the lack of certainty in this case serves to highlight the importance of conducting prompt, independent and impartial investigations.

Protesters Arrested in Jakarta

Dozens of East Timorese demonstrating peacefully in Jakarta on 19 November, one week after the Santa Cruz killings, were detained by security forces. Military authorities initially denied that any had been detained, but unofficial sources said that at least 35 people had been held at the Central Jakarta Police Station. The local media reported that five East Timorese remained in custody on 21 November, but their names were not known. Amnesty International has learned the names of 13 said to have been held for questioning. In the absence of any information about the whereabouts of those detained, it remains concerned for their safety. The organization is also concerned that some may be charged for their peaceful political activities and beliefs.

The demonstrators went first to the office of the United Nations Information Office on Jalan Thamrin. Unable to enter the premises to present a statement addressed to the UN Secretary General, they instead read it aloud outside the gate. With banners and signs calling for a referendum on East Timor's political future and for inquiries into the massacre at Santa Cruz, they proceeded to the Embassies of Japan and Australia nearby. As they regrouped near the Hotel Indonesia, members of the riot police (SABHARA) moved in to disperse them and journalists were ordered to leave the vicinity. The demonstrators began to flee, but were chased by police who beat them with truncheons and loaded them onto three waiting vehicles. Two foreign journalists at the scene were taken aside by security forces and questioned about their links to the demonstrators before being released.

The next day, 20 November 1991, three Jakarta-based human rights activists were detained briefly by the security forces, apparently for their alleged involvement in the demonstration. Haji Poncke Princen, Director of the Institute for the Defence of Human Rights (LPHAM), Indro Tjahjono of the human rights organization "Infight" and one other were reportedly held for questioning at the office of the military intelligence body (BAKORSTANAS) for several hours. Haji Princen was one of a group of human rights activists and lawyers who had planned to travel to Dili on the same day in order to conduct independent investigations into the Santa Cruz massacre.

The Government and Military Response: An Update

The government has announced the formation of a seven-member National Investigation Commission to inquire into the killings. In a press statement on 19 November, the government said that the Commission was to be headed by a Supreme Court Judge and would have representatives from: the Departments of Home Affairs, Foreign Affairs, and Justice, and also from the Armed Forces Headquarters, the President's Supreme Advisory Council and the Parliament (People's Representative Assembly, DPR).³ The government

³ According to the official press agency, the Commission will be comprised of: Supreme Court Judge Muhammad Jaelani SH; Clementino dos Reis D'amaral, a member of the DPR; Bin Mang Reng Say, Deputy Chair of the

said that the Commission would be "*...free to carry out their tasks so that it could really find out what was actually going on during the incident...*". However, no details of the Commission's terms of reference were made public. Military authorities indicated that an internal investigation would be headed by the Deputy Chief of Strategic Intelligence, Major General Arie Sudewo, but no further details were made available.

Amnesty International is concerned that the government's National Investigation Commission and the military's investigation team may lack the necessary independence, credibility and forensic expertise to conduct a proper inquiry.

Restrictions which military authorities have placed on access to the wounded and those imprisoned, and their refusal to release the names of those killed, wounded and imprisoned, reinforce doubts that the Commission's investigations will be thorough and impartial and that it will result in the perpetrators being brought to justice. Military authorities have continued to claim that "only 19" people died at Santa Cruz and have hindered efforts to establish an accurate account of the number and the identity of those killed. They have admitted that the bodies of many who died at Santa Cruz were immediately buried at an abandoned graveyard outside of Dili. The hasty disposal of the bodies has precluded the performance of proper post-mortem examinations or forensic tests. It has also prevented families from identifying the deceased and burying them according to their traditions or religious beliefs.

Military authorities have also indicated their intention to restrict the access of outside observers and investigators. Brigadier General Warouw said on 20 November that observers would be allowed to visit the wounded at the military hospital but that they "*...will not be able to talk to them until our interrogations are over because the sight of foreigners could make them start talking about wild rumours.*" On 21 November, he told a journalist that the time was "*not yet right*" for the ICRC and other observers to visit the wounded.

The statements of military and government authorities since the Santa Cruz massacre have also raised very serious questions about the government's sincerity in conducting prompt, thorough and impartial investigations and about the likelihood that the perpetrators will be brought to justice. While they have formally expressed regret at the loss of life at Santa Cruz, military and government authorities have attempted to evade responsibility for the killings. They have accused political activists associated with the nationalist movement Fretilin

Supreme Advisory Council; Hari Sugiman, Director General of Socio-Political Affairs in the Ministry of the Interior; Hadi Wayarabi, Director General of International Organizations in the Ministry of Foreign Affairs; Anton Suyata, Inspector General in the Department of Justice, and Rear Admiral Sumitro, Inspector General of the Armed Forces.

of provoking the incident, and have claimed that soldiers fired as a result of a misunderstood order.

In a press release, dated 14 November, the government said: "*The police, who had made great efforts to pacify the crowd, were then attacked, and this resulted in some of the police being seriously injured...In order to disperse the demonstrators, the police inevitably had to use force which caused a number of deaths.*" In a separate statement released to the press at about the same time, the Commander of Regional Military Command IX/Udayana, which covers East Timor, referred to the mourners as "*the mob involved in the riot*". He said that the security forces had "*...failed in their persuasive efforts in dispersing the furious masses...*" and had been "*...compelled to defend themselves and to control the situation by firm actions.*" He specified that the actions of the soldiers were "*in accordance with the standing procedure*".

One day after the Santa Cruz killings, the Commander of the Armed Forces reportedly called explicitly for political opponents of Indonesian rule in East Timor to be "shot". Speaking at a seminar of the Association of Graduates the National Defence Institute (LEMHANAS) on 13 November, General Try Sutrisno said that people in the procession had "*spread chaos*" by unfurling posters with slogans discrediting the government, and by shouting "*many unacceptable things*". In response, he said, the soldiers had fired shots into the air, "*but they persisted with their misdeeds... In the end, they had to be shot. These ill-bred people have to be shot... and we will shoot them.*"

The military Commander for East Timor, Brigadier General Warouw, acknowledged on 20 November that his troops had fired their weapons into the crowd of mourners for between 5 and 10 minutes, but he denied that this was excessive.

Military authorities have reacted angrily to international expressions of concern over the human rights situation in East Timor. General Try Sutrisno said: "*This is an internal affair and their should be no meddling. If anyone wants to talk about human rights, Indonesia has had them since time immemorial. That's why you should study Pancasila [the state ideology].*" On 21 November, according to the official news agency, he said: "*We will not accept any foreign interference*".

Members of the government have also resisted allegations of official wrong-doing. The Foreign Minister, Ali Alatas, and other Ministers have condemned the foreign media for "*biased*" reports of the incident. Minister Alatas has expressed "*deep regret*" at the deaths of

the mourners, but has emphasized that soldiers had to respond with firm action when an unruly procession developed into a rioting mob. He said: "*It would have been senseless for the security forces to shoot people at will.*"

A handful of Indonesian parliamentarians have called for full inquiries into the incident, but the DPR has no authority to bring the government or the military to account. House Speaker Kharis Suhud said he would ask for an explanation from General Try Sutrisno: "*I don't want to blame anybody but I want to know exactly what happened there.*" The Commander of the Armed Forces was scheduled to testify before the House on 21 November, but his appearance was postponed until 29 November.

Background

Indonesian forces invaded East Timor in 1975 in the aftermath of Portugal's withdrawal from its former colony. Since that time Amnesty International has continued to document serious human rights violations by Indonesian security forces in the territory. A pattern of short-term detention, ill-treatment and torture of political detainees in East Timor has worsened in the last year. More than 400 people have been detained since late 1988 for their alleged involvement in pro-independence political activities; at least 200 of them since early 1990. Many may be or may have been prisoners of conscience and many have reportedly been ill-treated or tortured in custody. At least 30 people, and possibly many more, were killed by Indonesian security forces in 1990 and early 1991 in apparent extrajudicial executions, and there are hundreds of unresolved cases of "disappearance".

Serious limitations remain on the reporting of human rights violations in East Timor in spite of the "opening" of the territory to tourism and commerce in January 1989. Those suspected of disseminating human rights information in East Timor and in Indonesia are closely watched by the authorities and have a well-founded fear that they may themselves become victims. Notwithstanding government assurances that access to the territory is unrestricted, and in spite of repeated requests, Amnesty International has not yet been permitted to visit East Timor or Indonesia.