



Centre for
Human Rights and
Restorative Justice

REFERENCES TO SLAVERY OR SLAVES

Timor-Leste Truth Commission

Abstract

A list of references to slavery and slaves in the Timor-Leste Truth Commission.

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Links to Data Visualization

This section contains links to all data visualization for the Timor-Leste report.

Comparison Charts

- [References to Slavery and Slaves chart](#)
- [References to Slavery and Slaves excel list](#)

Word Trees

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References to Slavery and Slaves

This section contains all references to slavery and slaves from the Timor-Leste report.

<Files\\Truth Commission Reports\\Asia\\TimorLeste.CAVR_Report-FULL> - § 149 references coded [0.54% Coverage]

Reference 1 - 0.01% Coverage

the Annexes to this Report.

87. Statement coders had received extensive training on the legal basis of specific human rights violations which it was their task to identify. This training included the elements of the violations, and how to determine whether a particular set of circumstances fulfilled the definitions. For example, the statement coders were trained on how to determine if a violation had been committed which legally amounted to torture rather than, say, the criminal offence of assault or inhuman or degrading treatment. Statement coders were also trained to determine whether a set of circumstances constituted rape or sexual slavery.

88. The coders were periodically

Reference 2 - 0.01% Coverage

to particular categories of violation

16. It was, of course, impossible for the Commission to inquire into and report on all violations of human rights that occurred during the mandate period. The Commission has chosen to examine the most serious violations of fundamental rights relevant to the mandate. In summary form, the categories of human rights standards on which the Commission focused its attention were the following: 1. The right to self determination 2. The right to life (unlawful killings and disappearances) 3. The range of rights relevant to displacement, resettlement and famine (the right to adequate food, freedom from hunger, water and adequate housing, freedom of movement, freedom to choose a residence) 4. The right not to be arbitrarily detained, and to satisfactory conditions of imprisonment 5. The right not to be subjected to torture or cruel, inhuman or degrading treatment 6. The right to a fair trial 7. The right to freedom of opinion, expression and association 8. Rights violated by acts of rape and other forms of sexual assault/harassment (in particular the prohibition on torture and cruel, inhuman or degrading treatment) 9. Rights violated by the practice of sexual slavery (including the prohibition on torture, the right to enter marriage through full and free consent, and the prohibition on slavery)

* Section 1(e) of the

Reference 3 - 0.01% Coverage

too on 13 September 1984.

Sexual slavery

119. Incidents of sexual slavery are repetitive violations of all of the rights discussed above.

120. The UDHR and ICCPR both prohibit all forms of slavery, 161 reflecting a fundamental rule of customary international law.162 The Human Rights Committee has discussed questions of sexual slavery in the context of that prohibition.163 In the context of international humanitarian law, the crime against humanity of enslavement has been said to consist of the exercise of any or all of the powers attaching to the right

Reference 4 - 0.01% Coverage

of the Commission - Chega! | 103

• the right to freedom from slavery and servitude 203 • the right of those in detention to be treated with humanity 204 • the right to a fair trial 205 • the right to bring legal proceedings to challenge the lawfulness of any detention.206

137. Even in areas were

Reference 5 - 0.01% Coverage

of the Indonesian criminal code.

213. Indonesia's Criminal Code (Kitab Undang-Undang Hukum Pidana, KUHP) governs criminal acts committed by civilians and officials, including the armed forces. The following types of conduct constitute crimes under the KUHP: 214. Crimes against the general security of persons, including: •

deliberately setting a fire, causing an explosion, damaging electrical works, or damaging or destroying buildings, especially if it endangers property or life or results in death;321 • poisoning public water sources. 322 215. Sexual and related crimes, including: • rape; * • carnal knowledge of a girl under 15 years of age; 323 • using force or the threat of force to compel someone to commit or tolerate an obscene act, or committing an obscene act with someone who is unconscious or helpless or a girl under 15 years of age;324 • trading in women or boys. 325 216. Crimes against personal liberty, including: • Participating in slavery; 326 • Kidnapping; 327 • Abducting a minor, especially if done with tricks, force, or the threat of force;328 • Depriving a person of his or her liberty, especially if serious physical injury or death results.329

217. Crimes against life and

Reference 6 - 0.01% Coverage

were tortured and killed by

Japanese troops on suspicion of assisting Australian guerrilla fighters. Sexual slavery * SAPT was operated by a Brazilian contracting company named Moniz da Maia Serra e Fortunato.

Volume I, Part 3: History

Reference 7 - 0.01% Coverage

Timor-Leste over to Indonesia:

They ruled us for 450 years and they were tired already, so they would give us to someone else saying "You go and govern there now." So how long would we be slaves? This is why I did not accept that we go there. The conference in Macau was a tactic of Portugal and Indonesia to integrate Timor into Indonesia.147

133. Senior members of Fretilin

Reference 8 - 0.01% Coverage

557 while many women were

subjected to repeated and on-going sexual violation (see Vol. III, Part 7.7: Rape, Sexual Slavery and Other Forms of Sexual Violence). Secondly, in September 1982, there was the secret meeting between

Xanana Gusmão and Monsignor Lopes, as described above. This was a signal to the military that Fretilin's support was indeed widespread, and which thus threatened its depiction of Fretilin as an isolated communist guerrilla force.

New approach by the Indonesian

Reference 9 - 0.01% Coverage

struggle for East Timor.⁶³³

477. Events at the Santa Cruz cemetery on 12 November 1991, and the days that followed are covered in specific parts of this report (See Vol. II, Part 7.2: Unlawful Killings and Enforced Disappearances; Vol. III, Part 7.4: Detention, Torture and Ill Treatment; and Vol. III, Part 7.7: Rape, Sexual Slavery and Other Forms of Sexual Violence). José Ramos-Horta told the Commission that the film footage shot by Max Stahl of this event was critical evidence, after which people could no longer accuse him of fabricating stories of the violent suppression of East Timorese expressing their hopes for self-determination and independence.⁶³⁴

Volume I, Part 3: History

Reference 10 - 0.01% Coverage

Bali since around 1999.⁷⁹⁸

638. Sexual violence and sexual slavery were widespread during this period. The Commission heard in particular from many women in Suai of their experiences

302 | Chega! - Volume I, Part

Reference 11 - 0.01% Coverage

3: History of the Conflict

after the massacre at the church on 6 September, when they were taken to the nearby school and repeatedly raped before being forced over the border where many were held in sexual slavery.⁷⁹⁹

639. The 8 September killings

Reference 12 - 0.01% Coverage

coalition told of camps controlled

by the TNI and their militia auxiliaries, where ordinary people lived under fear and intimidation. Women and girls in particular were powerless and vulnerable. Testimonies to the Commission from women victims tell of sexual slavery at the hands of militia members.

660. Facilities in West Timor

Reference 13 - 0.01% Coverage

398) of the total respectively.

130. The types of documented sexually-based abuses varied across districts, as shown in the Recorded Violations Based on Types and Districts Figure below. Across Timor-Leste, of all the sexual violations documented by the Commission, rape accounted for 46.1% (393/853), other sexual violence 27.1% (231/853) and sexual slavery 26.8% (229/853). Rapes accounted for a higher proportion of sexual

3,132 7,155 548

Reference 14 - 0.01% Coverage

in Timor-Leste, 1974-1999

violations in Aileu and Bobonaro than the national average: 71.9% (23/32) and 66.2% (45/68), respectively; whereas sexual slavery accounted for a higher proportion of sexually-based violations in Manufahi and Ainaro than the national average: 39.1% (34/87) and 39.2% (40/102), respectively. Similarly, other sexual violence accounted for 57.9% (11/19) and 51.4% (54/105) of all documented sexual violations in Liquiçá and Lautém, respectively.

Count of reported violations, by

Reference 15 - 0.01% Coverage

or sex of the victim

149. By contrast only women between the ages of 10 and 44 were among the documented victims of sexual slavery. Of these victims women between 20 and 24 years old experienced both the highest counts and highest rates of sexual slavery. As was the case for rape, no cases of sexual slavery of men were documented by the Commission.

Number of reported acts of sexual slavery, by age and sex, 1974–1999

80+ Males Pria Females Wanita

Reference 16 - 0.01% Coverage

Leste, 1974-1999 - Chega! | 561

Age-sex specific violation rate of sexual slavery (per 10,000 persons), 1974–1999

Pria Males Wanita Females 4

Reference 17 - 0.01% Coverage

or sex of the victim

151. Hence, the Commission's quantitative analysis suggests that young women experienced the overwhelming majority of sexual violations. Furthermore, rape and sexual slavery were exclusively reported to have been suffered by women.

Comparison of retrospective and contemporaneous

Reference 18 - 0.01% Coverage

from the steep cliff.⁵⁵⁷

The Commission also received accounts about the execution of villagers from Mulo, Nunumogue and Mau Chiga 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.⁵⁵⁸

* Among those detained at the

Reference 19 - 0.01% Coverage

João Lopes, Ruben Barros Soares,
and also at a house where she was treated as a slave. A TNI member, M130, was seen together with EO in
a truck.1010

1082 | Chega! - Volume II, Part

Reference 20 - 0.01% Coverage

of Laksaur.365

On 25

April 1999, YL's house was taken over by Laksaur militia, led by F5, for use as a militia post. Her
husband fled to the forest. YL became a victim of sexual slavery.366

ZL fled to

Labarai in

Reference 21 - 0.01% Coverage

two weeks, then sent home.

Battalion 202 tortured people, used the women as sexual slaves and made the men TBOs. Infantry
Battalion 745 used people to cut the grass every day.

Tortured but not interrogated.

20

Reference 22 - 0.01% Coverage

and Ill-treatment - Chega! | 1549

462. Accordingly, the military conducted a massive crackdown in the districts of Viqueque and Lautém
which also reached into other areas of the territory including Baucau, Aileu and Dili. Bombing raids were
conducted between August 1983 and June 1984. The intensity of the operations is reflected in the
Commission's quantitative research. This indicates an increase in human rights violations in late 1983,
especially in the eastern districts of Lautém, Viqueque and Baucau. Major violations of human rights
included the massacre of civilians, the forced displacement of the civilian population to other areas, and
the rape and use for sexual slavery of women from the region (see Vol. II, Part 7.2: Unlawful Killings and
Enforced Disappearances and Part 7.3: Forced Displacement and Famine; also Vol. III, Part 7.7: Sexual
Violence). In addition, the Commission recorded a sharp increase in incidences of arbitrary detention,
torture and ill-treatment.

463. As in other operations

Reference 23 - 0.01% Coverage

Detention, Torture and Ill-Treatment).

20. East Timorese women and girls who were held prisoners, or who were forced to work for members of
ABRI/TNI, were routinely raped and forced into conditions of sexual slavery, including being "passed"
from one officer to another at the end of periods of duty in the territory (see Vol. III, Part 7.7: Sexual
Violence).

21. As urban youth became

Reference 24 - 0.01% Coverage

young women in these circumstances:

In 1980, I was recruited as a TBO. During those two months, I witnessed my own sister, CM, raped and made into a sex slave by ABRI soldiers. When the troops moved from Fahinehan, she was finally released. But I was taken with them to Same, Kablaki, Ainaro, Mamlau, Ermera and Dili...During my assignment as a TBO, when we were operating in the forest, I had the chance to help a Falintil member by giving him food. Linus, a friend of mine from Aileu, told this to TNI Yonif 643. So I was kicked with army boots and they threatened to shoot me. They then added more to the load I had to carry to Ermera, Railaco and Dili.186

169. Some joined up as

Reference 25 - 0.01% Coverage

issues concerning disobedience and discipline.

240. Young East Timorese women who were forced to work for members of ABRI/ TNI were routinely raped and forced into conditions of sexual slavery by their military masters (see Vol. III, Part 7.7: Sexual Violations).

241. Many pro-independence supporters

Reference 26 - 0.01% Coverage

Forms of Sexual Violence

Introduction

1. As required by its legal mandate (Article 3.4c), the Commission developed a gender-sensitive approach in seeking the truth about human rights violations during the political conflict from 25 April 1974 to 25 October 1999. Men and women have different social roles and status in their communities, and the Commission needed to understand how this might have affected their experience of violations and the impact these violations had on them. Although women were the victims of the same range of human rights violations as men, almost all cases of sexual violence – rape, sexual slavery and other forms of sexual violence – were committed against women.

2. The Commission found that women became the victims of specific forms of violations, which related to their low status and the sexual stereotypes imposed on them. These violations, which include rape, sexual slavery, sexual torture and harassment, can be classified as sexual violence. Although some men were victims of sexual violence, such as those who experienced sexual torture in detention, the majority of victims were women.

In Timor-Leste, as in

Reference 27 - 0.01% Coverage

any form of collaboration impossible.

7. From its statement-taking process, the Commission documented 853 reported counts of sexual violations. Rape was the most commonly reported sexual violation, at 46.1% (393 out of 853) of all sexual violations documented by the Commission. Rape was followed by sexual harassment and other acts of sexual violence at 27.1% (231/853) and sexual slavery at 26.8% (229/853) of all reported acts of sexual violence. Out of the total violations documented from the statement-taking process 93.3% (796/853) were attributed to Indonesian security forces and auxiliaries, 2.5% to Fretilin (21/853), 1.2% to

Falintil (10/853), 0.6% to UDT forces (5/853), 0.1% to Apodeti forces (1/853), and 0.9% to others (8/853).

Number of reported acts of

Reference 28 - 0.01% Coverage

either military or political objectives.

10. The voices of the victims in this part provide a clear picture of the widespread and systematic nature in which members of the Indonesian security forces openly engaged in rape, sexual torture, sexual slavery and other forms of sexual violence throughout the entire period of the invasion and occupation. Members of Fretilin, UDT and Falintil also committed violations, although these were isolated incidents and occurred on a far smaller scale. They were neither widespread nor systematic.

11. The evidence also demonstrates

Reference 29 - 0.01% Coverage

to instil terror in victims.

Volume III, Part 7.7.: Rape, Sexual Slavery and Other Forms of Sexual Violence - Chega! | 1915

13. Victim testimony also demonstrates that women were often raped during military operations and that it was commonly accepted practice for military officers to force young women, by threats of direct violence to themselves, their families and their communities, to live in situations of sexual slavery. In these situations, which often continued for years, the officers raped the women under their control at will, day after day. In some cases women were “passed on” by officers to their replacements or to other officers. All of this was not only tolerated by senior officers and officials, but even encouraged. Commanders and officials also participated.

14. Despite the heavy cultural

Reference 30 - 0.01% Coverage

trauma connected to the violations.

15. Given the prevalence of rape as a form of sexual abuse from 1974 to 1999, the first section of this part is specifically devoted to a discussion of the testimonies related to that crime. It is also important however to understand that there were forms of sexual abuse that involved rape along with other forms of exploitation and violence, where the victim was forced into an on-going relationship with the perpetrator over extended periods of time. To understand this form of violence, the second section of the part concentrates on forms of sexual slavery. This will be followed by a discussion of other forms of sexual abuse that may have occurred in isolation or alongside rape and sexual slavery. The part then considers the long-term impact of sexual violence upon victims and concludes with a summary of the Commission’s findings on sexual violence.

Definition and methodology

16. The

Reference 31 - 0.01% Coverage

sexual violence.

Definition and methodology

16. The Commission has employed a working definition of sexual violence as “any violence, physical or psychological, carried out through sexual means or by targeting sexuality.”¹ This definition of sexual violence includes rape, sexual slavery and other forms of sexual violence such as sexual torture, public sexual humiliation and sexual harassment.

17. Rape and other serious

Reference 32 - 0.01% Coverage

have also been included here.

Culture of silence 24. “It is a secret between me and God. There is no need to dig any deeper.”² These are the words of a woman who was detained and tortured in Hotel Flamboyant, Baucau, when asked whether she experienced rape. 25. Many East Timorese women find it difficult to reveal that they were victims of violence, especially sexual violence. In a culture that values a woman’s virginity above all, women who have experienced sexual violence, rape and particularly sexual slavery, are vulnerable to discrimination and isolation. Society tends to blame women for the sexual violence they experienced, to see them as “used goods” and stigmatise their children. There is very little social compensation to motivate women who experienced sexual violence to reveal it to others.

26. Some women talked to

Reference 33 - 0.01% Coverage

nona.[†]

In some cases, even

children born from situations of rape and sexual slavery and then abandoned by their fathers were ostracised by their community.

28. Perpetrators took advantage of

Reference 34 - 0.01% Coverage

Rules of Evidence, Rule 96.

Volume III, Part 7.7.: Rape, Sexual Slavery and Other Forms of Sexual Violence - Chega! | 1919 17.0

34. Data gathered through statements, interviews and submissions reveal clear patterns of consistent and widespread rape. Rape occurred every year of the Indonesian occupation (1975–1999) and covered all 13 districts. The Commission also received reports of East Timorese who had been raped in West Timor. Districts with high numbers of rapes also tended to have relatively high numbers of sexual slavery and other forms of sexual violence.

35. Like torture, rape is

Reference 35 - 0.01% Coverage

immediately after a military attack.

63. PA testified to the Commission about how ten Indonesian soldiers ambushed her family in Lauana (Letefoho, Ermera) in 1976. The soldiers abducted her sister, C, and took her to an area called Katrai Leten (Letefoho, Ermera). There, 10 ABRI soldiers raped her in turns. PA was scared but managed to run back into the forest, leaving behind her mother and sister. Two years later she too was captured and forced into a situation of sexual slavery by an Indonesian soldier, as described in the Sexual Slavery section of this part.²²

64. QA was not raped

Reference 36 - 0.01% Coverage

room and raped me.109

Volume III, Part 7.7.: Rape, Sexual Slavery and Other Forms of Sexual Violence - Chega! | 1959

Rape and sexual slavery after the Suai Church Massacre, 6 September 1999

The rapes and sexual slavery of women after the attack on the Suai Church on 6 September 1999, were organised systematically. Rape occurred in several places where women, who had been refugees at the Suai Church were temporarily accommodated, namely at the Suai Kodim, at a junior high school building (SMP 2), an orphanage and the Wives of Civil Servants (Dharma Wanita) building. Women were also raped in transit to Atambua, West Timor and during their stay in refugee camps there. The Commission received evidence of rape and sexual slavery from 11 testimonies that name Laksaur and Mahidi (Mati Hidup Integrasi dengan Indonesia, Dead or Alive Integration with Indonesia) militias as well as the Indonesian security forces as perpetrators of these crimes.

CF was one of the

Reference 37 - 0.01% Coverage

my clothes and raped me.

EF was repeatedly raped in the junior high school building. "On the night of 10 September, they interrogated me and demanded money. Because I was scared I gave Rp100,000 to PS398, Rp100,000 to PS399 and Rp50,000 to PS400. In the darkness we were raped together with other women." According to her testimony, at least three other women were raped that night by militia members named PS191 and PS192. On 13 September 1999, the refugees were put into a Hino truck with Indonesian soldiers and militia and taken to a camp [in West Timor] to stay with other refugees. Shortly afterwards, PS189 found EF and forced her into a situation of sexual slavery. EF stated: He said he had been looking for me for two days. He hit me with his handmade weapon right in the mouth, kicked me in the chest and hit my back in front of several people. That night he moved me to his house and when we arrived...he raped me again. I was with this man for three months and 16 days. During the day he would go out and keep me locked inside a room and when he returned he would open the door and do it again.112

Those who were kept in

Reference 38 - 0.01% Coverage

I saw many dead people.

FF escaped death only to become a victim of rape and sexual slavery. After the massacre, the survivors were mustered:

We were made to gather

Reference 39 - 0.01% Coverage

the Suai Church tragedy.113

GF was 15 when she, with her aunt and younger brother, sought refuge in the Suai Church. Her aunt testified about GF's kidnapping and sexual slavery: During the massacre...GF's 13-year-old brother was killed. We were made to leave the church with other refugees. We were divided into two groups - some [were taken] to the Kodim and some to the high school in Suai. GF and I were in the Kodim for one week

until 12 September 1999. At the Kodim, in front of me, PS193 and a member of Laksaur [militia], PS194, put a necklace around GF's neck. PS194 said: "This is my war prize. As of now, GF is my third wife." From that moment on GF was separated from her family and taken wherever PS194 went. GF was taken to live in the Laksaur headquarters in Raihenek, Betun, West Timor.¹¹⁴

In her testimony to the

Reference 40 - 0.01% Coverage

PS194 raped the other woman.

1964 | Chega! - Volume III, Part 7.7.: Rape, Sexual Slavery and Other Forms of Sexual Violence
The rape and sexual slavery experienced by the women who survived the Suai Church Massacre show elements of a pattern: • collaboration between the Indonesian security forces and the militia at the time of the massacre and afterwards; • the placement of the victims in the Suai Kodim, school building, and in other places guarded by security forces; • militia and police personnel had unimpeded access to the women staying in those places; • the security forces and the police did not protect the women against the perpetration of sexual crimes.

154. As indicated above in the narratives of the rape and sexual slavery following the massacre at the Suai Church, sexual violence did not stop when refugees were in transit to West Timor or resettled there. On the contrary, women became more vulnerable to sexual violence once removed from their home communities. In the context of this large-scale population movement, many women were raped in transit.

155. In September 1999, the

Reference 41 - 0.01% Coverage

I wasn't bothered again.¹²⁶

Sexual slavery

162. Sexual slavery is illegal under the general prohibition on slavery. The UN Special Rapporteur on Contemporary Forms of Slavery defines sexual slavery as "the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised, including sexual access through rape or other forms of sexual violence." She further explains:

Sexual slavery also encompasses situations where women and girls are forced into "marriage", domestic servitude or other forced labour that ultimately involves forced sexual activity, including rape by their captors.¹²⁸

163. Sexual enslavement in international

Reference 42 - 0.02% Coverage

attack against the civilian population.

164. The Commission received evidence of a significant number of cases that can be categorised as sexual slavery. Many of the cases included practices that were striking in their similarity. A small number of cases involved members of East Timorese political parties as perpetrators. In the vast majority of cases members of the Indonesian security forces were the predominant class of perpetrators. Three main patterns of sexual slavery were identified by the Commission.

165. One common practice was for Indonesian officers to keep East Timorese women in conditions of sexual slavery in military installations. Ownership in these cases was either individual or collective. In other words, women could be raped by one repeat offender or by a group of offenders. Their detention was logistically supported as part of everyday military operations with the knowledge of the local military

commander. The following graph shows correlation between reported acts of detention and sexual slavery during the period of the conflict.

Volume III, Part 7.7.: Rape, Sexual Slavery and Other Forms of Sexual Violence - Chega! | 1967
Violations over time, 1974–1999 2779 15 0 0 1974 Detention 1979 1984 Sexual slavery Source: Database of narrative statements given to the CAVR

166. A second form of military sexual slavery did not require the physical detention of women at military installations. Instead, women were summoned as required by members of the military for sexual purposes. In effect, these women were considered the property of a military unit and therefore had to provide sexual services to members of the unit if, and when, required to do so. These cases also involved the use of military installations. In some cases, a woman's name was put on a special list and the information regarding her sexual availability was passed from one battalion to the next when there was a rotation of troops in a given area.

167. A third pattern of sexual slavery involved a member of security forces establishing ownership of a woman in a domestic setting, usually her house. In this form of sexual slavery, the perpetrator would often threaten the woman or her family with death if she did not make herself available to him for sex on demand, and often also to perform other domestic work. In the circumstances of Timor-Leste, such a threat could reasonably be expected to be acted out if the demands were not complied with. In some cases, a woman would have to choose between this exclusive arrangement or repeated gang rape. The victim of this common pattern of violation was often colloquially called a "TNI mistress" or a "TNI wife". However, in reality, there was no marriage and no consent freely given by the victim to engage in sexual relations with the perpetrator.

1989 1994 1999 1968 | Chega! - Volume III, Part 7.7.: Rape, Sexual Slavery and Other Forms of Sexual Violence Detention Sexual slavery
Count of sexual slavery, 1974–1999

Timorese collaborators of Indonesian military

Reference 43 - 0.01% Coverage

constitute a human rights violation.

The victim's perspective 169. In several cases the situation of sexual slavery continued over a number of years. This

prolonged exercise of ownership by

Reference 44 - 0.01% Coverage

option of escaping the situation.

170. Victims of sexual slavery used a variety of euphemisms to describe their experiences. Some simply described the first act of rape and then added "this continued for one year". Others said simply that they were made into "a whore" ("lonte" or "feto nona" (see footnote, par. 27). Others used the colloquial term of "istri TNI" (TNI wife).

171. These euphemisms reflect prejudices and stereotypes against women who became victims of sexual slavery. Whatever term was used to describe the violation, sexual slavery carried a stigma for the victim. This often resulted in isolation from her family,

80 Volume III, Part 7.7.: Rape, Sexual Slavery and Other Forms of Sexual Violence - Chega! | 1969
ridicule from the community and discrimination against the woman and her children, including in some cases by church officials. Despite these barriers, women broke the silence and with great courage told the Commission about their experiences of sexual slavery.

Sexual slavery in the context of inter-party conflict

172. The Commission found evidence of sexual slavery that occurred in the context of the inter-party conflict in 1975.

173. TF1 from village of Selo Kraik (Aileu Town, Aileu) testified to the Commission about the sexual slavery of TF that began when Fretilin detained TF1, TF and seven others. In August 1975 TF1, three other women and five men were abducted from their fields by Fretilin troops from another village. Suspected as UDT sympathisers and accused of hiding weapons, they were beaten and interrogated at the Fretilin headquarters before being taken to the Aissirimou prison in Aileu where they were further interrogated. They were finally released, but were made to pound rice and clear land [for planting] for one month. One night, PS220, a member of Fretilin, entered the room where four women were asleep and forcibly took TF away. TF1 stated:

PS220 came into the room

Reference 45 - 0.01% Coverage

a member of Falintil.¹³¹

Sexual slavery during the Indonesian occupation (1975–1999)

176. The Commission found evidence that sexual slavery took place in the context of the Indonesian occupation. Victim and eyewitness testimonies suggest that incidents of sexual slavery increased during periods of known major Indonesian military offensives. Significant increases in cases of sexual slavery occurred in the late 1970s, again in 1982 during the levantamento period and in 1999 around the time of the Popular Consultation.

Sexual slavery during the invasion and large-scale operations (1975–1984)

177. The Commission's database of documented sexual slavery cases shows 63% occurred during the period of the Indonesian invasion and large-scale military operations between 1975 and 1984. Cases of sexual slavery during this period can be divided into two distinct patterns: military sexual slavery and domestic sexual slavery.

A. Military sexual slavery in military installations

178. The Commission has gathered strong evidence that points to the practice of sexual slavery which was institutionally tolerated and supported by the Indonesian military.¹³² In cases where the victims were detained in military installations during the period of sexual slavery, the culpability of the military is obvious.

179. YF told the Commission about her experiences of detention and sexual slavery when she was about 15 years old. When the Indonesian army invaded, YF and her family, who were known as Fretilin supporters, fled to the forest from the village of Lauana (Ermera). In 1977, YF, her family and an old woman named YF1 were caught by Indonesian soldiers. They were taken to the Letefoho Koramil in Ermera for interrogation and then were ordered back into the forest to convince other Fretilin members to surrender. At the time, YF's brother, who had been captured and detained at the same time as YF, was able to prevent her from taking part in the operation. YF returned to her house in Lauana. YF1, however, went on the operation and was shot in the back by the military. Sometime later, soldiers went to YF's house and arrested her again. YF told the Commission:

Volume III, Part 7.7.: Rape, Sexual Slavery and Other Forms of Sexual Violence - Chega! | 1971
The military recaptured me and

Reference 46 - 0.01% Coverage

children, one of whom died.

182. In many cases of military sexual slavery, military resources were used to commit this sexual crime. Like YF, who was unlawfully arrested and detained, AG told the Commission about her experiences of

rape and sexual slavery, first at the Hatolia Koramil in Ermera and then at the Maliana Kodim in Bobonaro:

In 1977 an Indonesian soldier

Reference 47 - 0.01% Coverage

continued] for a year.¹³⁵

183. On completion of his tour of duty, PS228 abandoned AG. Two years later, he was again stationed in Timor-Leste, this time at the Maliana Kodim. He ordered two Hansip members to bring AG to him. Once again, under the threat of death, AG's parents had to surrender their daughter to the Indonesian soldier. AG was taken to the Maliana Kodim barracks and again forced into a situation of sexual slavery for three years. She gave birth to two children. PS228 claimed AG as his exclusive sexual property over a number of years. The fact that he ordered two Hansip members to fetch AG from the sub-district of Hatolia, which was under the control of the Ermera Kodim, to take her to the Maliana Kodim, clearly demonstrates the use of military resources and authority between Kodims in the commission of this crime (see also case below, par. 193, of PS229, Head of Intelligence Section, Ainaro Kodim).

184. Women were not only detained for sexual slavery in Kodim (district) and Koramil (sub-district) posts, but also in military posts throughout the territory. BG describes her detention and sexual slavery at the Battalion 145 post in Hatolia:

1972 | Chega! - Volume III, Part 7.7.: Rape, Sexual Slavery and Other Forms of Sexual Violence

In 1977 in the town

Reference 48 - 0.01% Coverage

still a young girl.¹³⁶

185. BG also testified that another woman, known to her as CG, was also forced to live at the Yonif 145 post. Like BG, CG was coerced into a situation of sexual slavery and eventually gave birth to a child. When Battalion 145 left Timor-Leste, the two women and their two children were abandoned without any means of support. The two women were in a situation of sexual slavery at this military post until both women became pregnant and gave birth to a child. This indicates that this practice was known and tolerated by the military.

186. Women known to have a role in Falintil were all vulnerable to sexual slavery. This included women who surrendered after having fled to the mountains and, in particular, women known to be married to Falintil leaders. DG, who two years previously had witnessed the gang rape of her sister E in Lauana, Ermera, became a guerrilla fighter and was married in a civil ceremony to a Falintil Commander named DG1. They were separated during battle and in 1977 DG heard that her husband had been killed in Aidea, Aiasa (Bobonaro, Bobonaro). A year later DG surrendered in Cailaco (Bobonaro). DG told the Commission:

Because [ABRI] knew I was

Reference 49 - 0.01% Coverage

born of this relationship.¹³⁷

187. EG1 gave evidence to the Commission about the sexual slavery of his sister EG. According to his testimony, she was targeted because her brother was a Falintil commander. In 1979, after four members of her family were killed by Indonesian bombs dropped on the aldeia of Fatuacan, Fahinehan (Fatuberliu, Manufahi), EG1 and his family surrendered to the head of the aldeia of Riamori, in Fahinehan Village,

named PS233. EG1's older brother, EG2, a Falintil commander, also surrendered. EG1 told the Commission:

The village head [of Fahinehan

Reference 50 - 0.01% Coverage

child from this union.¹⁴⁰

190. In this case, FG and her friends were victims of repeated rape while detained at the Hato Bulico Koramil (Ainaro), and two years later FG was the victim of domestic sexual slavery.¹⁴¹

191. In some cases, sexual slavery included forced recruitment into military operations to find Falintil, as experienced by GG. In 1979, two ABRI soldiers from Infantry Battalion 121, a Corporal PS234 from South Sumatra and an unknown man, detained GG from her home in the aldeia of Nun Sorau, Ma'abat (Manatuto, Manatuto). They took her to the Manatuto Kodim. "If I refused they would kill my father. Because I was terrified, in the end I resigned myself." After being raped on the floor, the following day GG was taken back home. "From then on I was used as his 'comfort wife' for six months and gave birth to a child as a result." While GG was pregnant she was forced to go into the forest carrying 5 kilograms of rice, food, cigarettes and two letters. The letters – one from the Kodim and the other from Battalion 121 – were an appeal to members of Fretilin still in the forest to surrender. Eventually GG met some Fretilin members who knew her but she was detained at the Fretilin command post for five days. Eventually GG was able to escape and go back to report to the Kodim in Manatuto. A few days later she was forced to go with a battalion on another search for Fretilin's places but they did not find anything. The following day she had to follow another military operation:

Three TNI [sic] from Battalion

Reference 51 - 0.01% Coverage

forced [to walk on].¹⁴²

192. GG returned to the village of Cribas (Manatuto, Manatuto) with this military unit in a convoy of three Hino vehicles. She was forced to climb mountains and stay in the forest with the soldiers but they failed to find any Falintil troops. The sexual slavery aspect of this case is clearly evident; the abduction from her house, the threat to her family's safety, the rape and the involvement in military operations were not of her own free will. Battalion 121 exercised the right of ownership over GG although only Corporal PS234 had sexual access to her.

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193. In the following case

Reference 52 - 0.01% Coverage

child from this relationship.¹⁴³

B. Military sexual slavery outside military installations

194. The Commission found evidence of sexual slavery where women, not held inside military bases, were still summoned by ABRI at will for sexual abuse by soldiers. Although not physically detained at a military compound, such victims were nonetheless under absolute military control. In some cases, women's names were on a list or file held by the military, which required them to make themselves available sexually for military personnel. These lists or files were handed down from one battalion to another. As HG of Lautém related to the Commission:

My name was on the

Reference 53 - 0.01% Coverage

feared for my life.144

195. IG was a victim of military sexual slavery for a period of one year that ended when she agreed to a situation of domestic sexual slavery with a Babinsa. In 1977, IG was taken from her home in the aldeia of Uaturidi, Bahú (Baucau, Baucau) by Combat Team Regiment (RTP) 15 and Infantry Battalion 330 troops. She was interrogated and tortured. “[They] burned my lips with cigarette butts, slapped me, kicked me...then told me to go home.” IG was arrested again a year later, this time in the aldeia of Anawaru, Caibada Uaimua (Baucau, Baucau) and taken to the Baucau ABRI headquarters. “At the TNI [sic] headquarters, soldiers raped me repeatedly for four days. If I refused [they said they] would shoot me dead.” After four days IG was released and returned to her home in Anawaru:

But...every morning at 08

Reference 54 - 0.01% Coverage

children from that relationship.146

197. G1 testified about his sister’s ordeal of sexual slavery in 1978, when G1 and his family surrendered to Infantry Battalion 122 in Lauana Village (Letefoho, Ermera). At the time G was forced to become the sexual property of Battalion 122. She was only 17 years old. G1 told the Commission:

When we surrendered, my sister

Reference 55 - 0.01% Coverage

married – she lives alone.147

C. Domestic sexual slavery

198. The Commission received evidence of cases of sexual slavery where a woman, sensing threat from armed security personnel, was forced to enter into a long-term sexual relationship in a domestic setting. In many cases of domestic sexual slavery reported to the Commission, the victim was raped prior to being forced into a longterm sexual relationship with the perpetrator.

199. The Commission received corroborating evidence regarding the case of sexual slavery experienced by JG. In 1980, ABRI was distributing corn flour to the population of Welaluhu Sub-district (now known as Fatuberliu) in Manufahi District. Two men and three women – JG, KG, LG – were detained and tortured. The three women were separated from the other detainees, placed in a house near the Koramil and raped repeatedly by the Koramil Commander, PS239, and his deputy. JG was raped for nearly 40 days by the deputy Koramil commander. Two weeks after JG was released, the deputy Koramil commander went to her house and forced her to “marry” him. This relationship continued for one month until this deputy finished his tour of duty in Timor-Leste.148

200. MG gave testimony about the rape and domestic sexual slavery she experienced in her own home in 1982 when she was only 15 years old. This case, which took place in the village of Manlala (Soibada, Manatuto) demonstrates the powerlessness of the local population and the civilian government in relation to the Indonesian security forces.

In 1982, on my way

Reference 56 - 0.01% Coverage

result of these violations.150

202. The table below provides a brief summary of some cases of domestic sexual slavery during this period.

Table 1 - Summary of cases of domestic sexual slavery, 1975–1984 HRVD

Statement Number

01792 Year 1975

Reference 57 - 0.01% Coverage

Bobonaro

PS126, East Timorese, Partisan

When Partisan troops entered Aidabaleten Village, QG was raped for five hours by PS126. She was then forced into a situation of sexual slavery with him that lasted three years.

Duration of sexual slavery

More than one year

More

Reference 58 - 0.01% Coverage

Ermera

Liurai PS250, Village Chief

WG was detained by PS250 and a Hansip member named PS340. She was beaten, then forced into a situation of sexual slavery with PS250 who lived with WG in her parents' house. She had two children from this relationship.

00566

1979 Uailacama, Vemasse, Baucau

Reference 59 - 0.01% Coverage

than nine months

Three years

D. Consecutive domestic sexual slavery 203. The Commission received evidence of cases of consecutive domestic sexual slavery, perpetrated by different offenders on

Reference 60 - 0.01% Coverage

security forces to his replacement.

204. YG became the victim of sexual slavery by three Indonesian soldiers consecutively. In 1980 YG was nearly shot by a police officer and ABRI soldiers when she was in the fields with her children. Accused of having joined Falintil, YG was taken to the Alas Koramil (Manufahi). On the way, they threatened to kill her and throw her in the river. At the Alas Koramil, YG was interrogated for three days. Then the Alas Koramil commander, known as PS254, forced YG to give in to his sexual advances and eventually she had a child. The Koramil commander died soon after the child was born. In 1982 YG was again forced into sexual slavery, this time with an Indonesian soldier named PS255. From this relationship she gave birth to a stillborn baby. A year later, for the third time, YG was forced into sexual slavery with a member of ABRI whose name was not disclosed. The soldier left YG after a month on completion of his tour of duty.¹⁵²

Volume III, Part 7.7.: Rape, Sexual Slavery and Other Forms of Sexual Violence - Chega! | 1979

205. ZG was forced into a situation of sexual slavery that continued for one year and involved four consecutive perpetrators from different military units. In 1981, ZG was only 16 years old when PS256, the village head of Mindelo (Turiscaí, Manufahi) went to ZG's house in the middle of the night with PS257, an Indonesian soldier. PS256 threatened to kill ZG's brother if he did not surrender his sister. ZG was forced into a sexual relationship with PS257 that lasted for two months. After PS257 left the region when his battalion was moved, another Indonesian soldier named PS258 arrived in the area and, with a member of Hansip, went to ZG's house. With threats, he forced ZG into a sexual relationship that lasted four months. After PS258 left he was followed by another Indonesian soldier, PS259, and later yet by another Indonesian soldier named PS260. Each of them forced ZG to have an on-going sexual relationship that lasted the duration of their duty in this region (one to four months). In 1984 another soldier whose name was not known to the victim tried again to force a sexual relationship with ZG. ZG explained to the Commission:

I surrendered myself to be

Reference 61 - 0.01% Coverage

ZG became mentally unstable. 154

207. At the beginning of the 1980s, the Indonesian military considered the district of Lautém a stronghold of the Resistance, which it termed the "security disturbers movement" (Gerakan Pengacau Keamanan, GPK). Consequently, large-scale military operations were conducted in this district, increasing the incidence of sexual violence against women. In the sub-district of Lospalos torture, rape and sexual slavery were widespread. HG, whose name was on a list of "available women" at the Lospalos Kodim headquarters (see par. 194 above), was one among several women who told the Commission of her capture, and the torture and sexual violence she then experienced. In 1981, HG's husband, a member of a civil defence group of the Indonesian military known as Trained Civilians (Rakyat Terlatih, Ratih), was shot dead during a Falintil attack. A year later in 1982, HG was captured by the Indonesian military under suspicion of helping her uncle who was in the forest.

They made me walk from

Reference 62 - 0.01% Coverage

be interrogated and raped.156

210. BH was detained and tortured because she refused the sexual advances of a soldier. Then she became the victim of domestic sexual slavery perpetrated by two Indonesian soldiers in succession.¹⁵⁷ The Commission also received the testimony of CH who told of her capture, sexual torture and sexual slavery at the Maluro post. Like HG, she said that her name was listed in ABRI files and that she could be passed by a soldier from one battalion to the next as troops rotated in and out of Maluro.

In 1983, I was captured

Reference 63 - 0.01% Coverage

soldier named PS266 [Indonesian].158

E. Case study: rape and sexual slavery in Mau Chiga, Ainaro

211. To better understand the context in which sexual slavery occurred, the Commission conducted a special investigation on the human rights violations that took place in Mau Chiga (Hato Bulico, Ainaro) from 1982–1987. Sexual slavery, rape and other forms of sexual violence took place at the same time as mass detention, torture, killings, and, finally, exile to the island of Ataúro and other isolated areas.

212. At dawn on 20

Reference 64 - 0.01% Coverage

Rights of the Child).159

216. JH was not taken to the Mantutu post, but was raped at the Lesuati post on the same night her husband and uncle were interrogated and killed at the Mantutu post.160 217. The gang rape of female detainees often took place in the context of interrogation. Of the 66 women interviewed (or mentioned in interviews) about the 1982 uprising in Mau Chiga, 41 were victims of sexual violence: 24 were raped, 11 others experienced slave-like sexual abuse and six others suffered from other forms of sexual violence.

GH testified to the Commission:

On 20 August 1982, two

Reference 65 - 0.01% Coverage

rarely wore a uniform.166

222. QH was also detained at the Ainaro Kodim for a year before she was released from her cell to enter a situation of domestic sexual slavery, following negotiations among the soldiers at the Kodim.167

223. RH was held in

Reference 66 - 0.01% Coverage

one toddler, one nursing baby

eight children (later: sexual slavery) rape rape attempted rape 1988 | Chega! - Volume III, Part 7.7.: Rape, Sexual Slavery and Other Forms of Sexual Violence

27 Unknown 28 Unknown 29

Reference 67 - 0.01% Coverage

found earlier in this part.

Volume III, Part 7.7.: Rape, Sexual Slavery and Other Forms of Sexual Violence - Chega! | 1989

237. Rape and sexual slavery continued in Dare long after the first retaliation attack and mass arrests of August and September 1982. HI was captured in 1984 because her uncle was a member of Falintil. At the Dare Koramil post 10 members of the Special Warfare Command (Nanggala) beat her and then took her to the Kodim in Ainaro where she was stripped naked and electrocuted for two hours until she was unconscious. After that she was forced into a situation of sexual slavery with the head of the intelligence section, PS229, from the Ainaro Koramil that lasted for three months.179

E.2 Internment on the

Reference 68 - 0.01% Coverage

in the Dare Koramil post.

I was also treated like a slave. Every day I had to wash clothes, cook and do other domestic chores for the ABRI. They also made me wear an ABRI uniform. I was given a rucksack, a radio, a pistol and ammunition. They taught me how to use the equipment so I could go with them to Mount Kablaki to search for Falintil commanders. The rucksack was so heavy that sometimes I fell. Once I fell in the

middle of a river and all my clothes were soaked, but the ABRI did not heed me and ordered me to continue walking. On arrival at [our destination] they handed me over to the troops there to rape me. After that we returned to the Dare Koramil post with the excuse that no Falintil commander had been found. The following day I refused to go on more operations.

At that time ABRI...[used

Reference 69 - 0.01% Coverage

I returned to Dare.185

Sexual slavery during consolidation of the occupation (1985–1998)

244. Compared with the post-invasion period and 1999, cases of sexual slavery reported for the period 1985–1998, as with cases of rape, were at markedly lower levels. This coincides with a drop in cases of women detainees.

245. The evidence gathered points to a decline in military sexual slavery and an increase in cases of domestic sexual slavery, where a member of the armed forces used the power of his position and arms to force a woman into a sexual relationship in a domestic setting.

246. K was a victim of domestic sexual slavery for five years, from 1985 until 1989, perpetrated by the Koramil commander of Laclubar Sub-district in Manatuto. At first, the commander named PS297, kicked down the door of K's house because her parents did not want to open the door for him. Threatening her with a weapon, PS297 forced K to take off her clothes and then he raped her in her own home. K's parents could not accept this and beat K so that she would refuse to have a relationship with PS297. However, PS297 continued to visit K's home and to have sexual intercourse with her. In the end, K became pregnant and had a child who died soon after birth. The situation continued for five years until PS297 returned to Sumatra at the end of his tour of duty in Timor-Leste.186

247. The Commission also received

Reference 70 - 0.01% Coverage

sister, N, to have sexual

Volume III, Part 7.7.: Rape, Sexual Slavery and Other Forms of Sexual Violence - Chega! | 1995
intercourse with him. Because she refused, PS298 brought N1 to a military post where he was tortured. They accused him of being a member of the Fretilin security disturbance group (GPK). They kicked and hit him with a gun on his mouth until his teeth fell out. The next day N1 was made to stand by the flagpole at the post, staring at the sun from morning until afternoon. On the second day N1 was threatened with detention and torture for one month if he did not hand over his sister. In the end N had to enter into a situation of sexual slavery with PS298 to save her brother.187

248. Some victims of sexual slavery committed by Indonesian soldiers also became targets of the same crime committed by Timorese from civilian groups. LI testified that for six years, beginning in 1980, she was forced into a situation of sexual slavery by an Indonesian soldier from the Koramil of Laleia (Manatuto) named PS299. In 1986, she was again coerced into a situation of sexual slavery by PS300 [East Timorese]. He was a member of the Hansip from the same Koramil. Threatened with a weapon, LI was raped every night in her own house. In the end she alone was responsible for raising her two children, one from each of the relationships.188

Testimony of MI, Lalerek Mutin

Reference 71 - 0.01% Coverage

of MI, Lalerek Mutin, Viqueque

MI is a small, soft-spoken woman who bravely shared her experiences of domestic sexual slavery with the Commission in April 2003.

After the Hansip revolt led

Reference 72 - 0.01% Coverage

gossip about me again.189

249. Despite the reduction in reported cases of sexual slavery during the “consolidation” of Indonesia’s occupation, between 1985 and 1998, the following statements illustrate that domestic sexual slavery still occurred among the security forces throughout the territory.

250. In 1987, in the

Reference 73 - 0.01% Coverage

family members were still in

1998 | Chega! - Volume III, Part 7.7.: Rape, Sexual Slavery and Other Forms of Sexual Violence
the forest, NI entered a situation of domestic sexual slavery. She had a child from this relationship.190

251. In 1988, OI from

Reference 74 - 0.01% Coverage

and PS306 abandoned her.192

253. QI from Lauana (Letefoho, Ermera) entered into a situation of sexual slavery after a militiaman, PS307, threatened her parents with a knife in November 1998. As QI’s brother was a member of a clandestine organisation, QI had to protect him. When she was two months pregnant PS307 beat her and she miscarried.193

Sexual slavery by members of Falintil

254. One case reported to the Commission of sexual slavery which took place during the period of Indonesian occupation involved Falintil members as perpetrators. On 26 October 1996, RI and her sister, SI, respectively 14 and 13 years old, were threatened with guns and grenades by a member of the clandestine movement – PS308 – and two members of Falintil – PS309 and PS310 in Manusae (Hatolia, Ermera). After the threats, RI was raped by PS309 and SI was raped by PS310. The situation continued for several months until both girls became pregnant and the two men disappeared.194

Sexual slavery and the Popular Consultation (1999)

255. Incidents of sexual slavery in 1999 should not be seen in isolation from the cases of rape described in the previous sections. The Commission received strong evidence that points to a situation of lawlessness that not only allowed rape to occur periodically, but also allowed perpetrators to rape a woman repeatedly for months at a time. Victims had no way to stop the crimes, nor a way to demand justice.

256. TI1, a woman from

Reference 75 - 0.01% Coverage

to 27 June 1999.197

257. Long before the massacre at Suai Church, the Laksaur militia perpetrated acts of sexual terror, including sexual slavery. On 25 April 1999, the Laksaur militia turned VI’s house in Fatumean (Covalima) into a militia post. Her husband was forced to flee into the forest while VI, who was left behind, was forced into a situation of sexual slavery. She was repeatedly raped by PS314 [East Timorese

militia], and when PS314 was away, PS315 and PS316, other militia members also raped her. As a result VI became pregnant and her husband later separated from her when he heard about her condition.198
258. Another Laksaur militia member

Reference 76 - 0.01% Coverage

4: The Regime of Occupation.]

2000 | Chega! - Volume III, Part 7.7.: Rape, Sexual Slavery and Other Forms of Sexual Violence campaign of terror in the sub-district of Atabae, Bobonaro. From the 13 testimonies reporting cases of rape and sexual slavery perpetrated by these groups, the Commission is convinced that rape was an integral part of the pattern of violence. An offender repeatedly named by victims as PS318 was the deputy commander of Halilintar. It is believed he was killed in a skirmish with Interfet in October 1999.200
Another repeat offender was Halilintar commander PS319. His name also appeared in the indictment filed by the General Prosecutor in the Special Panels Court in Dili for crimes against humanity (torture, rape and persecution).201

Halilintar began these acts of terror in the sub-district of Atabae in 1998. A Halilintar militia named PS320 entered XI's house in Boloï on 5 May 1998. PS320 put his knife on the table, forced XI into the bedroom and raped her. XI described the slave-like sexual practice in this way:

“The perpetrator made me his

Reference 77 - 0.01% Coverage

villagers fled for safety.203

Commander PS319 threatened ZI, from the aldeia of Aidabasalala, Hataz Village, with a weapon and raped her in her own home in February 1999.204 ZI remained in a situation of sexual slavery until August 1999. Sexual slavery also occurred in the cases of two other women, AJ and BJ. After AJ's husband, a member of the Koramil in Atabae, was arrested on suspicion of participating in the clandestine movement, AJ was raped by PS323, a member of the militia. PS318 aided this rape by threatening AJ with a weapon.205

When BJ's house was ransacked by Halilintar militia on 2 February 1999, her father was beaten as he tried to intervene. He was taken to the Maliana hospital for treatment. While her father was hospitalised, PS318 came to BJ's house, raped her and forced her into a situation of sexual slavery until she gave birth to a child.206

CJ was raped when the

Reference 78 - 0.01% Coverage

was raped by PS318.216

259. Following the announcement of the result of the Popular Consultation, the ensuing widespread violence and mass displacement of the population provided opportunities for rape. In a situation of chaos and lawlessness, rape offenders had an immense opportunity to gain access to victims and create conditions of sexual slavery and slavelike conditions.

260. In Aileu, a 17 year-old girl from the village of Seloï Kraik (Aileu Town, Aileu) was forced into a situation of sexual slavery during the period following the announcement of the ballot result. MJ recalled how the AHI militia terrorised everyone: “[They] said we had to evacuate [our homes] quickly because a hundred Indonesian fighter planes [were on their way to] burn all the houses [in the village]”. MJ and her family left for the town of Aileu intending to go to Atambua in West Timor. While in Aileu, MJ was raped for the first time.

PS333, a militiaman and member

Reference 79 - 0.01% Coverage

to return to Ainaro.²¹⁸

263. As demonstrated by the case studies above of sexual violence by Halilintar militia and during the Suai Church Massacre, victims of sexual slavery in Bobonaro and Covalima were often forcibly displaced to West Timor in late September 1999 by the same men who abducted them. Other cases of sexual slavery that continued in West Timor were also reported to the Commission. After the violence in Gleno, Ermera, the Integration Red Blood militia member implicated in the murder of ZE above, known as PS177, continued his violent rampage. He threatened the family of OJ1 and eventually took OJ1's niece, OJ. PS177 threatened to kill OJ for being a member of the Student Council if she did not agree to follow him to Atambua, West Timor. PS177 essentially kidnapped OJ as property to serve him sexually in Atambua.²¹⁹

264. In the case of

Reference 80 - 0.01% Coverage

and returned to Liquiçá.²²⁰

265. On 12 April 1999, Falintil forces launched an attack in the sub-district of Cailaco, Bobonaro in which some Indonesian soldiers and pro-integration militia were killed. The Indonesian military and local militia retaliated by targeting the civilian population in Cailaco. This included house burning, arbitrary detention, torture, and the public execution of seven men. Rape and sexual slavery also occurred in the context of these acts of violence.²²¹ Soldiers from the Cailaco Koramil, who were also known to be militia members, raped at least four women. Two of the four victims were forced to West Timor as refugees where they became victims of sexual slavery while in the refugee camp. One of the victims recounted:

On 12 April 1999, after

Reference 81 - 0.01% Coverage

of the Indonesian army and

Volume III, Part 7.7.: Rape, Sexual Slavery and Other Forms of Sexual Violence - Chega! | 2005 militia members who effectively had control of the camps.²²³ Of the 15 cases of reported polygamy, at least nine of them are suggestive of sexual slavery where a man has forcibly taken and claimed ownership of a second (or third) "wife". Most of these nine cases seem to have been initiated during the ballot-related violence in Timor-Leste rather than in the refugee camps.

Other forms of sexual violence

Reference 82 - 0.01% Coverage

be a crime against humanity.

269. Many of the cases described in the previous sections on rape and sexual slavery also depicted other forms of sexual violence such as sexual torture. Public sexual humiliation was used as a way to exert power and domination over the civilian population. Sexual harassment was also a feature in some kidnappings perpetrated by the military. It is also a prominent form of sexual violence that is described in testimonies by women who were forced to attend parties organised by the military and its auxiliary

groups. At these parties they were forced to dance with armed men and submit to sexual harassment by them.

270. More male victims reported

Reference 83 - 0.01% Coverage

the context of interparty conflict

271. The only incidence of sexual violence other than rape or sexual slavery from this period reported to the Commission was the sexual torture of a woman by members of Fretilin in 1977. VF1's father and uncle were members of UDT who later escaped from a Fretilin detention centre and sought protection with the Indonesian military. VF1 and other family members were branded as traitors by Fretilin. They were consequently detained and tortured by Fretilin members in Laçlo, Manatuto, in May 1977. VF1 gave a moving testimony about the torture experienced by her cousin, WF, and by her aunt.

They started to interrogate, beat

Reference 84 - 0.01% Coverage

in Mehara for six months.

287. Unlike many of the women from the aldeia of Maluro, Lore (Lospalos, Lautém) who experienced sexual slavery during the military's large-scale operations in that area as described above, CK managed to escape rape. She did, however, experience torture and sexual harassment:

On 11 October 1983, I

Reference 85 - 0.01% Coverage

practice of Indonesian security forces.*

293. The following cases provide evidence of detainees who were photographed. They indicate how torture and humiliation that target sexuality are often closely related to acts of rape or sexual slavery.

294. In 1977, an ABRI

Reference 86 - 0.01% Coverage

died from the abortion.²⁶³

324. In one case, a woman victim of domestic sexual slavery died due to illness which was possibly related to attempts to terminate the pregnancy by the soldier who raped her:

In March 1979, my younger

Reference 87 - 0.01% Coverage

become vulnerable to recurring trauma.

331. In 1999, Fokupers * reported a case of a woman who was a victim of sexual slavery in Viqueque. A school teacher

Reference 88 - 0.01% Coverage

Chega! | 2027

Blaming the victim

337. Victims of sexual slavery experienced the most extreme forms of social isolation. The long-term nature of the violation often involved more subtle forms of coercion. The community perception of women who were subjected to sexual slavery, particularly domestic sexual slavery, was coloured by popular belief which did not distinguish between consensual and non-consensual extra-marital sexual relations:

Most people [in Liquiçá] say

Reference 89 - 0.01% Coverage

talked about by anyone.²⁷⁴

339. The strong community feelings against women who were subjected to sexual slavery were known to all, including young children. Many of those who had no choice but to comply with the wishes of armed men entered into sexual slavery with open eyes about public contempt. This also affected their life choices when they were able to escape their situation:

I said I was still

Reference 90 - 0.01% Coverage

soldiers at the post.²⁷⁶

2028 | Chega! - Volume III, Part 7.7.: Rape, Sexual Slavery and Other Forms of Sexual Violence

341. In some cases there was community complicity in supporting the sacrifice of one or a group of women to become an “army mistress” in exchange for collective security. Despite this, women subjected to domestic sexual slavery often faced ridicule and suspicion.

342. In some cases, the popular misconception of sexual slavery as consensual extramarital relations resulted in added abuse from others toward the victims:

For one month my family

Reference 91 - 0.01% Coverage

and also threatened me.²⁷⁷

343. Domestic sexual slavery was a disgrace to the family. Women were often blamed for the shame they brought to the family, despite the fact that they were forced into the situation:

He pushed the door and

Reference 92 - 0.01% Coverage

live with my father.²⁷⁹

345. However, the Commission also heard testimonies from victims of rape and sexual slavery who were able to find happiness in marriage, despite what had happened to them.

Volume III, Part 7.7.: Rape, Sexual Slavery and Other Forms of Sexual Violence - Chega! | 2029

Survival and discrimination against children

Reference 93 - 0.01% Coverage

Survival and discrimination against children

346. Women who became pregnant and bore children from non-consensual sexual relationships faced multiple layers of discrimination. Women who were in a situation of sexual slavery were considered sexually “loose”. Women who were raped were thought of as “used goods.” Their children were often discriminated against, as they were seen as illegitimate children born out of wedlock. This branding of women and their children not only resulted in social isolation, but also often resulted in severe psychological problems within the family:

There was one difficult case

Reference 94 - 0.01% Coverage

in the rice fields.²⁸¹

348. These single mothers, without protection from the traditional male figure of husband or father, were vulnerable to sexual advances from other men. In the following statement, a woman already caring for a child born out of sexual slavery by an Indonesian Koramil commander is forced to accept the advances of an East Timorese soldier:

After my child was 8

Reference 95 - 0.01% Coverage

cases it failed to overcome

its prejudices against women victims of sexual slavery and their children. Without understanding the non-consensual element in sexual slavery, Church officials sometimes misperceived sexual slavery as extra-marital sexual relations. For women victims, particularly those who bore children out of consecutive non-consensual relationships, their experiences of being slighted by the Church have had a deep impact upon their minds. Children who were denied Baptism were not only deprived of the normal lives their mothers so craved for them. The mothers also faced practical consequences, such as difficulties in school registration, which required a certificate of baptism:

Family members from both my

Reference 96 - 0.01% Coverage

children to be baptised.²⁸⁵

352. In the following testimony, this victim of consecutive sexual slavery and her children were publicly shamed by the Church, resulting in a shunning from all communal religious activities for 16 years:

I was not shunned by

Reference 97 - 0.01% Coverage

286

Marital separation or reconciliation

353. The reaction of husbands to the sexual violence committed against their wives was an important factor in the capacity for women to recover. The Commission has heard testimonies from women survivors of sexual slavery and rape whose husbands were unable to accept what had happened to them and subsequently left them:

My husband sent a letter

Reference 98 - 0.01% Coverage

would have been killed.²⁸⁷

354. On the other hand, the Commission has also received statements from survivors of sexual violence whose husbands were able to accept the fact that what took place was beyond their wives' control. These women survivors of rape and sexual slavery found acceptance from their husbands:

On the boat [on the

Reference 99 - 0.01% Coverage

and occupation of Timor-Leste:

3. Members of the Indonesian security forces and their auxiliaries were involved in widespread and systematic rape, sexual torture and acts of sexual violence (other than sexual slavery) directed mainly towards vulnerable East Timorese women.

361. The Commission bases this

Reference 100 - 0.01% Coverage

individual and gang rape, sexual

2036 | Chega! - Volume III, Part 7.7.: Rape, Sexual Slavery and Other Forms of Sexual Violence
torture and other forms of sexual violence towards scores of these vulnerable women. The programme continued over a period of several months and involved military commanders, lower ranked officers and Hansip members as perpetrators. The Commission finds the military commanders and civilian officials of Ainaro District during this period responsible and accountable for these massive violations of human rights. • Extreme sexual violence on local East Timorese women was also used to suppress the local population following the uprising in Kraras, Bibileo (Viqueque, Viqueque) in 1983. This included forcing women into sexual slavery. • Mass arrests leading to sexual abuse of women in detention as part of military operations. This was experienced by women detainees in Flamboyen Hotel in Bahu (Baucau Town, Baucau), the Koramil in Uatolari Sub-district (Viqueque), and in the Balide Prison (Comarca) in Dili, as well as other detention centres.

11. The large-scale violence

Reference 101 - 0.01% Coverage

violence against East Timorese women.

Sexual slavery

15. Throughout the invasion and occupation there was a persistent practice of forcing East Timorese women to become, in effect, the sexual slaves of military officers. These activities were conducted openly, without fear of reprisal, inside military installations, at other official sites and inside the private homes of women who were targeted. In a significant number of similar cases, rapes and sexual assaults were repeatedly conducted inside victims' homes, despite the presence of parents, children and other family members of the victim.

16. As with rape, sexual slavery also increased dramatically during periods of major military operations, and decreased when such operations were less frequent. For example, 64% of sexual slavery cases reported to the Commission took place during the period of invasion and during periods of large-scale military operations.

17. It was common practice

Reference 102 - 0.01% Coverage

to do unpaid domestic work.

18. The victims of this form of sexual slavery were not free to move about or travel, or to act independently in any way. It was not uncommon for the “ownership rights” over these women to be passed on from an officer who was finishing his tour of duty to his replacement or another officer. In some situations, women forced into these situations became

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pregnant and gave birth to children of several different officers during the years in which they were the victims of sexual slavery.

19. In general, Indonesian officers who were responsible for fathering these children through rape or sexual slavery accepted no on-going responsibility to support their material well-being. Mothers of these children faced significant difficulties in providing for them. This was particularly problematic because former victims of rape and sexual slavery at the hands of the Indonesian military forces were often considered “soiled” and unsuitable for marriage by East Timorese men, and faced on-going social stigma.

20. The methods used to force East Timorese women into situations of sexual slavery often involved torture by members of the security forces, threats of torture and killing of victims, their family members, or the targeting of their community.

Impunity for perpetrators of sexual slavery

21. Members of the Indonesian security forces forced women into conditions of sexual slavery in military institutions or their homes openly, without fear of reprisal. The total impunity enjoyed by members of the security forces, their demonstrated capacity to kill and torture at will, and the systematic nature of these violations across the territory presented victims with no possibility of escape. The women who were targeted were forced to experience the repeated and horrific violation of their bodies and personal dignity, or be faced with an even greater harm to themselves, their family or community. In this impossible situation there was no hope of help from law enforcement officials, or any other source, and no reason to believe the situation would end in the foreseeable future.

22. The scope and nature

Reference 103 - 0.01% Coverage

tool of terror and degradation

23. In addition to rape, sexual torture and sexual slavery, a wide variety of other sexual violations were committed by members of the Indonesian security forces. Violations that were particularly degrading to victims or culturally repulsive were often kept in public view. This included instances of forcing prisoners to walk long distances through

Volume III, Part 7.7.: Rape, Sexual Slavery and Other Forms of Sexual Violence - Chega! | 2039
communities while naked, public rape

Reference 104 - 0.01% Coverage

wider participation in sexual violations.

25. Rape, sexual slavery and sexual violence were tools used as part of the campaign designed to inflict a deep experience of terror, powerlessness and hopelessness upon pro-independence supporters. Sexual violation of East Timorese women, particularly those connected to members of Fretilin and Falintil, was intentionally carried out to destroy the self-esteem and spirit, not only of the victims, but of all who

supported the movement for independence, with the aim of forcing them to accept the political goal of integration with Indonesia

Total number of victims of

Reference 105 - 0.01% Coverage

of victims of sexual violations

26. The Commission notes the inevitable conclusion that many victims of sexual violations did not come forward to report them to the Commission. Reasons for under-reporting include death of victims and witnesses (especially for earlier periods of the conflict), victims who may be outside Timor-Leste (especially in West Timor), the painful and very personal nature of the experiences, and the fear of social or family humiliation or rejection if their experiences are known publicly. These strong reasons for under-reporting and the fact that 853 cases of rape and sexual slavery, along with evidence from about another 200 interviews were recorded, lead the Commission to the finding that the total number of sexual violations is likely to be several times higher than the number of cases reported. The Commission estimates that the number of women who were subjected to serious sexual violations by members of the Indonesian security forces numbers in the thousands, rather than hundreds.

Impact on victims

27. Although

Reference 106 - 0.01% Coverage

the population as a whole.

3. Moreover, the manner in which violations were perpetrated against children was often the same as for adults. Except for the age of the victims, the content of the reports of sexual violence against children recounted below barely differ from those in the part of the Report on sexual violence. They describe: • rape and sexual slavery in the resettlement camps; • “proxy” sexual violence aimed at family members still in the forest; • violations against children engaged in clandestine activity that could turn into long-term sexual exploitation; and • strategic use of sexual violence as a form of torture, and its apparently opportunistic perpetration.

7.8. Volume III, Part

Reference 107 - 0.01% Coverage

also included in this definition.†

300. The Commission’s research has found that women were almost exclusively the victims of reported sexual violations related to the political conflicts, particularly rape and sexual slavery. Like many other communities, sexual violence against women and girls in Timor-Leste can be closely linked to their position in society. This includes rigid sexual stereotyping of men and women, and the general lower social status of females that encourages the attitude that women are objects that can be possessed and used by men at will.

301. In relation to children

Reference 108 - 0.01% Coverage

has investigated.

Patterns of violations

306. Of the sexual violations against minors reported to the Commission, 41.0% (61/127) were rapes, 35.4% (45/127) involved sexual slavery and 16.5% (21/127) were other acts of sexual violence.

307. In 72.8% (91

Reference 109 - 0.01% Coverage

back to her family.²³³

312. There are also cases reported of girls forced into sexual slavery in the resettlement camps. CM reported that in 1978 when she was 14, she was captured with her family and placed in a camp in Soro (Ainaro). After five months, a Babinsa named C56 threatened to shoot the girl, her father and her older brother if she did not agree to become his

“wife”. She had one child

Reference 110 - 0.01% Coverage

with whom I’m close.²³⁵

314. The Commission’s research with women in Lalerek Mutin (Viqueque, Viqueque) discovered a number of cases of sexual slavery of children in this period. In 1978, DM was 15 years old when she and her mother surrendered and lived in Beobe (Viqueque). Her brother and father remained in the forest and DM became suspected of contacting them. She was interrogated in the Kodim for ten days. After her release, a soldier named C57 began to come to her house. DM tried to avoid him by sleeping at her neighbour’s house but she was then accused of going to find her family in the forest. When she hid inside a pile of maize in the attic of a traditional house, C57 found her:

Then he climbed up into

Reference 111 - 0.01% Coverage

never saw him again.²³⁶

315. FM, also of Beobe, was 14 years old when she was suspected of involvement in a minor incident and subjected to a long period of sexual slavery. In 1978, FM was arrested on suspicion of blocking roads and obstructing ABRI patrol vehicles. She was taken to the Beobe village office and interrogated by the Village Guidance Officer C58, Deputy Village Guidance Officer C59 and a member of Infantry Battalion 330 named C60. During the interrogation C60 started undressing FM. She cried because she was having her period but was threatened; “If you don’t do what we tell you, we’ll cut you up right now.”²³⁷ All three men then raped her.

316. FM was held at

Reference 112 - 0.01% Coverage

eventually bore him a child.

317. As the above case demonstrates, once violated, girls became vulnerable to longterm exploitation, leading to an extended period of sexual slavery or other forms of repeated sexual violence.*

The statement of GM, identified

Reference 113 - 0.01% Coverage

suffered the same fate.²³⁹

319. Sometimes officials cooperated with the military in subjecting girls to sexual slavery for themselves or the military. In 1979, in Betano (Same, Manufahi), the head of the village C67 wished to marry three women active in the Popular Women's Organisation of Timor (Organização Popular da Mulher Timor, OPMT) that had recently surrendered. They included HM, a 16-year-old.*

HM states that because he

Reference 114 - 0.01% Coverage

the Rights of the Child

One source told the Commission that a 12-year-old girl was held captive for three months in 1980 at the Special Forces headquarters in Farol, Dili. She was subjected to sexual slavery by special force members, who took turns with her. This occurred because the victim's house was known to be a clandestine information point.²⁴⁵

325. PM was 17 years

Reference 115 - 0.01% Coverage

of the Child - Chega! | 2137

strategy. WM was born in 1966 and was about nine years old when she fled to Mount Kablaki with her family. Although her family later surrendered in Ainaro, they continued to assist Falintil soldiers. In 1982, following the levantamento in Dare (Hato Bulico, Ainaro), WM was captured and tortured. She escaped death only because someone suggested using her as a kitchen maid and sex slave. WM was 17 years old at the time:

[The soldiers] said "the Koramil

Reference 116 - 0.01% Coverage

reunited with his family.²⁸⁴

381. There were several possible reasons why high-level civilian and military officials supported the transfer of children. The public "adoption" of children was probably intended to reinforce the impression that Timor-Leste was part of Indonesia. The promise to care for them was an illustration of the Indonesian assertion that it was developing the territory, in contrast to Portugal, and the belief that this would strengthen Indonesia's claim to sovereignty over Timor-Leste. It is unknown if any of these children experienced any form of slavery in Indonesia.

Religious institutions and the transfer

Reference 117 - 0.01% Coverage

and it started to move.

After half an hour we were allowed to get out of our boxes and I saw Dili fade into the distance. I felt very sad because I had not seen my mother since I was taken (by the military) from the school yard in Maubisse [Ainaro]. This happened in February 1980 when I was 13 years old. C107 took me to his parent's village in Lamikonga [Kolaka, Kendari] in southeast Sulawesi. C107's parents and family treated me like a slave. After a few years C107 married and moved out and I lived with them. C107's wife was very kind to me and treated me like family, but C107 wanted me returned to his parents' home. I didn't want to go back to C107's parents' house. I and my friend from Timor-Leste, Afonso, made a plan to

escape...Our plan failed - we were caught at the port. C107 was very angry and hit me until my eyes and mouth were swollen and black. I was returned to C107's parents' house. One night I visited a friend's house and, without getting permission, didn't go home that night. C107 beat me again. That night I left the house only with the clothes I was wearing and caught a bus to the port. From there I caught a boat to Samarinda, Kalimantan. I met somebody who worked on the ship who paid for my ticket - perhaps people pitied me because my face was still black and blue. Finally, when I was still 16 years old, I arrived in Samarinda.

I worked and attended junior

Reference 118 - 0.01% Coverage

437. The Commission finds that

43. The Indonesian security forces, their East Timorese auxiliaries and other persons in positions of authority used sexual violence against children both strategically and opportunistically, throughout the occupation. 44. Strategic sexual violence was used to establish control through terror, whether as a form of punishment of the victim, as a means of extracting information or with the wider aim of undermining family ties. 45. The scale of opportunistic sexual violence reflected a climate of impunity that extended from the higher reaches of the military, to their East Timorese auxiliaries, to civilians in positions of authority. 46. Sexual violence against girls often appears to have been motivated by a desire to punish family members involved in resistance activities. 47. Girls and adult women were subject to the similar forms of sexual violence throughout the mandate period. Both were at particular risk in resettlement camps or while detained by Indonesian authorities. 48. Once violated, girls became vulnerable to long-term exploitation, leading to an extended period of sexual slavery or other forms of repeated sexual violence. 49. The practice of sexual violence against children was, in most cases, conducted openly without fear of sanction by both lower ranks of the military and their superior officers, as well as persons in positions of civilian authority such as village heads, police and teachers. 50. Most of the cases of sexual violence that the Commission has examined took place in military custody or on military premises or other locations that could be considered official. 51. Although senior members of the Indonesian and civilian hierarchies would certainly have known of the unlawfulness of such conduct, the Commission has found only one case in which an agent of the government was prosecuted. It is noteworthy that this case involved a low-ranking member of Hansip.

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Reference 119 - 0.01% Coverage

for amounting to inhuman treatment.

- These acts constitute violations of the laws and customs of war for being illtreatment of civilians and an outrage on personal dignity and honour (Common Article 3 and Article 76(1) of the Regulations Annexed to Hague Convention IV as custom).
- Sexual enslavement and other slave-like practices, such as being made to provide sexual services on call, committed against child civilians constituted a violation of Article 27 of Geneva Convention IV and were grave breaches of that convention (Article 147). These practices involve multiple violations of human rights standards including unlawful confinement, causing great suffering or serious injury to body or health, torture or inhuman treatment.
- As almost every act of sexual violence considered by the Commission was committed by officials or agents of the Occupying Power, Indonesia was responsible for the suffering that resulted (Articles 29 and 32, Geneva Convention IV).
- Indonesia failed to fulfil its customary and treaty obligations under the Geneva Conventions to protect child civilians from sexual violence and to take steps to investigate, prosecute and punish individual perpetrators of grave breaches (Article 146, Geneva Convention IV).
- After September 1990,

Indonesia failed to meet its obligation under the Convention on the Rights of the Child (CRC) to protect children from sexual exploitation and abuse (Article 34).

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Reference 120 - 0.01% Coverage

cannot grow enough food.⁴⁰

61. There is evidence that the Indonesians denied “troublesome” areas their full quota of food and medical aid, believing that the aid would end up in the hands of the Resistance.⁴¹ There are also reports of the military diverting food, medicines and clothing intended as aid for their own use or for sale in shops.⁴² The military and local government officials also reportedly used aid in a discriminatory fashion to entice refugees to convert to Islam or Protestantism, or to lure desperate women into sexual slavery.⁴³ Economic and social impacts of

Reference 121 - 0.01% Coverage

against humanity and war crimes.

22. Integral to the military operations designed to overcome resistance to the Indonesian invasion and occupation was official acceptance of the commission of gross violations including widespread and systematic executions, arbitrary detention, torture, and rape and sexual slavery.

23. The Commission finds that

Reference 122 - 0.01% Coverage

against humanity and war crimes.

28. Throughout the period of the conflict members of the Indonesian security forces systematically raped and imposed conditions of sexual slavery on thousands of East Timorese women, often inside military facilities, police stations and government offices. Gang rape by military personnel inside military facilities was common, as was sexual torture. The Commission finds that the systematic rape of these mostly young women by members of the Indonesian security forces amounted to crimes against humanity and war crimes. The Commission bases these findings on the first-hand accounts of hundreds of individual, unrelated victims who courageously told of their experiences despite the significant personal sacrifice involved in providing such evidence.

29. The Commission finds that

Reference 123 - 0.01% Coverage

interrogators spitting on the victim.

Rape, sexual slavery and other sexual violations

115. The Commission finds that

Reference 124 - 0.01% Coverage

Part 8: Responsibility and Accountability

116. The Commission bases this finding on its consideration of the testimony of over 850 individual victims or witnesses to rape, sexual torture and sexual slavery. Most of the evidence in relation to rape,

sexual slavery and other sexual violations was given during in-depth interviews with victims. These interviews were undertaken under a cooperative arrangement with the East Timorese non-governmental women's rights organisation Fokupers, due to its expertise and experience in dealing with female victims of sexual assault.

117. The Commission considers the

Reference 125 - 0.01% Coverage

women and young teenage girls.

121. The number of rapes and other forms of sexual violence was related to the patterns and intensity of military activity at the time. Sexual violations increased dramatically at times when major military operations were being conducted, and decreased when such operations were less frequent. For example, 64% of sexual slavery reported to the Commission took place during periods of large-scale Indonesian military operations.

Rape of women who had

Reference 126 - 0.01% Coverage

had surrendered or been captured

122. Women who had surrendered or been arrested or captured by the Indonesian security forces in connection with resistance activities were particularly vulnerable to rape and sexual torture. The mass arrests following the civil uprisings between 1981 and 1983 led to increases in the number of women who were raped or placed into situations of sexual slavery by members of the security forces.

123. Women who had surrendered were forced to take part in military operations, usually to cook or to perform other services. In some cases, women were subjected to torture, rape and sexual slavery during their participation in these military operations.

124. Women were among tens

Reference 127 - 0.01% Coverage

of these groups acting together.

Sexual slavery

126. Throughout the occupation it was common practice for members of the Indonesian security forces to force East Timorese women into situations of sexual slavery. These activities were conducted openly, without fear of being held to account, inside military installations, at other official sites and inside the private homes of the women who were targeted often in the presence of parents, children and other family members.

127. It was common practice

Reference 128 - 0.01% Coverage

to do menial domestic work.

128. The victims of this form of sexual slavery were not free to move about or travel, or to act independently in any way. It was common for the "ownership rights" over these women to be passed on from an officer who was finishing his tour of duty to his replacement or another officer. In some situations women forced into these situations became pregnant and gave birth to children several times by a number of different officers during the years in which they were the victims of sexual slavery.

129. In general Indonesian officers who were responsible for fathering these children through rape or situations of sexual slavery did not accept responsibility for the children's support or their material well-being.

Impunity for perpetrators of rape, sexual torture and sexual slavery

130. The practice of procuring

Reference 129 - 0.01% Coverage

and was institutionally accepted.⁶

136. In many cases Indonesian military personnel threatened to kill or torture other members of their families or community if a desired woman did not make herself available as a sexual slave. In these cases community representatives and family members were in effect faced with an impossible choice of between allowing the woman to be repeatedly violated and suffering even worse consequences, such as the torture and killing of other members of the community, if they refused.

Responsibility for famine and displacement

Reference 130 - 0.01% Coverage

meet its legally binding obligations.

191. Throughout the course of the occupation Indonesia was also bound by human rights standards as set out in the Universal Declaration on Human Rights. These were consistently breached in a variety of ways, including by forcibly recruiting children to assist its armed forces, arbitrary detention, the torture and ill-treatment of children, the killing of children in a variety of circumstances, including where they or their family members were perceived to be political opponents, and the rape and subjection to sexual slavery of children by military personnel inside and outside military installations.

Arbitrary detention of children

192

Reference 131 - 0.01% Coverage

Part 8: Responsibility and Accountability

long-term exploitation, leading to an extended period of sexual slavery or other forms of repeated sexual violence by members of the Indonesian security forces.

203. Although senior members of

Reference 132 - 0.01% Coverage

crimes against humanity.

Sexual violations

264. The Commission holds ABRI/TNI responsible for many breaches of international law through acts of rape, sexual slavery and other sexual violations.

265. The Commission finds that

Reference 133 - 0.01% Coverage

from torture or ill-treatment.

269. Incidents of sexual slavery, characterised by the purported exercise of any or all of the powers attaching to the right of ownership over a person, violated the fundamental prohibition on slavery contained in customary international law.

270. The Commission also considers that individual members of ABRI/TNI are criminally responsible for their involvement in sexual violations during the conflict. • Acts of rape against civilian East Timorese women constituted grave breaches of the Fourth Geneva Convention, under Article 147 of that Convention. • Rape constitutes a serious violation of the laws and customs of war and was therefore a war crime under customary international law, at least during the latter part of the mandate period. • Where rapes or other sexual violations constituting inhumane acts, or incidents of sexual slavery, are carried out as part of a widespread and systematic attack on a civilian population a crime against humanity may have occurred. The Commission has found that there are strong grounds for concluding that throughout the conflict period ABRI/TNI was engaged in widespread and systematic attacks on the East Timorese civilian population, and therefore those involved in sexual violations as a part of those attacks may bear individual criminal responsibility for crimes against humanity.

Unfair trials

271. The Commission

Reference 134 - 0.02% Coverage

Responsibility and Accountability - Chega! | 2365

burned, and some were transported across the border to be buried in West Timor, Indonesia. • Following the massacre at the church in Suai, approximately 125 surviving women and children were detained by Laksaur militia with the assistance of members of the TNI. Many of the women were raped. The survivors were forcibly deported to West Timor where many more were raped or subjected to sexual slavery. • On 5–6 September 1999, Aitarak militia, together with members of the TNI, attacked hundreds of people who had sought refuge at a number of sites in Dili, including the house of Nobel Laureate Bishop Carlos Ximenes Belo, the Diocesan Offices, convents, and the Dili office of the International Committee of the Red Cross. At least 19 civilians were killed or disappeared from these places of refuge. The previous day, on 4 September, the TNI and militia carried out attacks on the community in Becora, a pro-independence neighbourhood in the east of Dili, killing at least seven men. • On 8 September 1999, Dadurus Merah Putih and other militias, under the command of Indonesian security forces, attacked people who had sought refuge in the Maliana police station. Before the attack, leaders of the proindependence umbrella organisation, the CNRT, pleaded with members of the Indonesian police to protect them. But the police remained sequestered in a section of the building and ordered them to go away. At least 26 civilians were killed or disappeared, mostly local CNRT leaders and suspected proindependence supporters, including one 12 year-old boy. They included people who had escaped from the police station but who had been hunted down and killed in the following days. The bodies were transported to a secret location and disposed of. • On 10 September 1999, the Sakunar militia, acting under the direction of the TNI, brought civilians from three villages in Oesilo, Oecussi to West Timor, Indonesia, on the pretext that they would be safer there. Once inside Indonesia, TNI and militia separated 50-70 young men who were selected on the basis that they had received some high-school education. The victims were tied together and brought back into Oecussi, where they were lined up and executed in a river-bed in Passabe. • On 12 September 1999, Laksaur militia and members of the TNI attempted forcibly to deport villagers from the village of Laktos (Fohorem, Covalima) to West Timor, Indonesia. Fourteen men who resisted were killed. • During 20–21 September 1999, TNI soldiers from Battalion 745 randomly shot civilians during their retreat from Lospalos (Lautém) to Dili. At least 21 civilians, including a Dutch journalist, were killed or disappeared by members of Battalion 745 as it retreated through Lospalos, Baucau, and Dili. • On 23 September 1999, members of the Mahidi militia, supported by the TNI, opened fire on a group of villagers from Maununu Village, Ainaro District, whom they had rounded up for deportation to West Timor, killing 11 persons, including women and children. • On 20

October 1999, Sakunar and Aitarak militias and members of the TNI, while rounding up villagers from Maquelab (Pante Makassar, Oecussi) for
2366 | Chega! - Volume IV, Part

Reference 135 - 0.01% Coverage

20 members of her family.

VN told how she had been held captive in a situation of sexual slavery at an Indonesian military base in Ermera from 1977 to 1978. She spoke of how she bore two children, one of whom died. She also told how she and her son continue to be ostracised in her community.

Atanasio da Costa spoke of

Reference 136 - 0.01% Coverage

and Victim Support - Chega! | 2533

Ainaro) gave testimony at the Commission's National Public Hearing on Women and Conflict in April 2003. Her story of sexual violence and sexual slavery in 1982 was the first time the nation had heard of the suffering of the women of Mau Chiga after villagers joined an uprising against the Indonesian military. In January 2004 Olga and her young daughter accompanied an older lady from Mau Chiga to an allwomen healing workshop. Throughout the workshop Olga supported the older lady and other participants, and also shared her experience. Her daughter joined in the singing and painting activities, and was a favourite of the other participants.

Olga's role as a support

Reference 137 - 0.01% Coverage

10: Acolhimento and Victim Support

of sexual slavery by the Indonesian military reported that they were shunned by their family and community, and thereby lost the support necessary for healing and mental well-being. The plight of women who had children as a result of rape, or being in a situation of sexual slavery, was even worse. There are communities, such as Suai, where women were subjected to mass rape after the Popular Consultation in 1999, where large numbers of women are in need of support.

235. The Commission found that

Reference 138 - 0.01% Coverage

the vulnerable

4.1. Women

During the conflict women played a crucial role in East Timorese society – both in Timor-Leste and in the diaspora – as the bedrock of families and communities, often left without husbands, brothers or fathers for support, and as advocates for human rights. In Timor-Leste, the conflict created conditions which limited the freedoms of women and girls who were also especially vulnerable to violations of human rights.

These included rape, sexual slavery and other forms of sexual violence which, though mainly perpetrated by the Indonesian security apparatus also involved East Timorese men. Women who were victims of sexual violence were often ostracised by their community, increasing their vulnerability to new violations. Some continue to be victimised today because of their experience.

Through its interaction with victims

Reference 139 - 0.01% Coverage

problems due to past violations.

Victims of sexual violence are those women and girls who were subjected to acts such as rape, sexual slavery, forced marriage or other
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Reference 140 - 0.01% Coverage

men who suffered sexual violence.

Widows and single mothers are women whose husbands were killed or disappeared and who, as a result, are the primary breadwinners for their families. Also included here are women whose children were born out of rape or sexual slavery and consequently became single mothers.

Children affected by the conflict

Reference 141 - 0.01% Coverage

to flee. Gender-based violence

127. As the UN Special Rapporteurs noted in their report, torture and ill-treatment also took the form of sexual violence, including rape, sexual slavery, and sexual harassment.†

By 2001, the local non

Reference 142 - 0.01% Coverage

non-governmental organisation Fokupers had

documented some 182 cases of gender-specific violations committed in 1999. These included 46 cases of rape, five cases of attempted rape, and 16 cases of sexual assault. More than half of the 46 rape victims were raped repeatedly, or by more than one attacker. In addition, many women were raped over a period of months, and sometimes years, after being forced into a relationship of sexual slavery by TNI soldiers and militiamen.‡

128. Given the understandable reluctance of most East Timorese women to speak about such experiences, it is very likely that the actual number of cases of rape and sexual slavery in 1999 was significantly higher than thus far reported.§

The problem of under-reporting

Reference 143 - 0.01% Coverage

West Timor and neighbouring islands.

138. The problems did not stop once the refugees left Timor-Leste. On the contrary, they faced perilous conditions in the Indonesian refugee camps where they were placed. The most serious problem was that the militiamen who had terrorised them into fleeing were also in the camps, where they continued to harass, threaten, and intimidate the refugees. As in Timor-Leste, the Indonesian authorities, including the TNI, made little effort to control the militias inside the camps. The predictable result was that they were

free to commit serious violations of human rights against the refugees, including rape, sexual slavery, and murder.

* For example, the Indonesian Commission

Reference 144 - 0.01% Coverage

motivated assassinations.

Women and girls

174. Among the victims of gross human rights violations in 1999, East Timorese women and girls warrant special mention. For, in addition to suffering the full range of violations experienced by men – including murder, torture, and forcible displacement – women and girls were also subjected to gender-specific violations of human rights, including rape and sexual slavery.

Volume V, Annexe 1: Timor

Reference 145 - 0.01% Coverage

autonomy violence in 1999.*

At

least 229 people, and possibly as many as 300, were killed during the year. Many others suffered beating, torture, forcible relocation, and property destruction. By one estimate, 8,612 houses were burned, and a further 4,382 were otherwise rendered uninhabitable. Gender-crimes, including rape and sexual slavery, were also commonly reported.

555. The vast majority of

Reference 146 - 0.01% Coverage

in the Maliana Police station.

566. In May, the focus of TNI and militia operations shifted to the Sub-District of Lolotoe, which like Cailaco was considered a pro-independence stronghold. Over the course of several days in late May, TNI forces together with members of the Kaer Metin Merah Putih (KMP) militia conducted sweeping operations in which hundreds of suspected supporters of independence and CNRT leaders were rounded up. Many of those detained were badly beaten, and some were tortured or mutilated by their captors in an effort to extract confessions about their links to Falintil. Several instances of rape and sexual slavery by TNI and militiamen were also reported in the context of the raids (See Case Study: Arbitrary Detention and Rape in Lolotoe, par. 826).

567. On 1 June, CNRT

Reference 147 - 0.01% Coverage

the relative safety of Dili.

732. At least five people were killed in the course of this wave of violence (17-25 April). Residents of Orema, the main area of the militia activity, also reported that ABLAI members forced them under threat of violence to hand over pigs, horses, and women. One man was reportedly killed when his daughter refused to go with the militiamen. After killing him, the militias took the woman against her will. She subsequently reported that she had been forced to serve as a militia slave, and that she had been raped by militiamen.

733. The second major wave

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827. An operation of this kind was conducted in the Sub-District of Lolotoe, Bobonaro District in late May 1999. Over the course of several days, TNI forces together with members of the Kaer Metin Merah Putih (KMP) militia rounded up hundreds of suspected supporters of independence and CNRT leaders. Many of those detained were badly beaten, and some were tortured or mutilated by their captors in an effort to extract confessions about their links to Falintil. Several instances of rape and sexual slavery by TNI and militiamen were also reported in the context of the raids.

828. The victims of the

Reference 149 - 0.01% Coverage

is dead. Record linkage overview

85. Individuals reported in the HRVD and the RMS are sometimes reported multiple times, by different deponents and may also appear as records in the GCD. To ensure the statistical analysis controlled for duplicate reports of the same person, the data required record linkage, also known as matching. Matching was applied to two general categories of violations for study - fatal and non-fatal violations. Fatal violations included civilian killings, deaths due to deprivation, disappearances, and combatant deaths. Non-fatal violation categories included attempted civilian killing, detention, torture, rape, sexual slavery, sexual violence, ill-treatment, displacement, forced marriage, impediments to reproductive rights, unfair trial, destruction of homes, destruction of livestock, extortion, threats, forced recruitment and forced labour.

86. There were two types