



A-N-T-I

The Timor-Leste National Alliance for an International Tribunal

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Welcome SBY to Timor-Leste!

“Don’t wash your hands of the Crimes Against Humanity that occurred between 1975-1999 in Timor-Leste”

According to official information from “*The Timor-Leste Government Page*”, in response to an invitation from the Timor-Leste government, between 26-27 August 2014 the President Indonesia Susilo Bambang Yudiono (SBY) will visit Timor-Leste. During this visit the President might hold discussions with Timorese leaders about border issues, the Indonesian military heroes’ cemetery and the Timorese leaders that were disappeared, taken or even killed by the Indonesian military, as published by the online media at: (<http://www.timorhauniandoben.com/2014/07/vizita-ultimu-sby-posibilidad-hatudu.html>).

In relation to the visit of SBY, ANTI would like to say “Welcome” and also tell the public about the involvement of SBY under the “Soeharto New Order” regime. As the public is aware, Susilo Bambang Yudiono was a military commander who also took part in the illegal occupation, murder and suffering imposed on the people of Timor-Leste for 24 years. During this illegal occupation the Indonesian military was involved in systematic and premeditated crimes against humanity in Timor-Leste. According to the “*Chega...!*” report the Indonesian military was involved in acts of murder and forced removal of approximately 18,600 people with the support of the international community.

Members of civil society died in a number of different ways; some were bombed, some were tortured, abducted or suffered famine because they did not have the freedom to develop their own economic activities.

After Timor-Leste separated from Indonesia, the UN (the United Nations) established a Serious Crimes Unit and a Special Investigative Unit to investigate, prosecute and try those perpetrators involved in crimes against humanity in 1999 (not including crimes against humanity that occurred between 1975-1999). The findings of these two justice mechanisms proved that the ad-hoc trials in Jakarta for perpetrators of crimes against humanity was merely an effort to wash their hands, and not a pure judicial process intended to uphold the interests of justice. This trial process was under pressure from the

authorities in Indonesia, and Indonesia did not display good cooperation with this process.

The UN established a Commission of Inquiry to evaluate the work of the serious crimes process in Indonesia and Timor-Leste. All of the commissions recommended that the UN needed to take a concrete step to establish an International Tribunal for serious crimes, in the event that the Indonesian government continues to impede the administration of a fair legal process. However, until now the international community and the UN have not yet taken this step to find a solution to serious crimes that occurred during the aforementioned period of illegal occupation. In response to demands to establish an international tribunal, the Indonesian government requested to establish an ad-hoc court with the aim of trying the perpetrators of crimes against humanity.

As the Indonesian President for two successive mandates, SBY has failed to find a solution to those cases involving crimes against humanity. SBY has failed to apply the recommendations from all of the reports and has failed to establish a national commission to find Timorese children that went missing during the occupation, as stated in the report from the TL-RI Commission of Truth and Friendship (CTF). This shows that SBY and the Indonesian government do not have good will and they have continued to impede the judicial process for crimes against humanity.

The victims and all of those who are seeking justice for crimes against humanity continue to demand for the Indonesian government, Timor-Leste and the International community to implement the recommendations of the *Chega...!*, report, from the Commission for Truth and Friendship, the UN Commission of Inquiry, and in particular the recommendation on how to break impunity by trying the perpetrators of crimes against humanity through a fair and credible International Tribunal.

The victims have also demanded for the superpowers such as the United States, England and Australia and all of those countries that obtained benefits from this occupation to support and encourage this process in order to break impunity and find a solution to give justice to the people of Timor-Leste.

In addition, ANTI also demands for the governments of Timor-Leste and Indonesia to demonstrate the political will to find a solution for crimes against humanity that occurred during the occupation, including the establishment of a national committee to find those who were forcefully taken, including Timorese children. "The report from the UN Special Inquiry mentioned that all mechanisms supported by the UN have poor accountability, therefore it recommended for the UN Security Council to establish an International court that is fair and credible.

The facts are that these crimes against humanity have continued until now:

- The families of the victims still don't know the whereabouts of their husbands, wives and children that were forcefully taken by the Indonesian military and remain missing until now;

- The children taken by the Indonesian military are still separated from their parents;
- The perpetrators of crimes against humanity have continued to enjoy their freedom in Indonesia.

ANTI hopes that all of the parties mentioned in this statement can accept our stance.

For information about serious crimes and crimes against humanity, please refer to the following:

<http://www.laohamutuk.org/Justice/JusticeIndex.html#InternationalCrimes>,

<http://www.haktl.org/ami-nia-programa/direitu-ba-justisa-krimi-pasadu/>

Dili, 22 August 2014

Sisto dos Santo

Coordinator of the ANTI Board