Remembering My Beloved, Remembering My Pain:

Victims of atrocities collect photographs and stories to push for change

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Cover photo: Florindo de Jesus Britis, one of many East Timorese who were tortured by armed militias and forced to flee during East Timor's Referendum in 1999. (AJAR/Poriaman Sitanggang)

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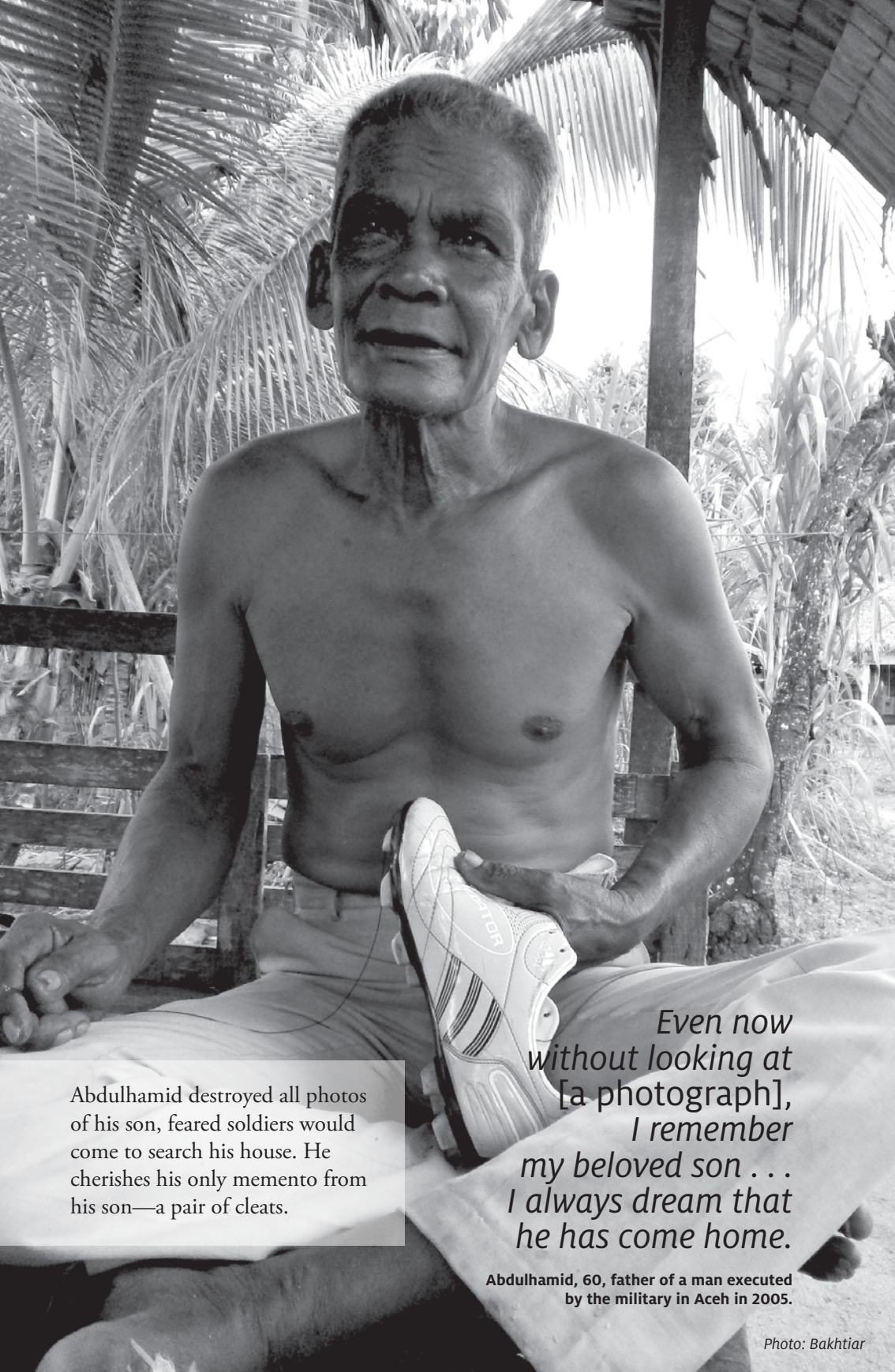
About Asia Justice and Rights

Asia Justice and Rights (AJAR) is a non-profit, non-governmental organization working to strengthen accountability and respect for human rights in the Asia Pacific region. AJAR focuses its work in countries attempting to build a stable democratic base following prolonged conflict or authoritarian rule.



Abdulhamid destroyed all photos of his son, feared soldiers would come to search his house. He cherishes his only memento from his son—a pair of cleats.

Even now without looking at [a photograph], *I remember my beloved son . . . I always dream that he has come home.*

Abdulhamid, 60, father of a man executed by the military in Aceh in 2005.

Photo: Bakhtiar

What we went through is difficult to forget. Sometimes when I sit by myself I remember that bitter experience. It is hard to forget. Sometimes it is hard for me to sleep. Only when I die will I forget.

Sebastiana Barretto, East Timorese survivor of sexual abuse

Sebastiana was detained in a military post when she was about 12 years old. After more than three years, she escaped and eventually got married, but her husband was subsequently disappeared. She remarried and had eight children.

Photo: Natalia de Jesus Cesaltino

CONTENTS

I. Executive Summary

For a quarter century, the people of Aceh and East Timor experienced massive human rights violations at the hands of the same Indonesian military, police, and intelligence institutions. The fall of President Suharto in 1998 brought change to the two conflict zones leading to independence for the new nation of Timor-Leste, and an eventual end to the war in Aceh, which remained within Indonesia but with greater autonomy.

Peace has come, but both regions continue to struggle to deal with the burden of the past. In Timor-Leste, the recommendations of two official truth commissions have not been implemented. In Aceh, the central and local governments have abandoned a commitment to establish a truth and reconciliation commission.

The struggle against impunity in Aceh and Timor-Leste will take not years, but decades. In the absence of political will to provide reparations, justice, or a full accounting of the truth, civil society and victims' groups continue to document past human rights violations, and are forced to seek creative outlets to push for justice and accountability. Asia Justice and Rights (AJAR) sought a methodology that could build on these initiatives, developing victims' long-term capacity for research and advocacy. At the same time, the methodology should have the potential itself to be a healing process, drawing on and strengthening the ability of victims to serve as a source of support for each other.

Working with two victims' association in Aceh, K2HAU and Kagundah, and in Timor-Leste called ANV, AJAR adapted participatory methods to conduct a comparative inquiry. Eight victims

from Aceh and Timor-Leste, supported by NGO workers, conducted interviews, took digital photos, and conducted a survey to capture and analyze the views of their peers. The research project set out to capture the views of victims about what they need to reach some degree of satisfaction and what sources of strength they have turned to, while integrating a gendered lens. The teams also took hundreds of pictures of subjects in their homes and other places that were significant to the victims.

The major finding was that victims in Aceh and Timor-Leste share a common burden from the past. In both Aceh and Timor-Leste, piecemeal approaches without sustained acknowledgement and support for victims have left victims feeling dissatisfied and marginalized. More specific findings include:

1. **Ongoing acknowledgment and material support are essential to healing:** one time exercises in remembering or other reparations are not sufficient to help victims heal, particularly for the most vulnerable, in the absence of ongoing programs.
2. **Victimhood is gendered:** Women not only face different types of human rights violations (primarily sexual violence) in the past, but are also viewed differently today by the government as well as by their own communities and family members. Women also face particular problems such as insecurity regarding land tenure.
3. **Trauma, fear, and insecurity persist:** unresolved disappearances, health problems, fear of retribution and other harms continuing to make victims feel insecure.
4. **The absence of justice** prolongs victims' resentment and lack of trust in the state.
5. **Sources of strength can promote healing and transform** victimhood: these include communities, family, religious institutions, and victim's associations.
6. **Participatory research and advocacy can expand victims' voice and capacity:** while still preliminary, reflection on the research program found tangible benefits from involving victims in the collection and analysis of information. These benefits include mutual support and healing during the process itself, as well as strengthened capacity to plan a research and advocacy agenda.

Recommendations to the government officials are included in the last section for each of the six findings, followed by an Annex of actions for victims to take at the level of state, society, and victims and their families.

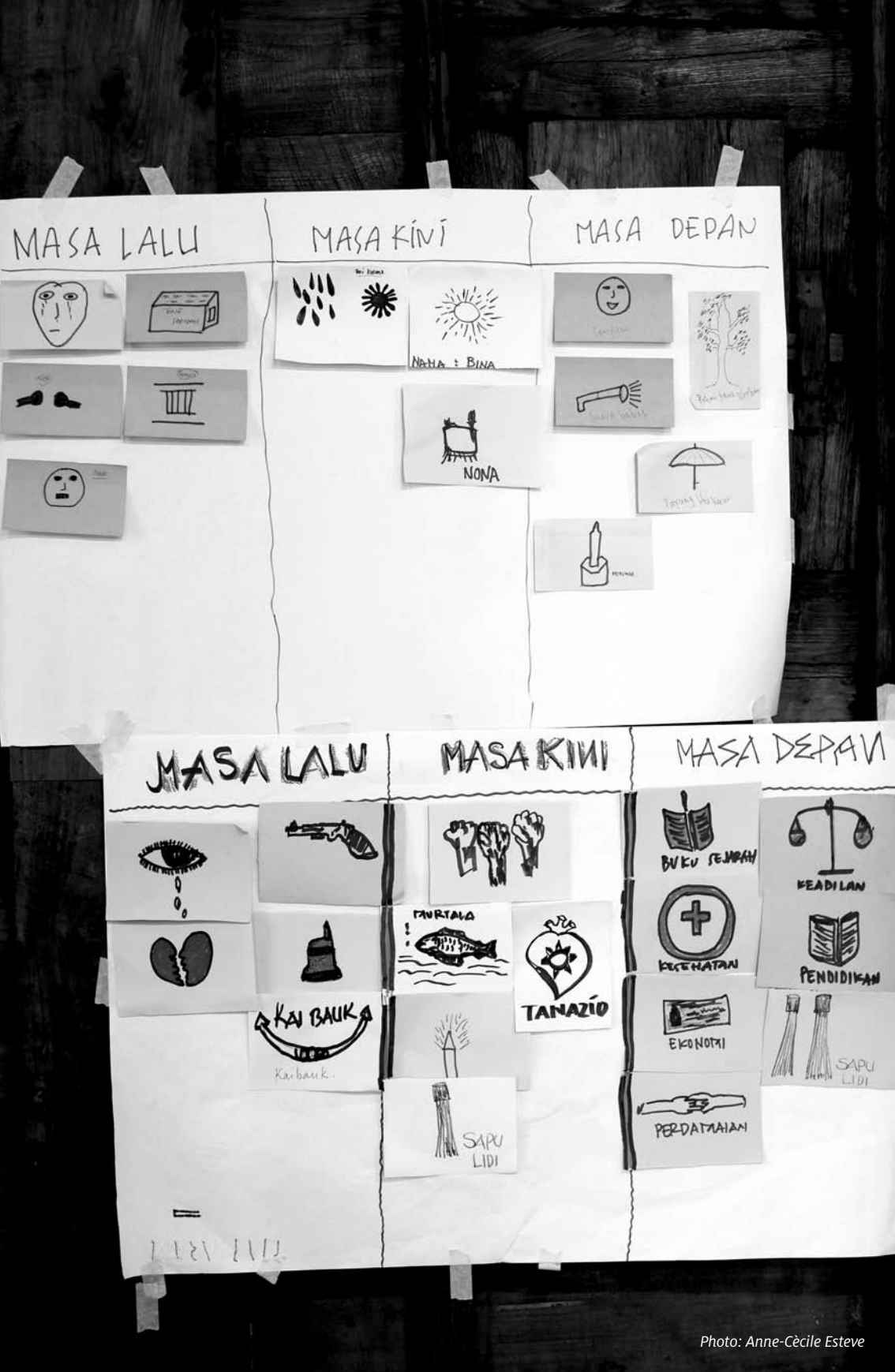


Photo: Anne-Cècile Esteve

II. Introduction

In July 2012 a young survivor of a 1999 massacre wrote to the governor of Aceh and the president of Indonesia:

> *First, I ask forgiveness if this letter from me disturbs the peace of mind of you in government. . . My name is Halimah. . . I was a junior high school student in my third year. We had just finished our national exams on that Monday. I came home from school, still wearing my school uniform, when I was caught at KKA Junction. No vehicles could pass because of the traffic jam; the street was filled with people. At exactly noon that historical incident took place when armed soldiers fired on people who had no guns. I fainted because a bullet hit me in the head. Since this happened I still suffer, and probably will until the day I die, because shrapnel is still lodged under the skin of my head.*
>
> *Through this letter, we victims, especially me personally, hope that you, the Honorable [President Yudhoyono], will open your heart and take decisive action regarding this case. We victims really hope that a human rights court and a truth commission can be established in Aceh. We victims may forgive, but this does not mean we can ever forget.*[1]

The letter, together with some 50 letters written by other members of K2HAU, North Aceh's victim's association, articulates many of the problems facing Aceh today: a largely unexamined history of gross human rights violations over decades of conflict, a near total lack of accountability for the perpetrators, and a population of victims and

[1] Copies of the Acehnese letters are on file with AJAR, and are just some of more than 1000 letters sent by victims from around the country. KKA is the name of a factory that marks a crossroads known as KKA Junction.

relatives who tired of waiting for official action. Neither the governor nor the president has responded to the letters.

Timor-Leste (also known as East Timor), a tiny half-island nation, lies 3600 kilometers east of Aceh. The former Portuguese colony was invaded by its massive neighbor Indonesia in 1975, after which it endured 24 years of brutal occupation before gaining independence through a referendum in 1999. With extensive international support, and free from the control of the Indonesian government, Timor-Leste has done a better job of uncovering the truth through a UN-supported truth commission and a bi-lateral truth commission with Indonesia, as well as a moderate level of investigations and prosecutions. However, many perpetrators have never been prosecuted, and victims are still waiting for reparations to restore their welfare and security.

On 3 September 2012, members of the Victim's Association met with newly elected President Taur Matan Ruak to hand over a petition signed by 200 members. The petition called for him to implement the recommendations of the two truth commissions, and specifically to urge the newly elected parliament to pass laws on reparations and memory drafted in 2010.[2] The petition noted that, although former combatants and veterans have been recognized as heroes of liberty in a 2004 law:

> *. . . many civilians and ordinary people who were victims of human rights violations, including family members of former combatants (wives, children, fathers and mothers), have yet to receive reparations based on a policy or law. . . Reparations are needed to alleviate the condition of victims who continue to suffer and have been victimized twice (as a result of the violation and this neglect by the state). . . Reparations are not only about giving material benefits or payments. The most important value of reparations is recognition from the state for our suffering so that we*

[2] "Vitima 1974 Ejiji Aprova Lei Institutu Memoria (Victims of 1974 Demand Approval of the Law on Institute of Memory)," *Suara Timor Lorosae*, 4 September 2012, http://suara-timor-lorosae.com/berita-15235-vitima-1974-ejiji-aprova-lei-institutu-memorial-.html

> *victims may feel that our suffering is not worthless, but is valued as a payment that "bought" the liberty of our nation.*[3]

Timor-Leste has opted for two official truth commissions, while in Aceh there is still no official truth-seeking mechanism, despite a commitment to create one in the 2005 peace accord. However, despite this substantial difference, victims in Aceh and Timor-Leste share a common burden from the past. Many victims in Aceh and Timor-Leste feel abandoned and forgotten, making it difficult for them to move beyond the past.

Recognizing the lack of political will to address past wrongs, and convinced that the direct participation of victims is essential to any long-term resolution, AJAR (Asia Justice and Rights) conducted a comparative participatory research project in the two regions. The organization worked closely with victims' groups—the North Aceh Victim's Community (K2HAU) and Kagundah in Aceh, and the National Victims' Association (ANV) in Timor-Leste—to create a new approach to dealing with trauma and memory with the potential to empower victims and strengthen their efforts over the longer term.

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[3] Asosiasaun Nasional Vitima Violasaun Direitu Umanus Konflitu Politik 1974-1999, "Testamentu Eransa Estado," September 2012 (on file with AJAR).

Photo: Anne-Cècile Esteve

III. History of the Conflicts

While the history of the two regions differs, Acehnese and Timorese suffered at the hands of the same institutions and even military units. Indonesian soldiers, police officers, and intelligence agents employed similar counterinsurgency strategies including collective punishment, informers, civilian militias, and targeting of wives and other family members of suspected guerillas and independence activists.

Timor-Leste

On 7 December 1975, Indonesian military forces crossed the border into East Timor by land, air, and sea. This spectacular display of force was taken with the blessing of US President Gerald Ford who met with Indonesian President Suharto in the capital city of Jakarta the day before.[4] In the context of the Cold War, just months after the fall of Saigon, the left-leaning Fretilin Party was seen as another foothold for communism. Thus began over two decades of occupation and resistance. Faced with armed guerillas in the mountains and, later, a clandestine resistance in the cities and towns, the Indonesian military and intelligence apparatus carried out waves of brutal campaigns marked by extensive human rights violations that resulted in more than 100,000 fatalities and impinged on every aspect of life in the territory.

The fall of Suharto in 1998 led to a period of halting democratic reform in Indonesia, and with it an opportunity to settle the question of East Timor's status through a referendum held by the United Nations on 30 August 1999. However, in the run-up to the vote the

[4] *Chega!, The Report of the Commision for Reception, Truth and Reconciliation in Timor Leste*, Chapter 3, History of the Conflict, 58.

Indonesian military unleashed a campaign of terror, creating and arming proxy militia groups in every district to cow the people of East Timor into rejecting independence. More than 1,400 people were killed before and after the ballot, many during the scorched earth retreat of the Indonesian military and the Timorese militia groups under its control.[5] UN peacekeepers arrived at the end of September 1999.

In October 1999, the UN Security Council created the UN Transitional Administration for East Timor (UNTAET) to administer the territory and prepare it for independence.[6] UNTAET also had a mandate to try those responsible for mass crimes. The mission appointed a UN staff member as Deputy-General Prosecutor for Serious Crimes, and created the Special Panels of the Dili District Court as a hybrid court with both international and national judges.[7] The vast majority of investigators and prosecutors were UN international staff. At the time of its closure in 2005, these panels had convicted 84 perpetrators. However, all were East Timorese who could be considered relatively minor offenders. Those responsible for planning, organizing, and orchestrating the violence, including senior members of the Indonesian security forces as well as civilian officials, continued to enjoy impunity across the border in Indonesia.[8]

To complement these judicial processes, in 2001 the UN established a Commission for Reception, Truth and Reconciliation (known in Portuguese as the *Comissão de Acolhimento, Verdade e Reconciliação*, or CAVR), which was incorporated into Timor-Leste's constitution a year

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5 United Nations, *The United Nations and East Timor – A Chronology [2001]*; http://www.un.org/en/peacekeeping/missions/past/etimor/Untaetchrono.html

6 UNSC Res 1272 (25 October 1999) [UN Doc S/RES/1272(1999)]. UNTAET's original mandate was to expire on 31 January 2001, but was extended to 20 May 2002 when Timor-Leste became an independent country. See UNSC Res 1338 (31 January 2001) [UN Doc S/RES/1338 (2001)] para. 2 and UNSC Res 1392 (31 January 2002), [UN Doc S/RES/1392 (2002)] para. 2.

7 UNTAET Regulation 2000/15 (6 June 2000) on the Establishment of Special Panel for Serious Crimes

8 Megan Hirst and Howard Varney, "Justice Abandoned? An Assessment of the Serious Crimes Process in East Timor," ICTJ Occasional Paper Series, June 2005; David Cohen, "Intended to Fail, The Trials Before the Ad Hoc Human Rights Court in Jakarta," ICTJ Occasional Paper Series, August 2003.

later.[9] Over three years the CAVR collected almost 8,000 statements, conducted public hearings across the country, facilitated community reconciliation, and produced a comprehensive report on 24 years of occupation and conflict. The CAVR found that "members of the Indonesian security forces committed massive, widespread and systematic human rights violations against the civilian population of the territory . . . [amounting to] crimes against humanity and war crimes."[10] The CAVR found that Timorese actors were also responsible for war crimes during the civil war prior to the Indonesian invasion, and that Timorese collaborators were "directly involved in compiling lists and pointing out individuals . . . targeted by Indonesian forces during the invasion."[11]

Towards the end of the CAVR mandate, the UN created a Commission of Experts to look into efforts to prosecute those responsible for the violence of 1999. In the hopes of reducing scrutiny from the international community, the Timorese and Indonesian governments established a bilateral Commission for Truth and Friendship (CTF). The CTF was tasked with finding the "conclusive truth" regarding the 1999 violence by reviewing the work of the CAVR, the hybrid court in Timor-Leste, a series of ineffective Jakarta trials, and an inquiry by the Indonesian National Human Rights Commission. The CTF was widely criticized for providing an uncontested stage for Indonesian and Timorese officials and militia leaders to defend their acts. In the end the CTF surprised many with its finding that crimes against humanity had been committed by militia groups with support from the Indonesian military, though it did not assign individual responsibility.

The recommendations from the CAVR, and even the flawed CTF, provide a blueprint for comprehensive institutional and cultural change to learn the lessons of the past and ensure peace, democracy, and the protection of human rights in Timor-Leste. The recommendations

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9 UNTAET Regulation 2001/10 (13 July 2001) on the Establishment of the Commission for Reception, Truth and Reconciliation; Constitution of the Democratic Republic of Timor-Leste, 2002, Article 162.

10 *Chega!*, 2005, Chapter 8, "Responsibility and Accountability," Section 8.2.1: The State of Indonesia and the Indonesian Security Forces, 8.

11 Ibid, 10.

address reparations, memorialization, reconciliation with Indonesia and among Timorese people, accountability for past crimes, the search for missing persons, institutional reform, and peace education. The CTF's recommendations, although similar to those of the CAVR, are weaker in the areas of reparations and accountability. However, the CTF has high-level political support and it succeeded in extracting official recognition of responsibility from Indonesia for the 1999 violence. The strengths of both reports can be harnessed to comprehensively address some impacts of Timor-Leste's past conflict.

However, even within Timor-Leste, high-level political resistance to criminal prosecutions and reparations continues. From 2006 to 2008 there was a surge of violence between Timorese groups, delaying the dissemination and debate of the CAVR report. Finally, in 2009 the parliament passed a resolution recognizing the CAVR and CTF reports, tasking a committee to draft laws to implement their recommendations. Parliament then repeatedly delayed debate on two draft bills to establish a national reparations program and an institute of memory to oversee implementation of the commission recommendations. The laws have not been passed.

In response to this vacuum, victims established a national association in 2009. The *Asosiasaun Nasional Vitima Konflitu 1974-1999* has organized members in each sub-district and brought them together to pressure the government to recognize victims and provide support to the most vulnerable.

Aceh

Aceh is a fiercely proud region at the northern tip of Indonesia's westernmost island of Sumatra. Aceh was never fully subdued by the Dutch colonial power but agreed to join with Indonesia after independence in 1949. Frustrated by economic grievances and inequitable benefits from natural resources such as oil and gas, separatist guerillas known as the Free Aceh Movement (*Gerakan Aceh Merdeka* or GAM) declared independence from Jakarta in 1976.

After a string of guerilla attacks on military and police posts in the late 1980s, the Suharto government designated Aceh a "region of military operations" (*daerah operasi militer,* or DOM) in 1989. This counterinsurgency effort led to thousands of civilian deaths and disappearances, as well as arbitrary detention, torture, and rape. The commander of Indonesia's armed forces declared the end of this military status on 7 August 1998, several months after Suharto stepped down. A presidential inquiry in 1999 estimated that at least 7,000 cases of human rights violations occurred during DOM. The inquiry found that violence was "'cultivated' by the state to ensure the exploitation of natural resources from Aceh for the benefit of the central government, and of national and local elites."[12]

During the period of relative openness and efforts at a negotiated solution after the fall of Suharto, GAM was able to build popular support and even de facto control of local government in many areas. Peace efforts ended with a declaration of emergency in 2003, unleashing a comprehensive military effort to eradicate GAM once and for all. The military operations, which were accompanied by numerous human rights violations, continued up until the 2004 tsunami. The disaster devastated the coastal regions, led to international interest and foreign aid, and provided the conditions for a successful peace agreement.

In August 2005 the government of Indonesia and GAM signed the Helsinki Memorandum of Understanding, ending the conflict. The agreement covered the future governance of Aceh and attempted to address the social, political, and economic causes of the conflict. The MoU contained elements relevant to transitional justice, including:

- amnesties for political prisoners;
- demobilization, disarmament, and decommissioning of GAM and Indonesian security forces;

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[12] Independent Commission for the Investigation on Violence in Aceh (KPTKA), *DOM dan Tragedi Kemanusiaan di Aceh: Portret Tindak Kekerasan di Propinsi Daerah Istimewa Aceh: Ringkasan Eksekutif (Military Operations Region and Humanitarian Tragedy in Aceh: A Portrait of Violence in the Special Province of Aceh: Executive Summary)*, (27 January 2000), 2, on file with AJAR.

- a reintegration program for former combatants, political prisoners, and "civilians who suffered a demonstrable loss";
- agreement to create a Human Rights Court and a Truth and Reconciliation Commission (TRC) within one year; and
- institutional reforms to strengthen the rule of law and civilian supervision of the police.

However, more than seven years after the agreement, there has been little accountability for the violations that took place during the conflict. When the Indonesian parliament codified its MoU obligations in a Law on Governing Aceh in August 2006, it limited the Human Rights Court's jurisdiction to future abuses and made the Aceh TRC an "inseparable part" of an anticipated national TRC. Neither the national nor Acehnese commissions were ever established. Officials in Banda Aceh and Jakarta pointed to a 2006 Constitutional Court decision that annulled the law establishing a national TRC as an excuse for not establishing a truth commission for Aceh.[13]

In 2009, a coalition of civil society groups in Aceh produced a draft law as part of a campaign to urge the local parliament to establish a truth commission for Aceh. Although there was some support from members of the Acehnese parliament the issue was never seriously debated. In 2012, with the election of a new parliament, fresh promises to form a truth commission were made but quickly abandoned.[14] In the face of this ongoing impunity, victims' groups continue to campaign for the right to truth. In 2010 the North Aceh victims group K2HAU held a public hearing to commemorate the KKA Junction massacre of 1999, and has marked the anniversary each year since 2010.

In the absence of political will to provide reparations, justice, or a full accounting of the truth, civil society and victims' groups continue to document human rights violations, and are forced to seek creative

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13 See International Center for Transitional Justice, *Considering Victims: The Aceh Peace Process from a Transitional Justice Perspective*, (New York: ICTJ, January 2008).

14 "Aktivis HAM Sesalkan Penundaan Raqan KKR (Human Rights Activists Regret Delay on Draft Qanun for TRC)," *Serambi Indonesia*, 15 September 2012; http://aceh.tribunnews.com/2012/09/15/aktivis-ham-sesalkan-penundaan-raqan-kkr

outlets to push for justice and accountability. The research project devised a methodology that could build on these victim initiatives, develop capacity over the longer term, and discover the potential to be healing process itself.

SUATU HARI AKU BERKUNJUNG KERUMAHMU
AKU MENGINTIP GURAT PERASAAN GITIRMU
DARI CELAH-CELAH KISAH MU, KAU SERIBU
PEJUANG "PEREMPUAN TEGAR," DARI
BERMILYAR-MILYAR IBU YANG AKU
KENAL.... BARA HIDUP MU, EMPAT ORANG
PUTRI- PUTRI MU....!

Photo: AJAR

IV. Transitional Justice from Below: Principles of Participation and Gender

The team grounded its research and analysis on international principles that have emerged from the field and been affirmed in UN documents. These include a holistic and participatory approach with a particular focus on reparations and gender.

We particularly focused on the right to truth as part of a holistic approach to victims' rights to remedy. The UN Guidance Note on Transitional Justice describes such a holistic approach, using the term transitional justice to mean "the full range of processes and mechanisms associated with a society's attempt to come to terms with a legacy of large-scale past abuses, in order to ensure accountability, serve justice and achieve reconciliation."[15] More specifically, the UN Principles to Combat Impunity affirm that the rights of victims include four distinct components:

- the right to know the **truth** about violations;
- the right to justice, specifying state obligation to ensure that those suspected of criminal responsibility are **prosecuted** and punished;
- the right to **reparations**; and
- the right to have all necessary steps taken to **prevent a recurrence** of violations, including the right for victims to participate in designing measures for reform.[16]

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15 "UN Guidance Note on Transitional Justice," 2010.

16 UN Human Rights Commission, "Promotion and Protection of Human Rights: Impunity, Report of the Independent Expert to Update the Set of Principles to Combat Impunity,"

Photo: Natalia de Jesus Cesaltino

The United Nations also acknowledges the importance of participation throughout the process of determining priorities and policies on transitional justice. For example, the UN Guidance Note articulates the need to "ensure the centrality of victims in the design and implementation of transitional justice processes and mechanisms."[17] We took to heart this principle of victim participation, inviting victims to be part of the research team.

Another key area of inquiry was on the right to reparations, which has been particularly overlooked or misunderstood in Aceh and Timor-Leste. In an address to the Security Council, the UN Secretary-General reaffirmed that "in the face of widespread human rights violations, States have the obligation to act not only against perpetrators, but also on behalf of victims—including through the provision of reparations."[18]

It is important to remember that reparations are not limited to monetary payments. In 2005, the UN General Assembly confirmed the obligation of States to prosecute perpetrators of serious crimes and provide reparations to victims.[19] According to these UN Basic Principles on Reparations, reparations include:

E/CN.4/2005/102 (18 February 2005); <http://www.ohchr.org/english/bodies/chr/docs/61chr/E.CN.4.2005.102.pdf>.

17 "UN Guidance Note on Transitional Justice," (2010), Principle 6. In addition, the Secretary-General has reaffirmed the need to involve victims and their communities in order to ensure sustainable peace. "Report of the Secretary-General on the Rule of Law and Transitional Justice and in Conflict and Post-Conflict Societies," (3 August 2004) S/2004/616.

18 UNSC, "Report on the Rule Of Law and Transitional Justice in Conflict and Post-Conflict Societies," UN Doc. S/2004/616 (3 August 2004), para. 54; <http://daccess-dds.un.org/doc/UNDOC/GEN/N04/395/29/PDF/ N0439529.pdf?OpenElement>. This commitment is also reflected in the Impunity Principles, which conclude that the right to reparations is critical to combating impunity. Impunity Principles, UN Doc E/CN.4/2005/ 102/Add.1 (2005), 6.

19 Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law, UNGA Res 60/147, UN Doc A/Res/60/147 (16 Dec. 2005). See also a precursor to this declaration, United Nations Declaration of Basic Principles for Victims of Crime and Abuse of Power, UN Doc. GA/Res/40/34 (1985).

- *restitution*, including restoration of liberty, enjoyment of human rights, identity, family life and citizenship, land and property, restoration of employment;
- *compensation* for any economic damages in proportion to the extent of the violation;
- *rehabilitation*, such as medical and psychological care, legal and social services;
- *guarantees of non-repetition* through institutional reform of state institutions; and
- the right to *satisfaction* including:
  - effective measures to end violations
  - full public disclosure of the truth
  - searching for the disappeared and for abducted children, and reburial
  - official measure or judicial decision to restore dignity of victims
  - state apology and acceptance of responsibility
  - judicial and administrative sanctions against perpetrators;
  - commemorations
  - accurate school curricula

Ensuring Women's Meaningful Participation

Conflict affects men and women differently. Mechanisms for dealing with the legacy of conflict and mass violations must be able to unravel the causes and consequences of gender-based violence, identify the different forms of discrimination and violence in the community, and provide space for the distinct aspirations of women and men affected by the conflict.

Much of the literature on this topic focuses on gender-based and sexual crimes in the context of international tribunals.[20] Attention to gender

[20] The International Criminal Tribunal for the former Yugoslavia and the International Criminal Tribunal for Rwanda treated sexual and gender-based crimes as war crimes, crimes against humanity, genocide, torture, enslavement, or as other inhuman and degrading treatment. See Kelly D. Askin, "The Quest for Post-Conflict Gender Justice," *Colombia Journal of Transnational Law* 41 (2003): 509-521; Rhonda Copelon, "Gender

in the design and implementation of truth commissions and reparation programmes is more recent and still limited in scope.[21] The UN Impunity Principles acknowledges the need to integrate gender approaches to transitional justice, specifically citing examples of consultations around the establishment of truth commissions in South Africa and Timor-Leste.[22] However, little has been written on challenges in implementing gender recommendations of a truth commission and dealing with women victims' expectations and disappointments after a truth-seeking process.

Finally, there is a growing awareness that conception of reparations that include a notion of "return(ing) the victim to the original situation"[23] is problematic for those living in situations of inequality. A 2007 conference on women's rights to reparations questioned this definition of restitution for women. The conference declaration advocated a transformative approach to reparations, stating, "*reparation must drive post-conflict transformation of socio-cultural injustices, and political and structural inequalities that shape the lives of women and girls."*[24]

Crimes as War Crimes: Integrating Crimes against Women into International Criminal Law," *McGill Law Journal* 46 (2000): 217-240.

21 See Fiona C. Ross, *Bearing Witness: Women and the Truth and Reconciliation Commission in South Africa* (London: Pluto Press, 2003); Vasuki Nesiah, *Truth Commissions and Gender: Principles, Policies, and Procedures* (New York: ICTJ, 2005); Ruth Rubio-Marín (ed.), *Engendering Reparations: Recognizing and Compensating Women Victims of Human Rights Violations* (New York: ICTJ-Social Science Research Council, 2006).

22 Recent experience has also shown that the aims of the Principles can be effectively achieved only when concerted efforts are made to ensure that men and women participate on an equal basis in the development and implementation of policies for combating impunity. For example, the Principles affirm that commissions of inquiry should "pay particular attention to violations of the basic rights of women." This aim is facilitated by ensuring gender balance in the composition of truth commissions and their staff. Impunity Principles, E/CN.4/2005/102 (18 February 2005), para. 8.

23 UN Basic Principles, p. 7.

24 "Nairobi Declaration on Women's and Girls' Right to a Remedy and Reparation" (2007); http://www.fidh. org/IMG/pdf/NAIROBI_DECLARATIONeng.pdf. The Declaration also urged a participatory and holistic approach, noting that "full participation of women and girls [sic] victims should be guaranteed in every stage of the reparation process, i.e. design, implementation, evaluation, and decision-making. . . Truth-telling requires the identification of gross and systematic crimes and human rights violations committed against women and girls . . . to raise awareness about these crimes and violations, to positively influence a more holistic strategy for reparation and measures that support reparation, and to help build a shared memory and history."

The transformative potential of reparations was reinforced in a recent report by the UN Special Rapporteur on Violence Against Women, Rashida Manjoo:

> *. . . adequate reparations for women cannot simply be about returning them to where they were before the individual instance of violence, but instead should strive to have a transformative potential. Reparations should aspire, to the extent possible, to subvert, instead of reinforce, pre-existing structural inequality that may be at the root causes of the violence the women experience before, during and after the conflict.*[25]

This research project has drawn as much as possible on these holistic, participatory, gender-sensitive, and transformative principles. The research built on existing initiatives by victims, involving them in research and analysis capable of producing the findings and recommendations to guide future efforts. The project also incorporated an explicit gender perspective in team composition, guidelines, and analysis to help uncover and address the specific needs and aspirations of women victims.

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[25] UN Doc. A/HRC/14/22 (23 April 2010); http://www2.ohchr.org/english/bodies/hrcouncil/docs/14session/A.HRC.14.22.pdf

Photo: Anne-Cècile Esteve

V. Methodology

The struggle against impunity in Aceh and Timor-Leste will take not years, but decades. AJAR therefore sought a research methodology that would not only record the voices of victims, but would also have the potential to strengthen their own capacity to identify needs, analyze options, and develop an advocacy strategy.

The research project set out to capture the views of victims about what they need to reach some degree of satisfaction and what sources of strength they have turned to, while integrating a gendered lens. By comparing two contexts that share a similar history with different political outcomes, and comparing the impact of two truth commissions in Timor-Leste and the lack of any official mechanism in Aceh, the research project hoped to gain insight on how to deal with the burden of traumatic memory.

In February 2012, five women and five men, including eight victims and two NGO workers, gathered to discuss a methodology for this comparative and participatory research. Over five days, participants shared their own life stories and agreed on project objectives. They studied similarities and differences in Aceh and Timor-Leste, putting together a comparative timeline of human rights violations.

The group agreed upon research guidelines (see box) and practiced interviewing, before receiving a one-day tutorial on digital photography from a professional photographer. Team members made a commitment to interview other victims, identifying a list of potential respondents in their communities.

The two teams interviewed 92 victims, and an additional 26 victims filled in a questionnaire organized by K2HAU during an event comme-

morating a massacre. The teams also took hundreds of pictures of subjects in their homes and other places with significance for the victims.

In June 2012, the two teams came together to share their interviews and photos, reflecting on what were the most interesting findings, commonalities, and differences. The team also reflected on enabling factors and obstacles in conducting the research, and how the process affected them. The team analyzed similar patterns of victims being forgotten and neglected in the two contexts, using a "but why?" approach to deepen their insights.[26]

Photo: Ronny Fauzi da Silva

The teams then held field-based workshops with the respondents in Banda Aceh (Aceh), and Dili and Los Palos (Timor-Leste). Most of the 92 respondents were able to participate, providing feedback on the findings and analysis developed by the teams. The teams also made a simple exhibition of the photographs, providing copies to the respondents. In late 2012, research findings were also presented at victims' association congresses in both regions.

Interviews were conducted in Fataluku (a language in the eastern district of Lautem, Timor-Leste), Tetun (Timor-Leste's national language), Acehnese, and Indonesian. Working in multiple languages allowed the team to communicate better with victims in their communities, but also required more resources and time for translation.

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[26] The "but why" method is used by community organizers to facilitate discussion on root causes to social issues. For more information see http://ctb.ku.edu/en/tablecontents/sub_section_main_1128.aspx

Project Guidelines: Taking Photos, Telling Stories

After you have explained the research project's aim to capture the views of victims about the past, present, and future through photographs, and after the interviewee has agreed, proceed to ask the following questions:

While taking pictures, phase 1:

- Is there a place or object that can symbolize your bitter experience as a victim of a human rights violation? After taking picture: Can you tell me how this picture reminds you of that painful memory?
- Is there a place or object that can symbolize a happy memory that gives you pleasure? After taking picture: Can you tell me how this picture reminds you of that happy memory?

After taking pictures, sit and discuss:

- Are the painful memories important to remember, and to be told to the next generation? Is it better to forget? Why? And how would you do this?
- For women subjects: Are there some bitter experiences that are still untold or secret? What were women's experiences during the conflict?
- What has helped you to overcome this dark period?
- What has given you some satisfaction?
- What is the most urgent problem in your life right now?
- Is what happened to you known in your community? How does your community treat you?
- For women subjects: Do you want to remember what happened to you? If so, in what way? Do you want people in your community to know what happened to you? What do you need from your community?
- Have other groups conducted activities to acknowledge what happened to you? How did you feel about this?
- Has the government done anything to acknowledge what happened to you? What do you think the government should do?

While taking pictures, phase 2:

- What sources of strength enabled you to survive and rise above this dark past? Is there something I can photograph that symbolizes this strength? (Take picture and look at it together.) Can you tell me how this picture captures your source of strength?
- Are there people in your family or community who are missing because of the conflict? Is there an object/place that reminds you of them? (Take picture and look at it together.) How should we remember them? What should be done for these people and their families?
- Do you want me to take any other photos? Why is this important to you?

Photo: Anne-Cècile Esteve

VI. Reinventing Remembering: Our Research Findings

The research team appointed a core group to identify key lessons for a written report and another set of findings took the form of a book of photographs. The research findings presented here have been drawn from analysis of the 92 individual interviews as well as from workshop discussions with the two research teams.

The interviews point to widespread dissatisfaction with government efforts to realize victims' rights, leaving a continuing sense of trauma and harm. Five themes stand out as common threads shared by victims in Aceh and Timor-Leste.

1. Ongoing acknowledgment and material support are essential to healing, especially for the most vulnerable victims.

In order to address the legacy of mass violations, it is critical for policy makers and civil society to develop and implement measures for victims before and immediately after a truth commission or other transitional justice mechanism. In the case of Aceh, continued delays in establishing a truth commission and human rights court means that other ways to document and support victims urgently need to be devised. In the case of Timor-Leste, the CAVR successfully documented the stories of victims, but only provided limited material

support under its urgent reparations scheme.[27] The serious crimes process failed to establish a victims' trust fund, despite the fact that provisions for such a fund were legislated in 2000. For some victims, the fact that it has been close to a decade since they shared their stories with the nation, but then were subsequently forgotten, is a new source of frustration and pain.

One of the most compelling interviews conducted in this research was the interview with Beatriz Miranda, a survivor of sexual slavery who testified during CAVR's hearing on women and conflict in 2003. Beatriz was a young widow whose husband was disappeared in the late 1980s. She was forced to become a "military wife" to three different Indonesian soldiers in the early 1990s, under pressure from her community to sacrifice herself for their safety. She bore two daughters out of these coercive relationships, one of whom is disabled.[28] During this interview, some nine years since the hearing, Beatriz confided her frustration that no one helped her:

> *I took part in a hearing in Balide, Dili. After this hearing, they gave me a sewing machine, but I didn't know how to use it. I loaned it to my brother, but he can't use it either so it is not being used. During this time when they came to interview me, they didn't help me with anything. They said that my child who is disabled was too young to go to school. No one ever paid attention to this child. Later on some people gave us this wheelchair. [The wheelchair did not suit the rugged terrain, so Beatriz pushes her daughter in a homemade wooden cart.] . . . When I think about the people who took my story . . . they said they would help us. But we have not received anything since then. If they were to come again to interview me, I would be angry.*

Not only does Beatriz feel abandoned, she feels betrayed and hopeless. She added:

> *One of my daughters is disabled. Now her life is like mine. I am sad because I already suffered. Now I want to push her forward to*

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27 *Chega!* (2005), Chapter 10, "*Acolhimento* and Victim Support," Section 10.3.4 Urgent reparations, 38-45.

28 *Chega!* (2005) Chapter 7.7 "Sexual Violence", Section 7.7.3 Sexual slavery, 69-70.

a better future but these efforts have come to a dead end. My heart feels heavy. I wish that others could see my suffering.

Angela dos Santos is a young woman whose courage brought about the only successful conviction of for rape as a crime against humanity in the Asia- Pacific region.[29] However, the perpetrator was later pardoned, the case has been relegated to the footnotes of history and, like Beatriz, she struggles with being forgotten:

When I am by myself, I always recall what happened to me and my two friends. Sometimes I cry. . . When we sit together, we begin to imagine all the things that happened in the past. We begin to cry. We try to reassure each other. Maybe the information that we provided has now reached the state, so in the future we may get some kind of help. If we don't get anything then there is nothing left for us. We ask, "Have the women who took our statements forgotten us?" Isabel said to me and Laurinda, "I am very sick, I can accept it if it is only my children who receive assistance. I won't benefit from it, but my children should."

I have tried to forget it all, but it is too difficult. I have told my children, I don't want all this just to disappear. I want my children to know my story of suffering. My husband supports me when I am having problems sleeping. He says, "Don't think about it. What happened let it pass. Everything takes time."

In Timor-Leste there has been inadequate reparations, but there has been some acknowledgment of past violations through the hearings, tribunals, and statement-taking. In Aceh, however, the delay in

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[29] Only six indictments (out of 95) were for gender-based crimes that included sexual crimes. Four of these charged rape as crimes against humanity (Lolotoe, Atabae, Suai, and Cailaco), of which only the Lolotoe case went to trial. The return of Mouzinho (José Cardoso), a former militia leader, triggered the Lolotoe trial. Two other indictees—Jhoni Franca and Sabino Leite—pled guilty and received five- and three-year sentences respectively. Mouzinho was sentenced to 12 years imprisonment on April 2003. See Judicial System Monitoring Project, "The Lolotoe Case: A small step forward," (Dili, July 2004); http:www.jsmp.minihub.org/Reports/jsmpreports/Lolotoe%20Reports/. Mouzinho was released after a presidential pardon in 2010. Two other cases were charged with ordinary rape. One was dismissed for lack of jurisdiction (West Timor) and the other (Dili) resulted in a conviction of four years of imprisonment. See Press Release, Office of the Deputy General Prosecutor for Serious Crimes (8 March 2004); http://socrates.berkeley.edu/~warcrime/Serious%20 Crimes%20Unit%20Files/default.html.

establishing a truth commission means that victims have no way to get official acknowledgement of their suffering.

Tutia Rahmi was in junior high school when masked men entered her family's house one night and executed her father and mother. After this incident, she and her two siblings were separated when different families cared for them. In 2004, her younger brother was killed in the tsunami.

> *Only bitter and sad memories haunt my soul. I always remember that event. When I see other children playing with their fathers and mothers I cannot look at them. I begin to cry. Why are those people happy and I am not? When others tell stories about their families, I cannot listen, I stay quiet or move away. If I could I would just forget it all, there is no point in telling this story. They—my father, mother, brother—will not come back. . . The world is dark to me. . . No one cares, let alone my neighbours or people in my village; even my father's family doesn't care about me. They think my parents were informers, so I am thought to be the child of informers.*

The interviews confirm findings in other post-conflict settings: acknowledgement is not just a matter of setting the historical record straight or building a monument, but must take a holistic approach to address a range of victims' issues over time. Many victims expressed an urgent need for ongoing, material support to provide for families still suffering from the loss of a family member, health problems, lost education opportunities, or other harms. One father explained:

> *After my son passed it was like I became a child again. My mind and soul were disturbed; sometimes I was like a crazy person. Now my life is "hungry-hungry full" meaning when I find work, we eat, but when there is no work and no money. . .* [pauses] *I am not ashamed to talk about my life. This is the reality. My wife works as a labourer cutting up betel nut. From the perspective of our village, we are considered poor and wanting.*
>
> Abdulhamid,
> father of a victim of extrajudicial killing,
> Bireuen District, Aceh

Economic marginalization may be passed from one generation to the next, particularly among victims of sexual violence. As Maria, a Timorese woman points out:

> *We hope the government will pay attention to us, especially to our children who do not have work. They want to continue with their education, but how? We don't have money. Now a child and mother just sit at home looking at each other. What are they to do?*

In order for acknowledgement of victims to be meaningful, it must be intrinsically tied to fulfillment of their rights to reparation and rehabilitation. Long-term commitments to victims' economic, health, educational, and social well-being are necessary not only to fulfill victims' satisfaction with justice, but also to honor the ideals and promises on which Aceh (as an Indonesian region with special autonomy) and Timor-Leste (as a nation) were established.

Education for victims' children is seen as a matter of parity, ensuring their chance in life is equal to that of others' children:

> *I hope the government will make a policy for the children of victims. . . so that our children have equal education, so they can pursue their dreams, so our children can be the same as others, so they can become human beings useful to me as their mother and to the nation.*
>
> Nurhayati, female victim, N. Aceh District

Another woman in Aceh, Yusnidar, whose husband was taken from their home and never seen again, also spoke about challenges she faces to ensure her children's education:

> *I feel very sad because when my child asks for money, I cannot give any. Sometimes I cry, I don't know who I should complain to. . . Economically my life is very difficult now because I must pay for my children myself because they are still in school. Even if one child receives a scholarship it is not enough.*

Photo: Domingos Brandao

For many women, the lack of financial security for their children becomes an additional burden to bear. Nurhayati, whose husband was killed in the KKA Junction shootings of 1999, talks about the situation of her children. With help from her brother she was able to send just one of her four children to university.

> *When I look at my children, my heart sinks. If I am not steadfast—if I am bothered by trauma—who will look after my children? Who will guide my children into the future? Who will make a living for my children? . . . Even in a state of trauma I must still seek a living for the welfare of my children.*
>
> *What is most urgent is an economic problem. I. . . am inexperienced so it is difficult for me to find work, make a living, to meet my children's needs. Today my work is simply to go to the school to sell snacks. Whatever profit I make for sure will go towards the continuing education of my children. But I haven't*

> *been able to fulfill the educational needs of all my children, so that some have lost hope and dropped out of school.*

In Timor-Leste, mothers of children resulting from forced sexual relationships with soldiers feel especially neglected. Madalena Soares, a victim of sexual slavery during the Indonesian occupation, explains:

> *For as long as I have lived here, not one organization has come to ask about this situation. The same is true of aid; so far I haven't received aid or any compensation from the government. I have only received several bags of rice that were distributed by the village government. . .*
>
> *I also ask that the government pay attention to our lives, especially to our children who need funds to continue a decent education. I am already old; I'm just living out the rest of my life in this world of independence* [an independent Timor-Leste]. *For that I want the government to pay attention to my children so that they too are able to carry on the story of our past—the struggle for freedom that won our independence.*

Florentina was one of many in Timor-Leste who suffered due to forced relocation during the occupation, and whose needs today remain serious.

> *No one from the government or an NGO has given me any attention. I have sought to survive on my own and send my child to school. . . I have asked the government to give me attention, but it never has. I have asked members of this nation to assist me with a house, but they never have. I have asked for a tractor to help me work my land, but it has never happened.*

Victims who live in remote locations, have poor health, or face extreme poverty require urgent support. During the conflicts in both Aceh and Timor-Leste, pockets of armed resistance to Indonesian security forces were in remote locations. Indonesian forces punished local civilians, claiming that family members of guerillas were providing food or other support. Gross human rights violations in remote areas were easier to hide at the time. Today, victims in remote areas have trouble accessing

services more readily available to people in areas with good roads, higher literacy rates, and access to radios and television.

The governments in both Aceh and Timor-Leste do not have specific policies to address victims' urgent economic, educational, and health needs. The lack of special attention to the most vulnerable victims weakens the long-term welfare of society as cycles of poverty and victimhood continue from one generation to the next.

Nurjannah's husband, who sold fish in the Bireuen District of Aceh, was the sole provider for his wife and two children. He left one day in February 2002 and never returned. Nurjannah began searching for him.

> [I searched] *throughout the region, even going to all the remote areas. It was the same if we heard news of a corpse. . . or a shooting. . . Wherever it was, I still went to see and determine who it was, because some said my husband had been shot. . . What most made me cry. . . was that my children and I didn't have any money during that time; at times we didn't even eat. I sold a couple of chickens so we could continue searching for my husband. . . We didn't have a penny; I couldn't buy food.*

Since the disappearance of her husband, Nurjannah has sought whatever work is available, much of it heavy manual labor. She has carried 50-kilogram bags of sea salt and pulled in fishing nets along the beach, resorting to begging when she had no other work. At the time of her interview she had been out of work for two weeks after badly spraining her ankle while carrying seawater to be cooked down into salt.

Abdulhamid's son Murtala was detained in 2003 in Aceh and tortured for 15 days. After he was arrested and tortured a second time, he admitted to hiding weapons. Soldiers accompanied him to the hiding place where they shot him dead. Villagers carried his body to a mosque, and then to his home where he was laid on mats on the floor, since his parents did not own a mattress. Like many parents, Abdulhamid and his wife had placed their hopes on their one son to support the family, but their situation is now very fragile:

> *I am tired of asking others with power for help. It is better that I work like this, repairing shoes and sandals. But even that work is not every day. For a pair of shoes I sometimes get $1.00, $1.50; for sandals $.80.*

At the time of the interview, Abdulhamid was suffering from a badly injured foot. He did not have enough money to treat the wound, which had been caused by a falling piece of wood while he was helping to build a house.

2. Victimhood is gendered.

In Timor-Leste, the government has recognized men who died as independence activists or in combat as martyrs, providing family members with commemorative medals and some compensation. In Aceh, many male leaders of the independence movement have gone on to develop political careers. While still preliminary, our research clearly indicates that women victims of sexual violence, on the other hand, face a significant and persistent problem of social ostracism.

Women victims' experiences of sexual violence differ in Aceh and Timor-Leste. Although the team recorded only a very limited sample of three narratives of sexual violence in Aceh, the victims are regarded as having suffered like other victims of the conflict.[30] For example, Nurlaila followed her husband, a GAM commander, into hiding in the mountains of Aceh where she gave birth to her second child and lived for nearly three years until her baby became ill with dysentery. After leaving the mountains, Nurlaila was detained by Indonesian soldiers who sexually harassed and threatened to rape her, a circumstance that

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[30] See also two reports on women in the conflict in Aceh (2006): Indonesian National Commission on Violence Against Women (Komnas Perempuan), *Sebagai Korban Juga Survivor: Pengalaman dan Suara Perempuan Pengungsi Aceh tentang Kekerasan dan Diskriminasi* [As victims, also survivors: experiences and voices of displaced Acehnese women concerning violence and discrimination] (April 2006), http://www.komnasperempuan.or.id/2010/08/pelaporan-khusus-untuk-aceh-sebagai-korban-juga-survivor/ sebagai-korban-juga-survivor-english-2/; Komnas Perempuan, *Kondisi Tahanan Perempuan di Nanggroe Aceh Darusalam* [Conditions of women prisoners in Nanggroe Aceh Darussalam] (2009), http://www.komnasperempuan.or.id/2010/09/kondisi-tahanan-perempuan-di-nanggroe-aceh-darusalam/.

could potentially become a source of shame in her community. Family and neighbors who know of Nurlaila's experiences have sought to support her and her children following the murder of her husband in August 2004.

In Timor-Leste 16 women spoke of their experiences of sexual violence during the long Indonesian occupation. Sebastiana was a victim of sexual slavery from the time she entered puberty. In 1978, when Sebastiana was 12, Indonesian soldiers captured the group she was with, hiding in the mountains of Aileu:

> *From then on, the soldiers paid attention to me and my friends. They said: "Those who are still young will live with the soldiers; their parents will live elsewhere." Then we were separated from our parents and lived with them in their respective posts. They also carried weapons, threatening us and pointing their guns at us. If we didn't surrender, we would be killed. They had hot blood, they were very evil, aggressive. . . We were very scared and afraid to do anything. They also threatened they would kill our fathers, mothers, and other family members if we refused to go with them. . . I cried, but what could I do? A gun was pointing at my body and at my friends. . .*
>
> *We lived with them at their posts for three to four years. The soldiers would always rotate, but we were never rotated. They held me prisoner at the post; I was not allowed to go out or to visit my father, mother, or other family members. I was forced to serve them, cook, and then enter their room. . . Once I was beaten when I tried to run away with another friend because we couldn't stand living with them.*

Mariana, who was accused of helping Fretilin, also was forced to serve Indonesian soldiers for years as a sex slave. Once, when she was still nursing one of her children, she took the baby with her when she was called.

> *At the military post the commander got angry at me, telling me not to bring my child to stay with me at the post. The commander ordered me to leave the child with someone in my house because*

my child who stayed with me often cried when I was raped by the soldiers.

Following a Fretilin attack on an Indonesian battalion, the violence Mariana experienced became more severe:

We were stripped naked, ordered to lie down and roll on the ground, then ordered to squat. Then they moved us to the regional military headquarters where we were stripped again and given electric shocks to the pubic area. As many as eight young women were moved again to the house of a Chinese man where we experienced exceptionally horrific suffering. . . One to three people were held in the same room. Then soldiers would take turns coming in and having sex as they wished, without stopping. The soldiers were from different battalions. We were held for a long time, and I became pregnant.

After an infamous massacre in Kraras, Timor-Leste, in 1983, Madalena Soares and her husband were separated in the forest for several months. When Madalena came out of the forest with her children, she was interrogated about her husband. Madalena and others from Kraras were moved to another village, Klalerek Mutin, to stop them from helping resistance fighters in the mountains. Living conditions were very difficult, and Madalena received news that her husband had been shot dead in the forest.

We women who were ordered to live in Klalerek Mutin were separated from others living there. Those of us considered to be wives of Falintil [resistance fighters] were labeled as a red line [meaning others were not allowed to associate with these women]. All of our activities, no matter how small, were always overseen by the Indonesian army. . . They always accused us and tried to fault us for mistakes. They threatened they would kill the wives of Falintil. . . They also threatened and forced us to serve them like wives. We didn't want this. Then local hansip [village security] officers spread the news that Falintil women had to marry hansip members. . .

A man came and talked to me about living with him. But after we were blessed with one child, his family still did not agree to

his relationship with me because they said I was a former wife of a Fretilin fighter. I submitted to my fate and told them it didn't matter. I will raise this child.

Photo: Natalia de Jesus Cesaltino

Enduring impacts: Reproductive Health and Stigmatization

Sebastiana, Mariana, and Madalena Soares are just a few of those who reported experiences of multiple perpetrators of sexual violence over many years. Some women were children when the rapes began. These stories suggest the possibility of damage to sexual organs and other threats to reproductive health. However, victims tend not to divulge such information so that this issue remains under-reported and unaddressed. While the impact of sexual violence on reproductive health remains mostly conjecture, the severity and length of forced and

unwanted sex suggests the need for further reflection and support to develop and implement an adequate methodology for research and response to this problem.

Madalena Paicheco is one of three Timorese women who were interviewed together by an experienced female counselor. Interviewing victims of sexual slavery as a group resulted in the exceptional disclosure of painful memories, while providing opportunities for mutual support. Madalena and her friends were treated as "wives" by Indonesian troops stationed in the Aileu District of Timor-Leste. When one battalion replaced another, these women were passed along to a new soldier, and so experienced prolonged sexual violence. As many as six to seven Indonesian soldiers treated Madalena as sexual property over a period of years, resulting in ten pregnancies. Five of these children died when they were young.

Many Timorese ostracized these women as collaborators. For some, such as Madalena, the stigmatization and the burden on her children continues to this day:

> *My problem is that my brother-in-law is a police officer.. As recently as February* [2012], *he humiliated and cursed me. I was very sad and can't stop thinking about it. He also tried to beat me. . . I work in my garden to forget the problems I face. I have never asked anyone for anything, although I suffer. My children and I will bear this difficult life. The government doesn't care that our lives were full of suffering, we women who lived with the military. When we meet one another we never talk about our problems, what we did to save ourselves. . . No one has ever come to ask about our situation. The government also has not yet come. Even though many people know about our lives, no one has cared about our suffering.*

Silvina faced ostracism similar to that faced by other women victims of rape in Timor-Leste. She tells of one soldier who tried to rape and kill her early one morning when her son was seven months old:

> *I went to the neighbor's house and sat on their bed. That brutal soldier followed me and burned the clothes I was wearing. . . from my feet up to my pubic area; in fact, my pubic area was burnt. . .*

I tried to extinguish the fire, but the soldier tore my blouse and even drew a knife on me. Fortunately another soldier who was there prevented him, but if not I'd be dead. [Silvina is silent a moment because she is crying]. I continue to imagine that event and often cry because it happened when my child was still little. If I had died, what would have happened to my child? That incident really made me feel vengeful, [and determined] to continue my struggle.

Not only that, I also often witnessed soldiers who forced girls and men's wives to service their savagery. Me too; [they] *sometimes came at night so that I ran from the house. I always held my child and ran away to avoid that terrible treatment, and had to sleep outside.*

There were also individuals [who ostracized me], *called me names such as lying whore, then they kicked me in the thigh and head, beginning with the Indonesian military, but also Timorese. . .*

Since I "worked" with various soldiers, I never knew who actually was the father of my two children. I gave birth to two boys who were fatherless.

Alcina had three children with her husband, as well as three daughters who were the result of sexual violence by Indonesian soldiers. Alcina was detained in terrible conditions on Ata'uro Island and also held in two jails in the Dili neighborhoods of Balide and Becora. After she was released, the sexual violence she experienced in detention led to social ostracism so severe that she began to isolate herself at home:

I suffered a lot because my husband was in the forest and we were separated. . . I was in the city by myself. I had to sacrifice my self-worth as a woman in order to save myself. In this way I had three daughters by Indonesian soldiers who treated me as their wife. At that time the military called me day and night to go to their post.

At the time, my husband was still alive and engaged in guerilla resistance in the forest. . . I met with my husband during that time and he told me to survive the conditions I faced. My husband said: "I will still consider all those children to be my children. What is most important is that you do what you must to survive."

> *After I was released from Becora prison I went to the place I lived in Los Palos. It wasn't long before I started feeling ostracized by people. Because of that I just stayed at home.*

Maria was about nine or ten in the mid-1980s when her family came out of the forest where they had been hiding for years from Indonesian soldiers. She was taken by a soldier who "raised" her and then raped her before she entered puberty. She was then passed from one soldier to another over a period of years, becoming pregnant four times. Maria's case highlight the lasting harm and discrimination from past violations that women face in their own communities and families:

> *My children despise me, saying I sold myself to Indonesian soldiers and had their children. Sometimes I cry; I'm sad that my own children always hurt me. Sometimes I tell them that the situation now is not like it was then; if I didn't want to go with the soldiers I would have died. Sometimes I am angry with my children because they can't accept my situation.*

Land Tenure Insecurity

Women may also face significant bureaucratic obstacles to their livelihoods after their husbands are killed or disappeared, such as difficulty claiming inheritances or asserting their rights to land and other property. Madalena Paicheco of Timor-Leste speaks about her family who wants to drive her off the land where she lives.

> *My family, who despises me, they have a purpose—they want to seize the land where I am living. It doesn't matter to me; if they want to chase me off it doesn't matter. But we must resolve this problem with the village head, to find another plot of land where I can live with my five children. The government also must pay attention if someone is chased away from a place; it must give something to that person.*

3. Trauma, fear, and insecurity persist due to unresolved disappearances and other continuing harms.

The political solutions in Aceh and Timor-Leste do not automatically ensure solutions for their citizens, who remain insecure years after the cessation of armed conflict and widespread terror. For some the insecurity relates to their own safety and the fear that perpetrators may seek revenge against their accusers. The father of a victim of an extrajudicial killing in Bireuen District, Aceh, explains that although he continues to advocate for victims, "My wife is nervous about me doing this work. She's afraid that I may be treated badly by the perpetrators."

These fears are not totally unfounded considering the period of internal fighting and mass displacement in Timor-Leste in 2006 and sporadic murders in Aceh even after the 2005 peace accord.

Family members of those who have disappeared lack closure on a politically unstable past, leaving them especially prone to continued trauma and a lack of trust in a politically secure future. After Yusnidar's husband, age 40, was taken from their home in Aceh by members of the Indonesian air force, Yusnidar searched for him without success.

> *When I see the military I feel full of hate. If one of their vehicles passes by, I really, really hate them. . . Although I have received help from the government, I will never forget what happened to my husband 10 years ago. I can never forget. . . I still want news about my husband. If he is still alive, please return my husband, but if he is dead, I want to know where he is buried. That is what I really want because my husband hasn't returned yet and there is no news at all about him. . . I want to resolve all this in court or in a truth commission. I want the fairest justice possible.*

Betinha's father was a teacher in Kraras, Viqueque, Timor-Leste. One afternoon after returning home from teaching in September 1983, the same month that a notorious massacre took place in that region, Betinha's father was summoned by a group that included four Indonesian soldiers and one Timorese:

> *Father went into his room to change his shirt. He took off his ring and gave it to Mama and said: "Please look after our children. I*

know that when I go, I will not return." Father was taken to a (military) intelligence post in the town of Viqueque. . .

Several days later, a person came to the house to tell us the family could take him food and clothes at the army post, but that was only for a few days. After that, the food was no longer accepted. . . [In mid-September] we heard that he was no longer at the army post, and we still do not know where he is. The civilian sub-district head and sub-district military commander summoned [me and my younger siblings] *and interrogated us about Father's work: "What was he doing?" They wanted to know everything: "Where are the letters now? Who was involved in that organization?" We answered: "We're still little. We don't know what our father did. We don't know."*

In 2004, the seven of us gathered to discuss whether our father had died. We went to Viqueque to invite members of father's family to look for his bones. For two weeks we looked for his bones everywhere, but didn't find any. We just took a single stone to hold a traditional ceremony and had a mass, then carried it to Kraras.

[When father disappeared] there was just me with [two siblings]. The three of us made the greatest effort possible so the family could survive. We cut down tamarind trees on top of the mountain that were still green; we cut them to get firewood to sell. Early in the morning, about 5:00 am, we would already be at Chinese shops to sell firewood for about 50¢ a bundle. When no one bought any, we just threw it away at the Chinese shop and went to school. The three of us worked the soil to plant vegetables. Before we went to school we had to first sell vegetables at the market for about 50¢ to buy milk, sugar, and coffee before we bathed to go to school.

Other victims continue to experience trauma caused by the killing of loved ones, including young children. Fauziah was divorced with five children. Her youngest, a seven-year-old boy, went with her each morning when she sold fried bananas from a small stall. One morning in May 1999, even before she had sold anything, Fauziah and others in the area were ordered by alleged GAM militants to close up shop and go to a crossroads known as KKA Junction. Fauziah wrote an account of what happened:

I cannot forget that incident. I still feel trauma. I am shrouded in grief, all the more now that I tell this story in writing. . . The road was blocked with wood, with long benches. . . After being forced to close my stall, I walked towards KKA Junction. I carried [my son] because the asphalt was too hot on his feet; he wasn't wearing sandals at the time. When we got to KKA Junction, we mixed with hundreds of others who had already arrived. . . [My son] asked to go home, maybe because he was frightened or remembered he wanted to go to school. "Come on, Mama, let's go home," he said while pulling on my hand. "Not now, my child, we don't dare go home—other's haven't gone home," I said. . .

The sun shone hotter, burning our bodies. It became hotter as thousands of people arrived from all directions. . . [My son] said: "Mama, pour water on my head, it's really hot!" I poured some bottled water on him and he calmed down. . . [and] *asked to stand in the front so he could get a good view of what was happening. Soon we heard the sound of guns firing, the smoke made it difficult to see. Tor. . . toor. . . tooor, rifles barked non-stop, bullets flew, as if the sky were caving in. All the people panicked, fleeing to save themselves. In all the commotion I fainted. When I regained consciousness I was in the home of someone who lived close to where that bloody incident occurred. I have no idea who carried me there. I immediately remembered my son: "Where is my child?" I screamed. . . I wanted to go out to look for my child, but was kept from doing so. When things had calmed down a bit, two men I didn't know . . . took me to the hospital . . . because someone said my son had been taken there. When I entered the room where he was, a blanket already covered him. When I saw my child, I fainted. . . I fell sick during the funeral. . .*

The days go by. I still see my son in my mind's eye. If I see children his age, I am sad and grieve. When I recall him I still feel I am drifting and very sick. Men in camouflage finished off my son. What's more, I read in Serambi Indonesia [a local paper], they said my son was 17 years old. I was really hurt the way they twisted the facts. My son was only 7 years old. He was not an insurgent as they accused him of being.

> *From my love for him and as evidence, I still save the shirt he wore the day of the incident that claimed his life. The shirt is white, blue, and red.*

Fauziah elaborated a bit more when she was interviewed:

> *I am continually sad and cannot even look at the place where I once made a living. The same with KKA Junction—I don't even have the energy to go there, I can't look at that place, I am still sad when I remember the time of that event 13 years ago. . . People say if I go back and sell again in that place I'll make good money, but I'm not willing to do that. Besides, I'm not so healthy. And I can't look at those two places; if I did I would get worse.*

Rosmiati was also at the KKA Junction that day and is one of many victims still suffering from conflict-related injuries.

> *After school I was home alone. A stranger came and ordered me to go to the KKA intersection, saying there was a demonstration there. Without thinking, I headed toward KKA. . . I saw a mass of people who had gathered; they were demonstrating. A few moments later I heard the sound of shots. I ran. . . behind a house close to the intersection. A bullet pierced my right ankle. . .*
>
> *My most bitter feeling now is to be a mother, a woman, who is crippled. I have three children from my husband. My foot is crippled, not yet fully healed, and at times it is very painful. Sometimes I can't walk and even worse there is still shrapnel inside. I have nursed my three children with poisoned blood. . . I cannot do heavy labor because I am crippled. I work as a substitute teacher in a kindergarten not far from my village.*

In Timor-Leste, years after the CAVR finished its work, there are still victims who have trouble with their livelihoods due to disabilities sustained during the conflict. In Timor-Leste during 1999, militia violence grew more intense. Florindo de Jesus Britis was among approximately 150 internally displaced persons who sought sanctuary

at the Dili home of a prominent parliamentarian when militia groups attacked the house in April 1999.[31]

> *I was shot at with an arrow and also a gun, but I wasn't hit. I did, however, fall from out of a tree and was then slashed. . . As many as 12 died in the attack including my older brother. . . and at least three were seriously wounded, including me and two of my friends. . . My older brother was shot by Indonesian military but he didn't die until he was slashed up by militia. . . It was two hours before the Red Cross took me to a hospital. . . I remained in Motael Clinic until the Referendum of 30 August 1999 when I went with the nurses to Kupang [West Timor] to seek refuge. . .*
>
> *There was a time when I worked here and there normally, but after this incident I suffer like this. I am very sad about what happened because when I was still young I could work hard; together with my friends, we were able to accomplish something. But now when I see my friends working, I feel resentment because I can't work at anything like they can.*

4. The absence of justice prolongs victims' resentment and lack of trust in the state.

In addition to the continuing impacts, and the lack of compensation and acknowledgment, victims consistently raised the lack of justice as a major concern. Some perpetrators of gross human rights violations who have never faced trial now live freely among those they once terrorized. Particularly in Timor-Leste, where former militia members have returned to their villages after years in exile in Indonesia, many victims express resentment at the lack of justice. Marciana's husband worked for the UN during the referendum. Militia members killed him in Ermera on 30 August 1999 as he was carrying a ballot box to a vehicle.

> *Now all those militia have returned home to Timor-Leste after seeking refuge in West Timor. . . One militia member is living in Atsabe. . . He is the one who killed my husband. . . as UN staff*

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[31] *Chega!* (2005), Section 7.2.3.11 Unlawful killings and enforced disappearances, 1999, 255.

> *were pulling my husband into their car, he stabbed him three times in the back. He has now returned home to Atsabe, but has not yet been put on trial. . . I am sick to see him return to Timor-Leste with all the members of his family. So far, my family and I have not done anything to them. But why has the state still not looked at this case? I hope he'll be tried. Sometimes I can't think straight. What about my husband and his friend, along with other members of Fretilin who were killed? My heart is still very wounded because so far there has been no justice for me.*

Betinha, whose father disappeared after being detained by Indonesian security forces, shared similar feelings:

> [They] *may talk, but there is no follow-through and no official pays attention to our lives. . . They just talk about themselves. The people, widows and orphans, who have been victims all this time in the land of Timor are left just like that. Justice in Timor-Leste only works against those who are weak, while certain individuals are immune from the law.*
>
> *Now those who were once intelligence agents and who did evil things in this homeland of Timor-Leste have been let loose to wander around Dili. If we go to Dili, we keep meeting them on the streets. I see them with a heavy heart, but we do not do anything. So if we want to talk about the issue of justice, what kind of justice do we want to talk about?*

It is not just that perpetrators are free to be on the streets of Timor-Leste's capital city that angers, and sometimes frightens victims, but also current disparities between victims and those responsible for their suffering. Perpetrators are seen as comfortable, whereas many victims still face social and economic difficulties. Florindo de Jesus Britis waits for justice following his return from West Timor, where he sought refuge to escape the post-referendum violence of September 1999:

> *When I returned to my birthplace, my family suggested that I forget what happened in the past. Now those who committed crimes against me have returned to Timor-Leste, but we haven't done anything to them because we hope there will be justice. My family says not to be troubled by them, that it all happened*

> *because of the conflict. But I think what is most important is justice. The law must be upheld so that we know who committed crimes in the past; they must stand before the law. If the law is not upheld, I will remain dissatisfied and resentful because those involved in the conflict in 1999 can boast and brag rather than those of us who suffered for this country.*

From the time he was a teenager, Abilio was active in the clandestine resistance movement. In 1994, the army detained and tortured Abilio. They covered his head with a plastic bag and beat his hands and head with a large stone to the point that witnesses thought he was dead.

> *Those who once did not want independence, who beat us and made us run here and there, now have special positions. I need. . . a way out, a solution to achieve a calm and proper life. All this time I have felt sad about those [militia members] who now hold high positions, and about those once involved in violence who are now free to roam, while those of us who once sacrificed for independence can only grieve [about the state of] this independence.*

Joana was illegally detained by militia members in 1999, suffering physical and psychological violence. Although Joana is happy to be free of the intimidation and terror of that time, she remains dissatisfied official neglect of those who made sacrifices for independence.

> *I urge leaders of this country not to keep offending us, because so far my family and I, who sacrificed our bodies and souls for independence, have not had the opportunity to work in government offices, but rather militia, who were once involved in acts of violence [even] after independence, have had opportunities to work in government offices.*

In Aceh, disappointment with the government tends to focus on failure to fulfill key items in the 2005 peace accord. Murtala, who was wounded during the KKA incident and was also a member of the Aceh research team, explains:

Photo: Ferry Kusuma

When I reflect on my fate and that of other victims who are far from the government's attention, I see that victims' hope for justice has never been fulfilled. What further saddens me are the promises made by the central and provincial governments. They are only clever at making promises, at talking, but they have never really cared about victims. I think the central and provincial governments are afraid to resolve cases of past human rights violations. They are afraid they will be held accountable, so they don't want to form a TRC and human rights court. As a result victims' rights are never fulfilled. For me it is very important that the government establish a human rights court and TRC so that past cases can be a lesson. With resolution, these past cases will become clear and victims' right as determined by law can be fulfilled.

Nurlaila, another member of the Aceh research team whose husband was the victim of an extrajudicial killing in 2004, is concerned that

impunity for perpetrators could plant seeds for a recurrence of violence in the future.

> *According to me, the government must form a human rights court and TRC. The perpetrators must be tried. I want to see the perpetrators of human rights violations on trial. If there is no justice, there could likely be a larger conflict in the future. That's what I think. The children of victims will feel they have been ignored by the government. They will rise up to make their own demands.*

The lack of both justice and reparations compounds the obstacles of individual victims to heal from deep and persistent emotional wounds, and to restore their trust in the government.

5. Sources of strength can promote healing and transform victimhood.

The research teams invited respondents to reflect on sources of strength that helped them not only to survive, but also to articulate and work towards a vision of their future. Respondents identified religious faith and organizations, a desire to create a better future for their children, a sense of nationalism, support of family members, and participation in victims' associations as sources that heal trauma and can even transform one's dominant identity as victim.

Azizah watched as her husband was taken from the Muslim boarding school where they lived in Aceh, never to see him again. She voices one common response of many victims who feel that "surrendering" to what has happened allows them to go on living.

> *I just surrender myself to Allah; what has happened is God's will. Maybe that is the way that can make me calm.*

Several respondents emphasized the importance of support from family members. After Sebastiana was finally released from sexual slavery with a relative's help, she was ostracized as a "whore of the soldiers." However, her parents' love and acceptance gave her strength:

> *I never thought about committing suicide because my parents are still living, and who would look after them? There are only two of us children; my grandmother is also old. When I sit by myself and think a lot, I have to go to the garden to weed to get rid of my thoughts. My parents say to me: "Don't worry so much. We are not angry; it was war. We didn't want you to die. We are still here. If we should die we want you beside us, so don't worry a lot. Come on, let's go to the garden to weed, to plant food." The words of my mother and father make me strong, and I live with them happily.*

In 1999, just after the referendum, Mateus saw militia members in Oecussi, an East Timor enclave located in a northern part of West Timor, cut his friend's throat before he himself was stabbed and left for dead. His wife did not want him to talk about the experience, but did encourage him not to give up on seeking reparations from the government.

> *After I married, I described my experience when they killed* [some of us]*, such as how the militia members assaulted us and blindfolded us with the Indonesian flag to execute us. I was stabbed in the chest, and fell in a ravine, and they thought I was dead. But how did my wife respond? "Don't speak of that incident again. We must be thankful to God and to the spirits of the departed ancestors who guard and protect you." My wife also kept suggesting I submit documents [to the government]: "Don't give up, because your friends have gotten money."*

A number of the interviews from Timor-Leste suggest that a strong sense of nationalism—willingness to make sacrifices for the sake of independence—was an important source of strength. One example of this is from the interview with Feliciano, who was tortured by Indonesian soldiers while in detention in the 1980s.

> *At the time they arrested me, my son named Joanico died. I was in prison. They gave me permission to leave only to. . . indicate the site for my son's burial, then they took me back to the prison. I was very sad then because I couldn't be present when my son was buried in front of our house. But I still dedicated myself to independence and to get freedom. I still wanted independence and didn't want Indonesia to colonize the land of Timor. Although*

> *they hit me until I was half-dead, stomped on me, I still worked. I didn't want to leave my friends in the forest to struggle alone. . . . As I was preparing to surrender, they said to me: "You may go, give your hands, your body, to Indonesia; but your soul belongs to Fretilin." And I always remembered that.*

Other important sources of strength for victims since the period of armed conflict has subsided are organizations established to support the rights of victims, including help to address urgent needs. Syarwiyah, whose husband disappeared, mentioned both her faith and victims' associations in Aceh as sources of strength.

> *To treat my feelings of sadness I attend prayers* [and] *go to evening Quranic study at the Muslim boarding school. . . My sadness is treated because I attend study sessions ... If my children need to be taken anywhere, members of the K2HAU and Kagundah victims' communities help. My oldest child, who is in university, has been invited to attend their meetings. I feel good about this; I see it as a kind of friendly social gathering that is now available to us, they even know my children.*

Some survivors noted the value of activities such as human rights training and annual commemorations. Rosmiati, who was shot in the foot at KKA Junction, explained:

> *There is a kind of training to heal trauma, especially for us victims. . . by gathering together to socialize with other victims and exchange ideas and opinions, I don't feel alone. There are others and we support each other so that we aren't overcome by trauma. . . I feel very happy we are accompanied by an organization comprised of victims themselves, namely K2HAU. For as long as I have been with this organization I've been happy, and some of my trauma has disappeared because we exchange opinions, joke around, and recall the moments we experienced during the tragedy.*

K2HAU, the North Aceh victims' association, distributed a written survey at a commemoration event in May 2012. One survey question asked whether the central government had acknowledged or inquired about past violations. Of the 26 responses, two said yes, one did not

respond to this question, and the other 23 said no. A similar question asked about what organizations had acknowledged past violations. Below are some of the answers to this question.

> *K2HAU is an organization that we formed with victims and their families. We conduct a lot of advocacy, joint accompaniment, and basic human rights training. I'm happy because I don't feel alone. We also carry out counseling together.*
>
> Murtala, North Aceh

> *At this organization we gather with victims and their families and do human rights training and provide mutual assistance. I'm happy because I can exchange views and we can give each other encouragement and support, and I don't feel alone.*
>
> Risma, North Aceh

Photo: Poriaman Sitanggang

6. Participatory research and advocacy can expand victims' voice and capacity.

Following closely on the previous finding, the research methodology itself was designed to draw on and strengthened the ability of victims to support each other. Syarwiyah, whose husband was a victim of enforced disappearance in Aceh, expressed gratitude to her interviewer, whose husband was the victim of extrajudicial killing: "My heart is satisfied that we have been able to meet like this; at least you have given me some attention." Particularly in a context where past interviews have led to few concrete results for victims, this sentiment contrasts with the words of one Timorese victim: "We ask, 'Have the women who took our statements forgotten us?'

After the participatory process of collecting information, the victims on the teams played a key role in analyzing the data and putting it to use (*see annex*). This exercise helped them to prepare for victims' congresses in their respective regions. In November 2012, participants from 16 sub-districts of North Aceh, along with representatives from several human rights organizations in Aceh, gathered for the Second Congress of K2HAU. The research teams presented their experiences and findings of this participatory research process.[32]

The teams also shared findings and photographs during two workshops held in Los Palos and Dili Timor-Leste in September 2012 and the National Victim's Associations Congress in October 2012. This new knowledge about the on-going impact of the conflict on victims' lives help shape the priorities of the association for the next three years, as ANV members chose to develop a special program to help vulnerable women victims. A member of the research team was elected as the new

[32] The congress also focused on access to information for victims. A representative from the Aceh Commission for Information informed participants about their rights to information about individuals who disappeared during the armed conflict, social services, economic empowerment programs, and education opportunities for children of victims. Participants decided that K2HAU would make use of the Freedom of Information Act to gain access to information, and launch a campaign of letters from victims to the President of Indonesia, the Aceh Governor, and members of Parliament to seek justice for the condition of victims in Aceh.

president of the association. He has voiced his commitment to addressing the urgent issues faced by victims across the country.

While still preliminary, this process has been encouraging at the stages of research design and implementation, analysis, and shaping an advocacy agenda. Further efforts to involve victims in research and analysis should be conducted, with successful methodologies shared with other human rights and therapeutic professionals.

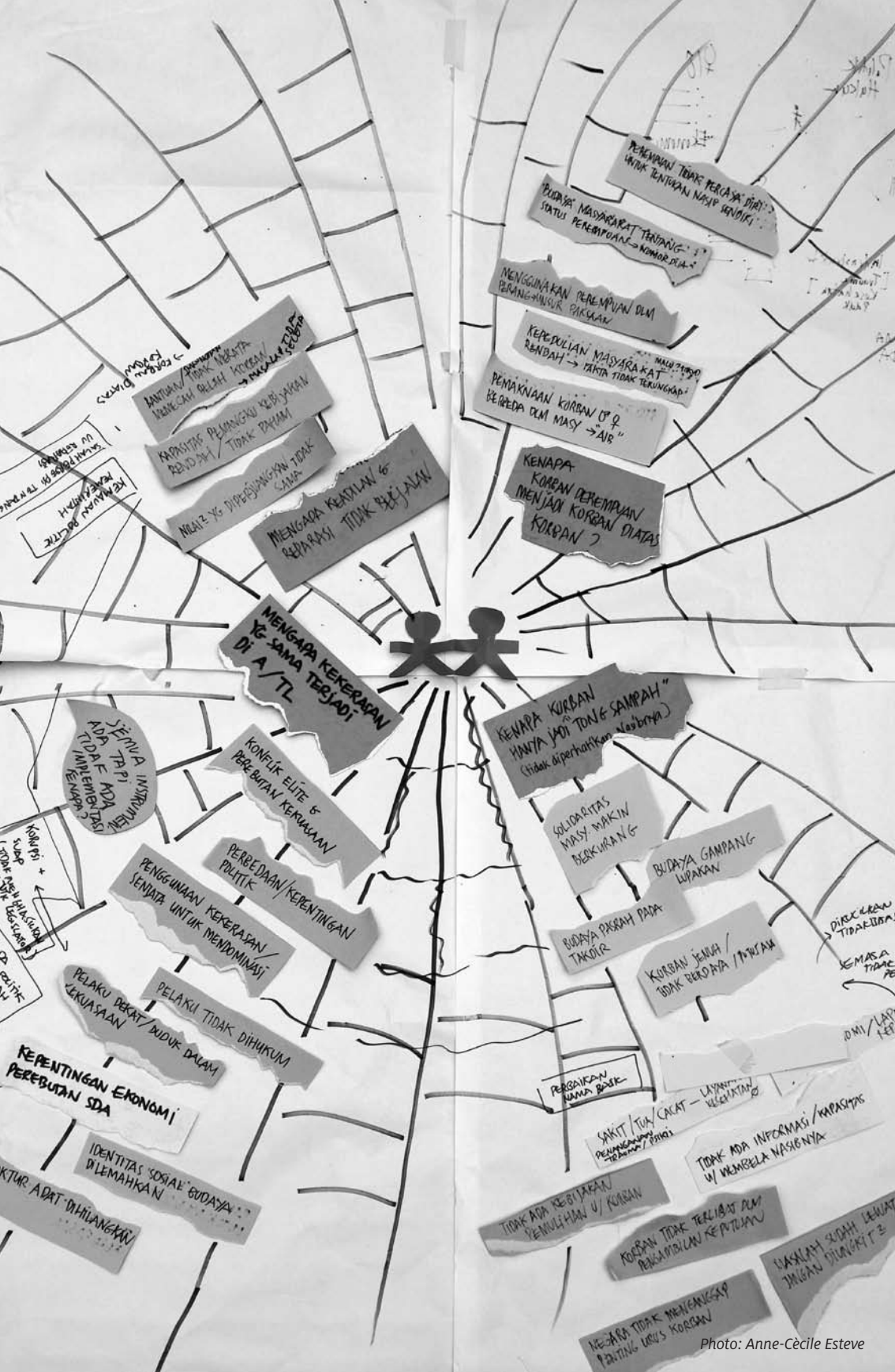

Photo: Anne-Cècile Esteve

VII. Recommendations

Once the information was collected and analyzed, the research team discussed concrete steps that the governments in the two countries should take.

The government of Timor-Leste cannot rest on the achievements of the two truth commissions, the CAVR and CTF. It has been more than seven years since the CAVR report was handed over to the President, and many more years since the CAVR conducted healing workshops and public hearings where victims had the opportunity to speak. For victims, the promises of change presented by the CAVR has become a bitter memory.

In Aceh, the promise for a truth commission guaranteed by the peace agreement of 2005 remains unfulfilled. Although widows have received some social assistance, the majority of victims are still waiting for official acknowledgement of the violations they experienced. For them, it is difficult to grasp the dividends of peace as they continue to free-fall into a cycle of poverty and discrimination.

A summary of recommendations relevant to Timor-Leste and Aceh follows, organized by the six key findings. See also the Annex for actions victim themselves can take to push for change.

1. Ongoing acknowledgment and material support are essential to healing, especially for the most vulnerable victims.

- The relevant ministries (health, education, and other social services) should provide urgent assistance to vulnerable victims

who are still suffering the consequences of past violations. Support should include scholarships for their children, pensions, housing, and access to training and livelihood funds. Development programs should ensure that vulnerable victims can access projects and activities to improve their lives.

- The Ministry of Education in Indonesia and Timor-Leste should integrate the CAVR report *Chega!,* and other official reports such as the Presidential Team on Aceh's Report (1999) into the curriculum, as well as educating students on the rights of victims with respect to truth, reparations, and justice.
- Victims, NGOs, donor community, and officials should develop a campaign on victims' rights and experiences, using radio, newspapers, seminars, theater, music, exhibitions, comics, drawings, poems, and other media.
- The Timorese Parliament should immediately debate and enact the two draft laws on reparations and an institute of memory. The National Victim's Association and civil society should play a key role in developing long-term programs that can benefit victims.
- The Ministry of Justice in Timor-Leste must ensure that children born out of rape during the conflict are recognized as citizens. Single mothers must be allowed to register their children without discrimination or delay.
- In Aceh, the Acehnese Parliament should enact a local truth commission as mandated by the Law on the Governance of Aceh.

2. Victimhood is gendered.

- The Ministry of Health and NGOs in both contexts must develop programs to promote the well-being of victims through counseling and medical attention to address trauma and reproductive health.
- The Timorese and Acehnese government and civil society should carry out an education campaign to reduce stigma and encourage appreciation that those who experienced gender-based violence are victims.
- Relevant government ministries, NGOs and development projects working on legal identity such as the issuing of birth

certificates for children born out of rape, and land security must develop special outreach to ensure that women victims have equal protection and rights as guaranteed by law.

- In Timor-Leste, the government, donors, NGOs and women's movement must study and implement the gender recommendations of the CAVR.

3. Trauma, fear, and insecurity persist due to unresolved disappearances and other continuing harms.

- Governments, donors and NGOs should continue efforts to identify the disappeared, including the provision of forensic expertise to exhume, identify, and memorialize those buried in mass and unmarked graves. Government and parliament should take a stronger role to ensure that Indonesia implements its agreement to establish a bilateral commission for the disappeared with Timor-Leste.
- Relatives of the disappeared should have access to all necessary documents and legal assistance to assert their rights to land, inheritance, or government services. This includes archives held at the STP-CAVR and Serious Crimes offices in Timor-Leste. In Indonesia, this may include archives held by security forces.
- Government agencies and funders should support NGOs to provide ongoing counseling programs for families of the disappeared. There should be a special focus on women's experiences, as victims and as the wives and mothers of men who were disappeared.

4. The lack of justice further obstructs healing.

- The relevant institutions (Provedor's Office for Human Rights and Justice in Timor-Leste and the National Human Rights Commission in Indonesia) must make combatting impunity for past violations a priority. The Indonesian National Human Rights Commission should commence pro-justicia investigation on serious crimes in Aceh.

- In Timor-Leste, the serious crimes team and the prosecutor's office should ensure that victim's right to information is fulfilled regarding cases under investigation.
- The Indonesian government should establish a human rights court for Aceh, with jurisdiction for crimes committed between 2000-2005.
- Legal aid advocates and women survivors of violence should consider litigation of strategic cases in Timor-Leste, Indonesia, and/or a third country to seek justice and raise awareness about impunity for sexual crimes, past and present.

5. Sources of strength can encourage healing and transform victimhood.

- Victims associations should be supported to build networks with religious and traditional leaders and institutions to encourage:
  - support for victims at the local level
  - support for official actions to support them
  - participation in commemorations of incidents.
- NGOs, government agencies, and schools should provide victims with training in law, human rights, and any other relevant subjects.
- NGOs, funders, and others should work to build the capacity of victims' organizations: management, leadership, fundraising, livelihood, advocacy, sustaining activism, writing, and social media.
- Victims should be supported to build their networks with other victims at the national and international levels.

6. Participatory research and advocacy can expand victims' voice and capacity.

- State agencies should include victims in decision-making and policymaking.

- NGO and academics should include victims and their representatives on research and analysis teams.
- Donors should support programs on photography, writing, story telling, and other methods of victim-to-victim information sharing, and support.

Annex

From Remembering to Action: A Menu of Tactics for Victims

The research teams worked together to articulate concrete interventions that victims can undertake to further their rights and address needs for information, livelihoods, and healing. Reflection on two main categories—"breaking the cycle of cultural violence" and "strengthening the bargaining position of and support for victims" —was considered at three levels: state, society, and the victims themselves (individuals, their families, and organizations). The results can serve to advance and broaden existing agendas for victims' associations in Aceh and Timor-Leste.

	Government	Civil society	Victims and their families
Aceh	• petitions to government officials and commissions (e.g., Parliament; National Human Rights Commission; and Coordinating Minister for Politics, Law, and Security) on certain dates, including letters from victims' family members • monitor current discussions in the Aceh legislature regarding a truth commission	• establish monuments and conduct memorialization events to commemorate victims and their families. • inform and sensitize religious and cultural leaders about the plight of victims by involving them in commemoration ceremonies, special meetings, etc. • conduct campaigns on victims' experiences and need for fulfillment of their rights, via radio,	• organize victims and strengthen their capacity through training in organizational management, special leadership training, fundraising, motivation, victims' cooperatives, and economic self-sufficiency. • provide counseling program for victims: How are victims to speak the truth about their experiences if they are still and afraid and

	Government	Civil society	Victims and their families
	• monitor actions by legislators • push for the Indonesian Constitutional Court to issue a special dispensation for establishment of an Aceh truth and reconciliation commission • lobby local and provincial governments to allocate special funds for victims and to establish a legal umbrella for a curriculum on the history of the conflict in Aceh • push for reform in military and police sectors • strengthen alliances by participation in national-level victims' associations • push to elect and appoint victims' representatives in state and independent institutions	newspaper editorials, seminars on the conflict, theater/music festivals with a rights theme, an exhibition featuring this research (photos and narratives). • create and circulate written materials that highlight victims' experiences such as books, novels, comic books, caricatures, poetry. • human rights training and curriculum for junior and senior high school students. • invite civil society to victims' meetings, congresses, and other events. • develop a special program for foster parents.	not yet psychologically strong? • provide special education and training for victims that includes documenting and writing their own histories, training about laws and human rights instruments, skills in advocating for victims' rights. • produce a tabloid by and for victims. • include victims' testimonies at commemoration events.
Timor-Leste	• encourage socialization of the CAVR Final Report with all government agencies, especially the security sector; lobby the Education Ministry to integrate it into curricula. • lobby the President, Attorney General, other government leaders, and members of parliament to ratify the draft bills on reparations and the Institute of Memory. • push for implementation of the witness protection law. • elect members of Parliament who support victims' rights.	• conduct citizenship education. • encourage all religious and traditional cultural institutions to include non-violence as part of the education of their members. • encourage solidarity movements for victims beginning at the household and village level. • encourage a student movement to launch an anti-violence campaign. • promote and strengthen the 16-Day campaign to oppose violence against women. • encourage the mass media to be more	• encourage victims to find the courage to report the violence they experienced. • support victims who seek to educate their own families about harmony and non-violence. • strengthen women's economic skills so they can be more independent. • via ANV, seek to integrate democratic values into cultural practices (acknowledge the rights and responsibilities of all family members). • continue to seek and support psychological

	Government	Civil society	Victims and their families
	• encourage better cooperation to collect data in support of victims' rights and meet their urgent needs by bodies such as the CAVR Post-Secretariat, ministries (women's affairs, religion, Secretary of State for Veterans and Combatant Affairs, etc.), and local and district government leaders. • push for an endowed Victims' Trust Fund. • lobby attorneys and the judicial system to process pending cases of grave human rights violations, with special pressure on the UN Serious Crimes Unit regarding these cases. • facilitate trauma healing workshops for victims, including those who hold public office.	sensitive in coverage of victims of violence. • promote values of peace and harmony in society. • using the popular version of *Chega!* (comic book style), educate about victims' rights to reparations and justice in high schools (junior and senior) and universities. • join with churches, NGOs, and the media to promote awareness of victims' rights.	and physical healing for victims. • collect victims' stories. • share information about victims' rights through discussions, trainings, seminars, and workshops. • build solidarity among victims by strengthening ANV: support local commemorations, create forums more platforms for victims to have a voice, etc.) • give special attention to dissemination of information to victims' children.