

Policy Paper

# LONG JOURNEY HOME: Reuniting East Timor's Stolen Children Living in Indonesia with their Families in Timor-Leste



*Later when I meet them, I will be so happy.  
Finally here (in Dili), after thirty-five years.*

**Domingus Sampelan**

*So that is my story. Maybe my story is a good story.  
But there are people who have not had an opportunity like me.  
The fact that we have lost our language and culture also affects us psychologically.  
This is the experience of the children who were taken away at a young age, like me.  
We don't want to burden the already independent Timor-Leste,  
assigning this "unfinished business" to the government. We just want to find our family.  
Because after all we all have a family, a mother, a father, sister brother,  
and we have a place where we were born. That's the most important.*

**Victor da Costa**

*Before I was separated from my father,  
he said "You have to be strong, honest and brave."  
I remembered these words constantly.  
When the people who took me were cruel to me, I held on those words.  
I held on to the truth. I wasn't just plucked from anywhere.  
But because he was a soldier he was always right.  
I lived under pressure.*

**Isabelinha Pinto**

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## Executive Summary

Between 2013 and 2016 AJAR and its civil society partners collaborated with the national human rights institutions of Indonesia and Timor-Leste to trace the stolen children taken from Timor-Leste and brought to Indonesia during the conflict of 1975-1999. To date, we have documented the stories of 65 stolen children, 30 of whom have participated in reunion visits with their families in Timor-Leste.

The CAVR, an independent truth and reconciliation commission established in Timor-Leste (2002-2005), gathered and analysed over 8,000 personal statements relating to the conflict period 1975-1999. The Commission estimated that several thousand Timorese children were forcibly removed to Indonesia during this period. The CAVR found that “the widespread practice of removing children displayed a mindset that by taking control of Timor-Leste’s territory, Indonesia also gained unfettered control over its children . . . ABRI members and other individuals with power in Timor-Leste felt that they were entitled to take an East Timorese child home without their parents’ permission.”

In 2005 the governments of Indonesia and Timor-Leste jointly established the Commission for Truth and Friendship (CTF) with Commissioners and staff from both countries. The CTF report (2008) reaffirmed the CAVR’s recommendation on separated children, urging the two governments to establish a joint ministerial commission on the disappeared with a mandate that includes finding the children. In October 2011, the Indonesian government issued a Presidential Decree on the implementation of the CTF recommendations. However, to date there has been no progress on the establishment of specific mechanisms to find the disappeared and separated children.

From the data gathered, our findings indicate that only a few survivors enjoyed a good standard of living after their forced removal from Timor-Leste. Most of the survivors face economic hardship, live in sub-standard housing, do not own land, and are unable to get a well paid job due to a lack of education. Almost all continue to deal with issues related to unresolved trauma. The majority were moved to Indonesia without the genuine consent of their parents. The promise of a better education was never realized. Many were neglected, either by their “adopted” parents or the organization in whose care they were placed. Others lived with families who could not afford to send them to school. Some were thrown out onto the streets to fend for themselves.

We urge that special efforts be taken to **help reunite the stolen children** of Timor-Leste with their family members. Although they are now adults, their abduction must be seen as a continuing violation of their human rights. Thus, maximum effort must be exerted to help them reunite with their families and rebuild their lives. A more detailed set of recommendations is presented at the end of the paper.

## Introduction

In April 2013, Asia Justice and Rights (AJAR) facilitated the first visit by a group of Timor-Leste’s “stolen children” to Dili to be reunited with their families. Now adults the participants in this initial reunion visit and related workshop had been forcibly taken as children from Timor Leste to Indonesia during the conflict of 1975-1999.<sup>2</sup> An unknown number, estimated to be at least several thousand children, were also forcibly removed during the same period.

Two separate truth and reconciliation commissions - the Commission for

- 1 There is a wide spectrum of experiences of East Timorese children who were separated from their families. AJAR and its partners have chosen to focus on “stolen children”; i.e., children under 18 years old who were taken by a public official or with the consent of a public official to Indonesia during the 1975-1999 conflict in Timor-Leste without the genuine consent of their families.
- 2 In April 2013, AJAR facilitated a visit with four stolen children (two from Jakarta, two from West Timor) for a week-long visit. In Dili, we held a one-day workshop with four other survivors who had since returned to Timor.

Reception, Truth and Reconciliation (CAVR, 2005)<sup>3</sup> and the bi-lateral Commission for Truth and Friendship (CTF, 2008)<sup>4</sup> included in their recommendations that the governments of Indonesia and Timor-Leste take effective steps to find these children (now mostly adults) and facilitate reunion with their families.

The initial visit revealed that many of those who were taken from Timor-Leste as children continue to live with unresolved trauma and hardship as a consequence of their abduction. Experiences shared by the participants led to a commitment by AJAR to try to find other survivors of the abductions, reunite them with their families and to share a truthful account of what occurred. In the following years, AJAR expanded this work in partnership with other NGOs including KontraS, IKOHI and ELSAM in Indonesia, and HAK Association, ACBIT, Timor-Leste Red Cross and the National Victims' Association in Timor-Leste.<sup>5</sup> As a result of this initial work an official bi-national working group was established involving Indonesia's National Human Rights Commission (Komnas HAM) and the Provedor's Office for Human Rights and Justice (PDHJ) in Timor-Leste.

Working together AJAR and partners have faced many challenges: lack of information regarding the identity and whereabouts of the children abducted, changed names and locations, deep-seated trauma that prevents survivors from coming forward, and reluctance of

state institutions to provide travel documents due to applicants' difficulties in fulfilling administrative requirements. However, many of those moved by the plight of the stolen children have supported AJAR's efforts. This includes retired Indonesian military officers who have provided important information, sympathetic local officials and journalists who have reported on the reunion visits. In turn, the warm reception received by those abductees participating in the program and the healing process they have begun has inspired some of them to try to find other survivors in Indonesia who have yet to re-establish contact with family members in Timor-Leste.

This report covers information gathered between 2013 and mid-2016, including during three reunion visits. Using information drawn from interviews, preparatory healing workshops for participants, and post-reunion visit discussions with participants, AJAR has formulated key findings and recommendations to the Governments of Indonesia and Timor-Leste, and the international community.<sup>6</sup>

## Historical Context

The CAVR, an independent truth and reconciliation commission established by the United Nations in 2001 and staffed by over 270 Timorese and expert international staff, gathered and analysed over 8,000 personal statements relating

- 3 Commission for Reception, Truth, and Reconciliation (*Comissão de Acolhimento, Verdade e Reconciliação*) was formed in Timor-Leste with the mandate to determine the truth about human rights abuses during the period of conflict from 1975-1999 in Timor-Leste. More information regarding the CAVR report is available at [www.chegareport.net](http://www.chegareport.net) and CAVR's web site, [www.cavr-timorleste.org](http://www.cavr-timorleste.org).
- 4 The Commission for Truth and Friendship (CTF) was an official joint Indonesian and Timor-Leste body, commenced in August 2005 and submitted its final report in March 2008. Its mandate included establishing the truth about human rights violations before and after the 30 August 1999 Popular Consultation in Timor-Leste and making recommendations to heal the wounds of the past and strengthen friendship based on a shared historical record. See *Per Memoriam Ad Spem: Final Report of the Commission of Truth and Friendship (CTF) Indonesia – Timor-Leste* (2008); <http://www.chegareport.net/wp-content/uploads/2014/10/CTF-report-English-Version.pdf>
- 5 The Commission for Truth and Friendship (CTF) was an official joint Indonesian and Timor-Leste body, commenced in August 2005 and submitted its final report in March 2008. Its mandate included establishing the truth about human rights violations before and after the 30 August 1999 Popular Consultation in Timor-Leste and making recommendations to heal the wounds of the past and strengthen friendship based on a shared historical record. See *Per Memoriam Ad Spem: Final Report of the Commission of Truth and Friendship (CTF) Indonesia – Timor-Leste* (2008); <http://www.chegareport.net/wp-content/uploads/2014/10/CTF-report-English-Version.pdf>
- 6 This paper was written by Selviana Yolanda, Acunk Nassrum, Dodi Yuniar, Isabelinha Pinto, Galuh Wandita and Karen Campbell-Nelson based on research conducted by the civil society working group, published jointly by AJAR, KontraS, IKOHI, HAK Association, ACBIT, Timor-Leste's National Victims' Association.



to the conflict period 1975-1999. The Commission estimated that several thousand Timorese children were forcibly removed to Indonesia during this period.<sup>7</sup> Although initially individual soldiers were the main perpetrators in the abduction of children, later military, religious, and charitable organizations were involved. According to the CAVR, “the widespread practice of removing children displayed a mindset that by taking control of Timor-Leste territory, Indonesia also gained unfettered control over its children . . . ABRI members and other individuals with power in Timor-Leste felt that they were entitled to take an East Timorese child home without their parents’ permission.”<sup>8</sup>

The CAVR found that from the late 1970s, individual soldiers would take boys who had been recruited as “operations assistants” known as TBOs (*Tenaga Bantuan Operasi*)<sup>9</sup> and load them onto navy boats returning the troops to Indonesia. During the reunion visit in May 2016, Gregorio Muslimin (Gregorio Fernando) met his family for the first time since he was taken as a TBO in 1975 at age 11:

*In 1975 I was picked up by soldiers from Battalion 310. In 1976, I became a cook for Battalion 310 and 330; then an assistant to a soldier in Battalion 724. In 1977 I came to Indonesia to go to school. My family did not know about my departure. When I arrived in South Sulawesi I stayed with Mr. AS. He tortured me, so I ran away. Then I stayed with Mr. SY. Afterwards I was handed over to Mr. JF, then Mr. ND in 1979. Then I started my elementary education. I was never in touch with my family. My family didn’t know if I was dead or alive.*<sup>10</sup>

Girls who were separated or taken from their families were also boarded onto these ships, although in comparatively smaller numbers.

In the 1980s, there were attempts by the government and military authorities to prevent individual soldiers from taking children. Instead, charitable bodies and religious organizations were supported to facilitate the transfer of children to Indonesia. Foundations established by General Soeharto funded many of these programs. Some of the children who were recruited were educated in schools in Indonesia. Others were denied formal education and mistreated or abandoned. In many cases genuine consent for the children to be taken was not provided and there was little attempt to maintain communication with their families.

Muslim Maumoto recalled the difficult living conditions at his boarding school in South Sulawesi:

*In 1985, I was taken to Kuluhun. I went to elementary school in Nassau Bidau. There was a program organized by ICMI<sup>11</sup> to send children from East Timor to Indonesia. I was in the second group to be sent. We were about 27 children in total, the first and second groups. We were sent to Maros, Macopa. We went to an Islamic boarding school . . . I lasted for three years. Three of my friends died of malnutrition [beri-beri]. A few ran away; but I was patient. Whatever happened, I had to finish my studies. Sometimes at the boarding school we did not eat. We helped people to butcher chickens, dig wells, to earn a bit of money so we could eat. This continued for three years.*<sup>12</sup>

7 CAVR cites the testimony of a UNHCR representative at a public hearing that 4,534 children were removed during the period 1976-1999. See *Chega! The Report of the Commission for Reception, Truth, and Reconciliation*, Chapter 7.8: Violation of the Rights of the Child, 7.8.4. The transfer of children to Indonesia, par. 355, p. 78; <http://www.cavr-timorleste.org/cheqaFiles/finalReportEng/07.8-Rights-of-the-Child.pdf>

8 *Chega!*, Chapter 7.8: Violation of the Rights of the Child, par. 348, p. 76.

9 “Civilians were forcibly recruited as operational support personnel (TBO). Officially ABRI [Indonesian Armed Forces] recruited civilian males aged between 12 and 35, however in reality boys much younger and men much older were involved, as well as women.” Paragraph 367, Mass mobilisation of civilians, “Fence of Legs” Operasi Kikis, Part 3: The History of the Conflict, *Chega! The Report of the Commission for Reception, Truth, and Reconciliation Timor-Leste*; Dili, 2005; <http://www.cavr-timorleste.org/cheqaFiles/finalReportEng/03-History-of-the-Conflict.pdf>

10 Interview with Gregorio Muslimin, 22 August 2015, Bantimurung, Maros, South Sulawesi.

11 ICMI is the acronym for *Ikatan Cendekiawan Muslim Indonesia*, the Indonesian Association of Muslim Intellectuals.

12 Mustafa gave this testimony at the AJAR workshop in Dili, Timor-Leste, April 2013.

In the 1990s, the practice of child transfer continued. A survivor, Mustafa Daud (Mauco'o) recalled:

*In 1994 when I was 11 years old I was taken from Dili by a board member of an orphanage in South Sulawesi. When they took me, my parents understood that I was going to be educated. I was taken with 17 other children. We were put on the deck of a ship for three days and two nights. When we got to Makassar, we were brought to an orphanage. We barely ate and experienced violence. We were beaten, kicked, whipped. In 1995, I asked to be moved to another Islamic boarding school where I was treated better. From what I experienced . . . I have a deep scar, especially when I heard that my father passed away in East Timor. I was so sad and wanted to go home, but I had no money.<sup>13</sup>*

The violence around the 1999 referendum for independence in East Timor resulted in a wave of refugees to West Timor, Indonesia. During this chaotic period, it is estimated that 4500-5000 children were separated from their families.<sup>14</sup> Later, more children were taken from their families in West Timor camps and brought to orphanages in Java and Sulawesi.<sup>15</sup> In some cases, the parents consented because they wanted security and better educational and other opportunities for their children, but later lost touch with them. The United Nations High Commissioner for Refugees (UNHCR) undertook a program focused on returning refugees to Timor-Leste. In 2004 UNHCR closed its operations after reuniting more than 2000 of the 4500 registered cases of children separated during the 1999 hostilities.<sup>16</sup>

## Initiatives and Commitments regarding the Stolen Children

In 2003, the CAVR established a research team to focus on the impact of the conflict on children and organized a public hearing on the topic.<sup>17</sup> The CAVR facilitated a reunion visit for Yuliana (Bileki), who was taken in 1979, to visit her family in Ainaro. In its final report (2005), the CAVR recommended that the two governments assist the children from Timor-Leste who were separated from their families, and help them to establish contact, allowing them the liberty to choose their own future.

In 2005 the governments of Indonesia and Timor-Leste jointly established the Commission for Truth and Friendship (CTF) with Commissioners and staff from both countries. The 2008 Report of the CTF was officially accepted by the President of Indonesia and the President of Timor-Leste. The report reaffirmed the CAVR's recommendation on separated children, urging the two governments to establish a joint ministerial commission on the disappeared with a mandate that would include finding the children. In July 2009, the Timorese government proposed the establishment of a sub-working group focusing on the disappeared as part of a bilateral mechanism. In October 2011, the Indonesian government issued a Presidential Decree on the implementation of the CTF recommendations. However, to date there has been no progress on the establishment of specific mechanisms to find the disappeared and separated children.<sup>18</sup>

Efforts focusing on the issue of the stolen children have gradually diminished over

<sup>13</sup> Interview with Mustafa Daud, Makassar, 26 September 2015.

<sup>14</sup> UNHCR cites 4535 registered cases (see footnote 6 above), whereas ICRC refers to 5000 "separated children". See Prabha Chandran, "Mending East Timor's Broken Families," International Federation of Red Cross, Red Crescent Societies, 15 April 2004; <http://www.ifrc.org/en/news-and-media/news-stories/asia-pacific/timor-leste/mending-east-timors-broken-families/>

<sup>15</sup> Dan Murphy, "In Indonesia: A generation of 'orphans' from East Timor," *Christian Science Monitor*, 10 September 2002; <http://reliefweb.int/report/indonesia/indonesia-generation-orphans-east-timor>.

<sup>16</sup> "Solutions found for East Timor's separated children," UNHCR, 14 December 2004; <http://www.unhcr.org/news/latest/2004/12/41bf02f04/solutions-found-east-timors-separated-children.html>

<sup>17</sup> The team of Timorese researchers was led by a volunteer, Helene van Klinken, who later pursued the subject as part of her doctoral research and published *Making them Indonesians: Child Transfers out of East Timor*, Monash University, 2012.

<sup>18</sup> See Presidential Decree No.72 Year 2011, "Rencana Aksi Implementasi Rekomendasi Komisi Kebenaran dan Persahabatan Indonesia dan Republik Demokratik Timor-Leste" ["Action Plan for the Implementation of Recommendations by the Commission for Truth and Friendship of Indonesia and the Democratic Republic of Timor-Leste"]; [http://www.setneg.go.id/index.php?option=com\\_perundangan&id=2776&task=detail&atid=6&Itemid=42&tahun=2011](http://www.setneg.go.id/index.php?option=com_perundangan&id=2776&task=detail&atid=6&Itemid=42&tahun=2011).

time. In 2012, a website to help reunite separated adult children and their families in Timor-Leste was established by a survivor together with a former researcher from the CAVR.<sup>19</sup> The International Committee of the Red Cross (ICRC) continues to report on the lack of progress in establishing a joint ministerial commission between Indonesia and Timor-Leste on “persons unaccounted for” between 1975-1999,<sup>20</sup> with a mandate that would include the facilitation of individual reunions.<sup>21</sup>

AJAR’s recent work on these issues has included contributing to and encouraging official cooperation on the issue involving both Indonesia and Timor Leste. In 2013 Indonesia’s National Human Rights Commission (Komnas HAM) and its counterpart in Timor-Leste, the Provedor for Human Rights and Justice (PDHJ) signed an MoU to follow-up on the CTF recommendations. In February 2014, Komnas HAM established a data gathering team focused on children transferred from Timor-Leste to Indonesia between 1975-1999.

In the meantime, AJAR initiated its first reunion visit and workshop in Dili in April 2013. A year later, working with survivors, KontraS, Elsam, IKOHI, ACBIT, Timor-Leste’s Victim’s Association and HAK Association, we began to trace the stolen children and their family members. This involved carrying out often difficult and time consuming work in Indonesia, locating victims, and similarly challenging work in Timor Leste identifying and locating their families. In some cases those taken as children remember very few details of where they were taken from. In a number of situations parents who believed their children had perished had erected gravestones and had been praying for them for over 30 years before discovering that they were, in fact, still alive.

In 2015 and 2016 AJAR and the civil society partners mentioned above collaborated with Komnas HAM and PDHJ to organize two reunion visits for those victims who had been located and wished to be reunited with their families. The visits between 2013-16 reunited 30 of those abducted with their families in Timor-Leste. To date, we have documented the stories of 65 stolen children.

## Legal Framework

The abduction and forced removal of children is prohibited under Indonesia’s penal code (KUHP), specifically articles 328, 330, and 333. Indonesia accepted a range of binding obligations relating to the protection of children under international law when it became a party to the Geneva Conventions (1949) on 30 September 1958.

State parties that have ratified Geneva Convention IV are required to “ensure that if evacuations or transfers of population were necessary within the occupied territory, that members of the same family were not separated; take measures to care for children under 15 years who were orphaned or separated from their families; take all necessary steps to identify children and register their parentage; facilitate the proper working of institutions for the care and education of children; and refrain from changing children’s personal status or enlisting them in its organisations.”<sup>22</sup>

The mothers and grandmothers of Plaza de Mayo in Argentina have led weekly marches to focus attention on the estimated 30,000 disappeared persons and other social causes since 1977. The group has played a major role in the movement for international recognition of ‘disappearance’ as an ongoing crime. The mothers urged continued efforts to seek the disappeared because, unlike the finality of death, the victim and his/her family continue to be ‘trapped inside’ the crime, bewildered by not knowing what happened to their loved ones. The crime continues to take place every day until the whereabouts of the disappeared are known. Similarly, the stolen children continue to live with their abduction until they are reunited with their families. Unfortunately, the fact that so much time has passed means that they are no longer children. This may mean that they have outgrown the practical effect of UN treaties and guidelines<sup>23</sup> created to protect children.

19 Helene van Klinken and Achnesia Felina Maganang established the interactive website, Istóriaku, which includes 32 stories. See <http://en.istoriaku.org/about-us/>.

20 “Jakarta (Regional)” from ICRC Annual Report 2013, <http://www.refworld.org/pdfid/5374afa00.pdf>.

21 “PMI akan pertemuan keluarga yang terpisah” [“Indonesian Red Cross to bring together separated families”], 27 November 2014; <http://www.pmi.or.id/index.php/berita-dan-media/kisah/k2-categories/item/340-pmi-akan-pertemuan-keluarga-yang-terpisah.html>

22 1949 Geneva Convention IV Article 24.

23 The United Nations Security Council Working Group on Children and Armed Conflict has highlighted six violations against children, including abduction.



### Marciano in his house in Jakarta.

Marciano was taken by soldiers when walking home from school with six of his friends in Hatudo, Ainaro. During his time as a TBO, he was shot in Los Palos and sent to Jakarta for treatment in 1982. He is an amputee with a prosthetic leg and recently lost his job as a security guard in Jakarta. (Sigit D. Pratama for AJAR, 2016)

## Findings

From 2013 to mid-2016, AJAR documented the testimonies of 65 individuals—12 women and 53 men scattered across eight Indonesian provinces—who, as children, were moved from Timor-Leste to Indonesia. The process of locating them took on average four to five months per year. Our research team encountered numerous challenges following various leads, especially when visiting military and religious institutions. The following table shows the distribution of the cases across Indonesia.

Table 1. Geographical distribution of the documented stolen children

Location	Year Documented				Total
	2013	2014	2015	as of August 2016	
Jakarta	1	5	1	2	9
West Java	1	3		6	10
East Kalimantan		5	1		6
South Kalimantan			1		1
South Sulawesi			19	13	32
Bali		2	2		4
East Nusatenggara	2				2
Banten		1			1
Total	4	16	24	21	65

Thirty of these individuals have now participated in reunions facilitated jointly by the two country Working Group

mentioned above, working under the auspices of Komnas HAM and the Office of the Provedor in Timor Leste. Several people declined to participate because of concerns for their safety or because their (Indonesian) families did not want them to go to Timor-Leste. Others could not participate due to poor health, because they could not obtain all the documents needed to travel, or because their families in Timor-Leste had not yet been located.

Table 2. Stolen children who have participated in reunions

Year of Reunion	Women	Men	Total
2013	2	2	4
2015	2	12	14
2016	2	10	12
Total	6	24	30

The general condition of the survivors varied. As adults, a few enjoy a good standard of living, but most face economic hardship and are unable to get a well paid job due to a lack of education. Almost all continue to deal with issues of unresolved trauma. The majority were moved to Indonesia without the genuine consent of their parents. Those whose parents granted permission did so because they were promised that their children would be sent to school in Indonesia and then returned to Timor. Some of the children went to Indonesia in the hopes of a better future.

For the majority of these stolen children, the promise for a better education was never realized. Many were neglected, either by their “adopted” parents or the organization in whose care they were placed. Others lived with families who could not afford to send them to school. Some were thrown out onto the streets to fend for themselves. Most of these children finished primary school, but only a few continued on to middle and high school. Are a very small number were able to obtain a tertiary education. The survivors continue to face challenges in finding decent work. They have struggled to continue their lives alone, far from their own families and also from the family that adopted them.



## Isabelinha Pinto (Serlina Sembel)<sup>24</sup>

Isabelinha Pinto was only five years old in 1979 when a soldier took her from her family in Buikarin. At first, Isabelinha's parents refused to sign the "adoption letter" presented to them, but in the end they agreed because they felt threatened. Isabelinha's name was then changed to Serlina Sembel after her religion was changed from Catholic to Protestant in accordance with that of the family that took her.

*Before I was separated from my father, he said, "You must be strong, honest, and brave." I always remembered those words. When the people who took me were cruel to me, I held onto those words. I held onto the truth. It wasn't that my origins were unknown when I was taken. But because he [the man who took me to Indonesia] was a soldier, he always [thought he was] right. I lived with stress, violence; I experienced all of it. But I became strong.*

*When I lived with that soldier's family from 1979-84, they treated me roughly; sometimes they didn't feed me. Sometimes I worked selling popsicles; I couldn't go home until I'd sold all of them. That was when I was five years old. I'd wake up at 3 in the morning, wash the clothes, the house work caused me to get sores on my legs from water lice. When I got home from school I had to help wash clothes, wash the dishes, do all kinds of work . . . then I'd sell popsicles. Another soldier who lived close by saw this and felt sorry for me. Sometimes his wife would secretly give me food, but I was afraid because my father didn't allow me to be given anything because he'd be ashamed in front of the neighbors.*

*[I felt] strange because I wasn't used to being called Serlina, so I was known as just Lina. But in my heart I couldn't accept it, I felt ashamed. In my heart it just didn't fit, as if I weren't myself. Until now if I'm called Serlina, sometimes I won't respond; only if I'm called Lina will I answer . . . I remembered my name was changed, I remembered my bitter experience when I met my parents [because] my mother said it was no wonder I was hard to find because my name had changed.*

Lina always hoped should would see her family again. Once she even dreamed that her house was struck by a giant tsunami wave from the Timor Sea. In the dream she held her husband and children, and said, "Don't be afraid. This is Laga. I was here when I was small. I was taken from here." Isabelinha doesn't doubt that this dream carried her to the place she has missed all these years.

*My cousin came, and I cried in my room. "God, is this true?" My child ran into my room and said, "Mother, your brother is here. His face is exactly like yours. When I saw him, he really did look like me. My cousin entered the house and immediately phoned my parents. I told them all about my life's journey. My mother told my cousin what to check, "Her forehead protrudes and she has a burn mark on her arm." It all fit. When I spoke with my mother on the phone, she asked, "Do you still remember any Tetum or not?" I said, "Ya, I only remember the sentence: 'Rou Dili seidak mai'—'The boat from Dili hasn't yet arrived.' Father often sang this song to me when he was hunting: 'Imi atu ba nebe . . .' That's all I know." "That's enough," said my mother. "Your name is Isabelinha de Jesus Pinto. You were usually called Nina." Finally I was able to see my family again.*

### *Alienation and a constant longing*

The children brought to live with families in Indonesia faced a new situation and culture, different from that of their home country. Because of their sense of alienation they constantly longed to return to their families. For most of them, from the moment they were taken, they

had no more communication with their Timorese families. Only a few of the adopted parents spoke to the children about their origins in Timor-Leste, even asking them to forget their families.

Victor da Costa was taken by a civil servant in 1980 when he was in third grade. Throughout his childhood and

<sup>24</sup> This story has been abstracted from Isabelinha Pinto's testimony given at a public hearing held by KKKP—the Coalition for Justice and Truth—in Jakarta on 26 November 2013.

adulthood, he was persistent in his search for information about his family. In 2004, he took the initiative to go to Timor-Leste and look for his family there with the help of the HAK Association.

My heart continued to feel restless. When will I find my way back to East Timor? But I do not know what East Timor was like? I do not know where Dili was? I was taken in Baguia, my foster father often told this story, “You were taken from Baguia. Your father’s name is Alberto, your mother’s name is Maria.” But I do not know my mother’s face, or my father’s face, until this moment. Inside me, grew a powerful motivation and I wanted to go back.<sup>25</sup>

In a healing workshop prior to a reunion visit, Muhammad (Legibere) explained, in a drawing, that the happiness in his life was the memory of his home village that, it turned out, became the strength and hope to meet his family again.

*This picture has lots of trees because when I was little, I was surrounded by trees and a valley. I lived at the head of the Manatutu River. That was when our life was peaceful, [but] after the war we were scattered everywhere. Our parents kept the four of us siblings safe, although I was then separated [when I was taken] to Indonesia. My place here is Watukalung Village, now it’s become Laklubar, Manututu District. My house is close to a garden and rice paddy. After that Indonesia came. Everything I longed to have with my family disappeared and I never saw them again, then a soldier took me to Indonesia.<sup>26</sup>*

### Changed identities

Upon arriving in Indonesia, most of the children were forced to change their identities and take the religion of their adopted families. Some of them were taken by religious institutions, educated as Muslims, made to adopt the Muslim faith, and add a Muslim name to their Timorese names.

Muhammad says that now he uses the name his adopted parents gave him and no longer remembers his given name. He remembers only his Timorese nickname, Legibere. He even became a Muslim, following the faith of his adopted family so it would be easier for him to go to school. Siti Hapsah (Aisah), Mohamad Yanto Soares (Julião), and Mustaqin Alfonso Fikeke (Joãoquim) were all asked to convert to Islam and to change their names when they were taken to an Islamic foundation in Dili. They were promised they would get a free education in Indonesia. Later they realized they were simply neglected.

Ibrahim Orlando Serturio de Oliveira was eight years old when he was taken to Makassar, placed in a Muslim boarding school and became a Muslim. According to Ibrahim, about 40 children from East Timor stayed in a Muslim boarding school in front of the boarding school that he attended.

Muhammad Irfan Soares together with six other children was taken on a ship to Makassar by an Islamic foundation in 1995. ‘Muhammad’ was added to the beginning of his name by a Muslim cleric at a boarding school.

*I was taken by Kopassus [Special Command Force] from Bikarin [military] post in an army vehicle. In Viqueque they picked up six other children; [we] were put in a cattle truck and taken to Dili. After two weeks in Dili we were taken by ship to Ujung Pandang [Makassar]. We hoped to go to school. When we got to Ujung Pandang . . . we’d already been baptized in our villages. Then we were put in a Muslim boarding school. We weren’t given food. A friend of mine went back to East Timor because he couldn’t stand it and he didn’t want to accept that religion.<sup>27</sup>*

Changing their names and religions scared the children; they did not trust themselves. They worried they would be rejected by their families when they met again. As he approached the reunion with

25 AJAR’s internal document (2013), “Long Journey Home: Assisting Timor-Leste’s Lost Children to Rediscover their Family and Roots”.

26 Testimony of Muhammad (Legibere) during an AJAR healing workshop, Bali, 16 May 2015.

27 Interview with Muhammad Irfan Soares, 24 August 2015, Gowa, South Sulawesi.

his family, Irfan Soares said, “I feel I’ve disappeared, like I’m not going back because my name’s been changed, so probably the people at home won’t know me anymore. Secondly, my religion’s been changed. I’m afraid if I go home to my village my family won’t accept me.”

### *Unresolved trauma and physical disabilities due to war*

Children recruited as operations assistants (TBOs) often suffered trauma and physical disabilities as a result of their TBO ‘work’. This has continued to impact their lives until the present day. They remain haunted by fear from the violence they experienced and/or witnessed. They also worry that they will be shunned by people in their villages because of their relationship with the Indonesian military. Some of them thought Timor-Leste was still in conflict, just as it was when they left for Indonesia.

Fadli Muslimin experienced many doubts during the orientation session for the May 2016 reunion. As the time for departure to Timor-Leste approached, he turned over his savings account book to one of his children, and gave a misleading physical description of himself to his younger sister who was waiting for him in Timor-Leste:

*I was the last one off the plane. I thought about not getting off. I was very scared, afraid someone would shoot me. I’m not afraid to die, but I thought about my wife and child I’d left in Jakarta. It would be a pity for them were I to die because there isn’t anyone to take care of them. I told my younger sister [via cell phone] that I am now bald, tall, and have a big, muscular body. At first my sister was surprised, as if she didn’t believe me, but I explained that my posture was like that because I had studied sports. So even my sister believed me.<sup>28</sup>*

Luwis Hutajulu (Luis Parera) also felt anxious. Although his life had been good and his adopted parents took care of him,

he still had problems. Luwis dropped out of school, joined a local gang in a marketplace on the outskirts of Jakarta. He later on became extremely ill. Before attending a reunion he shared his story:

*Before the referendum in 1999, I had contact with my family, but after the referendum I couldn’t contact them anymore. In 1997 I had contact with my younger brother, Francesco; I had news that my parents were still living. My family ordered me to come home, but I was afraid. Because I was a TBO, I felt traumatized and didn’t want to remember anymore, especially remember people who had been killed in front of us.<sup>29</sup>*

Another survivor in Jakarta, Victor da Silva, faces ongoing mental health problems. Victor’s psychological condition is unstable and after witnessing the murder of his entire family he no longer remembers his origins. Victor’s hearing is also impaired because he was twice hit by bullets, once in the head and once in the ear. Two others, Marciano Alves and Marthino use prosthetic legs, after being wounded on the battlefield.

### *Children experiencing conditions of slavery, torture and ill-treatment*

Many abductees experienced severe abuse as children. Without the protection of a caring adult, many were treated as domestic servants or even slaves, working without pay or protection. The abuse they experienced can be seen as torture or ill-treatment.

Aisah shared her experience:

*In 1994 I was brought here by a soldier. I wanted to be sent to school, but I didn’t go to school. I was brought to another family that made me work as a servant. Every day I washed clothes, but only went to school until junior high. I was brought to Bandung with my two younger brothers. I was very sad there every day. Once they poured hot water on my face. I was treated like an animal.<sup>30</sup>*

28 Interview with Fadli Muslimin, 23 August 2015, Makassar, South Sulawesi.

29 Interview with Luis Parera, 24 August, Bekasi, West Java.

30 Interview with Aisah, Bali, 16 May 2015.

Adopted families as well as charitable or religious organizations that took the children often treated them harshly, abusing them and forcing them to do heavy labour. Saimo (Wersimo da Costa) and Roberto da Silva were treated horribly and forced to tend the gardens and livestock of their adopted families. Many struggle with poor literacy levels.

Dominggus Sampelan also tells his story:

*In 1979 I was taken to Indonesia. I went with the hope that my life would improve, that I could continue my education to become a church minister so that when I went home I could make a better life for my brothers and sisters in the village. In Jakarta I was sent to school through grade school, but because my adopted parents barely managed economically I couldn't continue my education. . . . I wasn't strong with my parents because of so much work. My adopted father was mean . . . I was once hung by my feet . . . but more than that I rebelled.<sup>31</sup>*

### Girls vulnerable to gender-based exploitation and violence

Although the majority of stolen children seem to have been boys who were working as TBOs, we have also identified a smaller number of girls who were taken. Many of these women survivors experienced exploitation as unpaid domestic workers. Some have reported sexual abuse, but find it very difficult to speak about these experiences. One survivor said, "It turns out that the man who took me, he had another motive. He wanted me to be his wife."

Rosnaeni (Rosita) and her sister were separated from their family in Railakolete in 1978. Despite her protest, she was taken by a soldier from Battalion 612 to Makassar where she was forced to work hard just to survive. She recalled:

*I lived a long time with the parents of that soldier. Every day I worked in the rice paddy, took care of the livestock; I wasn't sent to school because it was far from the house. I lived there more than*

*ten years, but when I became a teenager I felt the burden of helping the parents of that soldier, so I took my leave to look for other work. I worked in a store in Rantepao [South Sulawesi]; my salary there was Rp. 15.000 [~USD1.10 or EU1.00] a month. I worked there three months, then I worked on a PT Buntu Marannu [copra] plantation for three years. After that I was moved to BMS, a branch of PT Buntu Marannu. While working for that corporation I met my husband and married in 1989.<sup>32</sup>*

Some girls were treated poorly because the families they lived with disliked them. Vilomena de Fatima Viana was taken in 1979 when she was seven years old. After several years, her comfortable life with her adopted family changed abruptly when they had their own child. Consequently she was the target of anger and often beaten. Unable to withstand the treatment from her adopted parents, Vilomena left their house to make a life for herself. As these girls approached adulthood, in many cases their adopted mothers began to mistreat them due to a perception that the girls represent a threat to their marriage.



**Rosa reunited with her sister.** Rosa was taken by an Indonesian soldier in 1978 when she and her sister were separated from their family. Her sister tried to stop her being taken but was not successful. Rosa was brought to Sulawesi Island where she worked in farm and experienced abuse and exploitation. Here she is finally reunited with her sister after 38 years. (Michael Morgan for AJAR, 2016)

31 Interview with Dominggus Sampelan, 24 August 2014, Bekasi, West Jawa.

32 Interview with Rosita, 26 September 2015, Makassar, South Sulawesi.



## Economic hardship, inadequate education and unemployment

Many children lived with families who had economic difficulties. Although they were treated well, several had to drop out of school because they were unable to pay the fees. This was the experience of Abdul Rahman (Jose Soares) who was transported inside a wooden crate on board a navy ship in 1980 by soldiers from Batalion 721. He now lives with his wife and three daughters in a small house in a marshy area that is flooded during the rainy season. Every day, Abdul Rahman works as a janitor at the Samarinda City (Kalimantan) stadium. Abdul Rahman says that his adopted father was very good, but after his father died he couldn't continue his schooling because his family was too poor.

Many children ended up stranded because they couldn't withstand the violence from their adopted families or the institutions where they lived. In general they became vulnerable to more violence. In Semarang, the AJAR team identified a person named Hasan who had been a TBO and after being moved to Indonesia was neglected, moving from here to there after leaving the home of his adopted parents. He has a speaking disability and doesn't hear well. The last news of him was in 2015, when he was known to be living on the streets in Semarang.

## Difficulties obtaining citizenship documents

Although they have lived a long time in Indonesia, most of the children separated from Timor-Leste do not have complete citizenship documents. For many, the data in the documents they do possess is inconsistent, especially after their names were changed. This makes it difficult for them to access public services and government assistance programs, and to make other official documents like passports. They have difficulty getting birth certificates because their biological parents are not Indonesian citizens, and at the same time they do not have

adoption documents because they were not officially taken to Indonesia and there is no supporting adoption documentation from the courts.

Several people who applied for passports to participate in reunion visits to Timor-Leste experienced difficulties and delays because their documents are incomplete. The difficulty is exacerbated because Indonesian officials' knowledge of the conflict in Timor-Leste is very limited, and administrative procedures are inflexible and complicated. Muhammad Ridwan (Joao Soares) was taken in 1997 as a nine year old boy by a soldier from Battalion 726. Throughout his life in Indonesia, he has experienced difficulties obtaining documents, from his citizen identity card to his passport. The process eventually went smoothly only after a lawyer assisted him.

*Had I myself tried to arrange for my family identity card, my personal identity card, and my passport, I probably wouldn't be able to join the reunion. I had to get my family identity card fixed at the public registrar . . . Then I also didn't have an identity card, although I had been photographed for it at the sub-district office. Same thing when I arranged for my passport at immigration, the official asked about my name that is different on my family identity card and my diploma. Fortunately Mr. Nassrum [a lawyer from KontraS Sulawesi] explained to the administrator that I was one of the children who, at the time of the conflict in East Timor, was separated from their family and taken to Indonesia. Finally the immigration official gave me a special form to complete, as a note confirming the name that is printed on my family identity card, personal identity card, and diploma are true, then I signed the form.<sup>33</sup>*

## Challenges faced during the reunions

A number of the abductees were expected to fulfill customary obligations and pay for traditional ceremonies to facilitate their return to their families in Timor-Leste. In some cases, an expensive

33 Interview with Muhammad Ridwan, 23 August 2015, Gowa, South Sulawesi.

ceremony must be performed if the name of the person, assumed to be dead, has already been encribed on a gravestone. In two other cases, the Indonesian family that took care of the child expected to be paid compensation.

Abilio Maia was taken to the Seroja orphanage in Dili in 1977. A year later a high-ranking military official adopted him and took him to Jakarta. He was raised well, with opportunities to pursue a higher education and employment. But he continued to look for his Timorese family members for a long time. In 2013, he participated in AJAR's workshop in Dili. He had since found out that his parents are now deceased. He continues to look for his sister who he had previously found in 1993 but subsequently lost touch with:

*Sometime in 1993, I was able to find information about my younger sister. Through a mediation process we were able to meet face to face. However, there were customs and procedures that were expensive, and we had to pay some kind of expensive bride price to compensate for the costs of taking care of our sister. In the end she was taken back by the people who had her.<sup>34</sup>*

### Lack of security to land ownership

When a wave of refugees from Timor-Leste arrived in Makassar after the 1999 referendum in Timor-Leste, they were placed at the Racing Center. Some of the stolen children joined the refugees. The Indonesian government established a transmigration program and prepared settlement locations for the refugees in three different villages. About 50 households lived in Housing Unit I (located in one village), and 150 lived in Housing Unit II (in two other villages). They were officially given land where they could live and some land for gardens, but to date the location of the agricultural land is unspecified.

After many years of living in various boarding schools and as a vagrant, Muhammad Irfan Soares joined the transmigration program for East Timorese refugees in 2000. He explained:

*The land that is clearly located is only the living space; up to now we don't know where the place is for . . . gardens . . . the transmigration official only points in the direction of the forest for each of us to find our own plot of land.<sup>35</sup>*

According to Irfan, they had to work hard to open up forest land and plant seasonal crops like beans, squash, and bananas. However, the land there was not fertile because it contained high levels of nickel and iron ore. To date the status of ownership for his land remains uncertain even though he and the refugees have been living there for 16 years. They are worried that at any time the government will take back the land or that the land will be appropriated by plantation or mining corporations that have begun operating around where they live.



#### Still looking.

As we bring a group of stolen children back home to Timor-Leste, people approached us with old photographs of their missing children. (Michael Morgan for AJAR, 2016)

## Recommendations

Special efforts must be taken to **help reunite the stolen children** of Timor-Leste with their family members. Although they are now adults, their abduction must be seen as a continuing violation of their human rights. Thus, maximum effort must be exerted to help them reunite with their families and rebuild their lives.

<sup>34</sup> Notes from AJAR's workshop in Dili, April 2013 (on file.)

<sup>35</sup> Interview with Muhammad Irfan Soares, 24 August 2015, Gowa, South Sulawesi.

To the Governments of Indonesia and Timor-Leste:

- Study and implement the recommendations of the CAVR and Commission for Truth and Friendship relating to the separated children and the search for the disappeared. Specifically, implement CTF recommendation No. V: “that in respect for those who have suffered or were affected by the human rights violations of 1999 and before, including those placed in detention, killed, and disappeared, appropriate programs are needed for their families.”<sup>36</sup> This must include designing, in consultation with survivors and civil society, a bilateral mechanism to facilitate voluntary family meetings and responding to reports concerning disappeared people based on the principle of reconciliation.
- Work together to implement the CTF recommendation to form a commission to “acquire information about the fate of disappeared people and cooperate to gather data and provide information to their families,”<sup>37</sup> including information regarding the location and condition of all Timor-Leste children who were separated from their parents and families.
- Support and fund civil society in the two countries to trace, document, and address the needs of the stolen children and their family members.
- Create a mechanism to facilitate reunion visits for greater numbers of stolen children who have been located. This mechanism can be developed together with civil society, relevant international agencies (e.g., ICRC, IOM, or UN bodies), government ministries, and the two national human rights institutions, Komnas HAM and PDHJ.

To the Government of Indonesia:

- Provide assistance, trauma healing and protection to survivors, and

acknowledge them as victims of gross human rights violations who are entitled to protection and services facilitated by the Agency for Victim and Witness Protection (LPSK).

- Uphold the rights of the stolen children. In particular assist them in obtaining identity and citizenship documents (national ID card, birth certificate, and passport).
- Provide scholarships and economic assistance to the stolen children and their families.
- Provide information on the whereabouts of the stolen children and disappeared persons.
- Support the dissemination of accurate and up-to-date information about Timor-Leste and its good relations with Indonesia, particularly among local officials dealing with Timorese communities in Indonesia.

To the Government of Timor-Leste:

- Provide each of the stolen children with an official document certifying their place of birth and birth date, recognizing that due to their abduction they are unlikely to have birth certificates or other proof of legal identity.
- Provide free visa status for stolen children and their families who wish to visit Timor-Leste, recognizing that stolen children who have Indonesian citizenship may wish to maintain it, particularly if they and their children reside in Indonesia.
- Facilitate support and assistance to stolen children wishing to return to live in Timor-Leste.
- Establish CAVR’s follow-on institution to document missing children from the conflict, preserve the memory of the stolen children and help rehabilitate survivors.
- Promote an approach to traditional customs and traditions for accepting the stolen children that does not burden the victim.

36 Recommendation 5) Commission for Disappeared Persons, *Per Memoriam Ad Spem: Final Report of the CTF*, hal. 303.

37 Ibid.

To Komnas HAM and PDHJ:

- To Komnas HAM: Recognize the stolen children as victims of gross human rights violations based on the pro-justicia investigation Komnas HAM conducted on East Timor.
- To Komnas HAM: Spearhead the search for stolen children based on information from military sources and archives.
- To PDHJ: Continue to work with civil society and government agencies to rehabilitate the rights of victims in Timor-Leste.
- To PDHJ and Komnas HAM: Reaffirm the commitment to advocate for policies to protect and help reunite the stolen children with their families in Timor-Leste.

To the international community:

- Support this ongoing civil society initiative involving organizations from

Indonesia and Timor-Leste involved in assisting and seeking redress for the stolen children.

- Strengthen the legal obligation for governments to continue the search for abducted children by recognizing the abduction as an ongoing violation of human rights, until the abductee can be reunited with his/her family.
- Support and encourage the governments of Indonesia and Timor-Leste to implement the recommendations of CAVR and CTF, especially in the case of children who were forcibly moved from Timor-Leste to Indonesia.
- Take steps to publicize and maintain a focus on the case of the stolen children of Timor Leste, thereby reducing the potential for similar crimes to be committed in the future.



## Annex: Recommendations by CAVR and CTF

### *Commission for Reception, Truth and Reconciliation, CAVR (2005)*

#### 11.2. Separated children

Many East Timorese children were separated from their families during the Indonesian occupation of Timor-Leste, including some 4,500 in 1999. Many in the pre-1999 category are now adults and include some who are looking for their families but may not know where they come from. Most of those who became separated from their families during the violence of 1999 have either been reunited with their families or have continued to stay with caretakers. Responsibility for this category rests with the Governments of Indonesia and Timor-Leste following the signing in December 2004 of a “Memorandum of Understanding Concerning Cooperation to Protect the Rights of Separated and Refugee Children”, facilitated by UNHCR.

The Commission recommends that:

11.2.1. The implementation of the 2004 MOU between the Governments of Timor-Leste and the Indonesia be monitored by NGOs in both countries to ensure that the rights of separated children, particularly any whose cases have not been resolved and those in the custody of caregivers, are protected – including their right to unhindered access to identity and nationality procedures.

11.2.2. The Governments of Timor-Leste and Indonesia ensure that regular and free communication is maintained between the child and parents while the child remains with the caretaker or with an institution and that separated children are able to make informed decisions about their future free of intimidation or fear.

11.2.3 Assistance be provided, particularly for those in remote, poor areas, so that parents and adult separated children can trace each other, communicate and meet.

*Chega!* Volume IV, Part 11: Recommendations, p. 2611

### *Commission for Truth and Friendship (2008)*

#### 5) Commission for Disappeared Persons

The Commission considers that in respect for those who have suffered or were affected by the human rights violations of 1999 and before, including those placed in detention, killed or disappeared, appropriate programs are needed for their families. The implementation of these programs can be put in place concurrently by each country.

The Commission recommends that: The governments of Indonesia and Timor-Leste work together to acquire information about the fate of disappeared people and cooperate to gather data and provide information to their families.

The Commission shall also be tasked to **identify the whereabouts of all Timor-Leste children who were separated from their parents and to notify their families**. The Commission also recommends the continuation of programs previously undertaken to ensure **protection of displaced children’s rights, primarily for those whose cases are unresolved and those still in the hands of their Indonesian wardens, including the rights of those children to freely access identification and citizenship procedures**. Priority must be given to education and scholarship programs for these children who were victims of the violence.

*Per Memoria Ad Spem*, Chapter IX: Recommendations and Lessons Learned, p. 303

