

## Reflecting on Truth-Telling

*Pat Walsh. Merri-bek and Hume Friends of Aileu, Broadmeadows Library, 24 July 2025*

The handover to the Victorian Parliament on 1 July of the Yoorrook justice commission report brought back vivid memories of the handover of the East Timor CAVR truth commission's report in 2005, 20 years ago this year. That day was 31 October 2005. The wet season was building in Dili, it was hot and sweaty as billy-o. Operating out of cells with grill doors at the former Portuguese then Fretilin then Indonesian Comarca prison, CAVR had no AC and, following final preparations for the handover, my plan was to go home, have a mandi and change before the historic handover at the Palacio Lahane overlooking Dili. The Palacio, once the residence of Portuguese governors, then Indonesia's Gedung Negara during the occupation, had been sufficiently restored to host our handover, its first big event since liberation. You can't move an inch in Dili without bumping into history.

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As it turned out, I couldn't go home to get spruced up. Last minute logistics, organising of the text in three languages which ran to some 20 spiral bound, off-set printed volumes, and its checking and signing by CAVR's seven Timorese commissioners, left me with no choice but to borrow a jacket and tie so that, though intensely uncomfortable, at least I looked presentable enough to mix it with the literati and glitterati at the Palacio that afternoon. They knew the moment was significant and they came in numbers: representatives of foreign governments (whom Timorese innocently call the diplomatic 'corpse'), government ministers, members of parliament, veterans, church and civil society leaders (including Indonesians who had worked at CAVR or other Timorese organisations), the UN, and other VIPs. A full house.... except there were no officials from Indonesia's large embassy, physically absent but conspicuously present in the pages of the report and uppermost in the minds of Timor-Leste leaders, the elephants in the room. Their absence was another clear sign that Jakarta wanted nothing to do with *Chega!*, an attitude that continues today. How different relations between Timor-Leste and Indonesia would be today and what a contribution Indonesia would have made to the rule of law and its international credibility to promote it, had Jakarta taken a leaf out of Xanana's book and found it in itself to be as magnanimous as him.

The VVIPs at the Palacio were of course, President Xanana Gusmao (who these days 20 years on could be taken for Cat Stevens). The relevant decree law required that the report be submitted to him, and for him as president to hand it to the Parliament with his assessment as head of state. Also present were Prime Minister Mari Alkatiri and President of the Parliament, Francisco Guterres better known as Lu'Olo (reminders that Fretilin ran Timor-Leste for the new nation's first years after independence), and Foreign Minister Jose Ramos-Horta. Each had fully supported CAVR, attended its public sessions and, most notably, participated in CAVR's public hearing on the 1975 civil war, the Commission's most demanding and delicate undertaking. These VVIPs wore suits, not traditional Timorese gear, so were sartorially eclipsed by Steve

Malloch, a Scottish IT adviser to CAVR (and incidentally a nationalist advocate of self-determination for Scotland), who wore his kilt. Representing the UN mission was Sukehiro Hasegawa, a Japanese, but most sadly missed was the very dashing Brazilian, Sergio Vieira de Mello, international diplomat par excellence. The Portuguese speaking Sergio had succeeded Ian Martin and CAVR was fortunate to have him as UN head of mission when it was being set up. Coming from Brazil which had known anti-communist military dictatorship similar to Suharto-era Indonesia, Sergio understood Timor's experience and had a strong intellectual and personal commitment to human rights. A few months after leaving East Timor, he was killed during a bombing in Baghdad where he was working on human rights. At one encounter colleagues and I had with Sergio, we reported having trouble finding enough suitably qualified women to serve as Commissioners. He just said 'Well, go and find them'.

That unforgettable afternoon in 2005, the CAVR report was treated with great solemnity, almost religiously. Its contents were also something of a public mystery, even intrigue, and only known to the CAVR. The 20 spiral bound volumes were loaded into one of the steel boxes used in the 1999 referendum, a richly symbolic item, sealed, draped in a blue tais and marched to a white Pajero by four Timorese police, each wearing white gloves like the White Glove removalists who advertise during footy games at the MCG. Sirens blazing and lights flashing, police vehicles escorted the report up the steep hill to Palacio Lahane.

At Lahane, the CAVR chair Aniceto Guterres delivered the long and graphic report to President Xanana. Xanana had proposed its title: *Chega!* 'enough', 'never again'. Who decided that the word *Chega* be followed by an exclamation mark, turning it from a wish to a command, I forget. But both were strokes of genius.

In his address, Aniceto (38) admitted that he and his six post-75 generation commissioners 'felt considerable trepidation' (what we'd call in Australian 'having a bloody cheek') to make findings on issues in which 'revered older leaders were key actors', let alone offer them advice in the form of recommendations on what they should do about the past. He need not have worried. President Xanana was most gracious in reply. The president pointed out that the concept of CAVR had been proposed by the Resistance at the congress he had convened in Dili in 2000, and he thanked CAVR for its painstaking work 'to restore the dignity of our people'. This was a reference to the central place CAVR had given civilian victims of rape, displacement, torture, imprisonment, famine and other outrages over the 25 year period 1974-1999 to tell their stories and be heard. A former student of mine who suffered sexual abuse tells me that just 'being believed has been a huge part of my journey to recovery'. But for ordinary Timorese to have their truth-telling not only believed but also translated into practical recommendations for institutional change added enormous value to their experience. They sensed that their violation and pain had somehow been worth all the blood, sweat and tears because it was contributing to the building of their new nation and had not been wasted. In that sense, as Xanana likes to emphasise, these victims of human rights violations were most definitely patriots.

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Four weeks later, however, the commissioners did experience trepidation. Delivering the report to Parliament on 28 November 2005, President Xanana was far less complimentary. He accepted the truth of the report, saying – a touch dismissively I felt – that it was all common knowledge and nothing new, and – a touch ironically given what was to follow - accepted that international law had been violated. He then took exception to CAVR's carefully worded and detailed recommendations on justice that were based on meticulous research and voluminous truth-telling and directed to all perpetrators of what CAVR had assessed as crimes against humanity and war crimes, Timorese in the Resistance and Indonesian perpetrators alike, though mostly the latter. The President also objected to CAVR's recommendations on reparations to those who had suffered human rights violations of the gross kind I mentioned earlier, which of course CAVR said Indonesia should be providing. (I should add that now as prime minister, Xanana is supportive of the work on reparations/redress being carried out by CAVR's successor *Centro Nacional Chega!* in the form of home building and other support services). In justification of this rejection, the president basically said that independence was the most that Timor could expect and that the imperative of realpolitik had to be accepted. Politics, he said, quoting Bismarck, is 'the art of the possible'. He and Jose Ramos-Horta *'were right'*, he said, *'when we said that the best justice, the true justice, was the recognition by the international community of the right to self-determination and independence the people of Timor-Leste have'*. In making recommendations on justice, CAVR, he said, had been 'very ambitious' and carried away by 'grandiose idealism'. I remember Foreign Minister Horta catching my eye as we left the event and teasing me by mouthing to me, 'grandiose idealist'. I wasn't quick enough to point out that Xanana had once been the 'grandiose idealist' par excellence when he had decided after the Resistance's near death experience in the late 1980s to push on or that he had indulged in a bit of grandiose idealism in his speech. In his address he claimed that *'in a few years we will be a rich country'* and can use *'our own wealth to assist neighbouring Indonesian provinces and lessen their suffering'*. The commissioners were reduced to silence. It was no small thing to be told by Xanana, the revered father of the nation, that they had got it wrong and had not acted in the best interests of their new nation.

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President Xanana's response, however, should not have been a surprise. Though the 2000 Resistance Congress called for an international tribunal to bring to trial those responsible for the human rights atrocities, the Congress also urged that diplomatic relations be established with Indonesia. And around the same time, Australian foreign minister Alexander Downer (and no doubt most countries) counselled that *"the most important task for an independent East Timor was the establishment of good relations with Indonesia."*

President Xanana had also extended goodwill to the Indonesian military who had served in East Timor. Though they used extreme violence to subvert the 1999 referendum – actions later labelled crimes against humanity and war crimes by the joint Indonesian-Timorese commission for truth and friendship - Xanana made a point of farewelling the humiliated Indonesian troops

and in 2001 he publically embraced Prabowo Subianto to the applause of the Indonesian elite at a conference on reconciliation in Jakarta. President Xanana's address on receipt of the CAVR report at Palacio Lahane made no mention of Indonesia and his handover address only named Indonesia in positive terms as a developing democracy suggesting that burdening it with justice and reparations for crimes in East Timor might set back its evolution.

The fact is, however, that the Indonesian military gave Xanana and other Timorese leaders no choice but to compromise on justice in their favour. The military had accepted President Habibie's decision to allow a referendum in East Timor but, as with the so-called Act of Free Choice in West Papua in 1969 which was also overseen by the UN, they believed they could turn it to their advantage through the use of subterfuge and force. As we know, this failed in East Timor but they took that failure very hard. By way of appeasement, Indonesia recognized them as heroes, provided housing and services to veterans, constructed a memorial to those soldiers killed in the invasion Operasi Seroja and gave a lot of their higher command good government and other jobs. One of them is currently Indonesia's president.

The message to East Timor was clear. Indonesia is not conceding it did anything wrong. It is saying we will create our own narrative and too bad for Timor-Leste that our version of the truth is totally at odds with yours. Were Timor to disagree with Indonesia's version of events or actively contest that version by, e.g. lobbying for the international tribunal the Resistance called for at its Congress in 2000, it would risk being disabled by hostility from its giant neighbour.

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East Timor is heavily dependent on Indonesia's goodwill. Indonesia is the world's fourth largest country by population, it surrounds tiny East Timor on three sides, it is the dominant player in ASEAN whose members would also deny East Timor if Indonesia did, and most importantly it is the 16<sup>th</sup> largest economy in the world that the rest of the world, and not least Australia, want to do business with. In accommodating Indonesia, East Timor is simply doing what the rest of the world is doing. Gough Whitlam and Paul Keating did it, and today, to jump forward in time, Prime Minister Albanese is. Only two days after his recent re-election, Prime Minister Albanese visited Jakarta to meet with President Prabowo. You might recall Prabowo was once banned from the US by three presidents, both Republican and Democrat, and from Australia but made a short visit to Australia as president-elect in August last year, when, tellingly the press were denied access to him. On his recent visit, Prime Minister Albanese described Indonesia as Australia's 'nearest of neighbours and closest of friends' and gave economic opportunity as the reason for his recent visit. He told the media: 'This is the fastest growing region of the world in human history and Indonesia is central to that growth'. He also spent time with Prabowo on what's called personal diplomacy that included talking karaoke and playing with Bobby, Prabowo's cat. No nation can afford to alienate Indonesia, not least Timor-Leste whose leaders have also employed the same 'personal diplomacy'.

But there's much more to the story. As mentioned earlier, a very different version of the truth about Timor circulates in Indonesia. Indonesia has not only chosen not to listen to *Chega!* but to substitute an alternative, self-serving narrative. In summary, this is that the invasion was legitimate, that the war was an internal conflict, that Timor seceded or broke away from Indonesia in the same way that Aceh once wanted to and West Papua does today, that Indonesia was not colonising Timor-Leste but doing the right thing there. This includes the belief that its wide-ranging development program demonstrated not just care for the Timorese but Indonesia's 'Third World' superiority over generations of neglect by 'First World' Portugal. Other rationales are that Indonesia intervened as a good neighbour to restore law and order after the civil war, and to defend itself, Australia and the region from post-Vietnam communism, to answer an invitation and to reunite a people divided by Dutch and Portuguese colonialism. One Indonesian author entitled her book on Timor *Perginya Si Anak Hilang* (the loss of the missing child). *Jakarta Post*, one of Indonesia's best media, reported in its profile of Prabowo that he was 'sent to then East Timor in 1976 to quell the secessionist movement there'. Kiki Syahnakri, INTERFET General Cosgrove's counterpart in 1999 and possibly the most respected and influential officer to serve in Timor, concurs with these rationalisations including that Cold War factors were influential and the takeover was an internal, domestic issue. His book *Timor Timur: the Untold Story* (2013) was a best seller. Though indicted in 2003 by the Dili-based Serious Crimes Unit for crimes against humanity committed in Timor-Leste in 1999, Kiki was invited by Australian military historians to speak at a conference here in Melbourne that John Waddingham and I attended only to be denied the opportunity to challenge Kiki when but the academic historians banned questions. When I met him in Jakarta with an Indonesian researcher the following year in the 6<sup>th</sup> floor office of the bank he chaired, Kiki greeted me cheerily with 'you must be one of the people who indicted me'. In answer to our question did the military know of the CTF and CAVR reports and use them in their training and course work, he said that certainly they knew the CTF report but it was too 'high' or abstract for practical use. He said they wouldn't have *Chega!* or use it because it is biased and the product of the pro-independence side. When asked if he had read it, he said no, and that his opinion was based on media reports. In his best seller, Kiki is highly critical of the 1999 referendum's conduct by the UN. He accuses Ian Martin, who led the UNAMET mission, of engineering a fraud. Ian Martin, Kiki tells his readers, was biased and cunning, recruited only pro-independence staff and spread unfair, tendentious and filthy lies to justify the intervention of foreign troops (i.e. Australian-led INTERFET). Xanana and Bishop Belo both wrote epilogues to Kiki's book without contesting his attacks on the UN, omissions that would do nothing to dispel the belief of many Indonesians that the referendum was a Western, neo-colonial conspiracy. The truth is that Indonesia's war in Timor-Leste was prolonged for non-military reasons and its deeply embarrassing end was a policy disaster for Indonesia, its leaders and its many dead, injured and deprived - nothing to be proud of. On East Timor, Indonesia (to quote Ian Fleming of James Bond fame), 'lives in a world in which truth is protected by a bodyguard of lies'.

'You must be one of the people  
who indicted me'

This narrative is not just a matter of words or opinion. It has significant and contemporary real-life consequences. Moves are underway to declare Suharto a national hero. His former son-in-law, Prabowo, 73, a military heavy, has been elected president of Indonesia with barely a mention of Timor even though he served there in the notorious, unconventional Kopassus at least four times between 1976 and 1999 and his fingerprints are all over the place. In 2013, Prabowo used Xanana's embrace of him in 2001 to absolve himself of any wrongdoing in East Timor. He told journalists: *'Would Xanana and other Timorese freedom fighters, our nation's former enemies, have befriended an Indonesian officer truly guilty of such despicable crimes against civilians?'* Indonesian NGOs fret at the growing presence of military officers in the Prabowo administration. Prabowo recently visited Moscow and met with Putin. Indonesia is currently preparing a new official history of the country. Culture Minister, Fadli Zon, has said the multi-volume history will be Indonesia-centric, foster a strong national identity and love for Indonesia, and re-invent Indonesian identity. As the British novelist Hilary Mantel has written: *'History's what people are trying to hide from you, not what they're trying to show you'*. To their credit, the project has generated considerable backlash from Indonesian academics and NGOs. I'd be very surprised if East Timor scores a mention or, if it does, that it will exonerate the military. But let's see. Tony Abbott's new book *Australia: A History* that extols 'the fair go' for those willing to 'have a go' comes to mind.

I accept that Timor-Leste and Indonesia today enjoy a peaceful and positive relationship whose importance to Timor-Leste cannot be overstated. I also very warmly acknowledge Prime Minister Xanana and President Ramos-Horta's consistent and active support for CAVR and its follow-up over the last 20 years not least these days through the state-funded Centro Nacional Chega! (CNC), its current construction of a modern archive building that will ensure victims's testimony is preserved and accessible in perpetuum, and support for CNC's impressive reparations, reconciliation, education and memorialization activities. And I also accept their policy decision to quarantine Indonesia and confine follow-up to CAVR's recommendations to Timor-Leste. As President Ramos-Horta said in 2009 it is up to Indonesia to deal with its past and that he believes that *'slowly, gradually, steadily, justice will prevail'* and that *'Indonesians will bring to justice those who committed serious crimes in Indonesia and Timor-Leste from 1975 to 1999'*. CAVR took a similar approach. It recommended that Indonesia, not Timor-Leste, take responsibility for crimes committed by Indonesians in East Timor and that an international tribunal only be established if Indonesia does not play ball.

What I question, however, is whether Indonesia and Indonesians will engage in truth-telling when Timor-Leste is telling them it's all over red rover. As President Xanana put it in his handover speech in 2005 *'The state does not manage the past. The state manages the present and adapts for the future'*. Or as President Ramos-Horta said in April this year in response to a journalist's question about Prabowo: *'That is past. It's already three decades and we do not think of the past'*.

East Timor is engaging in overkill by dressing up  
realpolitik and political pragmatism as reconciliation

I also question whether Dili needs to engage in overkill by dressing up realpolitik and political pragmatism as reconciliation and claiming that the bi-lateral relationship is a global exemplar that other post-conflict societies should emulate. Following Prabowo's election, Prime Minister Xanana declared *'Our two countries provide a global model for reconciliation and the transformative power of dialogue and trust'*. It is clear from what I have already said that Indonesia and Timor-Leste are not reconciled in any meaningful sense of the word. They get on but this cannot be described as reconciliation. In finance, reconciliation involves verifying two sets of financial data and resolving discrepancies. In Catholic theology, it addresses wrongs that are also understood to disturb the spiritual ecosystem and require truth-telling, contrition and penance. In Timor-Leste, its practice by CAVR – the only model employed in the new nation – required militia to satisfy offended communities that they had told the truth, were sorry, ready to be sanctioned and to change. The process drew on traditional dispute resolution practices, notably the presence of a traditional leader who, following genuine truth-telling, welcomed offenders back into the community by inviting them to join him on a woven mat, called in Tetum *biti boot*. This is the standard against which claims of reconciliation have to be measured. Timor-Leste did not extend the practice to Indonesia proper but neither has Indonesia engaged in anything remotely similar vis-à-vis East Timor. The claim actually works against that possibility by degrading reconciliation. As the old adage has it you can't make a silk purse out of a sow's ear. The Timor-Leste relationship is not a model to be followed by others. It is the exact opposite. Though not intended, it rewards perpetrators and subverts the rule of law, including the credibility of Timor-Leste's advocacy on that profoundly fundamental principle, downsides that need to be acknowledged not sidestepped or explained away.

What to do? Civil society in Indonesia was gutted by Suharto and is still recovering and is again under pressure. I think it's up to Indonesian universities and researchers and their Timorese and Australian partners and counterparts to step up. In a remarkably prophetic observation in 2004, Dr Asvi Warman Adam, a senior member of the Indonesian Institute of Sciences (LIPI), told CAVR: 'The collective memory of both nations will determine the nature and the strength or weakness of the relationship. This will be reflected in the writing of history of both countries'. My hope that Indonesia's universities in particular will re-engage with Indonesia's Timor chapter is based on my long and active involvement with Indonesia. It has included working at Jakarta's biggest publisher to publish *Chega!* in book form (largely funded by the Timorese government) and the positive experience of presenting that published report with Indonesian colleagues to numerous universities from Aceh to Kupang. Can we also do more? I simply observe that there are no Indonesians here tonight or rarely at Timorese or AETA events. The inside story of Indonesia's quarter century involvement in East Timor largely remains unexplored territory. I hope that it will become a new frontier for researchers and academics.

Finally, what if anything does all this mean for the fate of the Yoorrook truth-telling report.

The Yoorrook report and its recommendations are the product of the first formal Indigenous truth-telling process in Australia and though knocked off the headlines by the child care scandal and the mushroom murders, it is an initiative of historic and profound importance for Victoria. Yoorrook has similarities with East Timor's truth-telling including that both were home grown.

CAVR originated with the Resistance congress of 2000; Yoorrook with the First Peoples Assembly of Victoria that represents the 38 Indigenous nations of this State. Both are also exercises in self-determination in the sense of self-defining who you are, your identity, not having your narrative determined by others as happens in colonisation. What the Timorese poet Borja da Costa called 'taking the reins of your own horse'. Thanks to that commonality, I took the initiative to ensure that Yoorrook knew of the CAVR experience.

Led by Ambassador Ines de Almeida, I joined Hugo Fernandes, director of the National Chega! Centre to brief Aboriginal leaders on CAVR in Melbourne. Justice Robert Bell, a Yoorrook commissioner, then visited CAVR in Dili and borrowed my final volume of the Chega! report to see how CAVR presented its findings and recommendations. My offer to join Yoorrook's advisory committee was declined but in 2023 I made a submission to Yoorrook about the Western District, that part of Victoria where my family has lived for over 150 years. The submission, which has been included in Yoorrook's records, included the following: *Though the explorer Thomas Mitchell blithely asserted that the Western District was empty and encouraged Europeans to settle and take over what he called Australia Felix, the facts are far from blithe. Based on quotes from the time, it is clear (a) that settlers like the Walshs were not the first to settle or farm the area, (b) that we benefitted from the displacement and extermination of the First Peoples of the area and (c) were largely ignorant of this history as little or nothing about it was passed on through home, school or church until now.* Recently I joined Travis Lovett's Walk for Truth when it stopped in Camperdown to remember both Wombeetch Puyuun, the last chief of the local tribe whose lands Walshs settled on, and James Dawson, the Scottish humanitarian who honoured Wombeetch in the face of local hostility. There, Annie and I signed the Yoorrook message stick that was then delivered to the Victorian parliament.

I mention these contacts to make three points: First, that I felt it didn't make sense to work for self-determination in East Timor but to ignore it at home. Second, I'd witnessed the positive dividends of self-determination in East Timor. And third, as a Walsh I felt it was the least I could do at this late stage for the Djargurd Wurrung people whose fertile country I had grown up on.

*Let's hope that Yoorrook fares better in Victoria  
than Chega! has in Indonesia*

My earnest hope is that Yoorrook will fare far better in Victoria than *Chega!* has in Indonesia. But there are concerns. In a thoughtful piece in *The Age*, Chip le Grand worried that there is an 'absence of empathy' amongst many Victorians because we don't have Aboriginal people as our friends or neighbours or work with them. Aboriginal peoples comprise only 3% of the Australian population. We hear, he wrote, of past massacres, land takeovers, shameful statistics on life expectancy, family violence, preventable disease etc but are 'indifferent' because it's outside our direct experience. A comparable lack of contact could also partly explain Indonesian indifference to East Timor, a minnow in the sea of Indonesia's vast population.

Another concern is the scope of Yoorrook's recommendations. They want more than to be consulted, or to have a Voice. They are advocating two historic changes. First, that a permanent



first People's representative body be established and embedded in legislation with 'powers at all levels of political and policy decision-making'. Second, that a statewide Treaty then local treaties be agreed to. The notion of 'treaty' scares the pants off people and is easily weaponised politically. Formerly on board, the Victorian opposition is now opposing both those measures. To them, the recommendations smack of 'grandiose idealism'.

This leads me to my final point which is that Yoorrook's fate seems to rest totally on the Labor Party which has been key to Yoorrook all along. It is critical that Labor is returned to power in November 2026.

Thank you.