

Australian government seeks new cover-up on Timor deaths

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The Australian government is making yet another bid to cover up the murder of six Australian-based journalists by Indonesian forces during the October-December 1975 invasion of the former Portuguese colony of East Timor. Foreign Minister Alexander Downer announced last week that Tom Sherman, the author of a whitewash report in 1996, would be asked to review fresh information that has come to light on the killings.

In recent days a number of eye-witnesses have come forward to confirm that the journalists were executed in cold blood by Indonesian troops acting on orders from the Suharto military regime; not killed accidentally as the Sherman report maintained, echoing the line taken by successive Australian governments as well as the Indonesian dictatorship.

Like the detention of former Chilean dictator General Pinochet, the Timor affair has the capacity to re-open critical political issues. In particular, the new evidence raises further questions about the complicity of the then Labor administrations in Australia and Britain, as well as the US government, in the Indonesian annexation of East Timor and the continued rule of Suharto's junta across Indonesia.

Just two months ago, it was revealed that secret documents showed that Indonesian intelligence closely briefed the Whitlam Labor government in Australia on the preparations for the 1975 invasion, including a preliminary attack on Balibo. Canberra knew of the planned assault on October 13, 1975, three days before it was launched, and knew Australian news crews were in East Timor but did nothing to warn them. Australian military intelligence also monitored on-the-spot radio reports of the deaths but Whitlam and the Foreign Affairs Department kept the news secret until a story appeared in the Jakarta press on October 20. To have warned the journalists--or protested against their deaths--would have immediately revealed the Labor government's intimate knowledge of the Indonesian operation.

It is now just over 23 years since October 16, 1975 when, starting at about 4 am, Indonesian troops and special forces backed by naval shelling seized the Timorese border town of Balibo. The attack was led by Captain (now Lieutenant-General) Mohammed Yunus Yosfiah, a 30-year-old special forces officer who is today Information Minister in the Habibie regime. Confronted by military shelling, a small contingent of fighters from Fretilin, a pro-independence front, quickly withdrew, allowing Indonesian forces to enter the town at about 6am.

However, five young members of two Australian TV crews remained. Gary Cunningham, Greg Shackleton and Tony Stewart of Channel 7 and Brian Peters and Malcolm Rennie of Channel 9 had arrived in Balibo over the preceding two days to capture what they and other journalists knew would be a major international story--the expected Indonesian invasion of East Timor. Some of their footage had already been shown on television, including images of Greg Shackleton painting 'Australia' on a house as a precaution. Of the journalists, two were Australian citizens, one a New Zealander, and two were British. By 7am they had been killed and by 9pm their bodies had been incinerated.

Without their relatives even being informed by the Australian, New

Zealand and British governments, the charred remains of the five were buried in a single coffin holding four small containers the size of shoeboxes, in Jakarta on December 5, 1975. Australian officials watched over the burial, held in a cemetery next to a railway line.

Another journalist who sought to investigate their deaths suffered a similar fate. Roger East, an Australian-based AAP-Reuters reporter travelled to Timor. In an article accompanied by three eye-witness accounts, published by Australian newspapers on November 10, 1975, he reported that Indonesian forces had murdered his five colleagues. East was executed by the Indonesian military in Dili, the East Timorese capital, on December 8, 1975, one day after the final invasion.

Last week, five East Timorese eye-witnesses, some of whom fought on the Indonesian side and some who served with Fretilin, provided testimony that Indonesian soldiers murdered the journalists. An Australian Broadcasting Corporation TV program, *Foreign Correspondent*, featured statements from two of the witnesses on October 20.

The first was a man referred to as 'L1' in the Sherman Report. He said the Indonesian military were monitoring Fretilin radio traffic and therefore knew there were journalists in Balibo. Yet Tom Sherman, according to his own 1996 report relied upon 'L1' as his main witness to draw the conclusion that the journalists were 'more likely than not' killed 'in conditions of poor visibility and in the heat of battle while fighting was continuing to occur'.

The second first-hand account came from *Foreign Correspondent's* main witness, Orlandino Maia Guterres, a teenager attached to the Indonesian forces during the assault on Balibo. He described Yunus directing a rapid and violent offensive, shouting, 'Just shoot! Just shoot!' as his men reached the house where the journalists were sheltering. Orlandino said Indonesian special forces wearing plain clothes shot four of the newsmen, while the fifth was killed with a knife as he tried to surrender.

Orlandino said the journalists were not killed in crossfire. There was no Fretilin fire at any time from the house where the journalists were killed. Resistance by Fretilin was minimal and had ceased some 20 minutes before the journalists were killed.

After their deaths, the five newsmen's bodies were stripped of their civilian clothes and dressed in military uniforms left behind by Fretilin defenders. Orlandino said the bodies were posed behind machine guns and photographed by, among others, the officer in command, Yunus. The bodies were then burnt.

At least two other witnesses interviewed in East Timor last week have corroborated these accounts. One, an East Timorese member of the Indonesian force attacking Balibo, said the journalists were shot inside a house shortly after the Indonesian forces had taken the town. Another, a member of the Fretilin militia defending Balibo, said he saw three of the journalists' bodies being dragged from the house.

The Fretilin survivor said: 'When the five journalists yelled, 'No we are not Fretilin, we are Australia,' we hear the weapons shot by Indonesian

forces in the room. We heard them yell, 'No Fretilin. No Fretilin. We are Australia'. They shoot them inside the room then bring them outside the house.'

When he last saw the journalists they were not wearing uniforms and were still carrying cameras around their necks. After the killing the Indonesians broke their cameras and smashed them with rifles.

The other witness, a former East Timorese irregular, said he viewed the five bodies inside the house and was told by his colleagues that they had taken the journalists to the house and killed them with pistols. He said the small size of the wounds confirmed that they were shot by pistols. At about 9pm the bodies were taken to the side of the house, a mattress was put on them and they were burned.

Eyewitness accounts and other documented evidence of these killings have long existed. Roger East was the first to publish interviews with Timorese soldiers who saw the Balibo killings. In 1978 another journalist and activist Jill Jolliffe produced her volume *East Timor: Nationalism & Colonialism*, in which she cited accounts by a Portuguese news team that had been with the five journalists in Balibo the day before the attack and broadcasts by Indonesian Radio Kupang boasting of the killing of the five as 'Australian Communists'.

In 1979 the *National Times* newspaper in Australia reported that the killers were Indonesian special forces commanded by Captain Yunus, that the five had been trying to surrender and that the Australian military's Defence Signals Directorate had intercepted at least one radio message about the killings.

The Sherman Report

By asking Sherman to reactivate his inquiry in the light of the new material the Howard government is attempting to head off demands being made by the journalists' families and various journalists, politicians, lawyers and human rights groups for a full inquiry. In fact, Foreign Minister Downer's effort is, if anything, more cynical than that of his predecessor, Labor's Gareth Evans, who instigated the original Sherman report at the end of 1995.

At that time too, a number of witnesses appeared on Australian television and then indicated their willingness to testify before an official inquiry, provided it was a judicial inquiry, independent from the Australian Department of Foreign Affairs. A dozen participants in the Indonesian assault were prepared to give evidence, their representative, Bob Borsellino, told Evans. Rather than allow such an inquiry, Evans called in Sherman, a former National Crime Authority chairman, to perform a tightly circumscribed investigation, knowing that key witnesses would refuse to participate.

Sherman's terms of reference were restricted to the actual incidents in Balibo, barring him from examining the events leading up to the deaths, including the Australian government's prior knowledge of the attack on Balibo, or the subsequent coverup undertaken by the Indonesian and Australian governments. Moreover Sherman was confined to reading documents and interviewing witnesses within Australia.

By the time that Sherman produced his report--describing it as preliminary only--the Keating Labor government had been defeated. The report went to Downer who, acting on behalf of the incoming Howard government, declared the document to be the most comprehensive analysis possible and said the issue was closed. The Suharto regime expressed its appreciation for the favourable verdict.

This time, Sherman's terms of reference are simply to 'evaluate the new allegations'.

This non-inquiry will be no more reliable than the vague investigation that Indonesian President Habibie promised last month to British Foreign Office Minister Derek Fatchett. Habibie said his government would 'look into' the latest revelations, a claim that was immediately denied by Yunus,

his Information Minister. Yunus has flatly rejected the new evidence despite a photograph published in the *Sydney Morning Herald* showing him in Balibo on the day of the killings. His commanding officer in 1975, Colonel (now Lieutenant-General) Dading Kalbuadi, and Dading's then boss, General Benny Murdani, the former head of Indonesian military intelligence, have also insisted that the journalists died in the crossfire of battle.

Calls for a wider inquiry

Family members and human rights organisations are continuing to call for a full judicial inquiry. Shirley Shackleton, the widow of Greg Shackleton, has long demanded such an inquiry, preferably an international one. She has called for action to back up the proposed inquiries. 'I look at all of these things and say yes, they're nice words, they're very comforting words but what I'm interested in is action,' she told reporters last week.

Similar sentiments have been voiced by relatives of the two British journalists killed at Balibo--Malcom Rennie, 29, and Brian Peters, 26. 'Of course there has been a cover-up. You can't tell me they can put men on the moon and not find out what is going on in East Timor,' said Peters' sister Maureen Tolfree, from Bristol. Tolfree has led a campaign to uncover the truth since 1994 when she began to doubt the official line given to her in 1975 by her Member of Parliament, Tony Benn, then Secretary of State in the British Labor government. It was only in April 1996 that she was given a copy of a letter that her brother had written to her from Balibo just a day before he was murdered.

In an attempt to head off calls for a wider inquiry, the Australian Labor Party leadership has said it will move for parliament's Joint Standing Committee on Foreign Affairs, Defence and Trade to carry out a comprehensive review of the Sherman Report. Labor's foreign affairs spokesman Laurie Brereton said Sherman's report had failed to achieve one of its major objectives: to satisfy the concerns of the families of the dead journalists. 'It is unlikely that examination by Mr Sherman of the new testimony will resolve those concerns,' he said. Brereton did not comment on the fact that he was a member of the Labor government that set up the Sherman inquiry in the first place.

The Australian section of the International Commission of Jurists, a lawyers' human rights group, held a colloquium in Sydney on October 18 to examine the deaths of the six journalists. It concluded that the Indonesian government is responsible for the deaths, because military forces set out with the deliberate intention of killing the Balibo journalists in order to conceal from world scrutiny the clandestine invasion of East Timor. It said Roger East was deliberately killed, together with scores of others, at the wharf in Dili on 8 December 1975.

The colloquium called on the Australian government to apologise for its lack of action on the deaths, establish a judicial inquiry and support the establishment of an International Fact Finding Commission under the Geneva Conventions 1949. Perhaps drawing on the Pinochet precedent, it called on the Australian police authorities to investigate the laying of charges against those responsible.

Those participating in the colloquium included activists and family members such as Shirley Shackleton, Malcom Rennie's sister Minna and Fretilin representatives, as well as a number of journalists, including David Jenkins, Asia editor of the *Sydney Morning Herald*, and Justice John Dowd of the New South Wales Supreme Court, a former state Liberal Party leader.

In an editorial called 'The ghosts of Balibo,' the *Sydney Morning Herald* called for an inquiry to be established with the cooperation of the Habibie government.

However, the 'ghosts of Balibo' will not be laid to rest so easily. Justice cannot be done toward the slain journalists without examining the role of

the Whitlam Labor government in Australia and the Labour government in Britain, as well as Washington and the CIA, in assisting the Indonesian takeover of East Timor and then covering over the murder of six newsmen for 23 years.

1975 was a critical year in Southeast Asia. American forces had been defeated in Vietnam, Cambodia and Laos. The collapse of the Portuguese fascist regime and its withdrawal from East Timor created a political vacuum that was filled by Fretilin, a nationalist front that at the time used radical anti-colonial rhetoric. Washington was determined to maintain the stability of the Indonesian military junta that it had helped instal in Suharto's bloody coup of 1965-66. It was also alarmed by the situation in Australia, where the Whitlam government had failed to contain a movement in the working class for higher wages and better conditions. On November 11, 1975, just weeks after the Balibo murders, Whitlam's government was ousted by the Governor-General.

Any genuine inquiry into the killing of the journalists would have to examine this highly sensitive political background and all the operations of the Indonesian, Australian and American intelligence and military forces, something that ruling circles will seek to avoid at all costs.

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[5 September 1998]

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