

# East Timor: Trials begin over 2008 Horta-Gusmao “assassination attempt”

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Dual East Timorese and Australian citizen Angelita Pires is now on trial, facing a series of charges relating to last year’s so-called assassination and coup attempt against the country’s Prime Minister Xanana Gusmao and President Jose Ramos-Horta. The court, which convened last Monday, has heard the prosecution allege that Pires is guilty of attempted murder and conspiring to kill the president on the grounds that she was the “indirect author” of these events.

Initial proceedings have underscored the numerous unanswered contradictions and far-reaching political interests involved in the events of February 11, 2008.

The official account, first promoted by the Timorese government and the Australian media and now advanced by Pires’s prosecutors, is that Alfredo Reinado—Pires’s partner and former military-police commander—had led his men in an unsuccessful coup attempt and was killed after attacking Ramos-Horta and his security detail. Along with Pires, 23 ex-soldiers and 4 of their associates, including Reinado’s senior colleague Gastao Salsinha, are on trial. President Ramos-Horta has suggested that he may pardon the men.

The official account is unsupported by the evidence and believed by virtually no-one in East Timor. Based on what is now known, it is almost certain that Reinado and his men were lured into Dili, after being told they had an appointment for a discussion with Ramos-Horta, in order to be executed. The *World Socialist Web Site* was alone in raising this possibility immediately after the February 11 events.

Pires has rejected the charges laid against her. Her Australian barrister Jon Tippett, QC has said that the trial highlights the disastrous state of the Timorese legal system, which he described as “one of the most substantial failures that the United Nations has ever engaged in”.

Pires’s legal team received access to the prosecution’s voluminous files just days before the trial opened, rather than the months normally granted to allow adequate preparation. “I’m very concerned about it being a fair trial,” Tippett told the ABC, “because I’ve now had complete access to 25 volumes of the prosecution case and there is no substantive evidence or properly admissible evidence that could possibly support any of the charges that have been brought against her. Now in those circumstances I would expect any responsible prosecuting authority to withdraw these charges against her at the earliest opportunity. The fact that the case is still going to trial gives me concern that this is not a legal case, it’s a political case.”

Significantly, Tippett has indicated that he intends to prove Pires’s innocence by demonstrating that Reinado was killed after attending what he believed was a meeting arranged with Ramos-Horta. “The evidence seems to point to a different story to the one which people have been receiving through the media and certainly from sources in the government of Timor-Leste to date,” the lawyer told Timorese newspaper *Tempo Semanal*. “The [real] story seems to be one of Reinado coming to meet the president and in the course of that event he’s shot at extremely close

range ... in what appears to be an assassination.”

Prosecutors last week attempted to have Tippett and Pires’s other senior counsel, Brazilian Zeni Arndt, thrown out of court on the grounds of their alleged lack of standing in Timor’s legal system. The two lawyers were told to sit in the viewing gallery for part of the first day’s proceedings, but the presiding judge ultimately decided to permit them to participate.

Pires’s defence lawyers have said they may call 150 witnesses, likely resulting in court proceedings lasting several months.

The trial has the potential to prove highly damaging to both the Timorese and Australian governments. The immediate questions raised by the charge that Reinado was set up for assassination is: who was responsible and what was the motivation? In line with the legal adage *cui bono?*—who benefits—suspicion must firstly fall upon forces around Gusmao as well as Australian personnel in Dili and Canberra.

## Reinado, Gusmao, and the Australian government

Born in 1967, Reinado fled Indonesian-occupied East Timor for Australia in 1995. He returned during the country’s transition to formal independence and joined the newly created armed forces; from 2003 to 2005 he spent several months studying and training with the Australian army in Canberra. Then in May 2006, as commander of a platoon of military police, Reinado and his men joined the mutiny of a section of the army known as the “petitioners”, who had rebelled against the Fretilin government led by Prime Minister Mari Alkatiri.

The exact circumstances leading up to the split in the military remain unclear, but there is evidence suggesting that then President Xanana Gusmao was centrally involved in preparing the provocation as a means of destabilising the Alkatiri administration. Gusmao had been openly siding with the most right-wing sections of the Timorese elite, who were opposed to the Fretilin government—including former Indonesian militia members, criminal gangs, larger landowners, and the powerful Catholic Church.

The Australian government was also a leading participant. It seized upon the petitioners’ uprising to dispatch more than one thousand Australian and New Zealand soldiers to the impoverished state as part of a calculated regime-change operation. The media played an especially foul role, with the ABC’s “Four Corners” program promoting baseless accusations that the prime minister had formed a hit squad to assassinate his opponents. Alkatiri eventually acquiesced to the pressure, and chose to hand over power in June rather than risk a popular movement against the coup plotters developing beyond Fretilin’s control.

Reinado enjoyed close relations with both Gusmao and the Australian forces. After he had taken up arms against the elected government, and killed several security force personnel in a vicious ambush in Dili,

Gusmao wrote Reinado a friendly letter encouraging him to withdraw his men from the capital. The president subsequently paid for Reinado's hotel bill when the soldier stayed in the central town of Ailieu for six weeks. During this time the "rebel" held talks with high-ranking Australian military personnel and was feted in the Australian media as a "folk hero" heading a popular movement against the government.

What followed was a series of murky episodes that pointed to the close ties between Reinado and Australian military and intelligence personnel. In July 2006, Portuguese police arrested the former soldier in a Dili house, which he had used to store weapons and which was located directly opposite an Australian military base. A few weeks later Reinado was somehow able to walk out of a prison that Australian and New Zealand troops were responsible for guarding. In March 2007, shortly after a proposed deal on Reinado's surrender—negotiated with Gusmao and Ramos-Horta—fell through, the Australian government deployed 100 elite SAS troops to lead a raid on Reinado's base in the central mountain town of Same. The former major was again somehow able to evade detention, walking away from the clash unscathed. Later, after Gusmao and Ramos-Horta called off the official manhunt, Reinado and the Australian army exchanged information about each other's movements—using Angelita Pires as the go-between.

The turning point in Reinado's various manoeuvres came in January 2008, when he released a DVD accusing Gusmao of being behind the 2006 crisis, and threatened to provide additional details in future statements. Reinado's damning allegation, apparently triggered by a breakdown in negotiations with Gusmao over the terms of his surrender, exacerbated the crisis of the prime minister's unstable coalition government.

On February 7 last year, President Ramos-Horta convened a meeting of parliamentarians from both government and opposition parties to announce his support for Fretilin's demand for new elections, which Gusmao was bitterly resisting. Canberra no doubt also viewed with extreme alarm the prospect of another national vote, having expended significant resources, firstly in ousting Alkatiri in 2006, and then in assisting the coming to power of the Gusmao government through the 2007 parliamentary elections held under Australian military occupation.

Ramos-Horta scheduled further discussions on the question of a fresh election—but these were never held. Reinado was killed just four days after the initial meeting. His death fortuitously eclipsed the threat that Gusmao's true role in the 2006 crisis would emerge. Moreover, Gusmao seized on the so-called coup attempt to announce a "state of siege", under which he assumed sweeping authoritarian powers. Prime Minister Kevin Rudd meanwhile rushed to dispatch another 190 soldiers and federal police, bolstering the increasingly unpopular Australian occupation force.

There was, therefore, ample reason for both Gusmao and Canberra to want Reinado eliminated. On the other hand, no-one has ever provided a plausible explanation as to why Reinado would want to kill Ramos-Horta. Certainly prosecutors in the Pires trial have so far provided no motive. The president had visited Reinado in mid-January and agreed to a secret amnesty deal that would see the former major avoid imprisonment in return for surrendering his arms and returning to Dili. Ramos-Horta, in other words, was Reinado's best—and last—hope of securing his freedom.

### Prosecution contradictions

There are countless outstanding questions regarding the events of February 11. How did Reinado and his men avoid detection by Australian troops and police as they travelled as an armed convoy up to President Ramos-Horta's residence? Did Australian intelligence agencies have prior

knowledge of what has been planned, given that Reinado made dozens of mobile phone calls, including to Australia and Indonesia, in the days before his death? Did the alleged ambush on Gusmao's vehicle, led by Reinado's associate Gastao Salsinha, actually take place, or was it a staged fraud, as Fretilin leader Mari Alkatiri has alleged?

A full and comprehensive account of what happened may never emerge; critical evidence was deliberately sabotaged in the aftermath of Reinado's shooting. The bodies of Reinado and Leopoldino Exposto were moved and tampered with by Timorese police and soldiers, Reinado's clothing was removed, his mobile phone used, and his weapon interfered with. The rifle used to shoot Reinado and Leopoldino from point-blank range has never been properly examined.

The prosecution's case has already begun to unravel, after just five days of court proceedings.

Reinado's fellow "rebel", Marcelo Caetano is accused of shooting President Ramos-Horta. This is despite Ramos-Horta himself previously telling the media that Caetano was not responsible. "Marcelo Caetano was wrongly accused," the president told the *Age* in October last year. "I never said it was him. It was a media beat-up."

This "media beat-up" is now the central pivot upon which the prosecution apparently hopes to build its case. Two of Ramos-Horta's guards testified this week that the gunman who shot Ramos-Horta was wearing a balaclava at the time. One, Pedro Soares, said he could not identify the man because his face was hidden, but the other, Isaac da Silva, insisted that the attacker was definitely Caetano and that he recognised him, "from the way he was standing and his attitude". Lawyers for the accused noted that da Silva's testimony contradicted his earlier statement to investigators in which he said that he had not recognised the gunman. Also unexplained is the contradiction between the prosecution's charge that Ramos-Horta's attacker was wearing a balaclava with the president's statement, again made to the *Age* last year, that he had seen the gunman's "face and eyes" immediately before the shooting.

Ramos-Horta, who has issued numerous statements against Pires in the lead up to the trial, is now remaining silent.

*The author recommends:*

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[2 September 2008]

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