

AI INDEX : ASA 57/02/00
January 31, 2000

Justice for the victims in East Timor: UN must act at once on Commission of Inquiry's report

NEW YORK -- The United Nations must act without delay on the recommendations of its own Commission of Inquiry(COI) to set up an international mechanism to investigate and try those responsible for gross human rights violations in East Timor, Amnesty International said today.

The human rights organization welcomed the recommendations of the Commission of Inquiry on East Timor, which were officially released today. The COI has asked the UN to set up two bodies, an independent international investigatory body, and an international tribunal to deal with cases of those accused by the investigators.

"This is a step forward -- a long overdue one -- in the struggle for justice for East Timorese victims," Amnesty International said.

The organization urged the international community to provide the political and financial backing needed to support rapid and effective implementation of the COI's recommendations.

"It is now over four months since East Timor was destroyed and its people forced to flee. Each day brings new evidence of killings, rapes, forced expulsions and other crimes committed during that period. But those responsible remain at large, and free to repeat these atrocities elsewhere," the human rights organization pointed out.

"Therefore, investigations that provide a full account of the truth and which determine individual criminal responsibility must take place as a matter of urgency," it said.

The proposed investigatory body must include criminal investigators and experts in forensics, ballistics, gender-based violence and issues relating to children. It must also be provided with sufficient logistical, financial and political support, to carry out its work under the auspices of the United Nations Transitional Administration in East Timor (UNTAET), the human rights organization said.

"Once sufficient evidence and testimonies have been gathered by investigators to form the basis of prosecutions, the UN should establish an international tribunal to bring the perpetrators to justice," Amnesty International said.

While welcoming the willingness of Indonesian human rights investigators to fix responsibility for crimes committed in East Timor, the human rights organization appealed to Jakarta to cooperate with international investigations.

"By participating in an international process of accountability, Indonesia will strengthen its new and fragile democratic institutions, and show the world that it is firmly committed to shedding its authoritarian past.

"Indonesian and international efforts to investigate crimes in East Timor should not be seen as mutually exclusive, but as supporting and reinforcing each other," Amnesty International said.

Apart from East Timor, there are thousands of victims, both current and past, of killings, "disappearance", torture and arbitrary arrests in Aceh, Papua and elsewhere in Indonesia, Amnesty International pointed out.

"Their search for justice must not be forgotten by Indonesia. For long term peace, stability and development, the new Indonesian government must take immediate measures to improve the human rights situation and to address all these issues of accountability," Amnesty International said.

Background

Following the orchestrated violence by pro-Indonesian militia and Indonesian security forces against the people of East Timor, after they had voted overwhelmingly for independence, a special session of the UN Commission on Human Rights adopted a resolution, on 27 September 1999, calling upon the UN Secretary General to establish an international Commission of Inquiry on East Timor.

The COI was asked to investigate possible violations of human rights and acts which might constitute breaches of humanitarian law.

After a number of delays, the five members of the COI visited East Timor and Jakarta from 25 November to 8 December 1999 and submitted a report to the Secretary General a few weeks later. That report was made public today.

An investigation team was also established in September 1999 by Indonesia's National Commission for Human Rights (Komnas HAM). This body, called the Commission to Investigate Human Rights Violations in East Timor (KPP-HAM), also submitted its report and recommendations to the Indonesian government today. It is reported to have recommended that 33 people, including six generals, should be further investigated by Attorney-General Marzuki Darusman for their role in the mass violence in East Timor.

ENDS.../

For more information please call Amnesty International's press office in London, UK, on +44 171 413 5566/ +44 171 413 5729 or, after office hours, +44 378 472 119. You may also wish to visit our website at <http://www.amnesty.org>