

AMNESTY INTERNATIONAL

Public Statement

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Timor-Leste: Denial of Justice?

Amnesty International is deeply concerned at President Xanana Gusmao's lack of political will to disseminate immediately to the public the recently completed final report of the Commission for Reception, Truth and Reconciliation (*Comissao de Acolhimento, Verdade e Reconciliacao de Timor Leste*, CAVR) and at his apparent reluctance to support the report's recommendations pertaining to justice and reparations.

Amnesty International strongly welcomes the completion of the CAVR report, which was submitted to President Xanana Gusmao on 31 October 2005 and to the Timor-Leste Parliament on 28 November 2005. Although the report has not been made public yet, Amnesty International understands that it provides a detailed account of past human rights violations which were committed in Timor-Leste (then East Timor) between April 1974 and October 1999, and provides recommendations to the government and the international community for further actions to be taken to support the reconciliation process. In particular, it recommends the continuation of prosecutions of those who have committed serious human rights violations in Timor-Leste and the allocation of reparations to the victims in order to achieve long-lasting reconciliation.

In a public presentation before parliament on 28 November 2005, President Xanana Gusmao implied that he may not disseminate the report to the public in the immediate future, thus sparking fears as to when and in what form the CAVR report would be made available to the public. In accordance with the law which established the CAVR (UNTAET/REG/2001/10), the report must be disseminated 'immediately'. Amnesty International urges President Xanana Gusmao to do so as a matter of priority in order to ensure that the Timorese people, and in particular the victims of past human rights violations and their families, have access in full to the report, including its recommendations.

The CAVR recommendations pertaining to justice, which were brought forward by President Xanana Gusmao in his speech yesterday, seem to echo the recommendations of a recent UN report submitted by an international Commission of Experts created by the UN Secretary-General to evaluate the prosecution of serious violations of human rights committed in Timor-Leste in 1999. The Commission of Experts' report, which was officially submitted by the UN Secretary-General to the Security Council in June 2005 concluded, among other recommendations, that there was a need to continue the UN serious crimes process which was terminated, in effect, in May this year although full accountability for past human rights violations had not been effected. To date, no actions have been undertaken by the UN Security Council to act on the recommendations of the Commission of Experts' report.

Amnesty International hopes that the release of the CAVR report will act as a reminder both to the Timorese government and the UN Security Council that there is an urgent need to act promptly to fulfil the long denied right to justice and reparations for victims of past human rights violations in Timor-Leste.

