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Timor-Leste: Parliament missed opportunity to provide justice for past violations

Amnesty International and the Judicial System Monitoring Programme (JSMP) expressed their disappointment about the decision of Timor-Leste's Parliament to postpone debate on two laws designed to address past human rights violations.

The two organizations met with members of Committee A of the Timor-Leste Parliament, mandated to cover issues related to justice, to discuss Monday's parliamentary vote, which again postponed debate on two draft laws establishing a national reparations programme and an "Institute for Memory". The parliamentary vote, which took place on 14 February 2011, saw 20 people vote to postpone, nine votes against, and 10 abstentions. There are a total 65 seats in the Timor-Leste Parliament.

The debate and passage of the two laws is an important step towards implementing the recommendations of the Commission for Reception, Truth and Reconciliation (CAVR) and the Truth and Friendship Commission (CTF). For many years civil society groups and victims in Timor-Leste have called for justice and reparations for victims of human rights violations committed during the Indonesian occupation between 1975 and 1999. By further delaying discussion of the draft laws, Parliament has lost an important opportunity to move toward some justice for the many victims of human rights violations in Timor-Leste.

Amnesty International and JSMP urge the Timor-Leste Parliament to stop delaying the debate and ultimate adoption of these long overdue laws, and to commit to ensuring justice, reparations and truth for victims of past crimes.

During the meeting with the parliamentarians, Amnesty International and JSMP raised concerns over inconsistencies between the Timor-Leste Penal Code and the Rome Statute of the International Criminal Court, which Timor-Leste has acceded to since 2002.

In July 2010, Committee A, which is mandated to cover issues related to justice, approved the recommendation for establishing a national reparations programme and an "Institute for Memory". The draft laws were scheduled for debate by Parliament in September 2010, however the debate was postponed until February 2011.

The UN Working Group on Enforced and Involuntary Disappearances (WGEID) which visited Timor-Leste from 7 to 14 February 2011 reiterated the importance of implementing the CAVR and CTF recommendations. The group said it looked forward to the establishment of an Institute for Memory which will facilitate the effective implementation of the recommendations made by the two commissions.

The 2005 report of the CAVR estimates that that over 100,000 people were killed or starved to death between 1974 and 1999 as a result of the conflict. Crimes against humanity and other human rights violations were most acute during the Indonesian occupation of Timor-Leste, then East Timor. They included unlawful killings; enforced disappearances; arbitrary detention; torture and other ill-treatment; war crimes; sexual violence; violations of the rights of the child; and violations of economic, social and cultural rights. The overwhelming majority of these past crimes have yet to be addressed.

In 2010 Amnesty International released a report *International Criminal Court: Timor-Leste - Justice in the shadow* (Index: ASA 57/001/2010).

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