

URGENT ACTION

HARASSED FOR ORGANIZING PEACEFUL RALLY

Two members of Timor-Leste's security forces visited the office of the human rights NGO Yayasan HAK on 26 January and the police has been harassing its Executive Director by telephone for organizing and participating in a peaceful demonstration.

Manuel Monteiro Fernandes, Executive Director of the human rights NGO **Yayasan HAK** based in Dili, Timor Leste, has informed Amnesty International that the police has been calling him repeatedly regarding the NGO's involvement in organizing a peaceful demonstration to coincide with the President of Indonesia's visit to Timor-Leste on 26 January. His safety is at risk.

On the day of the demonstration, two members of the Timor-Leste Defence Force (*Falintil-Forças de Defesa de Timor-Leste*, F-FDTL) visited the Yayasan HAK office and requested to use the space as a security base due to its proximity to the Indonesian Embassy in Dili. Manuel Monteiro Fernandes refused to allow them to use their office. One of the soldiers then approached another member of the staff, **Adelio da Costa Fernandes** and requested that he immediately remove his t-shirt because it carried the slogan "Free West Papua", which refers to a political issue that is considered as highly sensitive by the Indonesian government.

Yayasan HAK announced in a joint public statement on 25 January, together with other local NGOs, that the peaceful demonstration was organised to urge the Timorese and Indonesian governments to address crimes against humanity committed during the Indonesian occupation between 1975 and 1999. They also called for the immediate implementation of recommendations set out by the Commission for Truth and Friendship (CTF), a bilateral agreement between the government of Indonesia and the government of Timor-Leste to investigate crimes committed during the 1999 independence referendum, including the establishment of a Commission for Missing People.

Please write immediately in English, Portuguese or your own language:

- Calling on the Timor-Leste authorities to take immediate action to prevent further intimidation and harassment against staff at Yayasan HAK and to respect the rights to freedom of expression and peaceful assembly and association;
- To remind them of their responsibility to protect human rights defenders and ensure they can carry out their legitimate activities without fear of reprisals, as set out in the UN Declaration on Human Rights Defenders.

PLEASE SEND APPEALS BEFORE 9 MARCH 2016 TO:

Minister of Justice
Ivo Jorge Valente
Ministry of Justice
Avenue Jacinto Candido
Dili, Timor-Leste
Email: gabinete@mj.gov.tl
Salutation: Dear Minister

Permanent Representative of Timor-Leste to the UN in Geneva
Marciano Octavio Garcia Da Silva
Rue Pestalozzi 7,
1202 Geneva, Switzerland
Fax: +41 22 788 3564
Email: info@timor-lestemission.ch
Salutation: Dear Ambassador

And copies to:
Chairperson of the Office of the Provedor for Human Rights and Justice
Silverio Pinto Baptista
Estrada de Caicoli,
Dili, Timor-Leste
Fax: +670 723 0177
Email: provedoriatl@gmail.com

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

Yayasan HAK is a non-governmental organisation based in Dili, Timor-Leste focusing on promoting and protecting human rights in civil society and state institutions. Yayasan HAK was established in August 1996 by Timorese and Indonesian activists to monitor human rights, provide human rights education, legal support and advocacy across thirteen districts in Timor-Leste.

Under the UN Declaration on Human Rights Defenders, it is the duty of the State to create the conditions necessary to defend human rights within their jurisdictions and specifically “to take all necessary measures to ensure the protection of everyone against any violence, threats, retaliation, adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the Declaration.” Rights and protections accorded to human rights defenders include the right to meet or assemble peacefully.

The right to freedom of peaceful assembly and of association is guaranteed under Section 42 of the Constitution of Timor-Leste (Freedom to Assemble and Demonstrate) which stipulates that: “Everyone is guaranteed the freedom to assemble peacefully and unarmed, without a need for prior authorization; and everyone is recognized the right to demonstrate in accordance with the law.”

Impunity persisted for gross human rights violations committed during the Indonesian occupation (1975-1999). Little progress was made in addressing crimes against humanity and other human rights violations committed by Indonesian security forces and their auxiliaries from 1975 to 1999. Many suspected perpetrators remained at large in Indonesia. No progress by the authorities was reported in implementing recommendations addressing impunity from the Commission for Reception, Truth and Reconciliation (CAVR) and the bilateral Indonesia-Timor-Leste Commission of Truth and Friendship (CTF).

Amnesty International has documented ongoing impunity in Timor-Leste in its reports *We Cry for Justice: Impunity Persists 10-years on in Timor-Leste* (ASA 57/001/2009) and *Timor-Leste: Justice in the Shadow* (ASA/57/001/2010).

Name: Yayasan HAK members, Manuel Monteiro Fernandes (m), Adelio da Costa Fernandes (m)
Gender m/f: both

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