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Timor-Leste's State Report under the Convention

Chairperson, Honourable Committee members,

Amnesty International and Judicial System Monitoring Programme (JSMP) welcomes this opportunity to address the UN Committee on the Elimination of Discrimination against Women (the Committee) on women's and girls' access to justice, truth and reparation in post conflict Timor-Leste for violations committed during the Indonesian occupation of Timor-Leste between 1975 and 1999 and the independence referendum (1999).

In this time, large-scale human rights violations and crimes under international law were committed against women and girls, including rape, sexual slavery and other forms of sexual violence and enforced disappearances, by members of the Indonesian security forces and their auxiliaries including by Timorese men. Attempts by the UN, Timorese and Indonesian authorities to bring perpetrators of the 1999 crimes to justice have been insufficient and no one from the Indonesian security forces has been prosecuted for rape and other forms of sexual violence.

The Commission for Reception, Truth and Reconciliation in East Timor (CAVR) documented human rights violations committed against civilians, including 853 instances of sexual violence committed mostly against women and girls. Among other recommendations, it called for a reparation programme to be established which takes into account the differences in which men and women were affected by the conflict. The bilateral Commission of Truth and Friendship (CTF) recommended a 'survivor healing programme', particularly for survivors of rape and other crimes of sexual violence. However, despite the establishment of these two mechanisms to uncover the truth about past human rights violations, the governments of Timor-Leste and Indonesia have largely failed to implement many of these recommendations.

Two bills establishing a "Public Memory Institute" and a National Reparation Programme have yet to be fully debated and passed since they were tabled before Parliament in 2010. As highlighted in Amnesty International's 2012 analysis of the laws, they both require significant amendments to comply with international human rights law and standards.

Our organisations are concerned about the continued failure of both Timor-Leste and Indonesia to provide full and effective reparation to victims and their families. We are particularly concerned that the lack of any transformative reparation measures means that underlying gender-based discrimination that contributed to the crimes has not been addressed and contributes to continuing social inequality and widespread violence experienced by women and girls in Timor-Leste today.

The government should take the following, among other measures:

- Ensure there will be no impunity for crimes against humanity and other human rights violations including rape, sexual slavery and other forms of sexual violence committed during the time of Indonesian occupation (1975-1999) and the 1999 referendum;

- Implement the recommendations of the report of the Commission for Reception, Truth and Reconciliation (CAVR) and the report of the Commission of Truth and Friendship (CTF) specifically as it relates to women and girls;
- Encourage the Timorese Parliament to debate and enact at the earliest opportunity two draft laws providing for a national reparations programme and a “Public Memory Institute” in accordance with international standards, including providing for a comprehensive program of transformative reparation to address discrimination and violence against women and girls.

Thank you for your attention.