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TIMORESE NATIONAL ALLIANCE FOR AN INTERNATIONAL COURT

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Press Release

Timor-Leste demands justice - “Because we love peace, and we want the truth to strengthen reconciliation”

Timor-Leste is celebrating the ten year anniversary of the restoration of independence, but there is no space for justice and accountability for crimes against humanity, war crimes and genocide that occurred during the Indonesian invasion and occupation.

The Indonesian invasion and occupation of Timor-Leste caused the death of about 180,000 people between 1975 and 1999. The Security Council of the United Nations (UN) as many as eight times condemned the brutality committed by the military. However, the support of the military powers and the political stance of the large nations led to the invasion. This is mentioned in the *Chega!* Report which talks about the crimes against humanity, war crimes and other crimes that violate the principle of universal jurisdiction.

After Indonesia left Timor-Leste in 1999 the UN established a Commission of Inquiry and at the same time Indonesia established a Commission of Inquiry into Human Rights Violations (KPP-HAM) in Timor-Leste, and in 2000 the UN Commission and the KPP-HAM recommended the need to establish an international court if efforts in Indonesia, Timor-Leste and by the UN failed to end impunity. After a decade impunity continues and the consequences are very clear.

The Serious Crimes Unit indicted 391 individuals, including the former Indonesian Military Commander, General Wiranto, for crimes that occurred in 1999, however only 87 people were tried, and 84 were convicted. More than 75% have been indicted, and the majority of them are

not citizens of Timor-Leste and are currently living freely in Indonesia, including some who have high ranking positions there. The UN and Timor-Leste have issued warrants of arrest for a total of 303 defendants, and the majority of them have not yet been arrested, and the aforementioned trials have only dealt with the violence that occurred in 1999 and did not cover violations that were committed between 1975 and 1998.

On this day Timor-Leste is proudly celebrating the 10 year anniversary of its restoration of independence, because now the people of Timor-Leste are living in a state of freedom, security and comfort in comparison with 10 years ago where the people were living in a climate of terror, torture, murder, with their fundamental human rights being violated and facing other forms of violence during the period of occupation. We also acknowledge that several attempts have been made by the governments of Timor-Leste and Indonesia, as well as the UN, to find a solution to past crimes as well as efforts to end impunity; however these efforts have encountered many obstacles on the road towards demanding justice.

Therefore, ANTI reminds all parties who have competence in regards to the perpetrators of crimes against humanity to do the following:

1. The UN and the international community must execute their responsibility to initiate an effective mechanism to process serious crimes that so far have not been dealt with in a credible manner, because the serious crimes that occurred in Timor-Leste during the occupation were international crimes that violate international humanitarian law and war crimes that cannot be handed over to the people of Timor-Leste to bear the burden.
2. Request for the UN to consider and discuss the recommendations of the international commission of experts the Indonesian KPP-HAM and the recommendations of the CAVR that state the need to establish an international court to deal with these crimes if national mechanisms are not successful.
3. Request for the government of Timor-Leste to not shut the door on the possibility of obtaining justice and accountability for those who perpetrated serious crimes in Timor-Leste under the occupation of the Indonesian military, to ensure ongoing peace in this democratic nation based on the rule of law, even though we understand that as a new country Timor-Leste does not have sufficient capacity to handle all of these cases on its

own, and that these cases are the responsibility of the international community, not just Timor Leste.

4. Request for the high ranking officials in Timor-Leste to sign and ratify the International Convention regarding protection for all people against forced disappearance, to start searching for Timorese people who were victims of forced disappearance during the war so they can be returned to their families.
5. Request for the government of Indonesia to fulfill its obligations according to international law to improve accountability for serious crimes that occurred during the occupation.
6. Request for all members of civil society to not be forced back by the obstacles that impede the fight for justice, but to keep on fighting until justice is realized.

‘The struggle that is never abandoned can not be lost’

(Patricia Isasa, Human Rights Activist from Argentina).

Dili, 18 May 2012

Signatories to this declaration:

Members of ANTI (Timorese organizations):

- Community Development Interest (CDI)
- East Timor Crisis Reflection Network (ETCRN)
- Forum Tau Matan (FTM)
- Front Mahasiswa Timor-Leste (FMTL)
- Asosiasaun HAK
- Judicial System Monitoring Program (JSMP)
- Kdalak Solimutu Institute (KSI)
- Knua Buka Hatene (KBH)
- Luta Hamutuk
- Mata Dalan Institute (MDI)
- Organizaasaun Popular Vitima da Guerra (OPVG)
- Secretariat of the Timor-Leste NGO Forum (Fongtil)
- Timorese Institute for Development Monitoring and Analysis (La’o Hamutuk)

International organizations who agree with this letter:

- Asia-Pacific Solidarity Coalition (APSOC)
- Association of Prison Ministries, Jakarta, Indonesia
- Australia East Timor Association, NSW
- Australian East Timor Friendship Association South Australia Inc
- Australian Coalition for Justice for East Timór

- BaTimóre Nonviolence Center, USA
- Committee for the Release of Political Prisoners (KAPT/N) , Indonesia
- East Timor and Indonesia Action Network (ETAN), USA
- East Timor Religious Outreach, USA
- ETAN/Portland, Oregon, USA
- Fellowship of Reconciliation, USA
- Foundation Pro Papua, The Netherlands
- Hunter East Timor Sisters, Australia
- Institute of Struggle for the Rehabilitation of Victims of the New Order Regime (LPR KROB), Indonesia
- Institute on Religion and Public Policy, USA
- International Federation for East Timór (IFET)
- International League for Human Rights
- Japan East Timor Coalition
- Jews Against Genocide, USA
- KontraS, Indonesia
- Law Enforcement Watch, Jakarta, Indonesia
- Madison-Ainaro Sister City Alliance, Wisconsin, USA
- Maryknoll Office for Global Concerns, USA
- Swedish East Timor Committee
- TAPOL, UK
- Watch Indonesia!, Germany
- WESPAC Foundation, White Plains, NY USA
- WestPAN (West Papua Action Network), Canada
- Wisconsin Network for Peace and Justice, USA
- WPAT (West Papua Advocacy Team), USA