



JUDICIAL SYSTEM MONITORING PROGRAMME
PROGRAMA DE MONITORIZAÇÃO DO SISTEMA JUDICIAL

Press Release

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COMMISSION OF TRUTH AND FRIENDSHIP HEARINGS IN DILI

The fifth and final public hearing of the Commission of Truth and Friendship Indonesia-Timor Leste (CTF) occurred recently in Dili. Sessions took place at the former Comarca building in Balide between 25 and 27 September 2007. Despite reasonable attendance on the first day of proceedings, these sessions were not well attended by the public. Additionally, though it was claimed an ambassadorial presence was lending credibility to the process, there was in fact not a large diplomatic contingent consistently in attendance.

Six individuals testified publicly as part of this process. The first of these, Tomas Aquino Goncalves, spoke of his role as a leader of the APODETI pro-integration party, and of his meetings with Indonesian officials regarding the supply of arms to Timorese militias. Goncalves notably claimed he was withholding certain documents in order to ensure his own security, and would only release these if called upon by an international tribunal.

Next, Sancho Ramos de Reisoreicao, detailed his abuse by soldiers he identified as members of Battalion 745. Despite repeated questioning by Commission panelists, the witness maintained his position that those who attacked him were not Timorese.

Convicted militia commander Jhony Marques, released from Becora Prison to attend the hearing, gave evidence of his actions around the time of the Popular Consultation. Marques, understanding that the panelists did not have power to compel him to answer, refused several times to provide details of his Indonesian superiors. Under questioning, though, he revealed previously unheard details of supposed sexual violence in Lospalos.

Francisco de Carvalho Lopes, invited to speak about his pre-independence political involvement, disregarded the attempts of the panel to curtail his lengthy testimony, and spoke critically of the CTF, suggesting its hands were tied and people were not wrong to demonstrate in favour of a legal resolution. Accompanied by applause from the audience, Carvalho called for Indonesian reparations, and for an apology to the Timorese people.

An account of killings in Oecusse, and of his own torture, was given by Marcus Baquin, a pro-independence activist. Notwithstanding the suggestion of panelists that such events may have been provoked by personal grudges, the witness stated his belief the violence was politically motivated and supported by pro-autonomy figures in Indonesia.

Mario Goncalves, a member of the pro-independence movement, spoke of his detention and torture by militia members including Jhony Franca. Franca had been scheduled to speak at the hearing himself, but was reportedly ill. With the non-attendance of another invited witness, UDT member Rui Lopes, the public hearings were drawn to a close.

JSMP considers that the panelists admitted little distinction in their questioning of victims and perpetrators. Furthermore, clarification of witness testimony often entailed a number of unconnected queries that did not allow for specific elements of the various accounts to be effectively scrutinised. Given the narrow mandate of the CTF, several witnesses evaded questioning on salient issues, some citing a lack of confidence in the proceedings.

The lack of publicity surrounding the CTF no doubt explains in part the poor attendance at the public hearings. Considering also the participation of fewer than ten individuals in the Commission's explanatory workshop, it seems reasonable to conclude also that there is a lack of support for the process within civil society. This was most visibly expressed by a demonstration outside the CTF venue on 25 and 26 September. Protestors representing a coalition of NGOs carried banners decrying the Commission as a political compromise and calling for a tribunal process to deliver justice.

JSMP is equally skeptical about the prospects for the CTF to comprehensively address Timor-Leste's legacy of violence. Apart from our concerns over its objectives, we note that substantial questions remain about the Commission's Constitutional validity. As well as diminishing the transparency and inclusiveness of proceedings, the use of closed hearings and the non-attendance of some witnesses both point to uneven or deficient security arrangements for those testifying, some of whom may reasonably fear reprisals.

In order to contribute to a more comprehensive historical record of the turmoil surrounding Timorese independence, JSMP helped to organise an alternative public hearing, with sessions held on 28 and 29 September 2007. This event drew a crowd of civil society representatives and interested members of the public. A number of witnesses from districts across Timor-Leste spoke freely and at length about their experiences of violence and their perspectives on the political machinations of the recent past. JSMP hopes that this has provided a constructive forum, and a counterpoint to the CTF process.

For further information please contact:

Osorio de Deus
Legal Researcher, JSMP
E-mail: osorio@jsmp.minihub.org
Landline: +670 3323883

Andrew Marriott
Legal Adviser, JSMP
E-mail: andrew@jsmp.minihub.org
Landline: +670 3323883