



**JUDICIAL SYSTEM MONITORING PROGRAMME  
PROGRAMA DE MONITORIZAÇÃO DO SISTEMA JUDICIAL**

**PRESS RELEASE**

*Dili, 20 January 2007*

**THE COMMISSION OF TRUTH AND FRIENDSHIP (CTF) WILL MAKES  
A BIG MISTAKE, IF IT RECOMMENDS AN AMNESTY  
TO THE CRIMES PERPETRATORS  
IN TIMOR-LESTE**

The Commission of Truth and Friendship (CTF) established by the Government of Indonesia and Timor-Leste has agreed to recommend an amnesty for those committing crime against humanity within the period of the popular consultation where majority of the Timorese people, that is 78%, voted overwhelmingly for separation from Indonesia.

The separation desired the Timorese, in fact, brought destruction to all the people. Prior to the popular consultation, the Government of Indonesia formed groups of pro-Indonesia militiamen who were ready to destroy Timor-Leste with full support from Indonesian Armed Forces (TNI = Tentara Nasional Indonesia).

As it has been said by Lieutenant General Agus Widjojo to the press, in particular *The Jakarta Post* that an amnesty will be given to those allegedly involved in the crime if they cooperate with the party holding inquiry namely CFT.

JSMP noted that if CTF recommends the an amnesty with the aims of improving bilateral relationship as the main priority, it is no longer considered a commission whose mission is to reveal the truth in relation to Human Rights violation. Giving an amnesty is identical to justification of the violation, thus adding to the culture of impunity by undermining the rights of the victims of the human rights violation. If this really happens, the Government of Timor-Leste and Indonesia will face a merely serious self-destructing state. This will also become a bad image to the international community because the international community will view all the events occurring within the period of the popular consultation from the human rights perspective. The international community will no longer trust the two governments for having degraded human dignity.

It was estimated by a most credible organ such as the UN that, within the period of the popular consultation in 1999, there were as many as 1.500 people killed either by the pro-Indonesia militiamen or by the Indonesian Armed Forces (TNI).

It is questioned as to whether such a huge number of victims have yet to be justified as a human rights violation worthy of justice, and is it necessary to give an amnesty to the perpetrators?

JSMP finds that the decision to give an amnesty to the crimes perpetrators will be more likely be a high level political conspiracy from between the Government of Indonesia and Timor-Leste. Therefore, the two governments have agreed to simply give an amnesty, and it is evident that the international community will consider it peculiar and scrutinize how far the way we have been to give respect to the victims of the killing.

The international agencies have, of course, agreed with the victims of Timor-Leste that the perpetrators should have been judged and imprisoned as the result of their acts. Although including General Wiranto and other Indonesian high military officials, JSMP very much regrets the CTF attitude to recommend an amnesty to the crimes perpetrators.

According to JSMP, if the recommendation of CTF has the effect of giving an amnesty to the serious crimes perpetrators, the Government of Indonesia and Timor-Leste will lose credibility in the international forum. The other thing is that the giving an amnesty to the crimes perpetrators will just reinforce their immunity or culture of impunity in Indonesia, particularly in the provinces currently under military regime such as Aceh and Irian Jaya.

JSMP finds that the only organ with the competence to give an amnesty in Timor-Leste is the National Parliament pursuant to article 95(3.g) of the Constitution of RDTL. Therefore, the National Parliament must study carefully the recommendation of CTF (Commission of Truth and Friendship) in relation to the amnesty to be given to the perpetrators before the approval of the constitutional competence. The National Parliament, as the people's representatives, must observe and defend the people's interest and rights, especially the victims of the crime. JSMP is of the opinion that if the rights of the victims of the human right violation are undermined, there will be more violations against human rights extending and arising throughout the world particularly in Timor-Leste and Indonesia.

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