

UN Sacrifices Justice For Dollars

Thousands of Victims Left Without Justice as UN Winds Down Investigations into Crimes Against Humanity

JSMP Press Release: 6 May 2004

The UN Secretary General has recommended the winding up of investigations of the Serious Crimes Unit (SCU). If investigations end now it will leave 700 murders and thousands of victims of rape, torture and other crimes against humanity without justice in East Timor. There is further a serious threat of violence in the community. JSMP has already advised the Security Council of the risks in closing the Serious Crimes Unit, but alarmingly withdrawing operations and cost-cutting seems prominent in UN thinking. We urge the Security Council to fulfil its obligation to investigate and prosecute crimes against humanity inflicted on the East Timorese.

The UN Secretary General, Kofi Annan, has recommended the Security Council reallocate SCU resources from investigation to trials and appeals 'to promote timely completion of litigation'. The Security Council is expected to debate and decide on future support on 10 May 2004.

Between 1975 and 1999, 200,000 East Timorese were estimated to have been killed in an attempt to maintain Indonesian rule. Rape, deportation, torture and other crimes against humanity were common practice. All of these crimes must be fully investigated. If not, and if some perpetrators face justice while others live in impunity, tension arising from unresolved serious crimes cases will remain in communities.

The SCU has limited its work to crimes committed in 1999, and even under this small mandate has only investigated half the murders committed. If the SCU closes or continues to struggle with inadequate funding, 700 murders and thousands of victims will be without justice.

JSMP research has found tension exists in communities and there are serious concerns about people taking justice into their own hands. A Village Chief in Los Palos district in relation to two serious crimes cases said 'we wait [for justice from the SCU] and wait, and if nothing happens in one month someone will beat them or maybe kill them - they need to be investigated quickly'. With the end of the investigations, and the scaling down of UN troops, communities fear the return of

militias from West Timor, causing further tensions and potential unrest. This threat will be compounded if there is no avenue to bring returnees to justice.

The SCU has already been pared back to minimal investigations, with cuts of investigators from 36 to 17, and more cuts are expected when the Security Council makes its decision on May 10. JSMP is aware that a further six positions have recently been cut from the SCU, including the position of external relations and possibly from the forensic unit. While phasing out a budget of less than \$5 million, the UN continues to fund the international tribunal for the former Yugoslavia to the tune of \$223 million a year.

The serious crimes process is a vital aspect of providing justice for the crimes against humanity committed in East Timor. To not give full support, particularly in terms of investigation, is to back down on a commitment made by the UN in 1999 to bring those responsible to justice. The UN must adhere to basic principles of international law and provide adequate funding to ensure that all crimes against humanity in East Timor are fully investigated.

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