

Seminar on Chega! National Library, Jakarta, 1 March 2007

Introductory comments by Agostinho de Vasconcelos, Executive Director, Post-CAVR Technical Secretariat, Dili.

Thank you. I want to make 4 brief but important points by way of introduction. I will be happy to explore these points further in the forum discussion that follows the opening remarks from the other panelists.

1. Prime Minister Ramos-Horta said in his video message that the CAVR report moves its readers to anger and tears. I agree that Chega! is not pleasant reading. This is because it is human rights report. It contains a lot of graphic detail about human violence and human suffering over many years. I want to stress, however, that Chega! is not a revenge report. As one of the 7 Commissioners responsible for this report I can assure you that we took our responsibilities very seriously and strove to be impartial and objective in preparing the report. Whatever our emotions and personal experiences, we were not motivated by anti-Indonesian sentiment. Our mandate required us in law to establish the truth without fear or favour. My colleagues and I took an oath under God to do that to the very best of our ability. Others can judge how well we did it and we welcome feedback particularly if it is given in the same spirit of commitment to the truth.

2. The findings in Chega! will make particularly unpleasant reading for officials and military from the Soeharto Orde Baru regime. The Report makes it clear that the Soeharto regime, and ABRI in particular, must take responsibility for the vast majority of the many thousands of violations committed over nearly 3 decades in Timor-Leste in violation of international law and, very often, in violation of Indonesia's own laws. The point I want to make here, however, is that we proceeded in an even-handed manner. We also documented violations by Fretilin/Falintil, UDT and other Timorese bodies and highlighted the failings of the international community, including the failings of those countries who were donors to CAVR. We also made recommendations on what should be done in Timor-Leste and by the international community about their responsibilities. I would add that we sincerely hoped that our report would contribute to the on-going reformasi of the Indonesian military, an end to impunity, and the building of a culture of human rights and democracy in Indonesia. We see Chega! as a contribution to the development of Indonesia not a blackening of Indonesia's name.

3. In his testimony to CAVR, Dr Asvi Warman Adam from LIPI provided an analysis of the Soeharto regime's version of events in Timor-Leste. Dr Asvi expressed the hope that a more accurate account of Indonesia's relations with Timor would be written and taught by the post-Soeharto generation. We fully endorse this proposal. Only if the Indonesian people understand our history and our experience during ABRI's occupation will they understand why Timorese opted for independence in 1999. This understanding is essential for lasting friendship and the good relations between Indonesia and Timor-Leste that we all desire. Future generations of Indonesians should also be able to learn about the extraordinary contribution made to human rights in Timor-Leste by many in Indonesian civil society. Chega! has an excellent account of this in its Chapter on self-determination. We sincerely hope that

the revision of Indonesia's history currently underway includes a revision of the Timor period and draws on *Chega!* for that purpose.

4. In this last point, I want to draw your attention to the methodology employed by CAVR in its various activities. Some will inevitably reject CAVR's findings on responsibilities for human rights violations, but I hope they will not dismiss the whole report on that basis and throw out the baby with the bath water. The methodologies I am referring to relate particularly to the way we went about facilitating community reconciliation, including the use of adat ritual and practices in that process; the way the Commission was set up and the way we went about truth-seeking; and other examples such as our victim support work, archiving and memorialisation. All of these have possible application in other situations, including post-conflict situations in Indonesia. They have also generated international interest – including in other countries in ASEAN such as Burma, Cambodia and the Philippines. These methodologies are also of interest in Europe. In June we will share our experience in Germany and two days ago we received information that a former CAVR colleague has been invited to speak about the CAVR process at a conference in the UK. Called 'Doing Sorry' (instead of 'Doing Time'), the conference will discuss restorative justice alternatives to conventional punitive justice, including processes involving direct participation by perpetrators, victims and communities. CAVR is the international case they want to hear about. The conference is a sell-out and will be attended by senior police, prison governors, social workers, prosecutors and others. We are looking forward with great interest to its report.

Thank you.