

POST-CAVR UPDATE: AUGUST 2006

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'The extensive CAVR Report is an encyclopedia of our history, both rich in teachings and suffering. We must utilise its great teachings to better understand today's crisis and to help prevent future crises'. *Dr Jose Ramos-Horta at his swearing-in as Prime Minister of Timor-Leste, 10 July 2006*

'The CAVR Report constitutes an important milestone in the search for justice, truth and reconciliation in Timor-Leste... I encourage it (the Timorese Government) to make every effort to ensure follow-up action on the report, consistent with the needs and expectations of the Timorese people'. *Kofi Annan, UN Secretary-General., 26 July 2006.*

Introduction

The Post-CAVR Technical Secretariat was inaugurated by President Xanana Gusmao on 20 December 2005 following the formal dissolution of the Comissao de Acolhimento, Verdade e Reconciliacao (CAVR) the same day. The Secretariat's functions are (a) to disseminate the CAVR Report *Chega!* and related products, (b) to complete a number of CAVR projects, particularly publications; (c) to care for the Comarca heritage site; and (d) to care for the CAVR archives. The Secretariat has 38 staff and is headed by Rev Agostinho de Vasconcelos. Funding is provided by Japan, Norway and Germany. UNDP and AVI (Australian Volunteers International) have provided two advisers. *Chega!*, the title of the CAVR Report, is Portuguese for 'no more, stop, enough!'.

Parliament urged to debate Chega!

In a statement to the media on 23 August, the Executive Director of the Post-CAVR Secretariat, Rev Agostinho de Vasconcelos, called on the Parliament to determine when it will consider the CAVR Report. He reminded the Parliament that it had amended the CAVR regulation to ensure that it received the Report and that, in keeping with this requirement, the President of the Republic had presented the Report to the Parliament on 28 November 2005. The UN Secretary-General, Kofi Annan, noted in his July Report on Justice and Reconciliation for Timor-Leste that 'the Timor-Leste Parliament has not yet started debate on the report'.

Kofi Annan on the CAVR Report

The UN Secretary-General's Report on Justice and Reconciliation for Timor-Leste, dated 26 July 2006, devotes 6 paragraphs to the CAVR Report '*Chega!*'. The SG expresses his 'sincere hope that the Report of CAVR will be an enduring contribution to building the Timorese nation and will help to prevent the occurrence of such tragic events in Timor-Leste and elsewhere'. The SG recommends the establishment of a 'solidarity fund' to assist, inter alia, victims of 1999 violations and their immediate relatives. This recommendation is believed to be the UN's partial response by another name to the 'reparations programme' called for in *Chega!*

In his report, the SG outlines the history of the CAVR Report, the establishment of the Post-CAVR Technical Secretariat by President Gusmao with donor support from Japan, Germany and Norway, and the different initial reactions to the Report from President Gusmao and civil society organisations in Timor-Leste.

The SG urges the Timorese Government to hold nationwide consultations on the CAVR Report and to inform the people how it intends to follow-up the Report. He particularly urges the Timorese Parliament to

consider CAVR's recommendation of a follow-on institution to carry on mechanisms such as community reconciliation programmes 'to meet the need for justice and reconciliation in Timor-Leste today'.

The SG notes that *Chega!* includes recommendations to the UN, but is silent on CAVR's recommendation that the UN itself should debate the Report. The SG also restricts his comments to 1999 and is silent on crimes against humanity committed during the years prior to 1999 that form the bulk of the CAVR Report.

The Timor-Leste crisis and its impact

The turmoil in April and its aftermath severely disrupted the Secretariat's work particularly in May and June. Four staff have had their homes burned down, several others have had their homes looted to various extents and most staff have been living in refugee camps for nearly 4 months. As a result, most staff have experienced varying degrees of personal stress and disruption to their work, lives and families and the Secretariat's program of dissemination and other tasks is significantly behind schedule.

On 5 June, a large gang cut their way through the Secretariat's rear fence late at night and, after firing shots to intimidate guards, looted 32 motorbikes from a shed on the western perimeter of the premises. No attempt was made to enter or damage the main building or its archives and other contents. Following representations, a detachment of Australian troops was stationed in the building on a 24 hour basis from 11 June for over a month. They left on 28 July to take up other duties. Australian Federal Police have located several of the stolen bikes and continue to look for the others.

The crisis has generated a number of positive initiatives. A number of former CAVR staff and friends contributed to a *Solidarity Fund* established to help Secretariat staff most severely affected by the crisis. AUD\$3735.00 was raised and divided amongst 11 staff who lost their houses and/or significant possessions. International archivists responded quickly to the possibility that CAVR records might suffer the same fate as the Serious Crimes records looted from the Office of the General Prosecutor. As a result, UNESCO issued a statement regarding the cultural importance of the CAVR records, an Australian *East Timor Archives Solidarity Group* has been formed, and a proposal to mount an international survey of archives in Timor is being discussed.

The Secretariat has also responded to requests from policy-makers, donors and some media for background input in relation to the crisis based on CAVR experience. These have included the Timor-Leste Ministry of Labour and Community Re-insertion, New Zealand Police, Norwegian Government, AusAID, staff and Commissioners of the UN Independent Special Commission of Inquiry on Timor-Leste, Friedrich Ebert Stiftung (Jakarta), the UN Assessment Mission led by Ian Martin, Germany's GTZ, Deutsche Welle (Edith Koesoemarwiria, Bonn), Neue Zuercher Zeitung (Manfred Rist, Singapore), The Age (Lindsay Murdoch).

The Secretariat has also convened two 'think-tank' meetings of former CAVR Commissioners and intellectuals to analyse the crisis and propose responses.

Notes on the 'think-tank' meetings are available from the Secretariat.

Near misses

In addition to some pluses (see above), the crisis also gave rise to some near misses affecting the Secretariat. Here are two:

- The tense afternoon of the pro-Alkatiri demonstration in Dili, Secretariat staff watched the long procession of trucks and protestors from behind the front fence of our premises secure in the knowledge that a unit of Australian soldiers was camped inside should things get rough. As the procession came to an end, however, we became aware of a large crowd gathering 100 metres down the road threatening the occupants of a run-down blue utility which had unluckily stalled at the tail end

of the demonstration. Two very frightened women jumped from the stranded vehicle and rushed to us for help and troops ran to save the other occupants. It turned out that, unknown to the crowd, the car had nothing to do with the demonstration. The driver, a farmer come to town to sell some chooks, had accidentally got caught up in the procession and couldn't leave it because troops had shut off all the side roads. He had then run out of petrol. It nearly cost several lives. It also nearly cost us a thrashing because the troops ordered us to open our gate and pushed the car in followed by the agitated crowd. We then learned the truth of the matter, conveyed it to the crowd and everybody calmed down while we ventured out to get petrol. Two APC's were called and the poultry farmer in his beat-up blue kijang was escorted home like the President by the Australian army.

- One day during the crisis, we needed a machete to clean up some rubbish in the grounds of the Secretariat. Pak Remigio, our groundsman of mature-age who lives nearby, was called to zip home and get his machete. Nothing could be more normal in Timor. He'd only gone two minutes, however, when he reappeared. Could he have a letter authorising him to carry a machete in case the troops caught him. We think this is probably the first time in Timor that a formal 'To Whom It May Concern' letter has been written authorising a local to carry a machete.

Disseminating Chega!

After several false starts due to the crisis, dissemination teams have now been active in 8 of Timor-Leste's 13 districts. Hundreds of copies of a brochure *Introducing Chega!*, a CD Rom of *Chega!*, Executive Summary and other CAVR publications are being distributed to a range of government, victim, civil society, church and other recipients down to sub-district level. In addition, dissemination teams have also distributed an audio version of the CAVR video *Dalan ba Dame*. Divided into five 30 minute segments, the program is essentially the soundtrack of the film and has been packaged for use in the classroom and on community radio. Teams are also screening the CAVR video.

Originally intended to commence at the beginning of May, the dissemination program was postponed following the Petitioner demonstration on 28 April and its aftermath. Teams went to four districts on 22 May, immediately following the Fretilin Congress, but again had to abandon their work though one team was marooned in Oecusse for several weeks. A third start was made at the beginning of July but, due to uncertainties about the security situation both in the field – including about the operational capacity of local police - and for the families of staff back in Dili, it was decided to limit the work to distribution only (i.e. to hold no public meetings) and to operate for 2 weeks instead of the planned 4 weeks. On this occasion, four teams visited Oecusse, Lautem, Liquica and Same and all reported a positive reception. Teams will return to these districts later in the program for another 2 weeks to conduct public meetings and other follow-up.

In August, 4 teams are conducting full dissemination in Viqueque, Manatuto, Suai and Bobonaro. After distributing *Chega!* and other CAVR products as widely as possible, teams will convene a public seminar in each district at which the Report will be presented by former National Commissioners and discussed. A follow-up workshop will decide on arrangements for further activity in each district.

A weekly radio program on the dissemination program called *Chega! Dalan ba Dame* (Chega! Road to Peace) is broadcast on Radio Timor-Leste each Saturday at 7.00 am and syndicated to local community stations for broadcast in the districts.

The TV program *Istoria ba Futuru* (History for the Future) produced by the Casa de Producao Audiovisual in Dili has based all its recent episodes on the CAVR Report.

Religious institutions will help disseminate Chega!

An inter-religions conference held in Baucau, 20-23 June 2006, recommended that each faith community should assist in the distribution and socialisation of the CAVR Report through their networks and institutions

in Timor-Leste. Entitled *Toward a New Timor-Leste: the Shared Responsibility of Religious Institutions*, the conference included representatives of the Muslim, Protestant and Catholic communities in Timor-Leste.

Rev Agostinho de Vasconcelos, Executive Director of the Post-CAVR Secretariat, was a member of the conference organising committee and Pat Walsh, Senior Adviser to the Post-CAVR Secretariat, presented a paper. A follow-up workshop to the conference was held in Dili on 22 August.

Pat Walsh's paper is available from the Secretariat.

Disseminating in Jakarta

The CAVR Report was given to the President of Indonesia and other institutions (MPR, KomnasHAM and the Commission for Truth and Friendship) earlier in 2006. To make the report available to other sections of Indonesian society, STP-CAVR visited Jakarta 27 July-2 August to introduce the Report to a range of Indonesian institutions and organisations and to discuss its future dissemination in Indonesia.

This initiative was greeted very positively. Indonesian organisations felt that the Report would assist bi-lateral relations by helping Indonesians understand why Timor-Leste separated from Indonesia and that CAVR's experience was relevant to on-going conflicts in Indonesia, the establishment of an Indonesian truth commission and Indonesia's struggle against impunity.

Ideas canvassed included the publication of an Indonesian edition of the full report, a high profile launch in Jakarta, the establishment of a national Indonesian focal point, and making use of the Report in the current revision of Indonesia's post-Suharto history.

The STP-CAVR Report on the visit to Jakarta is available from the Secretariat.

Disseminating in Australia

Initiated by the Jesuit agency Uniya, a number of Australian civil society organisations have established the Australian Coalition for Transitional Justice in East Timor (ACTJET) to promote consideration of *Chega!* in Australia. The Report was presented to Prime Minister Howard earlier this year but has not been the subject of an official response. ACTJET is preparing a targeted short Australian version of the Report and planning launches of *Chega!* in a number of Australian capital cities and regional centres in November. The research director of Uniya, Dr Mark Byrne, visited Timor-Leste in late June.

Dealing with a Burdened Past

Jose Caetano represented the Post-CAVR Secretariat at a conference in Berlin, 20-21 April 2006, organised by the Friedrich Ebert Stiftung in cooperation with the German Justice and Peace Commission and Watch Indonesia!

Entitled *Dealing with a Burdened Past – Transitional Justice and Democratisation*, the conference examined issues such as who is a victim, militarism, the role of women in reconciliation, unquestioned perpetrators and truth commissions in the context of a number of cases including Korea, Cambodia, Afghanistan, Burma, Timor-Leste and Post-War Germany. A number of Indonesian participants also attended the conference. The program included visits to the former concentration camp and memorial Sachsenhausen, the Holocaust Memorial and the archives of the former East German security service.

Jose Caetano's report is available from the Secretariat.

Resources

A number of CAVR resources can be obtained from the Bookshop at the Post-CAVR Secretariat. For further information contact: Celina Martins Mobile (+670) 723 6547 Email: cely_padua@yahoo.com.au

New resources include:

- *Dalan ba Dame Versi* Audio
- *Timor Timur Menghadapi Masa Lalunya: Kerja Komisi Penerimaan, Kebenaran dan Rekonsiliasi*, by Monika Schlicher. (Human Rights Unit, Missio, Germany, 2006)
- *Introducing... Chega!* (brochure in Tetum, Indonesian, English)

Group thank you

The Post-CAVR Secretariat would like to thank the following: SRSG Sukehiro Hasegawa (for personally visiting in June to check on our archives), Anis Bajwa (former DSRSG), AFP (for continuing to hunt down our missing bikes), Joint Task Force (for security, surplus staminade, cornflakes, and Big Sister fruitcake), former staff and friends (for contributing generously to our Solidarity Fund for victimised staff); Del Cuddidy and Trudy Petersen (for leading action when our archives seemed threatened); former international staff and advisers who emailed or called during the worst of the crisis and those who made a special visit to Timor to check on us or took the trouble to look us up when they visited for other reasons (Galuh Wandita, Kieran Dwyer, Ben Larke, Anthony Goldstone, Phyllis Ferguson, Emma Coupland, Eoghan Walsh, Chris Vertucci, Eleanor Taylor-Nicholson, Jim Dunn, Ai Kihara-Hunt, Ian Martin, Karen Campbell-Nelson, Aki Matsuno, Steve Malloch, Inge Lempp); and last, but not least, Robin Taudevin, who worked for CAVR November 2004-May 2005 and died on 14 May 2006 while diving in Timor's deep blue sea near Cristo Rei.

Further information

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