

INTERNATIONAL FEDERATION FOR EAST TIMOR (IFET)

International Secretariat: Charles Scheiner
P.O. Box 1182 White Plains, New York 10602 USA
Tel. +1-914-831-1098
ifet@etan.org

U.N. Representative: John M. Miller
48 Duffield St., Brooklyn, NY 11201 USA
Tel. +1-718-596-7668 fax: +1-718-222-4097
john@etan.org

www.etan.org/ifet

MEMBER

ORGANIZATIONS

Australia-East Timor Association
Australians for a Free East Timor
Brisbane East Timor Office (Australia)
Campaign for an Independent East
Timor (South Australia)
East Timor International Support
Centre (Australia)
East Timor Relief Assn. (Australia)
Friends of East Timor, West. Australia
Hobart East Timor Comm. (Australia)
Canadian Action for Indonesia and
East Timor
East Timor Alert Network (Canada)
National Council of Timorese
Resistance (CNRT, East Timor)
Pacific Concerns Resource Centre
(Fiji)
East Timor Group of Committee of 100
(Finland)
Agir Pour Timor (France)
Association Solidarité Timor-Oriental
(France)
Gesellschaft für Bedrohte Völker
(Germany)
Watch Indonesia! (Germany)
East Timor Roundtable (Hong Kong)
Indian Society for Human Rights
Forum Solidaritas Untuk Rakyat Timor
Lorosae (Indonesia)
E. Timor Ireland Solidarity Campaign
Latin American and Mediterranean
Coalition for East Timor (Italy)
Free East Timor - Japan Coalition
East Timor Information Network
(Malaysia)
International Platform of Jurists for East
Timor (Netherlands)
Norwegian Cooperation Council for
East Timor and Indonesia
Asia-Pacific Coalition on East Timor
(Philippines)
A Paz é Possível em Timor Leste
(Portugal)
Comissão para os Direitos do Povo
Maubere (Portugal)
Movimento Cristão para a Paz (Port.)
Paz é Justiça para Timor Leste (Port.)
East Timor Scotland Support Group
Instituto de Estudios Políticos para
América Latina y África (Spain)
Östtimor Kommitten (Sweden)
TAPOL (U.K.)
British Coalition for East Timor
East Timor and Indonesia Action
Network (ETAN) (USA)
International Secretariat, Parliamen-
tarians for East Timor

18 Fevereiru 2009

Presidente
Konsellu Seguransa
Nasoens Unidas
1 United Nations Plaza
New York, New York 10017 USA

Sua Exelensia,

Ami hakerek karta ne'e reprezenta organizasaun sira ne'ebé preokupa kleur ona ho prosesu justisa iha Timor-Leste.

Tanba ita bo'ot sira hasoru malu semana ida ne'e hodi diskute se atu kontinua misaun Nasoens Unidas nian iha Timor-Leste, ami husu ita bo'ot sira atu haree promesa NU nian sira ne'ebé seidak realiza relasiona ho direitus humanus no akuntabilidade ba krime seriu kontra direitus humanus ne'ebé mosu iha Timor-Leste entre 1975 no 1999.

Ami ezije ba Konsellu Seguransa atu hare didiak rekomendasaun sira husi relatoriu 2005 Komisaun Peritu no Chega!, relatoriu final husi Komisaun Simu Malu, Lialos no Rekonsiliaun (CAVR), nudar mata dalam atu estabese prosesu ne'ebé bele kontribui ba justisa no rekonsiliaun ne'ebé lolos. Prosesu ne'e bele suporta demokrasia no akuntabilidade iha Indonesia no Timor-Leste.

Relatoriu sira iha leten no mos relatoriu husi orgaun independente sira, hot-hotu hetan konkluzaun katak prosesu krime seriu iha Timor-Leste no Tribunal Ad Hoc Direitus Humanus nian iha Indonesia ne'ebé iha ikus la konvense ema ida, la serve direitu ema Timor Leste nian no comunidade internasional hodi hetan justisa ba krime funu no krimen kontra humanidade sira ne'ebé mosu entre 1975 no 1999.

Konsellu Seguransa hapara prosesu krime seriu iha Maio 2005, maski UNMIT hahu fali investiga asinasauun sira ne'ebé mosu iha tinan 1999, maibe la iha mandatu ka mekanismu atu kondena ka lori kriminozu sira ba tribunal. Sira nia mandatu klood liu no mos prosesu investigasaun Timor Investigasaun Krime Seriu (SCIT) nian neneik lahalimar. Ho kazu "exepcional" 396 husi tinan 1999 (numeru aktual karik besik liu 1000), kazu 35 deit mak hetan ona investigasaun too agora, ho kazu 38 tan ne'ebé iha hela prosesu. Se kontinua bebeik hanesan ne'e, persija tinan 10 atu kompleta deit servisu ne'ebé limitadu ne'e. Ami fo suporta ba Konsellu atu aumenta rekursu no prioridade ne'ebé aloka ba servisu ida ne'e, no mos atu haluan liu servisu ne'e nia abranjen. Iha tempu badak, klaru katak SCIT persija rekursu no integrasaun liu ho Ofisiu Prokurador Geral Timor-Leste nian.

Tinan kotuk, Komisaun Lialos no Amizade Indonesia no Timor-Leste halo ne'ebé iha problema, rekoñese responsabilidade institucional estadu no forsa seguransa Indonesia nian ba krime sira ne'ebé mosu iha 1999. Termus da Referensia husi komisaun ne'e nian bandu komisaun atu fo rekomendasaun kona ba mekanismu atu halo akuntabilidade ba sira ne'ebé responsavel, fo naran ka konsidera krime sira ne'ebé mosu durante tinan 23 uluk okupasaun Indonesia nian. Ami konkorda ho Sekretariu-Geral nia desizaun katak NU la partisipa iha prosesu ne'e, ne'ebé iha risiko atu halo violasaun ba lei internasional kontra impunidade.

Eventu sira entre 1975 no 1999 kontinua fo impaktu ba povu Timor-Leste. Razaun baziku ida husi krize 2006 iha Dili mak ema Timor kontinua hetan terus husi

trauma iha populasaun ne'ebé seidak rekupera husi sira nia trauma. Ho failansu momos iha prosesu justisa lokal no internasional nian kria kultura impunidade nian, no kriminozu hanoin katak sira sei la simu akuntabilidade ba oho ema no krime sira seluk, , no vitima dala barak sente katak justisa so deit bele hetan ho sira nia asaun rasik. Atitudu ne'e kontribui ba tentadu atu oho Presidente no Primeiru Ministru iha tinan kotuk foin lalais ne'e.

Reprezentante Sekretariu Geral nian ba Direitus Humanus husi Deslokadu sira komprende ida ne'e. Wainhira nia vizita Timor-Leste fulan rua kotuk foin lalais ne'e, nia hatoo katak "... rekonsiliaun ne'ebé signifikante no tahan kleur (ba krize 2006) sei kontinua susar atu bele hetan wainhira seidak rezolve problema impunidade ba krime kontra humanidade. Oras ne'e, laiha justisa ba deslokadus sira hamenus deslokadu sira nia konfiansa ba estadu no dala ruma loke dalam ba violensia no deslokasaun iha loron oin." Komisaun Inkeritu Espesial Nasoens Unidas nian ba Timor-Leste hetan foti konklujaun ne'ebé hanesan iha tinan 2006: "Ida ne'e importante teb-tebes ba Timor-Leste katak justisa halao duni no hatudu katak halao duni." Kultura impunidade nian sei ameasa fundasaun Estadu nian. Komisaun nian iha pontu de vista katak Justisa, dame no demokrasia nesesariamente haforsa falu. Se hakarak hetan dame no demokrasia, justisa tenki efektivu no hatudu-an duni.

Cambodia finalmente komesa ona atu julga ema sira ne'ebé halo krime seriu iha 1975 kotuk. Julgamentu ne'e sei la halao se laiha intervensaun no persistensia komunidadade internasional nian, liu-liu Nasoens Unidas. Komunidadade internasional, ne'ebé dala barak falla atu defende direitu husi ema Timor-oan durante okupasaun Indonesia, iha responsabilidade atu suporta justisa ba krime hotu ne'ebé halo kontra humanidade.

Ami ezije ita bo'ot atu rekonstitui liña investigasaun no prosesu Unidade Krime Seriu nian, iha liña ida ho rekomendasaun CAVR nian, Chega!. Sistema judicial Timor-Leste nian sei foun no fraku. Nia seidak iha kapasidade atu kaer kriminozu sira ne'ebé iha rai liur, no nasaun kiik no foun tenki mantein nia relasaun diak ho nasaun viziñu ne'ebé bo'ot liu, ne'e tenki sai responsabilidade direta Nasoens Unidas nian.

Ne'e sei loke julgamentu ba ema 300 liu ne'ebé indika ona, maibe barak sei nafatin hela Indonesia, no sei ajuda oferese akuntabilidade ba krime seriu ne'ebé halo iha 1999, no mos entre 1975 ho 1998, ne'ebé konstitui asasinasaun ba ema besik 99%.

Tinan sanulu liu ona desde Indonesia nia violensia sai husi Timor-Leste, no Indonesia hatudu fila-fila ona katak nia labele ka sei la ho kredibilidade julga ka entrega autor kriminal ba krime sira ne'ebé relaciona ho okupasaun Indonesia nian iha Timor-Leste. Interpol tenki hasai karta kapturasaun ba alegadu 339 ne'ebé goza hela fatin seguru iha Indonesia, nune'e prevene suspeitu sira ne'e ba vijajen internasional.

Alternativa diak liu atu hamoris fali no haforsa prosesu krime seriu nian mak Konsellu Seguransa tenki implementa rekomendasaun husi Komisaun Inkeritu nian – Kria tribunal Kriminal Internasional ad hoc ba Timor-Leste, ne'ebé sei halao iha Estadu seluk ida.

Ami ezije ba ita atu uja momentu renovasaun ba mandatu UNMIT nian atu hetan justisa ba ema Timor-Leste tuir Konsellu Seguransa nia komitmentu ida uluk, ne'ebé expresa besik tinan sanulu liu ba uha Rezolusaun 1264 no 1272. Faillansu atu realiza ida ne'e hatudu ba ema Timor-Leste no ba mundu katak Nasoens Unidas suporta justisa ne'ebé ho standartu rua, la konsidera estadu de direitu no respeitu ba dereitus humanus iha Timor-Leste, Indonesia, no mundu internasional.

Pojisaun ida ne'e hetan suporta husi makas husi Timor-oan sira, liu-liu Igreja, partidu politika balu no sociedade sivil. Uluk, Timor-Leste nia lider balu expresa ona buat ne'ebé kontrariu kona ba mekanismu justisa internasional nian, ho fiar katak sira nia nasaun ne'ebé foun no kiak labele simu konsekuensia husi hamriik kontra sira nia viziñu ne'ebé iha forsa liu no sira nia kolonializador. Maske nune'e, iha nia lia menon ba nia inagurasaun iha 2007, Presidente Jose Ramos Horta rekoñese hanorin kmanek husi relatoiru CAVR nian, enkuandu iha konferensia imprensa hafoin halo tiha promesa ba governu foun, Primeiru Ministru Xanana Gusmao hateten katak rekonsiliaun sei labele hetan se laiha lialos no lialos sei laiha nia signifikadu wainhira laiha justisa.

Iha relatoriu ba Konsellu fulan ne'e kona ba UNMIT, Sekretariu Geral "enkoraja governu rua (husi Timor-Leste no Indonesia) atu foti pasu konkretu hodi asegura akuntabilidade ne'ebé kompletu, atu hapara impunidade no oferese reparasaun ba vitima sira, iha konkordansia ho sasukat no prinsipiu dereitus humanus internasional." Ami fiar katak governu rua ne'e repete fila-fila ona katak sira labele halo buat ne'e mes-mesak. Komunidadade Internasional agora tenki implementa promesa ne'ebé UN repete fila-fila hodi aloka rekursu politiku, finanseiru no legal atu hapara impunidade ba krime kontra humanidade sira ne'e.

Ho respeitu,

Charles Scheiner, Secretariat
International Federation for East Timor

John M. Miller
National Coordinator, East Timor and Indonesia
Action Network (ETAN)
UN Representative, IFET

Pedro Pinto Leite, Secretary
International Platform of Jurists for East Timor,
The Netherlands

Carmel Budiardjo, Co-Director
TAPOL, Promoting Human Rights Peace and
Justice in Indonesia (UK)

Augusto N. Miclat, Jr.
Asia-Pacific Solidarity Coalition (APSOC)
Executive Director, Initiatives for International
Dialogue (IID), Philippines

Paul van Zyl, Executive Vice President
International Center for Transitional Justice

Shulamith Koenig, Founding President
PDHRE, People's Movement for Human Rights
Learning
Recipient of the 2003 UN Award for outstanding
achievement in the field of Human Rights

Zelia Cordeiro
VIVAT International

Haris Azhar
KontraS, Komisi Untuk Orang Hilang dan Korban
Tindak Kekerasan, Commission for "Disappeared"
and Victim of Violence

Gustaf Dupe, Chairman
Association of Prison Ministries, Jakarta, Indonesia

Andreas Harsono
Pantau Foundation, Jakarta

Winston Neil Rondo, Director
CIS Timor Association Volunteers, Indonesia

Maximus Tahu, Coordinator
La'o Hamutuk (Timor-Leste Institute for
Development Monitoring and Analysis)

Casimiro dos Santos, Director
Judicial Systems Monitoring Programme (JSMP),
Timor-Leste

Dinora Grandeiro, Executive Director
NGO Forum of Timor-Leste (FONGTIL)

Rosa Maria da Sousa, Executive Director
FOKUPERS (Communication Forum for Timor-
Leste Women)

Yasinta Lujina, Executive Director
Rede Feto, Timor-Leste

Joao Pequinho, Director
Forum Tau Matan, Timor-Leste

Gaspar Quintino Freitas, Executive Director
Organisasaun Juventude Liberty (OJL), Timor-
Leste

Carolyn Tanner, Head of Mission
Avocats Sans Frontieres, Timor-Leste

Adi Jose Andre Pinto, Executive Coordinator
SATILOS Foundation, Timor-Leste

Mericio Akara, Director
Luta Hamutuk Institute, Timor-Leste

Jose Caetano Guterres, Coordinator
Chiquito da Costa Guterres, member
East Timor Crisis Reflection Network (ETCRN)
Former CAVR staff

Filomena Barros dos Reis,
Human Rights and Justice Activist, Timor-Leste

Maria Angelina L. Sarmento (Lita)
Civil society, Timor-Leste

Dr. Monika Schlicher
Watch Indonesia!, Working group for democracy,
human rights and environmental protection in
Indonesia and East Timor, Berlin, Germany

Maire Leadbeater, Spokesperson
Indonesia Human Rights Committee, New Zealand

Jeff Ballinger
Press for Change

Bruno Kahn
CNRS, Paris, France.

East Timor Ireland Solidarity Campaign

Cathy Scott
Regional Manager Asia, Africa, Middle East
Progressio (formerly CIIR)

Kyo Kageura
Japan East Timor Coalition

Endie van Binsbergen, Chair
Free East Timor Foundation (Stichting Vrij Oost
Timor), Utrecht, The Netherlands

Koen J. de Jager
Foundation Pro Papua, The Netherlands

Gabriel Jonsson, Chairman
Swedish East Timor Committee

Jess Agustin
Development and Peace, Canada

Dr. Clinton Fernandes
Australian Coalition for Transitional Justice in East
Timor

Jude Conway
Asia Pacific Support Collective (APSC)

Eko Waluyo, Program Coordinator
Indonesian Solidarity, Australia

Rob Wesley-Smith, Spokesperson
Australians for a Free East Timor, Darwin, Australia

Rosemary McKay, Chairperson
Australia East Timor Friendship Association SA Inc

Helen M. Hill
Australia-East Timor Association (Melbourne)

Dr Vacy Vlazna
Former Convenor AETA, East Timor Justice Lobby

Levy Latupatty
Moluccas International Campaign for Human
Rights

Ed McWilliams
West Papua Advocacy Team, U.S

Rev. John Chamberlin, National Coordinator
East Timor Religious Outreach

Eileen B. Weiss & Sharon Silber, Co-Founders
Jews Against Genocide

Bill Ramsey, Coordinator
Human Rights Action Service, St. Louis, MO

Paul George, Executive Director
Peninsula Peace and Justice Center, Palo Alto, CA

Ben H. Gordon
Pax Christi-N.O

Pierre Labossiere, Co-Founder
Haiti Action Committee

Judith Mayer, Ph.D.
Coordinator, The Borneo Project

William Seaman, Coordinator, East Timor Action
Network/Portland

Alan Muller, Executive Director
Green Delaware

Mary Anne Mercer, DrPH , Deputy Director
Health Alliance International

Rev. Dr. Dennis M. Davidson, President
Unitarian Universalist Peace Fellowship

William H. Slavick, coordinator,
Pax Christi Maine

Diane Farsetta, coordinator, Madison-Ainaro (East
Timor) Sister-City Alliance

Jim Keady, Director
Educating for Justice, Inc.

John Witeck, Coordinator
Philippine Workers Support Committee, Honolulu,
HI

CC: Members, UN Security Council
Ban Ki-moon, UN Secretary-General
Atul Khare, Special Representative of the Secretary-General to Timor-Leste
Navi Pillay, UN High Commissioner for Human Rights