PERMANENT MISSION OF THE DEMOCRATIC REPUBLIC OF TIMOR-LESTE TO THE UNITED
NATIONS OFFICE AND OTHER INTERNATIONAL ORGANIZATIONS IN GENEVA

Comments on the Report from Country Mission to Timor-Leste
of the Working Group of Enforced and Involuntary Disappearances

by Ambassador Joaquim da Fonseca

Thank you Madam President,

I thank the Working Group on the Enforced and Involuntary Disappearances for having conducted the working visit to Timor-Leste early last year. We appreciate the report and analysis from the referred Mission, and would like to make the following comments:

1. On the question of enforced disappearance, Timor-Leste is working closely with the Government of the Republic of Indonesia, following the publication of the report of the Commission for Truth and Friendship. The recommendations of the Commission include a joint establishment of a commission to ascertain the whereabouts of persons disappeared in 1999. Discussions are currently taking place at the Bilateral Senior Official level to formulate steps to implement the many recommendations of the CTF, including the establishment of a Commission for the disappeared persons.

2. I would like to reiterate that the questions of reconciliation and healing process are high among the priorities for Timor-Leste. We acknowledge that dealing with issues of past human rights violations and establishing a new legal system which respects and protects human rights are important elements of these processes. In this regard, we understand that the UN country team, as reflected in the report, and indeed the Timorese Civil Society, place a considerable emphasis on the establishment of a reparation and memorization programme, based on a proposal to establish a national institute of memory. I would like to clarify that this was, and remains one of the options on the table. Nonetheless, it is not the only option. Serious consideration is being given to the effectiveness of achieving the goals of reparation through the existing institutional mechanisms, or to establish a new one. Timor-Leste is also approaching the appeals for social benefits for victims as part of the reparation process with care in order not to create new disparities among those who do and do not benefit from such program. With approximately 40% of the population living under the poverty line, general social schemes and development programs which foster economic empowerment of the general population, deserve fair considerations.

3. The Constitution of the Democratic Republic of Timor-Leste empowers the President of the Republic to grant pardon. With the development of the Timorese legal system, Timor-Leste is currently working on a legal instrument aiming at establishing the criteria for the application of this constitutional provision, committed to be in conformity with international human rights law.

4. Finally, Timor-Leste thanks the Government of Indonesia for their cooperation and forthcoming attitude, pledges to continue our cooperation to shoulder our shared responsibilities. We also thank the Working Group for their recommendations. We are pleased to note the acknowledgement by the Working Group of the positive steps taken on the matter. Timor-Leste is committed to seriously study the recommendations and, where applicable, implement them within the country’s capabilities.