

# COMISSAO DE ACOLHIMENTO, VERDADE E RECONCILIACAO DE TIMOR LESTE (CAVR)

## UPDATE / June-July 2002

**'Please go and tell the East Timorese in West Timor that people are ready to forgive. People have already received each other and embraced each other. The only missing piece is justice. Please ask them to come back and set things right. We must never be divided again'.**

*Yayasan Hak member to NGO from West Timor, December 2001*

### **1. Staffing**

CAVR staffing capacity has increased dramatically in the June-July period. CAVR now has 220 personnel, including National and Regional Commissioners. Most of these personnel are based in the districts reflecting the rapid regionalisation of the Commission as it prepares to enter its full operational phase. The national office has 60 personnel, most of whom are East Timorese. Approximately another 15 national office staff will be phased in over the next three months, principally in the research, database and public information fields.

Recruitment of Regional and District staff was conducted in two phases: (1) 10-28 June, in the seven districts of Dili, Liquica, Baucau, Lospalos, Manatuto, Viqueque and Oecussi; (2) 15 July-2 August, in the remaining 6 districts of Aileu, Manufahe, Covalima, Ainaro, Maliana and Ermera. Approximately 1900 people applied for 141 positions.

Each district team comprises 9 staff members, with two and in some cases three Regional Commissioners. Positions include a District Coordinator, Truth-Seeking Statement Takers, Community Reconciliation Officers, Community Outreach/Victim Support Officers and Logistic/Transport officers. These teams will implement the functions of the CAVR in each sub-district of their respective districts. Regional Teams comprise a Regional Coordinator and two staff members (plus two security officers) to support and coordinate the activities of District Teams.

CAVR provides for an evaluation of all staff 3 months into their work.

Negotiations with UNDP and donors are continuing regarding the provision of International Technical Support staff to CAVR.

### **2. Management**

National Commissioners have appointed Lucio dos Santos as Executive Director of CAVR and Galuh Wandita Soedjatmoko as Deputy Executive Director. The appointments follow the resignation of Joao de Jesus e Costa

Baptista following an evaluation conducted by National Commissioners at the conclusion of the Executive Director's 3-month probation period.

Lucio, 37, is a graduate in theology and philosophy from STFT Widya Sasana University in Malang, Indonesia, and came to CAVR from IOM where he was national program coordinator for the community development BELE project. He has previously worked for SCF and CARE International. He speaks Tetun, Portuguese, Indonesian and English. Prior to his appointment, he worked with Galuh Wandita for 3 months as CAVR co-Program Manager.

Galuh, 36, was born in Jakarta and came to CAVR from the UNTAET Human Rights Unit where she was responsible for gender and human rights training. She previously worked with Fokupers and Oxfam, in various capacities, from 1990-1999. She graduated in Sociology/Anthropology from Swarthmore College, PA, USA and speaks Indonesian, English, and conversational Tetun and Japanese. Galuh has been closely involved in the design and establishment of CAVR from the beginning.

As co-Program Managers, Lucio and Galuh were responsible for the development and implementation of CAVR functions. Their appointment to the two senior management positions will enhance team work and ensure a strong focus on the operationalisation of CAVR functions.

The appointments, effective 1 August 2002, have been accompanied by a review of management, a redefinition of roles and an 'internal audit' of the structure and functioning of each CAVR Unit.

CAVR National Commissioners held 7 formal meetings in June-July and dealt with a wide range of policy and operational issues.

### **3. Training**

Capacity building is a major focus of the CAVR's work, especially in the first year of operation. As a large national human rights institution with a unique mandate, CAVR Commissioners and staff are embarked on a learning process in all aspects of their work.

Training of regional commissioners and staff has been provided in June-July in two phases.

Phase one involved training for Regional Commissioners and district staff from 7 districts. Two trainings were provided. (1) June 3-7, An Orientation and Planning Workshop was held in Dili for 16 Regional Commissioners; and (2) July 1-5, An Orientation and Planning Workshop for Regional and District Staff from 7 districts was held in Dili. These trainings covered team building, the mandate and functions of CAVR, roles, the international context of CAVR and human rights principles, a basic action plan for the first steps of regional operation, and the establishment of coordination and communication systems between the National and Regional Offices and the Regional and District Offices. A workshop for the thirteen Regional Commissioners not included in the first training was held 8-12 July.

Phase two involved more focussed training for Regional Commissioners and staff, 29 July – 7 August, in Dili. The objectives of this training included evaluating the results of the socialisation and community consultation process (see below), completion of district work plans, detailed training in preparation for the implementation of Truth-Seeking and Community Reconciliation functions in the community, training in a range of administrative procedures, including effective reporting and coordination systems, and input to ensure staff understand the substantive work responsibilities and contractual duties.

Regional staff have been provided with a ready reference in the form of an Operations Manual which also includes a Regional Finance Manual. A 13 day training for Statement-Takers has been prepared and will be delivered in August, drawing on valuable experience gained from the Truth-Seeking Pilot Project in Atauro. A specialised training in Community Reconciliation Procedures (CRP) will also be delivered in August.

#### **4. Socialisation and community consultation**

From 9-26 July, Regional Commissioners and staff undertook socialisation and consultations in thirty three (33) sub-districts in the three regions of Baucau, Dili and Oecussi.

A 10 –page set of ‘Guidelines for Sub-District Consultations’, including reporting formats, was prepared to assist staff and Commissioners in this process.

The purpose of the socialisation was to further familiarise local communities with the work and functions of CAVR and to hear the views of local communities regarding the need for Community Reconciliation Procedures (CRPs) and Truth-Seeking in the sub-districts. An additional objective was to identify instances of violence and human rights violations within the political context which occurred in the sub-districts between 1974 and 1999. The results of this work were evaluated during phase two training conducted in Dili 29 July – 7 August and will be referred to the National Commissioners to decide which issues will be the subject of further research, investigations and public hearings.

Socialisation and community consultation will be conducted in the remaining 6 districts during August.

#### **5. Communications**

CAVR issued a number of media releases in June-July and continued its weekly coverage with *Radio Hironelle*. CAVR has also placed material in *Cidadaun* and *Talitakum*, both of which are respected journals and which are distributed in West Timor. 50,000 copies of the previously produced 4-colour, 16 page booklet on CAVR were distributed to all parts of East Timor in the June-July period to assist in the socialisation/consultation process referred to above. Specific plans are being developed to produce two CAVR VCD's, a weekly radio program for distribution to all radio stations in East Timor, and public service announcements.

## **6. Pilot Project**

CAVR has recently completed a pilot project for statement taking in Atauro. The Commission collected a total of 33 statements from victims of human rights violations. The violations documented include murder, torture, rape and forced displacement. The pilot projects were carried out in two periods: (1) 28 May – 7 June, and (2) 22- 30 June 2002. In the first visit, three teams of statement takers (interviewers) and support staff had traveled to Vila, the major population centre on Atauro for one week. National Commissioner Jacinto Alves also visited the island and addressed a community meeting. Mr Alves said Atauro residents responded positively to information about the Commission's work. The second visit completed this pilot statement taking process. The project yielded valuable lessons in logistics and methodology. As a result CAVR has revised its language policy to enable the statement to be written down in the language of the witness and has decided to tape record all interviews to ensure accuracy. Statement takers also found that witnesses appreciate hearing a playback of their testimony. A three day evaluation and training based on the Pilot Project was conducted 19-21 June before staff returned to Atauro.

A report on this evaluation has been prepared by consultant, Harry Ribowo, who also contributed to the finalising of a list of human rights violations to be prioritised in the truth-seeking function. Harry will return to East Timor, 5-16 August, to provide further trainings and assistance.

## **7. Policies and methodology**

As part of intense preparations undertaken in June-July prior to complete operationalisation, policies have been developed in the following areas:

- Confidentiality
- Children
- Women
- The rights of deponents.

A policy is also being developed on witness protection. This has involved research in the practices of other Truth Commissions and consultation with relevant bodies, including the Office of the High Commissioner for Human Rights in Geneva, the Police, Serious Crimes Unit and UNHCR.

During June-July, CAVR has also completed development of Statement-Taking Forms for Truth-Seeking and Community Reconciliation Procedures. The development of these Forms involved substantial research and workshopping, accompanied by the development of training materials.

A number of procedural documents have also been developed. These include a National Finance Manual, Regional Finance Manual, Guidelines for Sub-District Consultations and Statement Taking Forms for Truth-Seeking and Community Reconciliation.

CAVR has held many discussions with PRADET TL, which has extensive experience in trauma counselling and training in East Timor, regarding the

training of statement takers on interviewing techniques for vulnerable people, on recognising signs of trauma and stress and on ways statement takers and other staff can handle stress they experience as a result of their work with victims and deponents.

Ken Ward, a database consultant with previous human rights database experience in East Timor and Latin America, held a week of consultations with CAVR in early July preparatory to designing a data base for CAVR. Discussions focussed on identifying CAVR's needs in information management, the coding and processing of information and the human and physical resources needed to operate the data base.

### **8. MOU with General Prosecutor**

On 4 June, Commission Chair Aniceto Guterres Lopes and East Timor's Prosecutor General Longuinhos Monteiro signed a memorandum of understanding on the working relationship between the Commission and East Timor's Office of the General Prosecutor. The MOU is particularly significant in the operational phase of the Commission's Truth Seeking and CRP mandate.

The memorandum details the circumstances in which information might be exchanged between the Commission and the Office of the General Prosecutor. It notes that the Commission and the Prosecutor's office will make every effort to ensure the independence and integrity of both institutions, and to protect the confidentiality of information received by either institution. It states that, whilst the Commission and the Office of the General Prosecutor are independent institutions with different mandates, 'both organisations are committed to working together to the greatest extent possible within their mandates to assist the process of justice for past human rights abuses in East Timor'.

### **9. Refugee related matters**

The Commissioner responsible for Acolhimento/Victim Support, Isabel Guterres, and staff have continued their involvement with UNHCR. Commissioner Guterres visited refugee communities in Kefa, West Timor, in June and July participated in two meetings, in West Timor and East Timor respectively, with militia and refugee leaders, including the Militia Commander Joao da Silva Tavares. CAVR Chair Aniceto Guterres Lopes has also participated in this work. In July, staff held meetings with refugee returnees in Bobonaro with Yayasan Hak. Staff from the Acolhimento/Victim Support Unit also participated in the program of socialisation and community consultation conducted in 33 sub-districts in July. This included identifying villages in which there are problems for returning refugees and villages in which people, who left in 1999, have still not returned. This work is in preparation for District Teams working with these target communities to assist in re-integrating community members. District Teams from the six districts of Maliana, Covalima, Ainaro, Ermera, Aileu and Manufahe will complete this process in August.

## **10. High level liaison**

In June-July, CAVR had the following high level meetings:

- 11 June: meeting with National Youth Committee for Reconciliation
- 18 June: meeting with President of the Parliament, Lu'Olo. Lu'Olo agreed to consult CAVR on the proposed Amnesty law, but urged CAVR not to wait and to undertake its reconciliation work.
- 21 June: meeting with Bishop Belo
- 21 June: meeting with visiting Swedish Ambassador
- 24 June: meeting with Prime Minister, Dr Mari Alkatiri. Issues discussed include who in Government CAVR should relate to post-UNTAET, financial audit, amnesty, returnees.
- 3 July: meeting with Japanese government delegation on security.
- 5 July: official visit to CAVR by the SRSG and Head of UNMISET, Mr Kamallesh Sharma. The SRSG toured the office, met with staff and spoke to a training of some 80 regional staff. He also met with National Commissioners and discussed the work of the Commission and related issues including amnesty. At the conclusion of the visit, the SRSG told media he was impressed by what he had learned and that CAVR enjoyed his and the UN's full support.
- 11 July: meeting with Bishop of Baucau Diocese, Dom Basilio do Nascimento.

## **11. Amnesty issue**

CAVR has had ongoing discussions with interested parties since the release of the draft Law on Amnesty and Pardon in May. On 18 June, National Commissioners discussed the proposed legislation with the President of East Timor's National Parliament, Francisco Guterres (Lu'Olo). CAVR stressed the practical value of its Community Reconciliation Process and need for all interested parties to be involved in discussions on any amnesty law. Lu'Olo undertook to facilitate further consultation with the Parliament, including the Fretilin party, and encouraged CAVR to continue its work. On 24 June, Commissioners discussed the issue with Prime Minister Alkatiri. The Prime Minister reiterated his frequently expressed support for CAVR, including in any amnesty process, offered to assist in practical ways, observed that the amnesty law was a matter for Parliament and stated that Fretilin would not use its majority in Parliament to pass any amnesty legislation.

On 17 July CAVR co-sponsored a full day seminar in Dili on amnesty, entitled 'Amnesty or Reconciliation?'. Approximately 150 people attended the seminar. Key points of debate included the experiences of other nations which have employed amnesty or pardon laws and the form of such laws, the impact of amnesty on civil society and a discussion of the appropriateness of an amnesty or pardon law in the East Timorese socio-political context. Speakers included: Bishop Belo, Patrick Burgess (Head of UNMISET Human Rights Unit), Jacinto Alves (CAVR National Commissioner), Agio Pereira (Chief of Staff, Office of the President of RDTL), Clementino Amaral (National Parliament) Aniceto Neves (Victim's Association), Cecilio Freitas Caminho (Director, NGO Forum) and Hendardi (PBHI Indonesia). The Commission has prepared an interim report on the seminar and plans to forward a revised version of this report to all key stakeholders.

On 29 June, Bishop Belo issued a pastoral letter on amnesty entitled 'On Amnesty and the Settlement of Crimes Against Humanity: A Pastoral Appeal'. CAVR has prepared a summary of this pastoral with comment on its implications for CAVR.

### **12. Rehabilitation of Balide Prison**

On 2 July CAVR signed a contract with Pitt and Sherry Consulting Engineers to design and supervise the rehabilitation of the former Balide prison as the CAVR national office and Dili regional office. The prison dates from Portuguese times and is both an historical and human rights heritage site of significance. CAVR has temporary accommodation in the Education Department's teacher's college (former UNAMET/CNRT compound) but is expected to vacate this when its permanent premises are ready. The rehabilitation of the Balide prison is being funded by a grant from the Japanese Government. CAVR has signed an MOU with ASSEPOL (ex-Political Prisoners Association) to transfer the building to ASSEPOL management as a human rights museum, living monument to those who suffered in the prison, and a human rights centre, after CAVR completes its work in 2004.

In July, Pitt and Sherry conducted site surveys, prepared a conservation management plan and statement of historical significance, planned office locations and facilities and prepared tender documents. Tenders are currently being sought. Work on rehabilitation will commence early September.

### **13. Finance**

Several new grants/pledges were received in the June-July period:  
Norway – NOK2,000,000 (USD252,838). Cash grant, not earmarked.  
Ireland Aid – EURO150,000 (agreement signed 27 July 2002). Cash grant, not earmarked.  
Canada - CAN300,000 (approx USD192,000). Cash grant, not earmarked.  
EC through UNHCR – US317,000 (signed 7 May, banked July). Earmarked.

Additional grants are expected soon from Denmark, Sweden and Germany. A team from the Office of the Inspector-General commenced an audit of CAVR in late July. The results of this audit will be provided to the Government and donors.

As reported above, the Finance Unit has developed operational manuals for the national and regional offices. The national manual includes chapters on payments, advances, cash control, monthly finance records, coding, charts of accounts, journals, reconciliations, mobile phones, payroll, and monthly reports. Regional manuals include chapters on payments, monthly finance reporting, cash control, coding, and salaries. The manuals are in Indonesian and English.

### **13. Conference in Mexico**

Commissioner Isabel Guterres represented CAVR at a conference on truth commissions and the prevention of torture, Mexico City, 18-20 July. The

conference was sponsored by the Geneva based Association for the Prevention of Torture and brought together members of truth commissions, past and present, from many parts of the world to share information and views on how commissions have addressed the issues of torture, reparations and prevention. Commissioner Guterres spoke on the practice of torture in East Timor. Torture has been identified as a priority human rights issue for CAVR truth-seeking.

*June update text/Pat*