

UPDATE / May 2002

'Justice is the medicine which will heal the wounds of the past.'
Filomena dos Reis, NGO Forum

In May the Commission took another major step forward in its formal establishment and work. A large team of Regional Commissioners was commissioned and the Commission commenced its truth-seeking function. Both steps involved intensive consultation and preparatory work. May was also significant for the intense interest taken in the Commission by visiting international media, continuing donor support, and the re-surfacing of the amnesty question.

1. Regional Commissioners

The Transitional Administrator, Sergio Vieira de Mello, swore in 29 Regional Commissioners on 15 May. The ceremony was witnessed by then President-Elect Xanana Gusmao and the Vicar-General of the Dili Diocese of the Catholic Church. The Commissioners come from all 13 districts and were selected following a national consultation and interviews. Ten of the Commissioners are women. Commissioners made a public oath to act independently and impartially and to promote reconciliation without discrimination. In his speech, Xanana Gusmao stressed the utmost importance of removing resentment, hatred and revenge from East Timor.

Regional Commissioners from the regions of Oecusse, Baucau and Dili (covering a total of 7 districts) have signed an agreement with CAVR based on their oath of office, job description, conditions of work Directive, and Regulation 2001/10. They commenced work on 3 June with a 7-day intensive training and orientation program conducted at the CAVR national office in Dili.

2. Strategic Plan

A comprehensive strategic plan has been endorsed by the National Commissioners. The plan is divided into 10 phases, covers a 30 month period (February 2002 – July 2004) and divides into four main periods – establishment, peak operations (August 2002 – October 2003), scaling down, and report writing. The plan estimates that CAVR will take 8700 statements, facilitate 1000 community reconciliation procedures, and conduct 20 public hearings.

3. Functions

The CAVR Truth-Seeking Unit has devoted much time and energy to developing its data collection methodologies in consultation with the National Commissioners. A statement-taking form was developed in May and tested

during a preliminary field visit to Atauro Island. Three teams of statement-takers conducted the information gathering following a period of intensive training in human rights, statement taking and interview processes and techniques. Confidentiality were also developed in conjunction with the statement taking process. Residents on Atauro warmly welcomed the project. The field visit to Atauro has been evaluated and the statement-taker team will return to Atauro to continue gathering information. The return visit will be mentored by an Indonesian consultant with extensive experience in human rights fact-finding.

During May, CAVR also built up its Reception/Victim Support Unit. The Unit comprises 3 full-time staff and works in cooperation with Commissioner Isabel Guterres. Responsibilities include liaison with refugee-related organisations, both in West Timor and East Timor, and liaison with the CAVR Community Education/Public Information Unit to ensure clear and appropriate messages about the Commission and its functions are communicated to West Timor, returnees and perpetrators. As part of its reception/acolhimento outreach program, Commissioners and senior staff made several visits to West Timor in May in conjunction with UNHCR and other agencies.

In May, CAVR also produced a brochure on the Commission's perspectives, functions, and processes. 50,000 copies of the brochure have been printed in Tetun, Indonesian, Portuguese and English and distributed throughout East Timor.

4. Finances

Grants pledged to the end of May 2002 total US2.470.000. This total includes the following new pledges: NOK2 million from Norway, USD317,000 from the EC through UNHCR, and EURO150,000 from Ireland. Funding actually received and banked in the CAVR BNU account totals: USD1.009.000. Discussions regarding grants are continuing with Canada, Denmark and Sweden.

A trainee Head of Finance was appointed in May. The appointment was made after an extended search following previous attempts to identify a suitable candidate. Due to the departure of two international staff responsible for donor liaison, the Fund-Raising Unit has been shut down and its functions integrated into the Finance Unit supported by the CAVR Special Advisor. An East Timorese staff person is being sought to assist in this area supported by one international Donor Liaison Advisor as part of the CAVR International Technical Support Scheme being established in collaboration with UNDP.

The Commission budget has been revised to take into account the salary levels determined in the Remuneration Directive and the Strategic Plan.

The CAVR Finance Working Group has been transformed into a permanent Finance Committee tasked with overseeing and advising on all CAVR financial matters. The Committee meets regularly and is chaired by the CAVR Treasurer, Commissioner Olandina Caeiro.

The Finance Unit produces a monthly financial report and has produced a Finance Manual for the national office along with a smaller version for regional offices.

5. Supplementary legislation

Four Directives have been formulated and negotiated with Legal Affairs and the Office of the Transitional Administrator. The Directives, which are required by Regulation 2001/10, deal with (a) remuneration levels for Commissioners and staff, (b) the fund-raising powers of the Commission, (c) amendment to criteria for determining competence on crimes, and (d) conditions of work for staff and Regional Commissioners. These Directives are available from the CAVR office.

6. Media

Contact with international media was particularly intensive during May due to the presence in East Timor of many journalists for the Presidential Elections and independence celebrations.

A press conference, briefings and one-on-one interviews were given to the following: CNN, Reuters, Associated Press, BBC, NHK, Kyodo, Antara, Australian Broadcasting Corporation, Deutsche Press Agentur, LA Times, Washington Post, The Guardian, The Times, Liberation, Yomiuri Shimbun, Mainichi Shimbun, Asahi Shimbun, South China Morning Post, Sydney Morning Herald, The Age and The Australian. Indonesia's Antara news agency and TV 7 from Jakarta reported on the swearing in of Regional Commissioners.

Two Commissioners were also filmed and interviewed as central characters for two documentaries about East Timor. One Commissioner was interviewed by Japanese media organisations while on a visit to Japan.

CAVR provides a weekly news bulletin and regular interviews to the weekly Radio Hironelle program that is broadcast to the refugees in West Timor.

7. Training and Institutional Development

Two new East Timorese staff have been added to the Training and Institutional Development Unit and the following trainings and planning sessions have been held in May:

- Orientation for new national office staff and training in reconciliation procedures, acolhimento (reception) and victim support;
- Preparation of materials and training program for 16 regional commissioners;
- Training for Statement Takers in human rights, statement taking, interview processes and techniques.

CAVR has also benefited from a loan of equipment from UNDP which will enhance capacity to educate the community. Items loaned include VCD players and TV monitors, electricity generators, sound systems, desks and chairs.

8. Amnesty debate

The draft law on Amnesty and Pardon which was presented to the outgoing Constituent Assembly on 18 May has substantial implications for CAVR, particularly its community reconciliation role. Following endorsement by the

Cabinet, the draft is listed for early debate as Law No. 5 once the Parliament has determined its rules of procedure. The Commission has written to the Parliament requesting an opportunity to discuss the issue with the Parliament. The Commission acknowledges the importance of striking an appropriate balance between justice and reconciliation but is concerned that in its current form the proposed law does not adequately recognise the rights and needs of victims and runs the risk of undermining reconciliation in East Timor.

9. Award

In May, the CAVR website was awarded 'Site of the Week' by Asia Observer. The site was chosen because it was found to be 'useful, unique and of high quality'. The site can be accessed at: www.easttimor-reconciliation.org

10. International Technical Support Scheme

The Government and donors have responded positively to the CAVR International Technical Support Scheme. The scheme prioritises ten strategic positions for which international staff are sought. In May, after approaches by CAVR, the Government included the positions as a separate category on the '200 list', describing them as 'important to the nation'. The Scheme will be administered by UNDP and is a matter of urgency because of the departure of experienced internationals from CAVR as a result of UNTAET downsizing.

Donors have responded as follows:

- Australia: one international staff member (Finance Adviser) till August 2002.
- Britain: one international staff member for two years.
- European Commission: EC Dili office has requested Brussels to support several positions.;
- UNMISSET: strong possibility of two (Training and Institutional Development and Adviser);

Discussions are underway about additional contributions from Portugal, the Office of the High Commissioner for Human Rights, Sweden, Denmark, Germany and the United States Institute of Peace.