



LAPORAN KEMAJUAN/ UPDATE

Indonesian / English

August-September 2002

COMISSÃO DE ACOLHIMENTO, VERDADE
E RECONCILIAÇÃO DE TIMOR LESTE
(CAVR)

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The Commission for Reception, Truth and Reconciliation in East Timor (CAVR – the Portuguese acronym) is a national, independent, statutory authority. The Commission is mandated to undertake truth-seeking, facilitate community reconciliation, report on its work and findings and make recommendations for further action. For further information, visit the CAVR website at www.easttimor-reconciliation.org

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'The demand that nations act morally and acknowledge their own gross historical injustices is a novel phenomenon. Traditionally realpolitik, the belief that realism rather than ideology or ethics should drive politics, was the stronghold of international diplomacy. But beginning at the end of World War II, and quickening since the end of the Cold War, questions of morality and justice are receiving growing attention as political questions. As such, the need for restitution to past victims has become a major part of national politics and international diplomacy'.

The Guilt of Nations, by Elazar Barkan (2000)

1. Program developments

The core role of the Commission for Reception, Truth and Reconciliation (CAVR – to use its Portuguese acronym) is defined in Regulation 2001/10. This core activity involves the implementation of four main functions or programs: truth-seeking (inquiry into human rights abuses – including serious crimes, for the period 1974-1999), community reconciliation (for less serious offences), reception (acolhimento) and victim support, and, at the conclusion of its mandate, providing a public report on its work, findings and recommendations.

The following sections provide a summary of key developments in each of these programs during August-September, and therefore give a picture of where CAVR is up to in the implementation of its core functions.

Overview

District teams are now operational in all 13 districts, implementing the functions of the CAVR in their respective sub-districts.

Recruitment, training and deployment was phased in with two groups: 7 districts began work on 29 July; 6 districts began work on 12 August (ie full teams of staff and Regional Commissioners). The first step after training at the National Office was to conduct a district-wide process of socialisation and consultation. This was completed in Group A districts by 26 July, and by Group B districts by 6 September. A second training session at the National Office prepared teams for implementation of CAVR functions.

According to the 2-year National Strategic Plan, teams focus their work in a sub-district for 3 months, and then move on to the next sub-district. All teams have a schedule to complete work in their respective sub-districts. Currently district teams are working in:

Group A (began sub-district implementation on 8 August)

Dili: Sub-district Metinaro
Liquica: Sub-district Bazartete
Baucau: Sub-district Laga
Manatuto: Sub-district Soibada
Lautem: Sub-district Tutuala
Viqueque: Sub-district Lacluta
Oecussi : Sub-district Nitibe

Group B (began sub-district implementation on 23 September)

Aileu: Sub-district Laulara
 Manufahe: Sub-district Alas
 Covalima: Sub-district Fatululik
 Ainaro: Sub-district Hatu-Udo
 Bobonaro: Sub-district Atabae
 Ermera: Sub-district Letefoho

District teams have three main program areas of work: truth seeking, community reconciliation processes, and mapping the impact on communities of human rights violations and developing support processes for survivors/victims. In addition district teams are also assisting the National Office team in 'acolhimento' (reception) work at the local level, i.e. focussing on communities where returnees may not yet be fully integrated into the community and to assist this process.

1.1 Truth Seeking

National Commissioners Jacinto Alves and Jose Estevao Soares hold portfolio responsibilities for the Truth Seeking work of the Commission. Mr Hugo Fernandes is the executive Co-ordinator of the Truth Seeking Division. The Truth Seeking mandate of the Commission is set out in Part Three of Regulation 10/2001. The Commission is conducting its work using 4 main methodologies: statement-taking about human rights violations, research/investigations, public hearings, submissions from organisations.

1.1.1 Statement Taking

Each district team has four statement-taking staff currently taking statements in the sub-districts. Staff are new to this work, and so in the initial weeks are working slowly to ensure development of skills and quality of statements. Early work is being closely monitored. To 27 September 2002, a total of 203 statements had been taken across 7 13 districts. Given the growing skills and confidence of statement-takers, national staff are confident that these teams will meet the target of approximately 8000 statements by the end of operations.

Preliminary analysis of 50 statements

This analysis of 50 statements chosen at random from the first 150 statements suggests the following observations:

- The most-often reported violation is illegal detention, often accompanied by injury in detention or torture (if severe). Next most often reported are destruction of property, and arbitrary executions. Other violations reported less often include other kinds of killings and injury, disappearance, rape, extortion, forced deportation, death threats and combatant deaths.
- The high number of reports of illegal detention accompanied by torture no doubt reflects the experience of many people. It also represents the perception that these are 'human rights violations' whereas things like death by deprivation (famine) and forced recruitment (eg for 'fence of legs' operations) are often not thought of that way. Yet we know these things happened on a grand scale especially in the early years of the conflict. This points to the need to talk with statement takers about a broader concept of hrv's that includes famine and forced recruitment.
- The violations are by no means restricted to 1999 (17 violations). They also cluster around the early years of the conflict 1975-84 (a total of 30), with other violations scattered throughout the period 1974-99. A concentration in that early period of reports for 1979 and 1983-84 reflects some massive Indonesian military operations at that time.

- Most of the perpetrators reported are Indonesian army (72), with a high degree of specificity about units and individuals. Approximately one tenth are by the resistance forces Falintil/ Fretilin (9), one by the political party UDT, and some by unknown perpetrators (3).
- The quality of the statements is generally adequate, but we do need to keep talking with statement takers about improving interview techniques and attention to detail.

Right	Sub-category	Number
1.1 Killing (Right to life)	Arbitrary executions	12
1.2	Massacres	
1.3	Death by deprivation (lack of food, medical care, or shelter)	1
1.4	Civilian death during hostilities	2
1.5	Civilian death as result of indiscriminate attack	3
1.6	Death resulting from being used as a human shield	
2.1 Injury (Right to phys. Integrity & sec'y of the person)	Injured by an assassination attempt	2
2.2	Injured during forced displacement	
2.3	Civilian injured during hostilities	
2.4	Civilian injured during an indiscriminate attack	
2.5	Injured as result of being used as a human shield	
2.6	Injured in detention	12
3.1 Disappearance	Forced disappearance	4
3.2	Disappearance by unknown causes	1
4.1 Torture and cruel, inhumane and degrading treatment	Torture	14
4.2	Cruel, inhumane & degrading treatment (prison conditions)	
5.1 Rape & other serious sexual violations		3
6.1 Displacement (Right to freedom of movement)	Forced internal displacement	

6.2	Forced deportation (external)	5
6.3	Restrictions on right to farm land/ tend cattle	1
7.1 Deprivation of liberty (Right to liberty)	Illegal detention	27
7.2	Forced recruitment	1
7.3	Kidnapping (by non-state actors?)	
7.4	Forced marriage	
8.1 Right to fair trial	Unfair trial	
9.1 Right to property	Destruction of property (burning homes/ buildings/ killing cattle)	14
9.2	Burning of crops or fields	
9.3	Extortion/ looting/ theft	3
10.1 Others	Death threats	1
10.2	Combatants death (for stat purpose)	8

1.1.2 Research/Investigations

These are conducted by National Office staff and National Commissioners, with assistance from relevant district teams. An international consultant, Dr. Gerry Van Klinken, is half-way through a 3-month period with the CAVR. He has assisted the Truth Seeking Division and National Commissioners in the completion of a plan for research and investigations for the life of the Commission, covering the 25-year mandate period.

A small team of Timorese researchers/investigators has been recruited. Work is set to commence in October. This team will also work closely in analysing patterns identified in statements.

The research team will develop a number of research themes. Special effort will go into uncovering the main abuses in the early years of the conflict, 1975-1984. This will focus on understanding the massive displacements and associated famines of those years; some of the most serious massacres; the structure, strategy and tactics of the Indonesian military and police; and sexual violations. Other research themes include the structure of the East Timorese resistance (including resistance abuses); killings other than massacres; disappearances; torture; detentions; property crimes (including crop burnings); international actors; political prisoners; and children. Research methodology has been designed for most of these topics. CAVR is also researching the implications of conducting one or more exhumations of large mass graves, to be followed by a reburial (contributing to community healing, as well as human rights investigations).

CAVR has developed agreements with a number of institutions and individuals to assist with research. For example, post-graduate students at Yale and Columbia Universities are preparing literature reviews on selected topics. Students at the

Catholic University of America will help with archival research in the US. Negotiations are under way with several academics and other specialists to write papers for the final report, especially the historical sections, the military analysis, and those on international actors and on children. Amnesty International has donated a complete set of all its reports on East Timor, and Human Rights Watch is doing the same. The ICRC has provided some reports on its humanitarian work in East Timor and negotiations are under way for more. The Australian Council for Overseas Aid (ACFOA) in Australia is doing the same. Discussions with the US Catholic Relief Services (CRS) for similar material are at an early stage. The Historical Crimes Unit of Civpol in East Timor has agreed to pass information to the commission on pre-1999 events. Other agencies in Dili with human rights databases have also agreed or have been approached about giving the commission their information, much of which concerns 1999.

1.1.3 Public hearings

The CAVR will conduct a significant number of public hearings across the country over the next year and a half. There are two main models of public hearings, each with somewhat different objectives. Two international consultants from the New York-based NGO International Centre for Transitional Justice recently assisted National Commissioners and staff to finalise methodology, a plan and a schedule for these hearings.

The most common type of public hearing will be what CAVR is currently calling a 'Victims Hearing', in which people who have suffered human rights violations will be invited to testify before the CAVR. This aims to help in the personal healing process, and to develop a public sense of recognition and shared experience which assists in a wider community healing process. These will be held at local and national levels. The first national public hearing is scheduled for November/December 2002. This will be a high profile event covered by national media, with testimony to be received from survivors/victims from all districts who have suffered a range of violations, and spanning the 25-year mandate of the CAVR. It is expected that this will significantly increase awareness of CAVR's work.

At the local level, each three-month period of working in the sub-districts will end in a public meeting that will partly take the character of a victim hearing. This will effectively result in 65 victim hearings, held all over the country throughout the commission's life.

Secondly, the CAVR will hold a series of thematic/events hearings. These will help deepen the understanding of both of the Commission and the community regarding key areas or instances of human rights violations. These hearings will also aim to increase community recognition of certain phenomena and events, and in this way contribute to community healing. A tentative timetable for seven thematic hearings has been drawn up:

January 2003	Political prisoners
April 2003	Women (as victims and as peacemakers)
July 2003	International actors
17 September 2003	Kraras massacre and surrounding events (1983)
12 November 2003	Santa Cruz massacre (1991)
December 2003	Displacements and famine
January 2004	Civil war/ political parties (to be defined)

A seminar about the impact on children is also under consideration.

1.1.4 Submissions

The CAVR chairperson has written to ten leading East Timorese explaining the commission's mandate and asking for their cooperation in making submissions at the thematic public hearings. He will follow this up with personal meetings. A list is being compiled of overseas organisations to be asked to make similar submissions.

The UNMISSET Human Rights Unit is expected to produce a detailed submission to the CAVR on human rights violations which occurred in 1999. Other submissions will be considered for inclusion in the final report without being presented at a public hearing.

1.2 Community Reconciliation Processes (CRPs)

Reverend Agostinho de Vasconcelos is the National Commissioner with portfolio responsibility for the CRPs. Jaimito da Costa is the executive Co-ordinator of the Division of CRP. Section four of Regulation 2001/10 sets out the mandate and procedures for the CRPs. Essentially these apply to all crimes and other harmful acts to community, apart from serious crimes. The process is a voluntary one, where a perpetrator comes forward and admits his wrong in a statement; this statement is sent to the Office of the Prosecutor General for confirmation that it is appropriate for a community reconciliation process; with this approval a hearing is organised by the CAVR in the community, where perpetrator, victim and community members all speak before a panel of community leaders headed by a Regional Commissioner. The aim is to facilitate communities to effectively reintegrate people who have harmed the community.

Each district team has one specialised staff member working on the CRPs, and a Regional Commissioner with this specific portfolio. All district teams are currently working on the CRPs. The first CRP hearing was held near Liquica on 23 August. (See box) CRP results to date have varied from district to district, with a relatively slow start to the process. It is very early days, and all teams have indicated the need to have clear public messages from Timorese national leaders, to reinforce the legitimacy of the CRPs and to encourage communities to participate in the process. Radio and video messages will be broadcast extensively starting in October, and it is expected that these will increase awareness and trust in the process.

To date, 11 perpetrators have made statements to the CAVR. These statements are currently being processed, and hearings are expected late October or early November. Teams in the second group of districts have just begun this work, and statements are coming in each week. These early processes will be monitored closely, to ensure lessons learned are applied to future work and the process is effective.

Community Reconciliation in Liquica

CAVR held its first Community Reconciliation hearing in Maumeta, near Liquica, on 23 September. Three perpetrators of relatively minor crimes in 1999 participated in the hearing, which was attended by approximately 150 community members, the General Prosecutor, Longinhos Monteiro, and National Commissioners. The UN High Commissioner for Human Rights, Mary Robinson, also attended part of the hearing. The hearing was conducted confidently and successfully by Regional Commissioner Ana Maria dos Santos. It began with the three young perpetrators confessing their crimes to victims sitting opposite and ended with a highly symbolic 'acolhimento' led by traditional leaders who cleansed the area of hostile spirits and welcomed the offenders to join them sitting on a biti boot (large woven mat), followed by a reunion with victims. After deliberation facilitated by the Regional

Commissioners, victims and members of the local community decided to accept the apologies offered and not to impose a sanction. The process demonstrated that these hearings can be an effective melding of traditional dispute resolution methods, modern community processes and a bridge to the formal justice system.

1.3 Victim Support and Acolhimento

Ms Isabel Guterres is the National Commissioner with portfolio responsibility for Victim Support and Acolhimento (Reception). Mr. Rosario de Araujo is the executive Co-ordinator of the Division of the same name.

1.3.1 Victim Support

All members of district teams are involved in the work of listening to survivors/victims, recognising and respecting their experiences and contributing to the healing process. In addition, each district team has two staff members with the specific role of community outreach/victim support.

The community outreach/victim support staff member has many roles, including

- Support to survivors/victims of human rights violations as they participate in CAVR processes (e.g. giving statements, public hearings, community reconciliation processes);
- Facilitate analysis of impact of human rights violations in community mapping processes;
- Help mitigate the effects of re-traumatisation that may occur;
- Help honour the victims;
- Assist survivors by referral to appropriate agencies;
- Facilitate applications to the “gift to help healing” fund administered by the Community Empowerment and Local Governance Project;
- Identify recommendations for the final report, in relation to supporting victims of human rights violations.

District victim support teams are currently facilitating community mapping meetings in sub-districts, to study the impact of human rights violations on communities. A pilot programme was completed in Metinaro in August-September.

The CAVR has had the assistance of psychologist Fr. Peter Hosking (former UNAMET officer, and Head of Jesuit Refugee Services in East Timor), in further developing the processes of the Commission to achieve its healing objectives. New training programmes will be implemented in October/November to further develop this work. These will include training to minimise the risk of vicarious trauma amongst CAVR staff and Commissioners.

1.3.2 Acolhimento

Acolhimento (reception) is an unusual element to include in a Truth and Reconciliation Commission. It originated with discussions in late 1999 and early 2000 which focussed on the need to receive back East Timorese who went to West Timor in September 1999. Of approximately 260,000 who went in September, some 35,000 remain.

It is important, however, to understand both the nature and the limitations of the Acolhimento mandate of the CAVR.

The spirit of Acolhimento/Simu Maluk underpins all the work of the CAVR. It is concerned with the process of 'welcome, greeting, reception, acceptance, hospitality'. In a place where so much harm has been done to others, it is connected with forgiveness and faith. Acolhimento comes from inner strength, even though there is still pain and the effects of trauma, and although the process of reconciliation is still to happen. It is the kind of acceptance the survivor comes to beyond the stages of denial, anger, rationalisation, and depression. Acolhimento is proper courtesy, noble behaviour even if there is still an attitude of hurt: 'You did something bad, but I won't do a bad thing in response, rather I'll do a good thing and receive you. That will help you repent and help us both change for the better'.

National Commissioners have decided to seek to operate an active program in West Timor, and have held discussions with President Xanana Gusmao to seek a country-to-country agreement to allow the CAVR to be active in Indonesia. While it is not part of the CAVR mandate to take over activities of organisations such as the UNHCR or IOM in terms of repatriation, the CAVR aims to be a positive force in the process of encouraging East Timorese in West Timor to return home if they wish. The CAVR has been active in visits to Timorese communities and leaders in West Timor, and is networking with Indonesian civil society organisations active with East Timorese communities.

In October, the CAVR will commence broadcasting a weekly radio program about community participation in CAVR activities, and promoting human rights, reconciliation and the spirit of acolhimento. This program will be heard in West Timor, and used to ensure communities in West Timor understand the CAVR and how it may help with their reception into East Timorese communities when they return.

Regional Commissioners have identified particularly sensitive villages in their districts, in terms of returnees, through a national planning process. They are working with other local leaders to assist in creating a smooth path for the acceptance of returnees. CAVR's Community Reconciliation Processes are about reception in that they are aimed specifically at assisting with the reintegration of low-level offenders into their village communities. In a more general sense, Regional Commissioners and their staff work in communities to promote a culture of welcoming, respect for human rights and a working towards reconciliation.

1.4 Final report

A draft outline of the final report has been decided on following detailed discussion during a 3-day CAVR retreat held 5-7 September in Dare. This process was assisted by two consultants from the New York based International Centre for Transitional Justice who play an ongoing advising role to CAVR.

The development of the framework for the final report is important because the content of the final report determines the current fact-finding and research program of the Commission.

In summary, it is envisaged the report will be titled 'The Voice of the Victims' and will fall into 4 parts:

- Part One will deal with the mandate, methodology and workings of the Commission.
- Part Two will report on historical findings, period by period, and include a mix of narration, illustrative cases, and themes/patterns.
- Part Three will cover conclusions and recommendations.

- Part Four will comprise appendices of lists of names, chronological data, statistics, and table and maps.

2. Management, training and staffing

2.1 Management

The Senior Management Team of the Executive comprises the Executive Director (Mr. Lucio dos Santos), Program and Regional Co-ordination Manager (Ms Galuh Wandita), Co-ordinator Truth Seeking Division (Mr. Hugo Fernandes), Co-ordinator Community Reconciliation Division (Mr. Jaimito da Costa), Co-ordinator Acolhimento and Victim Support Division (Mr. Rosario da Araujo), Co-ordinator Administration Division (Mr. Francisco Guterres Amaral), Co-ordinator Division of Finance (Ms Ligia da Costa), Special Advisor (Mr Pat Walsh).

The Senior Management Team meets weekly to co-ordinate key operational decision-making, and the Executive Director reports weekly to the National Commissioners to ensure consistency between policy and implementation.

Systems are in place for effective regional co-ordination with regional and district teams. District teams have a Management Team comprising Regional Commissioners and District Co-ordinator. Full teams meet weekly to co-ordinate operational planning, and hold monthly evaluation meetings. Each month Regional Commissioners meet with Regional and District Co-ordinators to hold a further evaluation. District teams provide weekly reports to Regional Co-ordinators and the National Office. The National Office has a regular weekly visit to all Regional Offices to liaise, provide mail and supplies, to collect reports and Truth Seeking and Community Reconciliation Process statements for processing. A monthly payroll system for Regional and District teams is in place, with salaries being delivered to districts each month. In addition a system of regular monitoring and support to district teams implementing the programme in sub-districts is in place.

2.2 Training

August-September saw the completion of the major institution building phase of the CAVR as a truly national institution. Teams from all districts completed all stages of their preparatory training, and were deployed to sub-districts for implementation of the CAVR program.

Specifically the following training modules were implemented:

- July 29-August 16: Phase Two training for Regional Commissioners and all staff from Group A districts (16 Regional Commissioners, 72 staff), including:
 - Evaluation of community consultations, sensitisation for working with survivors/victims of human rights violations, administrative procedures, strategic planning at district level (16 Regional Commissioners, 72 staff for 3 days);
 - Truth Seeking Statement training (28 staff for 12 days);
 - Community Reconciliation Processes (7 staff and 7 Regional Commissioners for 5 days);
 - Community Outreach and Victim Support training (14 staff for 5 days);

- Management training and planning workshop (16 Regional Commissioners, 4 Regional Co-ordinators and 7 District Co-ordinators for 3 days);
 - Finance and Administration (3 Regional staff for 5 days);
 - Logistics (10 logistics staff for 5 days).
- August 12-16: Phase One training for all staff from Group B districts (69 staff), including:
 - Orientation to the mandate, objectives and functions of the CAVR;
 - Basic human rights training;
 - Training on the context and principles of transitional justice;
 - Training and preparation for conducting a district-wide socialisation and consultation process;
 - Training on the CAVR 2-year strategic plan, and implementation at Regional and District level;
 - Basic introduction to administrative procedures, including workers rights and duties.
 - September 9-19: Phase Two training for all Regional Commissioners and staff from Group B districts. Program essentially the same as Phase Two with Group A districts.
 - September 17-19: Community Reconciliation Processes public hearing training for Regional Commissioners and CRP Officers from all districts (13 Regional Commissioners and 13 staff for 3 days).

This work was co-ordinated by the National Office Institutional Development and Capacity Building Unit. External support was provided by two international consultants, Timorese NGOs (Yayasan Hak, Fokupers, Pradet), and the UNMISSET Human Rights Unit. A key to their strategy was the development of training skills amongst each Division of the National Office, which has resulted in more confident and skilled teams across all areas of work.

A monitoring schedule has been developed, and training needs assessments are being conducted for ongoing capacity building.

A number of valued international staff have left CAVR during August-September on completion of their contracts or for personal reasons. They include Sharon Riley (Finance Advisor), Sue Loughlin (Truth-Seeking), Ana Mesquita (Truth-Seeking), Emily Langston (Legal Officer). Their departure has created extra demands and CAVR looks forward to the arrival of new international staff particularly through UNDP which has commenced advertising for some of the 10 CAVR positions listed on their website.

3. Community Outreach and Public Information

At the National Office level, a series of strategies are being implemented to increase public and key stakeholder awareness of the CAVR and its work. This remains a key challenge.

US AID has provided funding to establish a Public Information Production team, whose primary strategy is the production of a weekly radio program to be broadcast by all radio stations in East Timor.

This program will have a strong emphasis on broadcasting perspectives and experiences from district communities. The team has commenced preparatory work, and are awaiting procurement of equipment before they go to air.

A public education VCD/video is also nearly completed, to be distributed to district teams and played across the country. This will be augmented with a second VCD of interviews with key national figures, showing their support for the CAVR and encouraging community members to participate in the process. Interviews have been conducted with President Xanana Gusmao, Prime Minister Mari Alkatiri, and Parliamentary President Lu'olo amongst others.

A series of public information and public enthusiasm materials is planned for later in the year, linking to the spirit of Christmas and leading into the new year.

The Community Outreach team has also organised a series of workshops with key stakeholders.

Two workshops have been conducted to date, with human rights NGOs and media respectively. They have been well attended, with commitment to follow-up co-operation in each instance. These are ongoing, with upcoming workshops to include religious institutions, health-related institutions and organisations, and education-related institutions and organisations.

4. Visitors and liaison

Following is a selection of strategic meetings held during August-September:

- 2 August: briefing to Dr Aicha Basarewan, Vice-Minister for Finance and Planning.
- 2 August: visit by new ICRC Delegate to discuss information needs of CAVR.
- 7 August: Suzannah Linton briefed Commissioners on the Ad Hoc trials in Jakarta.
- 8 August: first official visit to CAVR by the Australian Ambassador, Paul Foley.
- 8 August: UNESCO representative from Jakarta, Philippe de Lange, to discuss implications of the Uma Fukun human rights centre and the CAVR prison project.
- 16 August: JICA to discuss Japanese support for the Historical Researcher position.
- 21 August: German Ambassador to Indonesia and East Timor, Dr Gerhard Falda.
- 23 August: filming of interview with President Xanana for CAVR video.
- 23 August: CAVR hosted dinner for UN-HCHR, Mary Robinson.
- 27 August: filming of interview with Prime Minister, Mari Alkatiri.
- 28 August: filming of interview with Parliamentary President, Lu'Olo, for use in CAVR video.
- 2 September: tour of prison project by Head of Japanese Mission, Hideo Fukushima.
- 4 September: Prof Gerard Carney and Prof Patrick Quirk to explore research support from Catholic University of America.
- 6 September: Paul van Zyl and Paul Seils, International Centre for Transitional Justice to review methodological developments.
- 9 September: President Xanana Gusmao (see box)
- 9 September: exile pro-democracy delegation from Burma.

- 11 September: Ellis Close, Newsweek.
- 24 September: Commission for Veterans Affairs to learn from CAVR experience.
- 25 September: Lucia Withers, researcher from Amnesty International.

Visit by President

President Xanana Gusmao made his first visit as President to the Commission on 9 September. The President met staff, visited a training session and held a one and a half hour dialogue with Commissioners and senior staff. Representatives of IOM, UNHCR, UNMISSET Human Rights Unit and Serious Crimes were also present at the President's request. The President stressed the importance of the working together, not in isolation. CAVR raised issues of working in West Timor, amnesty and the Jakarta trials. Commenting on the broader context and the needs of returnees, the President observed 'there will not be reconciliation without justice, but if there's only justice there will not be reconciliation'. The President confirmed that the Government had agreed that CAVR will report to the President, though this needs to be formalised in amending legislation. A text is being drafted for the consideration of the Parliament.

5. Finance and procurement

The following is a summary of the present fund-raising situation.

Funds received

Donor	Amount (USD)	Status	Notes
Australia	160,711	Banked	Not earmarked
Britain	31,380	Spent/acquited	Earmarked
Britain	186,282	Banked	Earmarked
Canada	190,075	Banked	Not earmarked
EC through UNHCR	199,995	Banked	Earmarked
Finland	20,004	Banked	Earmarked
Ireland	1,200	Spent/acquited	Bldg assessment
Ireland	147,066	Banked	Not earmarked
Japan	530,000	Banked	Earmarked
Norway	252,838	Banked	Not earmarked
US AID	85,400	Goods in kind	Pre-CAVR
USIP	20,000	Banked	Earmarked
Total	1,824,951		

Funds pledged

Donor	Amount (USD)	Status	Notes
Britain	61,000	Definite	Balance of FY2001/2 grant
Britain	291,000	Definite	Delayed because of Afghanistan
EC through UNHCR	117,000	Second tranche	Earmarked
Germany	200,000	Definite	Earmarked
Germany	17,000	Definite	Earmarked
Japan	470,000	Second tranche	Conditional on performance

US AID	7,985	Definite	Earmarked
USIP	20,000	Definite	Earmarked
Total	1,183,985		

Concrete expressions of interest

Donor	Amount	Status	Notes
Denmark			
Sweden			

No new grants have been received during the August-September period. A grant is expected from Germany in October following submission of an application. The Finance Unit has been without a Finance Advisor since 9 August when Sharon Riley's contract with AusAID finished. CAVR has applied to AusAID for a replacement and finalisation of this application is expected soon. Sharon Riley's final report will assist in the design of terms of reference for the successor position which, if granted, will be managed by the Australia-East Timor Capacity Building Facility. Les Johnson, a Chartered Accountant with extensive experience in East Timor, has been engaged as a part-time Advisor in the interim. Two additional local staff are to be added to the Finance Division to assist with the heavy workload resulting from the significant increase in activities and staff numbers.

On 13 August, the Inspector-General, Mariano Lopes da Cruz, submitted an audit report for the financial period 1 July 2001 to 30 April 2002. The audit concluded that 'the internal control environment was found to be reasonable and conclusive to efficient and effective operations'. The audit identified some needs and recommended the development of (a) a fixed asset register, (b) a payment voucher system, and (c) clearer reporting on the correlation between expenditure and donor grants. In response CAVR has updated its assets register, instituted a payment voucher system, and has hired an interim Finance Advisor to assist with reporting to donors.

CAVR has received legal advice on Section 9.2 of Regulation 2001/10, which deals with the financial obligations of the Commission. According to this advice, it is clear that CAVR must prepare quarterly statements, but it is not necessary that these statements be audited quarterly as previously assumed. Accordingly, CAVR will recommend to the Government that audits every 3 months are not required and that standard auditing schedules are followed.

During August-September, CAVR successfully negotiated the purchase of USD23,000 worth of office equipment, computers and other equipment for regional and district offices. The goods were purchased from UNMISSET stocks declared in excess and sold to CAVR at depreciated value.

During the period under review, CAVR applied to the Government for a loan of vehicles but was unsuccessful. As a result CAVR is purchasing more vehicles, including four-wheel drives and motorbikes, to ensure that field workers have the means to carry out their tasks. An account system has been developed with East Timor Fuel for supply of fuel to CAVR in each district.

6. Rehabilitation of Balide prison

On 2 September CAVR signed a contract with the East Timorese construction firm Rosario P/L to rehabilitate the former historic Balide prison. The complex will serve as the CAVR national office and be transferred to community management as an on-

going centre/museum for human rights when CAVR completes its mandate. Thirty nine companies submitted bids for the project. Work is well underway after some initial problems involving demands for compensation and jobs from the local community. Construction is due to finish on 23 December and is being supervised Pitt and Sherry. Neil Barrett, an Australian volunteer and video producer, recently conducted a series of moving interviews in the prison complex with former prisoners, before the commencement of rehabilitation works. This documentation will enable future generations to understand and appreciate the suffering endured there. The prison itself is a record of East Timor's tragic history each phase of which has been reflected in the prison's use. The Managing Director of Rosario P/L was interned there 1975-1979.

August-September Update