



REPÚBLICA DEMOCRÁTICA DE TIMOR-LESTE

Statement by Senior Minister Ana Pessoa
Minister for State Administration
Human Rights Council
Geneva, 20 june 2006

Permanent Mission of Democratic Republic of Timor-Leste
GENEVA

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Mr. President

Madam High Commissioner

Ladies and Gentlemen,

I am very honoured to have the privilege to address your Excellencies at this historic launch of the United Nations Human Rights Council

This new body better reflects the universality of human rights by elevating the Council into a body directly elected by the General Assembly, giving it greater transparency and legitimacy. It has also an explicitly defined function of periodically reviewing the record of all states, starting with that of its own members, in fulfilling their human rights obligations. This approach will strengthen and help to improve the human rights work of the Organization as a whole.

At the same time, the Council will preserve the best features of the Commission, including the use of independent rapporteurs and the opportunity for non-governmental organizations to play their essential role in the Organization's human rights work.

The government of Timor-Leste having ratified the core human right treaties, became obligated to implement the provisions of these treaties and to submit reports detailing its progress in implementation and it committed in good faith to pilot the common core Document.

Timor-Leste strongly affirms the view of the Office of the High Commissioner for Human rights that international human rights treaties are of strategic importance, and that the ongoing process of treaty reporting should be welcomed as a dynamic opportunity for State parties to:

- Clarify their obligations under the range of treaties to which they are party

- Assess progress made in the implementation of their Human rights obligations
- Identify need and goals for more effective implementation of those obligations

The reporting process in Timor-Leste involved widespread consultation in the community which facilitated a socialization of the treaties and the treaty reporting process.

We would like to commend the Office of the High Commissioner for Human Rights for maintaining the Worksop scheduled for [the] 23rd to [the] 25th of May directed to civil society, NGO's, the *Provedor* and UN agencies, on strengthening the National Human Rights Protection Mechanism.

We would also want to express our gratitude to the support given by the Office of the High Commissioner for Human Rights to the Timor-Leste Government in this area through their technical and cooperation program.

Mr. President,

As all are aware, we are undergoing a crisis. Allow me to address a few words on the request by my government to the UN for the establishment of a Special Commission of Inquiry.

On 10th May 2006, Timor-Leste's Senior Minister and Minister of Foreign Affairs and Cooperation wrote to the High Commissioner for Human Rights to issue a standing invitation to all special procedures mandate holders of the Human Rights Council, and also specifically requested relevant mandates to undertake investigations into the events of the 28-29 April 2006.

Given the seriousness of the subsequent events in May the government of Timor-Leste called for the establishment of an independent Special Inquiry Commission to review specific violent incidents and other related events or issues which contributed to the present crisis in Timor-Leste.

The establishment of the facts and circumstances relevant to the incidents on 28-29 April, and 23, 24 and 25 May and other related events or issues is critical for Timor-Leste to overcome its present crisis, achieve reconciliation and uphold the rule of law.

THIS WILL INCLUDE NOT ONLY to inquire into all the relevant facts and circumstances of acts of violence committed during and related to the following incidents:

- the incident of 28/29 April 2006, namely the inaction of PNTL, the alleged breakdown of PNTL chain of command and the alleged death of 60 Timorese citizens in the Taci Tolo area of Dili, then under the control of F-FDTL military personnel.
- the incidents of the 23th of May where allegedly ex-FFDTL members under the Command of Mr. Alfredo Reinado and PNTL members attacked F-FDTL elements.
- the incidents of the 24th of May where allegedly elements of PNTL and Petitioners attacked the F-FDTL Headquarters in Taci Tolu, and the attack on the official residence of Commander, Brigadier General Tuar Matan Ruak.
- the incident of 25th May 2006, namely all the relevant facts and circumstances of the attacks on the Military Police Headquarters and the PNTL HQ, in which unarmed PNTL Officers were killed and UNPOL and PNTL Officers were injured, after a ceasefire agreement had been negotiated by UN Officers with F-FDTL Commander, Brigadier General Tuar Matan Ruak.

BUT ALSO TO analyse the institutions and the causes of the crisis they are suffering. It is crucial that the Commission understands the institutional problems faced and the circumstances that lead to this crisis in order to recommend measures both to their reorganization and to re-establish public confidence in security institutions.

Mr. President,

The reason we have asked the UN to establish this inquiry is because the State of Timor-Leste wishes to ensure without delay an independent, credible and internationally accepted probe into the recent events. We hope that a Final Report be submitted within a three month period of its inauguration.

The Objective of the Commission of Inquiry would be to establish the circumstances and factual truth that lead to the crisis in security institutions and recommend tangible steps to reconstitute Timor-Leste's security sector in an equitable and sustainable manner, in full respect for the Rule of Law.

The Government is committed to ensure that the outcome of such an inquiry will contribute towards this end. Likewise, the Government is committed to guaranteeing accountability for criminal and human rights violations allegedly perpetrated during recent events.

The Government considers the domestic justice system should be the primary setting of accountability for any criminal or human rights violations.

This is deemed an important step in re-establishing public confidence in our justice system and security institutions.

HUMANITARIAN SITUATION AND ASSISTANCE FROM UN AGENCIES

The humanitarian situation has been managed very well by our Minister for Labour and Community Reinsertion, H.E. Arsenio Bano who chairs the Inter-Agency Humanitarian Coordination Working Group that includes other Government Ministries and Agencies, the UN Country Team, IOM, INGOs, NGOs and specific sector working group heads.

In a very short time along with Minister Bano, they were able to mobilize and provide services to the large number of IDPs. Allow me to express our gratitude to OCHA for their assistance and for the launch in Dili, New York and Geneva of the *Flash Appeal*.

A special reference is made to the Catholic Church of Timor-Leste for the unwavering assistance provided to the population in Dili.

In ending, Mr. President, I wish to address an appeal to the Council members and States present at this historic first Human Rights Council meeting:

Timor-Leste is a young four-year old nation. As with any newly born country, we have been living through setbacks.

However, we are determined to building a democratic, sustainable country in which political, social, economic and cultural development will bring a brighter future to our People.

I know, that, as in the past, the international community will not fail us at this crucial moment of our History.

Thank you