

# East Timor *Update*

February 2001



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## I N T R O D U C T I O N

February started out with the historical transition of FALINTIL into the East Timor Defence Force.

At a ceremony in Aileu marking this transition on 1 February, Transitional Administrator Sergio Vieira de Mello appointed FALINTIL Commander Taur Matan Ruak as the Commander-in-Chief of the Force, with the rank of Brigadier-General.

In a speech to FALINTIL members and guests, the Transitional Administrator expressed his deepest respect for the independence fighters and their 25-year old struggle.

“Armed with little beyond moral courage and despite hunger, deprivation and innumerable setbacks, FALINTIL prevailed over a massive occupying force,” Mr. Vieira de Mello said, adding that the memory of the fighters will live on forever in the history of East Timor.

The Transitional Administrator announced that a FALINTIL Veterans Association, which will inherit the name and symbols of FALINTIL, would be established with immediate effect. The Transitional Administration will also draw up legislation to ensure that no one else will claim or use of FALINTIL’s symbols.

The historic day started with a Mass in memory of fallen FALINTIL soldiers, followed by the lowering of the FALINTIL flag and raising of the United Nations flag. Among those present at the ceremony were FALINTIL Commander Taur Matan Ruak, CNRT President Xanana Gusmão, Bishop Carlos Ximenes Belo and Force Commander Boonsrang Niumpradit.

February also saw the first large-scale debate on human rights in the country. More than 130 people from all walks of East Timorese life congregated on 12 February for a symposium on human rights, reconciliation and elections in the country.

The overall goal of the symposium was to promote and encourage discussions at all levels of East Timorese society on the reconciliation and electoral processes, and their link to human rights.

The symposium, which ended on 13 February, was organized by the United Nations Development Programme (UNDP) in conjunction

with UNTAET and the NGO Forum.

Speakers and panelists included Mr. Gusmão, Cabinet Member for Political Affairs Peter Galbraith, Director of the Electoral Assistance Division at UN Headquarters Carina Perelli, Executive Director of Yayasan Hak Aniceto Guterres and UNDP Representative and UN Development Coordinator Finn Reske-Nielsen.

An Australian parliamentary delegation led by Senator Alan Ferguson, chairman of the Defense Sub-Committee of the Joint Standing Committee on Foreign Affairs, Defence and Trade, arrived in Dili on 12 February for a two-day visit.

The eight-member delegation went to Suai District and Batugade, Maliana District on 12 February to visit the Australian Battalion of the United Nations Peacekeeping Force.

On 13 February, the delegation inspected a water infrastructure project funded by AusAID, followed by meetings with the Deputy Transitional Administrator, Jean-Christian Cady, UNTAET’s Human Rights Unit, the budget team of ETTA and the United Nations High Commissioner for Refugees (UNHCR) representatives.

The Administrator of UNDP, Mark Malloch Brown, arrived in East Timor on 10 February for a two-day visit. During the human rights symposium on 12 February, Mr. Malloch Brown underlined that rights should be at the center of building a democratic society.

“The biggest threat to a nation is poverty,” he said. “That is why UNDP promotes the rights-based approach to development.”

Mr. Malloch Brown met with the East Timorese leadership, senior UN officials and the donor community to discuss how support for capacity building can be strengthened to ensure that an efficient, representative and independent government can eventually be established.

The Administrator began his first visit to East Timor at the Santa Cruz Cemetery, where a wreath was laid in memory of those who gave their lives in the fight for freedom.

The Administrator also participated in the launch of a new UNDP-funded anti-corruption project, which will be implemented through ETTA’s Inspector General’s office. The

US\$250,000 project aims to prepare the office for guarding against corruption, once East Timor gains full independence.

East Timor Transitional Cabinet Member for Foreign Affairs, José Ramos-Horta, described his first official visit to Indonesia as very fruitful, noting that he had excellent meetings, including those with President Abdurrahman Wahid and Foreign Minister Alwi Shihab.

At a press conference on 25 January with UNTAET Chief of Staff N. Parameswaran and UNTAET Jakarta Director Lakan Mehrotra, Mr. Ramos-Horta expressed "sincere appreciation" for the Indonesian Government's efforts over the past few months. Citing the improved security situation in West Timor and the absence of militia incursions of late, he called on UNHCR to return as soon as possible, and expressed hope that a United Nations security assessment mission would be dispatched quickly to the area to assess the situation. He added that he would be lobbying the United States Congress to resume some level of non-lethal military cooperation with Indonesia.

In a 13 February press conference in Dili, Mr. Ramos-Horta praised the efforts of Wahid's attorney general, Marzuki Darusman, to bring to trial those responsible for the violence. He said that as long as Indonesia was moving forward with those cases, he would be satisfied. However, he added that "the alternative of a war crimes tribunal is there, if for some tragic reason Indonesia fails to deliver justice."



## Political Development

### National Council

Three Portuguese Parliamentarian experts arrived on 1 February in Dili to assist the East Timor National Council in establishing the procedures for creating a National Constituent Assembly later this year.

The experts, who are expected to be in East Timor for six months, were sent by the Assembly of the Portuguese Republic. Their expertise lies in international relations, standing committees, infrastructure and local authority.

This mission is a follow-up of the proto-

col signed by the President of the Portuguese Assembly António de Almeida Santos and National Council Speaker Xanana Gusmão during the former's official visit to East Timor last November.

On 29 January, the National Council unanimously adopted a draft regulation as the provisional legal basis for establishment of an East Timor Defence Force (ETDF) on 1 February. The draft regulation was approved by the East Timor Transitional Cabinet on 17 January, after which the Standing Committee on Foreign Affairs and Defence conducted public hearings on 27 January.

The regulation took immediate effect once the Transitional Administrator Sergio Vieira de Mello signed it on 31 January.

The regulation is in effect for two months, giving the Council members more time to present and discuss amendments. An amended regulation is expected to be approved at the end of the two-month period.

On 1 February, a ceremony was held in Aileu to mark the transition of FALINTIL into the East Timor Defence Force. The new Defence Force will consist of a light infantry force of 1,500 regulars, reaching maximum strength over three years, and 1,500 reservists, with former-FALINTIL members constituting the core of the force. Ten instructors from Portugal's Defence Force arrived on 19 February in Aileu and will train 250 troops for 12 weeks. The first battalion of 650 troops will consist entirely of FALINTIL soldiers and the remaining 400 soldiers will start training in May.

### Transitional Cabinet

The East Timor Transitional Cabinet agreed on 14 February to a process for managing the Unfunded Priority List for donor assistance. The List includes US\$60 million of priority projects, and will be used in seeking donor assistance. The list is designed to ensure that donor funds are directed to East Timor's highest national priorities.

As part of this process, the Cabinet agreed that all projects on the list for bilateral and multilateral funding above a financial limit of US\$100,000 would be presented to Cabinet for approval.

The East Timor Transitional Cabinet had agreed in November to a revised list of unfunded priority projects for which donor assistance would be sought, including teachers, reconstruction of additional class rooms and capacity building activities.

The list will be maintained and updated on a monthly basis by the National Planning and Development Agency (NPDA), in consultation with the Central Fiscal Authority, and changed only with Cabinet approval. Bilateral assistance will only be sought and accepted on the basis of the list.

The Cabinet also agreed on 14 February that the NPDA would formally assume responsibility for coordinating the Transitional Administration's relations with the NGO community in East Timor. A working group, led by the NPDA, will be established to advance consideration of an interim country agreement that would seek to formalize the status of NGO operations during the transitional period.

The Cabinet approved, in principle, the formal establishment of a Prison Service of East Timor and a Legal Aid Service of East Timor, and directed the finalization of draft regulations to establish these vital justice services. Once these draft regulations are finalized and approved by the Cabinet, they will be submitted to the National Council for its consideration.

On 7 February, the East Timor Transitional Cabinet approved a new design for the travel document that the Transitional Administration currently issues East Timorese. The current ID-card format will be redesigned as a passport-style booklet.

On 1 February, the East Timor Transitional Cabinet endorsed a proposal to regulate the possession, import, export, purchase and sale of firearms, ammunition and explosives. The regime will be restrictive, building upon the currently applicable law. The law will prohibit persons who do not have licenses from possessing or using firearms, ammunition or explosives in East Timor.

On 1 February, the Cabinet also recommended that the Transitional Administrator issue an Executive Order which sets out interim procedures to settle disputes arising from the termination of labour contracts. The interim system will

establish a National Committee for Arbitration of Labour Disputes. As called for under currently applicable law, workers and employers may first attempt to resolve disputes bilaterally, then resort to mediation, and if these steps fail, turn to an Arbitration Committee. The provision for arbitration was never implemented under Indonesian law.

The Executive Order provides this final recourse and will be part of a comprehensive package of labour regulations to be submitted to the National Council for its consideration.

The Cabinet also heard a presentation on the outcomes of the ETTA/ILO tripartite consultations on proposed labour regulations, which took place from 22 to 26 January (*see Economic Development: Labour*).

In an extraordinary meeting on 31 January, the East Timor Transitional Cabinet agreed to the creation of a FALINTIL Veterans Association which would serve as the trustee and depositary of the heritage of FALINTIL during its transition to the East Timor Defence Force. The FALINTIL Veterans Association will also retain the flag and the symbols of the independence fighters.

In addition, the Cabinet agreed to pursue the development of legislation to allow for the courts to adjudicate conflicting claims of names and symbols.

The East Timor Transitional Cabinet agreed on 24 January to a policy to establish a road traffic regime for the country, replacing the current Indonesian traffic laws. The new policy is designed to be more responsive to the post-conflict environment of East Timor than the current complex mix of Indonesian laws, which apply under UNTAET Regulation 1999/1. Furthermore, the Indonesian institutions that supported their traffic laws, such as driver licensing, insurance, and vehicle registration, no longer exist.

On 17 January, the Cabinet agreed to a draft regulation entitled "Registration of Political Parties for the Nomination of Candidates to a Constitution Assembly for an Independent and Democratic East Timor." The regulation will establish an Interim Registry of Political Parties. It will also define the procedures and mechanisms by which political parties may register and nominate candidates for election to a Constituent

Assembly, which will prepare a constitution of an independent and democratic East Timor.

The Cabinet also agreed on the interim terms of reference for the Office of the Inspector General. The Transitional Administrator will provide the Inspector General the Terms of Reference, which include inspections within the administration, investigations into alleged wrongdoings, recommendations for improvements to public administration, and carrying out anti-corruption outreach programs.

### **Political News**

In the month of February, UNTAET's Chief of Staff N. Parameswaran hosted a series of reconciliation meetings in different districts throughout East Timor.

Over 250 people from Covalima District's seven sub-districts attended a community meeting on reconciliation on 9 February. The meeting was held to discuss, among other things, the possible return of Caetano Mendonça, former Head of the Covalima Local Assembly during the Indonesian occupation.

The community agreed that Mr. Mendonça, a member of the pro-autonomy group UNTAS, was welcome to return on the condition that he would face justice if implicated in any violence.

Mr. Parameswaran also hosted a community meeting on 8 February in Baucau to discuss the return of militia leader Joanico Cesário Belo. The 50 people who participated in the meeting reiterated that Mr. Belo is welcome to return to the community. Numerous meetings have taken place between the United Nations and the Baucau militia leader, who claims that he can persuade 6,000 refugees to return to East Timor.

On 2 February, a community meeting was held in Ainaro on reconciliation. More than 150 people attended from all four sub-districts. During the meeting, the population of Ainaro was consulted on the possible return of the militia leader Cândia Lopes de Carvalho and his brother Nemésio. The overall opinion was that the district was ready to accept their return as long as both accepted the results of the 1999 popular consultation and faced justice. Ainaro community leaders also expressed their desire to meet the former

militia leaders at the border, before they moved back to the district.

The Chief of Staff met Mr. Lopes de Carvalho and other militia leaders on 19 January, during his last visit to Kupang, West Timor. In the meeting, Mr. Lopes de Carvalho expressed his desire to return to East Timor. He has since written a letter to UNTAET, in which he states that he wishes to return and live in East Timor and that he accepts the result of the popular consultation of August 1999. He also said that he accepts that East Timor will be an independent country and that he is willing to face justice and help in the reconstruction of the country.

However, on 19 February, Cândia and Nemésio Lopes de Carvalho failed to show up at a meeting point at the border between East Timor and West Timor, where they were scheduled to meet representatives from UNTAET and the local community of Ainaro.

From 30 January to 6 February, the World Bank Mission in East Timor hosted a series of workshops and discussions to support the Timorese leadership and people in developing a national strategy for efficiency and integrity in government. Support for this initiative came from the Danish Trust Fund for Governance. Workshops were conducted with key segments of East Timorese Society -- civil society, civil service, National Council members and senior political leadership.

Akira Takahashi, former Deputy Special Representative of the Secretary-General for Humanitarian Affairs and Emergency Rehabilitation, was appointed as the Special Advisor on Development and Humanitarian Affairs to Transitional Administrator Sergio Vieira de Mello.

Prior to taking up his appointment with UNTAET, Takahashi had extensive experience in developing countries in economic and social development, institution building and the structuring of national development plans.

As a Special Advisor, Akira Takahashi will work closely with the National Planning and Development Agency, departments within ETTA and the UN Development Coordinator system.

### **Environment**

ETTA's Environmental Protection Unit has com-

pleted research on endangered birds in East Timor and has concluded that there are at least 24 birds in the country classified as endangered species under international law, and consequently protected by East Timorese law.

The research was conducted in response to inquiries received by the Environmental Protection Unit regarding the sale of rare birds in and around Dili.

The environment law in question, Regulation 2000/19 on Protected Places, which was approved in June, establishes that “all animal and plant species listed on the Convention on the International Trade in Endangered Species” can not be killed, injured, harmed, disturbed, sold or exported.

All birds included in this list are considered endangered species by the World Conservation Monitoring Center. Among the endangered birds to be found in East Timor are Black Kite, Shirt Toed Eagle, Japanese Sparrow Eagle and Red Cheeked Parrot.

The Environmental Protection Unit will now disseminate information to all UNTAET/ETTA departments and the public and investigate complaints received and reported to CivPol where a breach in the regulation is believed to have occurred. The Unit will also assist CivPol and other agencies in the identification of endangered species and provide expert advice to the judiciary.

In early February, a meeting was held with representatives from Dili District, the Environmental Protection Unit and the Investment Institute to discuss the “Adopt-a-Dili-Beach” proposal to clean up Dili beaches. Results from the discussion will be incorporated into the proposal.

The project will be Dili District administered with assistance from the Investment Institute. A formal proposal is currently being drafted.



## Economic Development

In early February, four new UN Trust Fund Quick Impact Projects (QIPs) were approved by the Joint QIPs Committee following submissions by the District Project Officers. Funding for these

QIPs comes from previous projects’ surplus funds.

The new QIPs are for: a reforestation project in the hills behind Dili; a community café in Hera to be run by the East Timor Women’s Organization OMT; a sewing cooperative in Atauro, in association with Roman Luan; and a brick-making consortium in Hera.

On 12 February, 40 East Timor Transitional Administration (ETTA) staff started a four-week introduction course in public finance. The course, inaugurated by UN Transitional Administrator Sergio Vieira de Mello, is designed to increase the participant’s understanding of the importance of an efficient and rigorous financial framework for East Timor, and to train them on specific budget concepts and processes.

The course covers issues such as ETTA’s legislative and executive mandate, the roles of its agencies and of the Cabinet and National Council as well as of the international organizations such as the International Monetary Fund, World Bank, Asian Development Bank and of bilateral donors. The course is conducted by a team of local and international staff from the Budget Preparation Department of the Central Fiscal Authority.

Some 1,100 vendors have signed agreements with the Dili District Administration to move to the newly renovated markets in Becora and Comoro. There are a total of 1,406 stalls in Comoro market and 651 in Becora market. The stalls were allocated through public lotteries and the markets were opened to vendors in mid-February.

The markets have been refurbished under the auspices of the Japanese NGO Adventist Development Relief Agency. Works undertaken include repair and reconstruction of roofed stall areas, construction of tiled benches, installation and repair of drains, paving and car park areas. The project is intended to draw sellers from the overcrowded Central Market, by improving and securing conditions at Becora and Comoro markets.

ETTA has cancelled a contract for the supply of goods valued at thousands of dollars, following a two-month long investigation into corruption allegations.

The investigation of both foreign and

national private companies was prompted by a complaint lodged with the Central Administrative Service of ETTA, following the announcement of the results of a local tender. The allegations concern collusion and price fixing. In order to verify the validity of these allegations, both the World Bank's Fraud and Corruption Unit and ETTA's Procurement Policy Committee have carried out a joint investigation.

### **Agriculture**

The Chinese Government donated 200 agricultural machines to the Division of Agricultural Affairs of ETTA, which were received on 27 February. The donation is worth more than US\$6 million.

The first phase of a complete rehabilitation of the irrigation system in Manatuto District has been completed. The US\$450,000 project was inaugurated on 11 February.

A temporary irrigation system will bring water from the Sumasi River to about 600 to 700 hectares of land in Manatuto sub-district. It is expected that the project will provide food security through rice cultivation for over 1,000 families (*see Infrastructure*).

In Ermera District, 110 metres have been added to the main canal construction of Catrai Leten Irrigation. The QIPs project will benefit 36 families who cultivate 19 hectares of horticultural fields. The objective of the project is to create self-sufficiency in food production for Emera District.

The Division of Agricultural Affairs repaired two fishponds in Viqueque and Same Districts in late January 2001. Local carpentry firms carried out the job. Community Edmond Rice (CER) cooperated with the division to rehabilitate fourteen fishponds in five villages in Ermera District by the end of January.

A group of fishermen from Australia donated seven containers of second-hand fishery equipment, such as nets and four speedboats, to the Division's Fisheries Unit. The equipment has been delivered to fishermen in Viqueque, Same, Oecussi and Dili Districts.

The Fisheries Unit is also conducting a wide-ranging survey on the country's fishermen, with support from the Australian Agency

for International Development (AusAID). The objective of the survey is to create a database in order to assess future support for this occupational group.

### **Labour**

In mid-February, the Office of Civil Service and Public Employment (CISPE) recruited three East Timorese to high level positions in the East Timor Transitional Administration. One person was hired as the Coordinator of Commerce, Industry and Tourism at level six of the civil service salary scale. Two persons were hired at level five; the Deputy Coordinator of Transportation and the Deputy Coordinator of Water and Sanitation.

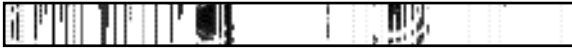
As of December last year, CISPE has recruited 88 East Timorese to high level positions in ETTA.

ETTA and the International Labour Organization (ILO) held Tripartite Consultations on Proposed Labour Regulations of East Timor from 22-26 January in Dili. The consultations were jointly organized by the Division of Labour and Social Services and the ILO Department for Government and Labour Law and Administration (GLLAD), based in Switzerland. Representatives of the three main groups- workers, employers, and government (UNTAET and ETTA)- as well as NGOs, discussed the proposed first labour regulations of East Timor. The main issues were termination of employment, minimum wage fixing, employment and labour administration, and labour relations. Regulations on vocational training and occupational safety and health will be considered in the near future.

The first national tripartite consultations on labour law and employment rights were held in April 2000, and various consultations followed. Even so, no new regulations have been enacted since 1999 to replace the Indonesian labour regulations.

After a Cabinet review, the proposed Labour Regulations will be forwarded to the Office of the Principal Legal Adviser which will draft the laws. The final version will be reviewed by the Cabinet and then go to the National Council for an endorsement. Finally, the proposed regulations will require a signature of the

Transitional Administrator in order to go into effect. The entire process is expected to take around two months.



## Institutional Development

### Civil Registry

Eighty-one United Nations Volunteers (UNVs) arrived on 30 January in Dili to take up their duties as Civil Registration Officers at the sub-district level in each of East Timor's 13 districts.

This is the final group of United Nations Volunteers that will take part in the civil registration process. An advance team of 50 was deployed in December.

The Civil Registry will start the registration of the East Timorese population with a pilot project on Atauro Island in mid-February.

Atauro was chosen because the island provides a good sample in terms of population numbers and density. Atauro, with a population of approximately 7,500 people, also represents a good average of East Timor in terms of geography and infrastructure, with its many remote villages. The Registration Sites are located in Atauro's main Sucos (neighbourhoods), Vila, Bequieli, Macadade and Beloi.

Two registration teams, each consisting of one International and two Timorese Registration Officers, will be deployed in each of the Registration Sites.

The National Council approved a Regulation on the Establishment of the Central Civil Registry on 21 February. Registration is mandatory for everyone above the age of 16. Parents and family members are obliged to register children under the age of 16, as well as persons with mental or legal incapacity. Those who fail to register will be unable to vote in the elections for the Constituent Assembly.

In related news, the Director of the Electoral Assistance Division at United Nations Headquarters in New York, Carina Perelli, arrived in East Timor on 12 February, for a two-week visit.

The purpose of the visit was to study the

progress made by the Electoral Office. She met with representatives from UNTAET, ETТА, political parties, NGOs, the National Council and Cabinet, among others.

### Border Control

On 31 January, during the first formal meeting of the Joint Border Committee, which was established in September 2000 to deal with practical border issues or problems, UNTAET and ETТА representatives and the Indonesian authorities presented the compositions and membership of their respective National Border Committees.

Both parties acknowledged that there is a need for a special arrangement for people living close to the border. They agreed in principle that people living within a specified distance to the border would be issued a pass that would allow them to cross the border at any point. This agreement would be subject to certain regulations, such as limited travel in areas on the other side, where only restricted customary activities would be permitted.

The following day, UNTAET raised the question of compensation by the Government of Indonesia for the destruction and damage done in East Timor in 1999, including that to private property of ordinary East Timorese. Both parties agreed on the need for a comprehensive solution covering all these claims.

In addition to matters of border security, the Indonesian delegation agreed to find out whether the Kupang Museum is in the possession of any items from the Dili Museum. The UNTAET/ETТА delegation agreed to continue the search for the 12-volume catalogue of the contents of the Dili Museum and requested the Indonesian Government to do so as well.

The UNTAET/ETТА delegation was led by the Cabinet Member for Political Affairs, Peter Galbraith, and consisted of representatives from different UNTAET and ETТА departments, including East Timorese staff from the Foreign Affairs Department and the Border Service. The Indonesian delegation was led by Hasan Wirayuda, Foreign Ministry's director-general for political affairs.

### Taxes

The East Timor Revenue Service (ETRS) has collected a total of US\$3,108,800 in tax revenue

from August through December 2000, of which US\$638,400 comes from services tax and US\$2,470,400 from tax payments in relation to activities in the Timor Gap. Taxes pursuant to Regulation 2000/18, which are administered by ETRS are the services tax, wages tax, income tax and taxes in relation to activities in the Timor Gap. ETRS now employs 29 local staff and after two promotion exercises, five local staff in level 5 positions.



## R u l e o f L a w

### Judiciary

On 20 February, the trial of a former member of the Laksaur militia opened. He is accused of participating in the murder of a person in Covalima District on 26 September 1999, as well as in the murder of three people on 25 September 1999. The murders were committed when a group of Laksaur militia on two occasions attacked fleeing villagers from the area of Salele, Covalima District. The court proceedings focused on the extension of the detention period for the accused.

Preliminary hearings began on 16 February at the Dili District Court on the first Crimes Against Humanity case committed in East Timor in the wake of the 1999 popular consultation. The case concerns 11 people accused of committing various crimes, including murder, torture, deportation and forcible transfer of civilian population in Lospalos, Lautem District, between 21 April and 25 September 1999.

The accused, most of whom were members of the pro-autonomy militia group Team Alfa, also known as Jati Merah Puti, were involved in at least 13 murders, including the ambush and killing on 25 September 1999 of a group of clergy, church workers, a journalist and a youth near the village of Verokoko, Los Palos.

The indictment also contains the first accusation against an Indonesian Army Officer, Lt. Sayful Anwar, Deputy Commander of its Special Forces Command (KOPASSUS) stationed in Lospalos. He is accused of the mutilation, torture and murder of Averisto Lopes on 21 April 1999, at the Team Alfa base.

In addition, a preliminary hearing took place regarding the case of a member of the Darah Integrasi militia accused of murdering a villager, Luis de Deus, in Letefoho village, Ermera District, on 10 September 1999. The suspect was released, pending trial, on the condition that he reports to Dili CivPol twice a week. His trial date was set for 24 April.

The second indictment containing charges of Crimes Against Humanity committed in East Timor in the wake of the 1999 campaign of violence was filed on 6 February by the Prosecutor General, Mohamed Othman. Five persons, including an officer of the Indonesian Army, have been indicted suspected of murder, rape, torture, unlawful deprivation of liberty, inhumane and degrading treatment and persecution.

The crimes were allegedly committed between April and October 1999 in Lolotoe, a sub-district of Bobonaro District, by members of the Indonesian Military (TNI) and the Kaer Metin Merah Putih militia.

The indictment states that members of TNI and the Kaer Metin Merah Putih carried out acts of violence against members of the civilian population, who were considered to be pro-independence, linked to or sympathetic to the independence cause. Many such attacks were directed in particular against women whose husbands were presumed to be members of FALINTIL or independence supporters.

Two militia members, Jhoni Franca and Jose Cardoso Ferreira, and a village chief and collaborator, Sabino Gouvias Leite, are already in detention in East Timor. The TNI Commander of Lolotoe sub-district, 2nd Lt. Bambang Indra, and Francisco Noronha, an Indonesian civil servant, are at large and have presumably fled East Timor.

Meanwhile, the first trial of a person suspected of committing serious crimes in the period following the popular consultation started on 6 February in the Dili District Court. The case concerns a 30-year-old pro-independence activist charged with the murder of a militia member on 26 September 1999 in Gleno village, Ermera District. The suspect admitted to the murder of a militia member, but pleaded not guilty, since he felt that he had been forced to commit the crime "by the people" in Gleno.

The second serious crimes trial opened on 13 February in the Dili District Court. On trial is a 36-year old man suspected of committing, aiding or otherwise assisting in the murder of a man in Asulau village, Ermera District, on 28 May 1999. Several witnesses were heard and a date for final decision was set for 7 March.

A former militia member was sentenced on 25 January to 12 years in prison at a preliminary hearing by the Special Panel for Serious Crimes at the Dili District Court. In the hearing, the militia member admitted to a murder on 8 September 1999 in Bobonaro District.

UNTAET's Prosecutor General, Mohamed Othman, returned from Indonesia on 24 January, after meeting with his Indonesian counterpart, Attorney General Marzuki Darusman and former Aitarak militia leader Eurico Guterres. Mr. Othman and Mr. Darusman discussed further cooperation in bringing the perpetrators of the atrocities carried out in East Timor to justice. Mr. Othman also asked the Indonesian authorities to question the recently arrested suspected killer of New Zealand Peacekeeper Leonard Manning on behalf of UNTAET. Mr. Guterres said in recent talks that he would be willing to make a recorded statement to UNTAET of his version on what happened in East Timor in 1999. The date of this interview is to be determined at a future date.

Two prosecutors were sworn in by Transitional Administrator Sergio Vieira de Mello for the Serious Crimes Investigation Unit of ETTA's Department of Justice. On 21 February, Buwaneka Aluwihare from Sri Lanka was sworn in. Aluwihare served as a Senior State Counsel in the Attorney-General's Department in Sri Lanka for the past 17 years, during which time he worked on a number of high-profile cases related to political violence and terrorism.

On 19 January, Stuart Alford from the United Kingdom was sworn in. Mr. Alford worked for eight years as a barrister in London.

The Serious Crimes Unit now has five prosecutors, one of them is East Timorese.

### **Civilian Police**

CivPol reports a decrease in crime in January 2001 (248 reported in the country) compared to

December 2000 (382 reported in the country), which saw a sharp increase. Overall, there has been a general increase in crime from January 2000 to January 2001.

Of the 248 crimes reported in January 2001 in the 13 districts of East Timor, 143 took place in Dili District. Covalima reported 23 crimes, Ermera 15, Lautem 11, Liquica 9, Bobonaro 7, Ainaro 6, Manufahi 6, Viqueque 6, Aileu 3, Manatuto 3, and Oecussi 3.

CivPol reports that lack of officers and vehicles are among the main problems that it faces in maintaining security.



## **P e a c e   a n d   S e c u r i t y**

### **Security Situation**

Four former militia members suspected of committing crimes in 1999 were arrested on 24 and 25 January by New Zealand Peacekeepers. They were apprehended as they were crossing the border legally into East Timor. The suspects have been handed over to CivPol for further investigation.

On 23 January, CivPol arrested an alleged member of the Indonesian Armed Forces in Balibo, Bobonaro District, suspected of murder on 7 September 1999. The suspect, an East Timorese, tried to enter East Timor pretending to be a businessman, but was identified by a Timorese police officer as a perpetrator in the post-ballot violence. The suspect was arrested and later brought to Becora prison in Dili, where investigation into the case is ongoing.

On 29 January, PORBATT (Portuguese Battalion) assumed responsibility for the security of the area known as the FALINTIL Cantonment site in Aileu. This handover of responsibility from FALINTIL was one of the steps towards the creation of the East Timor Defence Force (FDTL) and began on 16 January, when PORBATT troops first arrived in the Cantonment. The handover is part of a gradual transition of responsibility, which include the conduct of joint patrols with FALINTIL.

### **Civil Military Affairs**

January 2001 saw the lowest number of sponta-

neous returnees since September 2000; a total of 481 spontaneous returnees crossed the PKF-manned junction points. The reduction is attributed to the rainy season, which has caused poor road conditions in both West and East Timor.

Despite this reduction in returnees, there was a surge in the number of East Timorese refugees returning to East Timor on visitor passes, including a number of ex-militias.

Sector East CMA (Civil Military Affairs) staff established a training and demonstration site at the Suco of Los Cabulu in West Dili from 8 to 20 January for the Thai Self-Sustainable Agricultural Project. The locals received training in natural agricultural methods. On 22 January, the Sector East Commander, Colonel Pi-Chet Wisaijohn, handed over responsibility for the site in Dili to ETTA. The project has proven to be successful at providing food for the local people within the Sector East area of operations, and it is hoped it will be extended to other Districts in East Timor.

PKF units throughout East Timor continued their efforts to assist UNTAET in the rehabilitation process. The main projects undertaken in the month of January were:

- The rehabilitation of six schools in Same, Ainaro and Bazartete and two libraries in Maubisse and Ainaro.
- Road and bridge construction at Tutuala, Cacaven and Alas.
- A natural farming programme in Baucau and Viqueque.
- Delivery of school text books as part of the World Bank/ETTA Emergency Schools Rehabilitation Programme.

Three doctors and four medical assistants from PORBATT provided medical assistance and conducted medical examinations for the selection process of personnel for the East Timor Defence Force (FDTL).

All PKF units continued with the engineering and logistical support to NGOs and UN Agencies throughout East Timor.

The USS Fletcher visited Dili from 17 to 19 January. During the visit, the crews were involved in the renovation of the Impetutu Dili Student Community Centre. Humanitarian donations from the ship were given to the Bairo Pite Clinic and the Balide Orphanage.



## S o c i a l S e r v i c e s

### Education

Under the Emergency School Readiness Project (ESRP), the Division of Education, Youth, and Cultural Services of ETTA delivered the first set of locally made school furniture on 10 February to East Timorese schools. Dinamyka, a local furniture workshop in Becora, delivered 100 sets of furniture to Aileu. Carpentario Comunicarde Maliana delivered 96 sets of furniture to Maliana and Mundo Perdido delivered 100 sets to Manatuto.

The mass production by 14 local contractors of a total of 20,239 sets of student furniture, which is 40 per cent of the total contracts, is underway and expected to be completed by early April. The remaining 60 per cent of the contracts are for international production for 35,000 sets of furniture. The production and delivery of furniture started in mid-February and is expected to be completed by the end of March.

The Emergency Readiness School Project covers 600 primary and secondary schools in the country. Some 250 schools have been rehabilitated since the programme started in October 2000.

The Division is overseeing the project “O Regresso a Alegria (Return to Happiness): An Emergency Psychosocial Rehabilitation Program for Children and their Families through East Timorese Teachers.” The project has passed the initial phase of needs assessment and is currently in its second phase of implementation in Suai, which is the main target community identified for the project. Three East Timorese trainers left on 2 February for Suai to set up the centre of operations. A total of 60 teachers will be trained and up to 10,000 children are expected to benefit from the project.

In response to a pressing need for teachers in East Timor, an additional 900 primary and 100 secondary school teachers will be employed by the first week of March.

In order to ensure immediate placement of teachers, the Division, in conjunction with District Education Officers, has established a series of criteria for the recruitment of the primary

teachers. Previous national test scores will be considered in order to establish a minimum level of competence. Teachers are expected to take up positions outside their home districts in order to fill gaps in districts lacking qualified staff.

## Health

Representatives from the Division of Health Services (DHS), East Timor Medical Services, and World Health Organization (WHO) are currently assisting medical students who were enrolled in Indonesian medical schools before the 1999 violence in East Timor to re-enroll in time for the 2001 academic year. Over 80 medical students were enrolled in Indonesia before 1999, 24 of them hold either Bishop Belo Scholarships or Ford Foundation Fellowships. So far, DHS has located 27 students who wish to re-enroll, eight of whom request a transfer to other institutions.

DHS has stated that the continuing education of the medical students is vital to Timorese efforts to rebuild the health system.

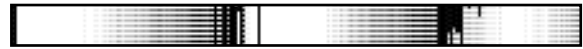
In early February, a consultant for Cordaid, a Catholic NGO based in the Netherlands, visited East Timor in order to discuss Dili Hospital transition issues with the International Committee of the Red Cross (ICRC) and key DHS staff. Dr. Hennie Zonderland is a health-planning specialist examining the administrative, logistical and clinical challenges facing Dili Hospital after the programmed withdrawal of ICRC in June this year.

Dr. Zonderland met with ICRC staff to identify potential unmet needs and will focus on transitional issues and the role of East Timorese in future hospital management. Cordaid is preparing a proposal to support the management and provide some of the key specialist services for Dili Hospital.

In February, AusAID committed to a national oral health project for East Timor, as it released a third draft of the programme to Timorese health professionals for review. AusAID also committed to fund a project design mission to develop a mental health program for East Timor. AusAID will examine outcomes from its AUD\$610,000 assistance to PRADET (Psycho-Social Recovery and Development for East Timor) over the last 12 months. Part of this program was an emergency outreach service, which employed a visiting psychiatric team.

Lessons from the last 12 months will assist in the development of a long-term mental health program.

In addition, AusAID hopes to identify an appropriate focus for future mental health assistance and to design a mental health program. The estimated commitment is AU\$2 million over a period of three years. Concurrently, the World Health Organization (WHO) intends to dedicate a consultant to examine mental health service models for East Timor.



## H u m a n   R i g h t s

The final district consultation on the proposed Commission on Truth, Reception and Reconciliation was held in Ainaro on 2 February. As with other district consultations, the participants supported the concept as long as it accompanies an effective means of bringing the perpetrators of serious crimes, including murder, rape and the organizers of the violence, to the courts.

On 28 February, the East Timor Transitional Cabinet endorsed a draft regulation on the establishment of a Truth, Reception and Reconciliation Commission, subject to minor amendments.

The draft regulation gives the Commission a truth-telling function that will provide a historical record of past human rights violations between 25 April 1974 and 25 October 1999. It also establishes a Community Reconciliation Process for dealing with less serious offences that will not be prosecuted by the justice system. The draft regulation will be finalized shortly for submission to the National Council.

On 23 January, 60 East Timorese participated in a four-day human rights training programme in Baucau. The training, which introduced basic human rights concepts, was facilitated by human rights officers from UNTAET's Human Rights Section and two NGOs -- Baucau Justice and Peace Commission and Catholic Relief Services.

Participants included students, community leaders, members of local NGOs, and representatives from the East Timor Women's Organization OMT from Baucau, Viqueque, Manatuto and

Lospalos.

The Office of Human Rights Affairs expressed concern over the alleged involvement of the CNRT in security issues with a report involving a number of incidents in Bobonaro District which occurred throughout January 2001. Members of the CNRT are alleged to have ordered the border market at Nunura to be closed, partially due to fears that it is being used to pass information to the Indonesian Armed Forces (TNI). Other allegations involving members of the CNRT include the burning of several market stalls at the Nunura market, the assault of a man thought to be providing food to the militia and the seizure by the CNRT linked Security Group, the FSP, in Tunubibi, Maliana sub-district, of goods thought to be illegally imported from West Timor by 18 traders.

### **Gender Affairs**

In early February, International Rescue Committee (IRC) representatives visited Gleno village, in Ermera District, to introduce their training programme on domestic violence. IRC is currently in the process of identifying a local point-person to supervise its activities.

A survey aimed at gathering information on all Timorese women who have attained post-secondary high school qualifications was conducted by ETTA's Civil Service and Public Employment Service (CISPE) and completed in early February. The survey will allow CISPE to establish a consolidated database in order to facilitate the employment of female graduates in civil service. Over 650 questionnaires were returned to Dili District Administration by female graduates. The district field officers, the East Timor Women's Organization (OMT), the East Timor Women's Network (OPMT), and the NGO Forum jointly conducted this survey.

### **Humanitarian Development**

Since early January 2001, 714 refugees have returned to East Timor, with 20 coming in organized returns from Denpasar. The total number of returns now stands at 175,270, with approximately 90,000 refugees remaining in West Timor.

The United Nations High Commissioner for Refugees (UNHCR) Community Services

Unit delivered more than one tonne of clothes in January to Ermera District. The clothes were distributed to vulnerable groups, including widows and single parents, with OMT and World Vision International cooperating in the distribution.

On 21 and 22 January, a UNTAET delegation led by Chief of Staff N. Parameswaran met with senior Indonesian Government and army officials in Kupang, West Timor, to discuss the refugee problem and possible repatriations.

The Indonesian officials, including West Timor Governor Piet Tallo, Udayana Commander Williem da Costa, and the Head of the Indonesia-based refugee organization Task Force for the Settlement of the East Timorese Refugee Issue in East Nusa Tenggara, Yusuf Basyiruddin, expressed strong support for the speedy return of the refugees.

Meanwhile, a group of 80 refugees left Kupang by boat on 21 January for another "come and see visit" to East Timor. The visit was organized by UNTAET, the International Organization for Migration (IOM) and UNHCR.



### **I n f r a s t r u c t u r e**

As of 20 February, some 1,200 civilian houses, 10 secondary schools and several public buildings were damaged in at least seven districts due to heavy rains and strong winds. Reports indicate that the destruction was widespread in Ainaro District and Bobonaro sub-district. Shelter and food have been delivered to the affected areas and an assistance operation is ongoing.

The newly established Office of National Disaster Management, which is coordinating the joint assistance efforts, is working with UN agencies to try to meet requests, including the delivery of 1,740 blankets and 400 tarpaulins to Bobonaro.

In Ainaro, a tree fell on the city water pump, cutting off supply, which has since been restored. Three bridges collapsed in Oecussi. One has been repaired by the Jordanian Battalion of the UN Peacekeeping Force. In Baucau, 539 homes were flooded, eight houses were seriously damaged and 20 tonnes of rice was lost due to the floods.

UNHCR delivered 400 tarpaulins to

Ainaro District and Bobonaro sub-district. Seven tonnes of food were distributed by the World Food Programme in Ainaro, including corn powder, soybeans and canned fish. Assistance is being delivered to other districts, including Aileu and Manatuto.

The Office of National Disaster Management has confirmed that there has been one fatality so far. A girl was killed on 14 February in the village of Leotila, Ainaro.

The Office of National Disaster Management, UNHCR, World Food Programme, CivPol, the Church and East Timorese NGOs are working together to look into long-term assistance strategies for the districts most affected by natural disasters.

Transitional Administrator Sergio Vieira de Mello inaugurated the newly reconstructed Maubara bridge in Liquiça District on 19 February, enabling thousands of people access from Liquiça to other districts. The bridge was washed away in January by heavy rains.

A total of US\$5,000 was provided for the project by the East Timor Trust Fund. The bridge was reconstructed by East Timorese and Singaporean contractors in cooperation with Bangladeshi engineers from the UN Peacekeeping Force and materials were supplied by the Bangladeshi Government.

The first phase of a complete rehabilitation of an irrigation system in Manatuto District has been completed. A temporary irrigation system will bring water from the Sumasi River to 600 to 700 hectares of land in Manatuto sub-district. It is expected that the project will provide food security through rice cultivation for over 1,000 families.

The US\$450,000 project was inaugurated on 11 February by National Council Speaker Xanana Gusmão, visiting United Nations Development Programme (UNDP) Administrator Mark Malloch Brown, and the Head of the Japanese Mission in East Timor, Hiroshi Matsuura. The Japanese Government is funding all aspects of the US\$3.36 million project. The second part of the project starts in early March.

On 31 January, the East Timor Transitional Administration officially received its first rehabilitated public buildings in Baucau. The rehabilita-

tion of the Public Prosecutor's Office, the administration building of the prison and the court, which were destroyed during the violence in 1999, were completed in December. All work was carried out by East Timorese construction companies.

A total of 28 public buildings have been fully or partially refurbished by the East Timor Administration since the beginning of the present fiscal year, at a total cost of US\$5.2 million.

Thirteen East Timorese companies and seven foreign companies have done the rehabilitation work, employing a total of 400 East Timorese workers.

The rehabilitation of the temporary district court and the judge's residence in the enclave of Oecussi will start in late February. The work is expected to be completed before the end of March.

UNTAET and the United Nations Educational, Scientific, and Cultural Organization (UNESCO) have agreed to cooperate in the restoration of an 18th century former Portuguese garrison building in Dili, which will become the future East Timor Cultural Center and National Museum. The building is known as Uma Fukun, or "Central House."

Transitional Administrator Sergio Vieira de Mello signed an agreement on 15 February for the project. UNESCO is expected to sign shortly.

According to the agreement, UNTAET will transfer US\$95,000 to UNESCO, while UNESCO pledges to undertake the supervision of the restoration, which is expected to be completed by September 2001.



## Media Development

The Publications Unit of the Office of Communications and Public Information (OCPI) delivered colorful civil registration brochures to all 13 districts of East Timor. The brochures contain detailed information on the civil registration process and are printed in English, Tetun, Portuguese, and Indonesian. Some 250,000 brochures were delivered by the end of February.

A group of 21 Indonesian Journalists

arrived on 6 February in East Timor for a week-long visit. The visit was organized by the Indonesia-based refugee organization Task Force for the Settlement of the East Timorese Refugee Issue in East Nusa Tenggara. The visit was financed by USAID and facilitated by UNTAET, the United Nations High Commissioner for Refugees (UNHCR) and the International Organization for Migration (IOM).

Indonesian journalists last participated in an organized visit to East Timor in July 2000.

The UNTAET-run *Televisaun Timor Lorosa'e* (TVTL) started its new programming on 5 February. The station broadcasts news in Tetun, Portuguese, English, and Bahasa Indonesia, for a total of 168 hours per week.

TVTL broadcasts more than five hours of Tetun programming a week, five hours of Indonesian, 7 1/2 hours of Portuguese, and the remainder in English. The Tetun programme includes news, culture, educational programs, special reports, talk shows, cartoons, and documentaries.

TVTL is broadcasting programmes from BBC, Indonesian Television, Portuguese news channel RTP and MTV.

The *Timor Lorosa'e* Journalists Association (TLJA) adopted a code of ethics, with the purpose of promoting high standards of professional integrity, training, and conduct in the journalism profession.

The code of ethics calls on journalists not to be biased in their news coverage, avoid discrimination based on political orientation and refrain from accepting gifts and payments from outside parties.

The Media Development Unit of UNTAET is currently involved in a mentoring program with TLJA in cooperation with the Southeast Asia Press Alliance. Funding for this program comes from the United Nations Educational, Scientific and Cultural Organization (UNESCO).

Radio UNTAET continues to broadcast 15 hours a day of original programming during the week, and several hours a day each weekend. There was an increase in journalism and language training for staff. A Portuguese journalist arrived to work for the next several months as a trainer at

Radio UNTAET as part of a mentorship program, which is supported by the Portuguese mission.

During the past month, work has continued on transmitters in Lospalos, Manatuto and Viqueque and they should be operational shortly. The majority of the remaining stock of Japanese solar-powered radios have been distributed in all regions by Public Information Officers (PIOs).

The PIOs also continue to disseminate information from the regions to the national broadcaster through their reports to news and current affairs programs. Radio UNTAET will soon be gathering news with its own trained reporters in several districts. USAID is joining Radio UNTAET to place 10 journalists in five districts, who will be trained and supplied with broadcast equipment. They will report news from their districts to Radio UNTAET and do interviews and features which will be broadcast on the national network.

The UNTAET-supported print consortium received a new round of funding from the Canadian International Development Agency (CIDA). The US\$100,000 fund is made available for operational purposes.





## **Fact Sheet on Transition of FALINTIL into the East Timor Defence Force:**

· On 12 September 2000, the East Timor Transitional Cabinet approved the establishment of a National Defence Force based on one of three options put forward in the Independent Study on a Security Force for East Timor conducted last August by the Centre for Defence Studies of the King's College of London.

· The new Defence Force will consist of a light infantry force of 1,500 regulars with a phased approach to reach that number over three years, and 1,500 reservists, with FALINTIL as the core of the force. The framework of the new force has been approved by the CNRT, FALINTIL and the East Timor Transitional Cabinet. The first battalion will be composed entirely of FALINTIL. The recruitment and selection process was completed on 28 January. Six hundred and fifty FALINTIL members have been selected for the first battalion. For the next battalion, recruitment will be open to all Timorese above the age of 18, including women.

· The mission of the Defence Force is to provide for the military defence of East Timor, its people and territory, by stopping militia incursions and deterring aggressors. In addition, it would provide assistance during natural disasters and other emergencies.

· At an international conference with 12 donor countries last November, Portugal and Australia committed themselves to act as lead nations in the provision of initial training of the future East Timor Defence Force.

· The training of the first batch of 250 former FALINTIL members started in the first week of February in Aileu. The basic training will take 12 weeks and will be conducted by Portugal. Australia will provide specialist training. The objective is to have one battalion equipped and trained by the time of East Timor's independence.

· The Defence Force will be subordinated to the civil authority. For the duration of UNTAET's mandate, the Transitional Administrator will have command and control of the defence force, the authority to appoint and dismiss the Chief of the Defence Force and to appoint its officers.

· The current FALINTIL weapons will be stored under FALINTIL guard and are expected to be put on display in a future resistance museum. For the training, donated weapons will be used.

· A World Bank and USAID funded program, the FALINTIL Reinsertion Assistance Programme, was launched. The program will assist former FALINTIL fighters who will not take part in the new Defence Force with settling back into civilian life and resuming or starting an activity that will enable them to support themselves and their families. The program is implemented by the International Organization for Migration (IOM) and will be supervised by UNTAET.

· The Office of Defence Force Development (ODFD) within ETTA will oversee and coordinate all activities related to the development of the Defence Force, as well as bilateral and multilateral relations.

· The United Nations Peacekeeping Force will be responsible for the defence and security of East Timor until independence, after which arrangements will be made by the new Government and the UN for safeguarding the county's security, until the East Timor Defence Force is in a position to do so.





## A C R O N Y M S

ADB	Asian Development Bank
AMI	Medical International Assistance
AusAID	Australian Agency for International Development
CARE	CARE International
CIVPOL	UN Civilian Police
CNRT	National Council of Timorese Resistance
DFID	Department for International Development
ECHO	European Community Humanitarian Organisation
ETTA	East Timor Transitional Administration
FALINTIL	Armed Forces for the National Liberation of East Timor
FAO	Food and Agriculture Organization
GOAL	GOAL Ireland
HAER	UNTAET Humanitarian Pillar
ICRC	International Committee of the Red Cross
JICA	Japan International Cooperation Agency
ILO	International Labour Organization
ICRC	International Committee of the Red Cross
IOM	International Organisation for Migration
NPDA	National Planning and Development Agency
OCHA	Office for the Coordination of Humanitarian Assistance

OXFAM	Oxfam International
PKF	UN Peacekeeping Force
QIP	Quick Impact Project
SRSB	Special Representative of the Secretary-General
TFET	Trust Fund for East Timor
TLJA	Timor Lorosa'e Journalist Association
TLPS	Timor Lorosa'e Police Service
TNI	Tentara Nasional Indonesia (Indonesian National Armed Forces)
UNDP	United Nations Development Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNMO	UN Military Observer
UNTAET	United Nations Transitional Administration in East Timor
USAID	United States Agency for International Development
WFP	World Food Program
WHO	World Health Organization

