

## FOR IMMEDIATE RELEASE

### CONTACT

Suzana Grego  
Director of Communications  
TEL +1 917.703.1106  
E-MAIL [sgrego@ictj.org](mailto:sgrego@ictj.org)



5 Hanover Square, 24th Floor  
New York, NY 10004  
Tel 917-637-3800  
Fax 917-637-3900

### **ICTJ Urges UN to Challenge Indonesia's Legacy of Impunity** *Letter Calls on UN to Confront Flawed Truth Commission*

**NEW YORK, May 4, 2007**—The United Nations Secretary-General should take immediate steps to address recent allegations made against it at public hearings of the bilateral Indonesian/Timor-Leste Commission on Truth and Friendship (CTF), the International Center for Transitional Justice (ICTJ) urged today. In a letter addressed to Mr. Ban Ki-Moon, the Center called on him to seize a crucial opportunity to challenge recent testimony before the Commission accusing the former UN Assistance Mission in East Timor (UNAMET) of unleashing a wave of violence that devastated the country during its 1999 independence referendum.

The letter was sent a few days in advance of General Wiranto delivering highly controversial testimony before the CTF, scheduled to take place on Saturday. General Wiranto is a former Indonesian defense minister and commander of armed forces, who has been indicted on charges of having committed massive human rights violations.

“If these allegations remain unchallenged, the UN will become complicit in its own condemnation,” said Graeme Simpson, director of the ICTJ’s Country Programs Unit and an expert on truth-seeking. “UN silence on this matter would not only assist in denying Indonesia’s responsibility for the violence, but would actually perpetuate a grave injustice against the thousands of victims who deserve truth and justice.”

In the letter from ICTJ President Juan Méndez, the Center notes its reservations concerning the amnesty provisions in the Commission’s mandate, as well as the restrictions against recommending prosecutions for those most responsible for serious human rights violations. The letter also sounds the alarm about the manner in which victims have been treated by the CTF, noting that they have been subjected to aggressive questioning and blatant disregard for their protection.

The ICTJ believes that the recent public testimony given by alleged perpetrators should prompt an immediate and comprehensive response to a long legacy of inaction and impunity. The alleged perpetrators have accused UNAMET forces of gross misconduct, fraud, and human rights violations, while completely exonerating Indonesian troops.

Given these concerns, the Center urges the UN to:

***Issue an official response to counter the testimony before the Commission.*** This would help create a more balanced historical record and would challenge the versions of past events propagated by the alleged perpetrators. Silence on this matter would only contribute to the impunity of those responsible and do a great disservice to the victims, including an estimated 1,500 Timorese citizens, several UN staff members, and international journalists.

***Revisit the recommendations of its own Commission of Experts (COE) including the possibility of creating an independent judicial mechanism to prosecute high-level perpetrators.*** One of the key recommendations made by the COE was for the Government of Indonesia to “comprehensively review prosecutions before the Ad Hoc Court and reopen prosecutions” in a timely manner. Following Indonesia’s failure to implement that recommendation, the UN should re-open the discussion on the establishment of a robust, fair, and impartial judicial mechanism capable of finally bringing those most responsible to justice.

To read the ICTJ’s letter to the UN Secretary-General, [click here](#).

### **The ICTJ in Indonesia and Timor-Leste**

The ICTJ has been working in Indonesia and Timor-Leste since the organization's inception in 2001, consulting with the UN, governments, civil society groups, and academics on a variety of transitional justice initiatives. Released in August 2003, "Intended to Fail," the Center’s analysis of the trials before the Ad Hoc Human Rights Court in Jakarta, suggests that Indonesia never intended to fulfill its promise of holding perpetrators accountable for the violence surrounding the East Timorese vote for independence in 1999.

The ICTJ has also monitored parliamentary efforts to establish a truth commission and coordinated with local partners to ensure that the proposed body respects victims' rights and promotes accountability. In January 2005, the Center disseminated a study of the Indonesian law establishing the Truth and Reconciliation Commission (TRC), and in February, co-sponsored a conference in Jakarta for civil society leaders and activists to develop a strategy to respond to the TRC law.

The ICTJ has actively supported efforts in Timor-Leste to address the human rights violations and impunity left by 24 years of Indonesian occupation by assisting the work of the Commission for Reception, Truth, and Reconciliation and the Serious Crimes Unit. To help inform the debate about accountability, the Center produced a report in August 2003, "Crying without Tears: In Pursuit of Justice and Reconciliation in Timor-Leste," which examines the perspectives of a cross-section of Timorese citizens on violence, truth, justice, and reconciliation.

The ICTJ urged former UN Secretary-General Kofi Annan to convene an international Commission of Experts to examine the situation of impunity for the crimes committed in 1999 and to devise workable, efficient, and fair strategies to ensure accountability.

In January 2004, the Center released "The Struggle for Truth and Justice," a report that mapped nearly 200 transitional justice initiatives undertaken by Indonesian civil society organizations.

All three reports are available on the ICTJ web site at [www.ictj.org](http://www.ictj.org).

### **About the ICTJ**

The International Center for Transitional Justice (ICTJ) assists countries pursuing accountability for past mass atrocity or human rights abuse. The Center works in societies emerging from repressive rule or armed conflict, as well as in established democracies where historical injustices or systemic abuse remain unresolved.

In order to promote justice, peace, and reconciliation, government officials and nongovernmental advocates are likely to consider a variety of transitional justice approaches including both judicial and nonjudicial responses to human rights crimes. The ICTJ assists in the development of integrated, comprehensive, and localized approaches to transitional justice comprising five key elements: prosecuting perpetrators, documenting and acknowledging violations through non-judicial means such as truth commissions, reforming abusive institutions, providing reparations to victims, and facilitating reconciliation processes.

The Center is committed to building local capacity and generally strengthening the emerging field of transitional justice, and works closely with organizations and experts around the world to do so. By working in the field through local languages, the ICTJ provides comparative information, legal and policy analysis, documentation, and strategic research to justice and truth-seeking institutions, nongovernmental organizations, governments and others.