

Chega! Ten Years On: A Neglected National Resource

The Fate of the CAVR Final Report in Timor-Leste

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The State, Society and Governance in Melanesia (SSGM) program is the leading international centre for applied multidisciplinary research and analysis concerning contemporary state, society and governance in Melanesia and the broader Pacific. Situated within the Coral Bell School of Asia Pacific Affairs, SSGM seeks to set the international standard for scholarship on the region.

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Executive Summary

It is now 10 years since the publication of *Chega!* (the final report of the Commission for Reception, Truth and Reconciliation, known by its Portuguese acronym, 'CAVR'). The CAVR was tasked with documenting human rights violations committed throughout Timor-Leste's 24-year-long armed conflict and making recommendations on how to address the negative impact of the conflict, including measures to prevent its recurrence.

This report presents the key findings of a project that assesses some dimensions of *Chega!*'s impact in Timor-Leste.¹ The project consisted of two components. The first component examined how 'key actors' — defined as prominent figures in the government, parliament, education sector, Catholic Church, media and civil society organisations — perceive and utilise *Chega!* The second component assessed different programs designed to disseminate and 'socialise' *Chega!* amongst Timorese. The methodology involved a desk review of publicly available speeches and documents, interviews with 28 key actors, interviews with students exposed to *Chega!*-socialisation programs and an analysis of students' written responses to such programs.

Findings suggest there is little support amongst Timor-Leste's political elite for the implementation of the key *Chega!* recommendations. There appear to be no high level 'champions' of *Chega!* amongst the government or parliament willing to push for parliamentary debate of the report or for the prioritisation of its recommendations within government departments. Where *Chega!* is referred to by the political elite, it is invoked selectively, and often with little reference to the actual content of the report or its recommendations. Given this state of affairs, non-government organisations (NGOs) have played a critical role in keeping the report alive in the public sphere. They have used *Chega!* as a source of information to inform press releases and submissions to United Nations (UN) human rights bodies, and have called for implementation of its recommendations. However, NGO advocacy has not focused on the full spectrum of recommendations, and NGOs have differing views on some issues (for example, the question of responsibility for reparations).

The absence of support for *Chega!* implementation could also be attributed to a lack of understanding of the report's recommendations and their relevance to current challenges experienced by Timor-Leste. Despite the fact that multiple copies of the full report, its Executive Summary, brochures and booklets have been provided to key NGOs, Church institutions, public

libraries, government departments, schools and the national parliament, there is limited knowledge of *Chega!*'s findings or recommendations amongst key sectors of East Timorese society, suggesting that most people have not read these publications. Most respondents associate *Chega!* with its recommendations for prosecutions of serious crimes and for victims' reparations due to the public debate between human rights organisations and high-level political figures who are, respectively, for and against such recommendations.

Nonetheless, political leaders are, in general, extremely positive about the idea of *Chega!* as an educational resource. As a consequence, more progress has been made on the 'socialisation' of the *Chega!* findings than the implementation of the report's other recommendations. Multiple educational resources have been created by the CAVR, the Post-CAVR Technical Secretariat (known by its Portuguese acronym STP-CAVR) and human rights NGOs, and numerous educational initiatives are underway.

At the same time, there are questions about the reach and effectiveness of existing socialisation efforts. In relation to effectiveness, the majority of products developed to communicate the CAVR findings and recommendations to the Timorese public have been written publications. Audiovisual products, however, have proved to be much more effective, particularly given Timor-Leste's low adult literacy rate.² Socialisation programs have also not been strategically designed in the sense that they have generally not been tailored to the needs and interests of different groups, nor have they been designed to improve understandings of the relevance of the CAVR recommendations to Timor-Leste today. The organisations involved in these socialisation efforts have also lacked the resources to carry out large-scale socialisation programs effectively. Among the most promising developments are those taking place in the education sector in relation to the revision of the education curriculum. The integration of *Chega!* into the school curriculum is likely to be the most effective way to truly socialise *Chega!* on a nationwide scale.

The lack of progress in relation to the official endorsement of, and implementation of, the CAVR recommendations suggests that *Chega!* has had limited direct political impact. Nonetheless, the fact that the report remains a topic of reference and debate, that some individual recommendations have been picked up by some government departments, and that educational efforts are taking place, suggests that the report has had some indirect impacts. All of this suggests

that sustained civil society mobilisation around the report remains critical.

Based on these findings, this report offers the following recommendations:

To the Prime Minister:

- > The STP-CAVR is now 10 years old, has a limited mandate, and was only envisaged as a short-term institution. In a context in which parliamentary debate on the *Chega!* recommendations seems increasingly unlikely, the Prime Minister should establish a working group to conduct consultations on a follow-up institution to implement agreed-to recommendations proposed by the CAVR and the Commission of Truth and Friendship (CTF). The tasks of the working group should be to undertake a 'stocktake' as to which recommendations have been implemented and which remain outstanding and to develop the terms of reference for the new institution.

To civil society organisations:

- > NGOs conducting advocacy on *Chega!* should focus not only on the recommendations relating to prosecutions and reparations but also on the other recommendations in the report. This may help to broaden perceptions of the content of *Chega!*
- > NGOs should continue to support the national victims' network to ensure that conflict victim's interests are reflected in debates regarding *Chega!* implementation.
- > NGOs should test government claims that it has implemented 112 of the recommendations directed to Timor-Leste. It is clear that some key recommendations have not been acted on or have been only partially implemented. These relate to: dignifying conflict victims (CAVR 2005: part 11, 4.1.4, 12); the tracing and identification of conflict-related missing persons (ibid.: part 11, 3.2.1, 3.2.3); land law and reform (ibid.: part 11, 3.4.3); the non-involvement of the military in internal security operations and prevention of military and police abuse (ibid.: part 11, 3.3.3, 6.1.1, 6.1.2, 6.2, 6.3.3, 6.3.5, 6.3.9); judicial investigation and prosecution of serious crimes (ibid.: part 11, 7); documentation and memorialisation of conflict-related events (ibid.: part 11, 3.2.2, 3.2.4, 3.3.1, 3.3.2, 7.5.2–6); establishment of a CAVR follow-up body; and requests to governments and other institutions for relevant archives. This could be challenged via Timor-Leste's 2016 Universal Periodic Review.

Socialisation:

- > Due to parliamentarians' poor knowledge of *Chega!* and its recommendations, renewed efforts to educate them are needed. This may help to counter some of the arguments that have derailed previous attempts at parliamentary debate.
- > Should a follow-up institute to the STP-CAVR be established, this institute should build on and support existing socialisation efforts being undertaken by NGOs and community organisations.
- > Socialisation efforts need to be targeted, strategic and meaningful for the target group rather than undertaken in a generalised way. For instance, socialisation efforts targeted at youth could focus on encouraging young people to learn about the experiences of youth during the conflict. *Suku-* or *aldeia-*based socialisation efforts could also refer to the findings of *Chega!* in relation to that particular *suku* or *aldeia*. *Chega!* socialisation efforts should also be linked to specific days of commemoration in a district and/or *suku* (as some NGOs are already doing). More consistent efforts need to be made to link the lessons of *Chega!* to current human rights issues, for instance, the use of the Timor-Leste armed forces in what would normally be police operations.
- > 'One-off' socialisation programs are of questionable effectiveness. More efforts should be focused on sustainable and national-level initiatives such as incorporating *Chega!* into the history education curriculum at primary, secondary and tertiary level, or making it a part of the training of teachers and the seminary education of clergy. For such efforts to be successful, it is necessary to bring together individuals with good knowledge of the report's contents and those with experience developing educational materials.
- > The Church has vast educational and outreach resources, yet, apart from one or two exceptions, it has been conspicuously silent on the fate of *Chega!* politically and inactive in socialising *Chega!* in its institutions and networks. NGOs and the STP-CAVR should seek to utilise Church resources and networks.
- > There is a need for more 'socialisation' of *Chega!* amongst policy makers, many of whom have limited knowledge of the report and its recommendations. NGOs could separate out recommendations that are specific to government ministries/departments and consider how to advocate these recommendations to those ministries in a targeted, creative way.

- > Audiovisual means of communicating *Chega!* need to be further developed. A short film could be one way in which the CAVR's findings and lengthy and complex set of recommendations could be more effectively communicated. The values and lessons in *Chega!* could also be incorporated or referred to in films, television programs, and other materials generated by ministries, and local and international agencies.
- > The CAVR archives contain a wealth of information about the past conflict, including recordings of political leaders and victims talking about their experiences during the conflict. More attention needs to be directed towards making the contents of this archive available to the Timorese public. For example, inclusion of audio recordings from the CAVR hearings in the 'walk-through' *Chega!* exhibition would make the exhibition more accessible for the less literate.

Introduction

Just over 10 years has now passed since Timor-Leste's Commission for Reception, Truth and Reconciliation (CAVR) completed its final report, *Chega!* (meaning 'No More!' or 'Enough!' in Portuguese), and presented it to Timor-Leste's then president Xanana Gusmão.³ Over 3000 pages long, the report, which was tabled in parliament on 28 November 2005, is an impressive and compelling document. Based on CAVR's nationwide inquiry and research, it documents the widespread and systematic atrocities and human rights violations that were committed between 1974 and 1999, a period that encompasses the internal civil conflict and the subsequent Indonesian invasion and occupation. *Chega!* also documents CAVR's innovative community reconciliation program and outlines recommendations for policy reform in areas as diverse as: prosecutions for serious crimes perpetrators; reparations; human rights training; education; reforms to the military, police and security forces; prisons; missing persons; commemoration and memorialisation; and the rights of women and youth.⁴

Ten years after the report's completion, what is *Chega!*'s legacy in Timor-Leste?

This report summarises the findings of a research project that makes a modest contribution to assessing the long-term impact of *Chega!* in Timor-Leste. Assessing the impact of truth commissions is an intrinsically difficult task. Many studies focus on the political impact of a truth commission (the extent to which it has influenced policy through its findings and recommendations—see Bakiner 2014:7) rather than attempting to assess subtle influences on behaviour, attitude, understanding, or the quality of public debate. Yet even given these parameters it can be difficult to assess whether a particular policy reform occurred in response to a truth commission recommendation or for some other (perhaps entirely unrelated) reason. The task of assessing impact is further complicated by the fact that political and societal discussion of truth commission reports *evolves*, which means that impact will look different depending on the point in time it is assessed.

A further difficulty is that assessments of truth commission impact need to take account of both their 'direct' and 'indirect' impacts (ibid.:7). In other words, even in cases where truth commissions have little 'direct' political impact (i.e. where governments fail to endorse their findings or implement their recommendations) they may still have had an 'indirect' impact by providing a platform for civil society mobi-

lisation around the publishing or dissemination of a report, or advocacy for the adoption of truth commission recommendations. This mobilisation may lead to eventual policy change or create a space for more public discussion of past periods of conflict. In this sense, as Bakiner argues, analyses of truth commission impact need to take account of the process through which decision-makers and civil society actors endorse, reject, or mobilise around its findings and recommendations (ibid.:14).

A consideration of both direct and indirect impact is important in the context of Timor-Leste where, 10 years after the publication and tabling of *Chega!* in the national parliament, there remains no official program to implement the report's recommendations. In 2008 a push was initiated by civil society organisations working with the Office of the Prosecutor for Human Rights and Justice and the UN Mission to Timor-Leste to have the recommendations of the CAVR and the subsequent, bilateral Commission for Truth and Friendship (CTF)⁵ debated in parliament and implemented through the establishment of an 'Institute for Memory'. This led to a parliamentary resolution in December 2009 that authorised a parliamentary committee to prepare concrete steps to implement the reports' recommendations. In 2010, draft laws to establish an Institute for Memory (that would oversee implementation of agreed-to recommendations of the CAVR and the CTF) and a national reparations program (that would provide material and symbolic reparations to 'vulnerable victims') were introduced into parliament.⁶ Since that time, however, parliamentary debate on the laws has repeatedly stalled. The CAVR recommendations on victim reparations and prosecutions of crimes by the Indonesian military remain key stumbling blocks; they continue to be staunchly advocated for and against by different national stakeholders, contributing to the current political impasse in relation to the Institute for Memory.

The lack of progress in relation to the implementation of the *Chega!* recommendations suggests that the truth commission report has had limited *direct* political impact. Nonetheless, as is discussed in this report, *Chega!* has provided a platform for civil society advocacy around some of the report's recommendations and has also stimulated a number of education and awareness-raising initiatives on the conflict. Some recommendations have also been taken up by specific government departments and statutory bodies, although this research project was unable to confirm whether these initia-

tives occurred independently of or as a result of the CAVR recommendations. These developments suggest that *Chega!* has had some indirect impacts.

This report seeks to make a modest contribution towards assessing *Chega!*'s impact within Timor-Leste by:

1. examining how 'key actors' — defined as representatives of the government, parliamentarians, the education sector, the Church, journalists and civil society organisations — perceive and utilise *Chega!*
2. considering the effectiveness of programs to disseminate and 'socialise' *Chega!* (and related CAVR products).

The methodology for the study involved a desk review of publicly available speeches and documents referencing *Chega!*, interviews with 28 key actors, interviews with students exposed to socialisation programs, an analysis of students' written responses to socialisation programs, and the observation of a socialisation workshop conducted by the STP-CAVR in Liquica.

The aim of the study is to contribute to the ongoing debate over implementation of the CAVR's recommendations and improve efforts to promote discussion of the report's findings

within Timor-Leste. While the findings are specific to Timor-Leste, it is also hoped that they will be of interest to those studying truth commissions in other contexts. In particular, this study contributes to the literature on the *post-implementation* phase of truth commission work. While there is a wealth of literature on the operational phase of truth commissions — their truth-seeking and reconciliation programs — the post-implementation phase tends to be neglected. Yet this phase is critical because it is when the difficult task of transforming the findings and recommendations of truth commissions into policy reform begins (Bakiner 2014:6).

This report is in three parts. Part One examines how *Chega!* is perceived and utilised by key political figures, representatives of the government, parliamentarians, the education sector, the Catholic Church, journalists and civil society organisations. Part Two documents efforts by a number of different actors to communicate *Chega!* to the East Timorese public, and examines the effectiveness of these efforts. Part Three provides recommendations to government and non-government actors as to how *Chega!* might be more effectively utilised.

1. Perceptions of and Utilisation of *Chega!*

Key Political Figures

Key political leaders José Ramos-Horta and Xanana Gusmão contributed in various ways to the work of the CAVR.⁷ In addition to advice and assistance with fund-raising, they contributed oral testimony to the CAVR along with other high-level members of the East Timorese Resistance, who now form part of independent Timor-Leste's political elite. In addition, many of the CAVR's national and regional commissioners have gone on to become influential members of the government, clergy or political parties. There is therefore knowledge about the CAVR's work and objectives at high levels within Timor-Leste state organs.⁸

While this suggests that political leaders should have an in-depth knowledge of the contents and recommendations of *Chega!*, this does not appear to be the case. Despite being provided with copies of the full report and the summaries of *Chega!*⁹ made by the CAVR and the STP-CAVR, political leaders are able to recall few of the CAVR's recommendations. This may be due to a number of factors including the fact that the CAVR was superseded, in a sense, by another commission (the CTF, which diverted energies and attention away from the CAVR); the number of years that has elapsed since the report's publication; and the existence of competing political and policy priorities, including the highly disruptive 2006 crisis. The length of the report (it is over 3000 pages long) and the fact that it contains 204 recommendations further compounds matters, particularly given the preference in Timor-Leste for oral, as opposed to written, means of communication.

Prior to the CAVR final report being made public, the East Timorese political elite had agreed to establish the CTF in partnership with the Indonesian government and to prioritise the mending of bilateral relations. A number of CAVR staff and commissioners went on to work for the CTF, and were therefore unable to take part in CAVR-related socialisation or advocacy activities for several years. One former CAVR and CTF commissioner interviewed for this research admitted that due to the time that has passed he has forgotten the complete list of *Chega!*'s recommendations.

As for their use of the CAVR final report, it is clear that competing political and policy priorities have led key statesman to promote *Chega!* selectively, prioritising some aspects while ignoring others. Political leaders speak eloquently about *Chega!* as an important history of the conflict, a document

that contains important 'lessons' for peacebuilding and might provide a tool for educating the younger generation. This means that, while there has been some support from the political leadership for CAVR 'socialisation' activities (which are discussed in the next section), the issue of the *Chega!* recommendations relating to prosecutions and reparations is far more contested. At the same time, even where political leaders refer to *Chega!* as a history, they often do so to serve particular political purposes.

As president, Xanana Gusmão's selective approach to *Chega!* was evident in his speech upon presenting the report to the parliament on 28 November 2005. Gusmão stated that if Timor-Leste implemented the CAVR recommendations on maintaining the political neutrality of the security forces, respecting the rule of law, establishing civic education programs and exercising political freedoms in a non-violent fashion, 'we can then be certain that we will never have to face again the nightmares and sacrifices of the 24 years of struggle we have had to endure'. He also commended the CAVR's work on reconciliation between Timorese living on either side of the Indonesia–Timor-Leste border, praise which he has repeated in his speeches over the years.¹⁰ At the same time, Gusmão rejected the CAVR recommendations on the prosecutions of perpetrators and victim reparations, suggesting that they could be 'used to manipulate our people's state of mind' and criticising the commissioners for their 'grandiose idealism'. Gusmão warned of potential 'political anarchy and chaos' if crimes committed by East Timorese since 1974 were brought to trial. Instead, he suggested that 'true justice, was the recognition by the international community of the right to self-determination and independence of the People of Timor-Leste'.¹¹

Since that initial speech, both Gusmão and José Ramos Horta have continued to publicly oppose the recommendations on prosecutions and reparations. Reparations, Gusmão has repeatedly stated, might help to foster a 'victim mentality' amongst the Timorese people, while José Ramos-Horta argues such a program would open an unmanageable Pandora's box. The issue of the prosecution of serious crimes perpetrators remains off the agenda for several reasons. Firstly, given the the importance of Timor-Leste maintaining good relations with its large and powerful neighbour, it is not considered in the national interest to pursue high-level members of the Indonesian military.¹² Secondly, Timor-Leste's political elite is understandably reluctant to stir up discussion

of the human rights violations committed by East Timorese political parties during the the internal civil conflict of 1974–1975 and the Indonesian occupation.¹³

During and following the 2006 crisis, the political elite gave renewed attention to the CAVR report. The crisis, which saw conflict between people living in the east and west of Timor-Leste, caused a large amount of property destruction and forced displacement within the capital, Dili. It also brought to the fore serious divisions amongst the political elite, many of which harked back to the Resistance era and the internal political conflict of 1974–75. In their attempts to manage the crisis, members of the political elite used the report selectively as part of their calls for national unity and peace or to position themselves favourably in relation to their political opposition.

An example of how *Chega!* was used as a means of political positioning during the crisis can be seen in President Gusmão's address to the nation soon after the crisis began. At this time, Gusmão accused the political party FRETILIN of ignoring the CAVR's call for an end to politically motivated violence, stating '[T]he CAVR report asked for an end to political violence, so that the people would not continue to suffer ... which the leaders of FRETILIN do not want to hear or heed'.¹⁴ Later that year, in a long letter to the newspapers seeking to dispel rumours that he provoked the political crisis, Gusmão made passing reference to the CAVR report again, stating that despite having just presented the UN Secretary-General with a copy of *Chega!*, which name, he said, means 'never again shall political violence occur in Timor-Leste', three months later law and order broke down. Again, Gusmão's invocation of *Chega!* was selective and in part politically motivated. He did not link the failure to implement certain *Chega!* recommendations, such as those pertaining to the politicisation of the military or police, to the 2006 crisis, nor did he accept any responsibility for his own contribution to the crisis (Gusmão 21/11/2006).

By contrast, Gusmão's invocation of *Chega!* in a speech inaugurating the Parliamentary Majority Alliance (AMP) government in August 2007 seems less politically motivated and more directed towards building national unity. Gusmão, as prime minister, highlighted the symbolic power of *Chega!*, recognising that the report contains 'lessons' that could prevent the recurrence of such crisis. As he stated, 'we cannot ignore the lessons of the past in order to understand the current crisis, and protect the future'.¹⁵ Nonetheless, Gusmão's message is very general; it makes no reference to the actual content of the report or to the CAVR recommendations.

Like Gusmão, José Ramos-Horta, as president and prime minister, has held up *Chega!* as an important history of the

conflict, and a document that contains lessons for peacebuilding (particularly in the wake of the 2006 crisis). He has repeatedly encouraged examination of the CAVR's history of the conflict — 'the horror of the past as a warning and lesson' — in order to prevent future violence in both Timor-Leste and Indonesia. In July 2006, Ramos-Horta reflected on the 2006 crisis as having 'reopened the wounds not yet fully healed and has rendered open new ones'. He called for an 'even deeper reflection about our collective experience of the years 1974–1999', suggesting that 'The extensive CAVR report is an encyclopaedia of our history, both rich in teachings and suffering. We must utilise its great teachings to better understand today's crisis and to help prevent future crises.'¹⁶ Ramos-Horta has also demonstrated support for efforts to use *Chega!* in the Timorese school system (*Jakarta Post* 24/2/2006). In a March 2009 interview with the *Irish Times*, he said:

When you show the truth, the whole truth, in a history put into the school curriculum, rather than use history to perpetuate resentment, you can use it as a teaching tool on the need to avoid violence ... It has to be presented in a way for people to learn about the ugliness of violence. (*Irish Times* 4/3/2009)

Nonetheless, despite the eloquence of Ramos-Horta's statements, he, like Gusmão, often invokes *Chega!* as part of generalised call for peacebuilding, making little reference to the actual content of the report or its recommendations.

In recent years, both Gusmão and Ramos-Horta have referred to the CAVR and the CTF within international forums as examples of peacebuilding good practice that could be replicated in other post-conflict countries. For instance, in 2014, at a World Summit on 'Peace, Security and Human Development' Gusmão referred to the CAVR and the CTF as reconciliation success stories that had inspired a general 'agreement' to non-violence, allowing the past to be put to one side. As with his reference to *Chega!* in speeches to a national audience, Gusmão's promotion of these reports in international forums is part of a peacebuilding narrative that serves particular political interests. A key part of this narrative is the idea that Timor-Leste's peacebuilding success story has proved wrong the international community's insistence on prosecutions against human rights violators. The suggestion is that the documentation of human rights violations and a general agreement that 'the past shall not be repeated' is enough to prevent recurrence of human rights violations. What is absent in this narrative is any reference to the CAVR and CTF findings, or any link between implementation of the

CAVR recommendations on institutional reform, education, accountability and support for conflict victims and peace-building.

Parliamentarians and Political Parties

Parliamentarians, similarly, evince a lack of understanding of the contents of *Chega!* and the full spectrum of its recommendations. They tend to associate the report with its recommendations for justice for conflict-related crimes and reparations. As a consequence, the report is politically unpopular. As noted earlier, in 2008 a push was initiated by civil society organisations, the Office of the Provedor for Human Rights and Justice and the UN Mission to Timor-Leste to have key CAVR and CTF recommendations debated in parliament and implemented through the establishment of an 'Institute of Memory'. These efforts met with some support from individual parliamentarians but none of the major parties endorsed CAVR and CTF implementation as part of their political platform. Only one political party, the National Unity Party (known by its Portuguese acronym PUN) has made *Chega!* implementation a key and consistent part of its political platform. Former parliamentarian and chair of the parliamentary committee responsible for justice and constitutional issues, Fernanda Borges was, in particular, a strong and vocal supporter of *Chega!*'s implementation. PUN failed to regain its three parliamentary seats in the 2012 election.

FRETILIN has made a number of public statements in support of CAVR implementation. It appears that these statements have been made, however, in an attempt to obtain political advantage as opposed to actual commitment to *Chega!*'s recommendations.¹⁷ For example, in 2009 the parliament's failure to debate the CAVR combined with the government's unlawful release and return to Indonesia of a former militia leader was used by FRETILIN to raise a vote of no-confidence against the government.¹⁸ During subsequent attempts to debate the CAVR report, FRETILIN made public statements claiming that it was up to the political parties in government to prioritise the debate on the Institute for Memory and Reparations bills in the parliament. Francisco Branco, a FRETILIN parliamentarian, is quoted as saying that FRETILIN had wanted to approve the laws but parliamentarians from Aliansa Maioria Parlamentar (AMP) 'cancelled' the two laws. This is not entirely true as FRETILIN members of parliament, at least in February 2011, supported delaying the debate of the two laws (*Dili Weekly* 13/12/2012).

The veterans' program has been a key obstacle to parliamentary debate of the laws to implement an Institute for Memory

and a reparations program. The veterans' program places a huge financial and administrative burden on the Timorese state and has been plagued by allegations of corruption and mismanagement. The need to iron out these difficulties (and to resolve allegations of false or elevated claims of service) has become an excuse for delaying discussion of a reparations scheme, as parliamentarians frequently state that the veterans 'issue' needs to be resolved before victims' needs can be considered. Moreover, the prioritisation of veterans' issues has led to a resistance amongst prominent veterans who are now members of parliament to accepting that pro-autonomy East Timorese may also be victims of human rights abuses and deserving of assistance.

The lack of any high-level 'champions' of *Chega!* amongst the government or parliament is an ongoing obstacle to parliamentary debate. None have stepped in to fill the place of Fernanda Borges after she left politics in 2012. Despite this apparent stalemate, as discussed below, there has been some limited take up of some *Chega!* recommendations by some government departments and reference to *Chega!* in the government's human rights treaty reporting to the UN. Timor Leste's National Human Rights Institution, the Office of the Provedor for Justice and Human Rights, has also made frequent reference to *Chega!*

Government Departments

Several government departments are utilising *Chega!* in different ways. Perhaps the most significant initiative is being undertaken by the Ministry of Education, which is currently working on reform of the curriculum for preschool to grade 6. As part of this process, more attention is being paid to national history, including reference to *Chega!* in grade 6.

The Ministry of Social Solidarity (MSS) is also providing assistance to some conflict victims through its existing programs to support vulnerable people. Although this support is not considered 'reparations', MSS is, through collaboration with NGOs such as Asosiasaun Chega! ba Ita (Chega! for Us Association, known as ACbit), targeting conflict victims who are experiencing financial hardship, illness or disability. Because the Minister for Social Solidarity and the director of MSS's National Directorate for Social Reinsertion were both involved in the CAVR, there is some awareness of the need to integrate *Chega!* recommendations into the work of the ministry. As part of these efforts, at the time of writing, US\$161,290 had been provided to assist vulnerable women victims of the conflict, through ACbit.¹⁹

Use of *Chega!* in Human Rights Treaty Reporting

The government has also referred to the CAVR in its human rights treaty reports. Timor-Leste's core document — a government-prepared document that provides the UN treaty bodies with background information on the country — describes the work and findings of the CAVR. The document correctly reproduces the CAVR findings regarding the nature of and responsibility for violations committed during the Indonesian occupation. Consistent with the views of key political leaders, the document states that the 'Government is not in agreement with some of those recommendations including a proposal for reparations by the international community and the establishment of an International Tribunal' (UNHRI 16/7/2007: paras 112–13).

The government's 2008 report on implementation of its obligations under the Convention on the Elimination of Discrimination Against Women (CEDAW) references the CAVR in its discussion of violence against women during the conflict, reproductive health-related human rights violations and the different ways in which men and women experienced the conflict. The report, somewhat surprisingly given the political unpopularity of a national reparations program, notes that emergency assistance to women victims of the conflict has been inadequate, calls for a wider reparations program and recommends further outreach to identify vulnerable women in need of assistance (UNCEDAW 24/11/2008:3, 30, 58, 110, 127, 139, 140, 141). Timor-Leste's second State report, submitted in 2013, makes no mention of the CAVR or CTF reports (UNCEDAW 23/12/2013).

Timor-Leste's first Convention on the Rights of the Child (CRC) report similarly references the CAVR on a range of issues, including encouragement of drug use amongst youth by the Indonesian military in order to coerce them into military roles, use of child soldiers during the Indonesian occupation, forced separation of children from their families and psychological trauma caused by experiencing or witnessing torture (UNCRC 28/6/2007: paras 78, 214, 128, 253; UNCRC 4/5/2007). During the committee's discussion of Timor-Leste's reports, the government was asked about the steps it was taking to address the negative impact of conflict (both the 1975–99 and the 2006 internal conflict) on children. The Minister for Justice skirted the question, stating that children were no longer involved in armed conflict but were engaged in gang-related criminal activities and that the government was developing legislation on juvenile justice and was working with NGOs to assist child victims of sexual violence (UNCRC 23/1/2008: paras 19–20).²⁰ The combined second

and third State reports make no mention of the CAVR, or conflict-related trauma. In relation to separated children, the State report claims that reunification efforts ceased in 2006 due to the political crisis and were not recommenced because the separated children are now all adults (UNCRC 3/12/2014: para 101).

Several years later, in 2012, the Timor-Leste State report to the United Nations Human Rights Council as part of the nation's first Universal Periodic Review, referred to the CAVR and the CTF. The report stated that, 'Timor-Leste is committed to provide support to the victims of past human rights violations' and '[a] law is presently under debate in the National Parliament on awarding compensation to the victims and the establishment of an institution to preserve the memory of historical events in Timor-Leste' (UNHRC 19/7/2011: para 59). At the review, government representatives claimed that 134 of the CAVR recommendations had been addressed to Timor-Leste state institutions and that 112 of these had been implemented through various development programs such as improving prison conditions, community dialogue and reconciliation, and youth policies including for the eradication of illiteracy (UNHRC 3/1/2012: para 49). The government did not provide detailed information about which recommendations had been implemented and how.

The Office of the Provedor for Human Rights and Justice

The Office of the Provedor for Human Rights and Justice (PDHJ) — Timor-Leste's National Human Rights Institution — has used some international and local forums to advocate for implementation of the CAVR recommendations. For instance, PDHJ's report to the CEDAW committee in 2009 highlighted two key themes: justice for women victims of sexual violence during the Indonesian military occupation, and conditions of detention for women prisoners. The report devotes several pages to explaining the CAVR's work and the violence suffered by women during the 1974–99 conflict and explicitly requests the CEDAW committee to call on the Timorese parliament to establish a CAVR follow-up institution and victim reparations program (PDHJ 2010:5–12). The PDHJ also used its 2012 Universal Periodic Review submission to highlight the non-implementation of CAVR recommendations on 'victims' rights to justice, truth, and reparations'. At the UPR session, a representative of the PDHJ expressed regret at Timor-Leste's delay in addressing violations that occurred during the 1975–99 period.²¹

In December 2009, the PDHJ and the National Human Rights Commission of Indonesia (Komnas HAM) established a joint

working commission to monitor implementation of the CAVR and CTF recommendations in relation to missing persons (Assegaf 26/1/2016). It has also begun delivering human rights training programs to both the police and military, which implements a key CAVR recommendation to this effect.

Journalists

Journalists, too, have limited knowledge of *Chega!* Like political figures, they associate *Chega!* with its recommendation for prosecutions of serious crimes committed during the conflict. Very few journalists appear to conduct background research on stories related to the CAVR's findings. They instead report verbatim statements made by high-level political figures or summarise press releases from NGOs about the CAVR. This means that the press reports are frequently inaccurate, confuse the CAVR with the CTF, or focus only on the narrow advocacy agenda promoted in the relevant press release.

Journalists do not recognise that *Chega!* could be a valuable reference to assist with reporting on current affairs. For example, information on the background of some protagonists and the recent use of the Timorese military in internal security operations and the resulting human rights violations were widely reported in the media; however, no journalists used *Chega!* or linked this with *Chega!*'s findings that the Indonesian military's dual political-security role contributed to the severity of violations during the past conflict.

The Church

From time to time the Church has called for the prosecutions of those who committed serious crimes in the context of Timor-Leste's political conflict. For example, in response to the 2009 release of former militia leader Maternus Bere, the Bishop of Dili told the press that Bere should have faced the courts (Timor Post 28/9/2009). On the occasion of the inauguration of the statue of Pope John Paul II, the Vatican ambassador stressed there was an indissoluble link between justice and reconciliation and subsequently visited the CAVR premises in the company of Dom Norberto, the Bishop of Dili. The Church has also reportedly played a 'behind the scenes' role in support of PUN's efforts in the national parliament to pass the Institute of Memory and victim reparations draft laws. Some individual members of the clergy have been active in organising commemorations of conflict-related events.

However, generally, the Catholic Church in Timor-Leste has not been a strong, public advocate of *Chega!*. Furthermore,

this study has been unable to determine the level of knowledge that exists within the Church about *Chega!*'s contents and recommendations. It is also not known if *Chega!* is referred to in Timor-Leste's seminary education programs. An interview with the director of the Dili Commission for Justice and Peace, the church's human rights arm that arguably should be most active in promoting the CAVR final report, revealed that he personally had a very limited understanding of *Chega!* In this interview, the director stated that the CAVR addressed the past and it was now time to look to the future, suggesting that he did not believe the report had relevance to contemporary issues.²²

Human Rights Organisations

Given the lack of official commitment to *Chega!*'s recommendations, the work of a handful of Dili-based human rights organisations has been critical in keeping the report alive in the public sphere. These organisations have used *Chega!* as a source of information to inform their press releases and submissions to UN human rights bodies, and have called for implementation of *Chega!*'s recommendations on prosecutions, reparations and missing persons. They have also focused on the issue of conflict-related disappearances. No organisation or campaign, however, has attempted to tackle the whole suite of *Chega!* recommendations, which is understandable given the breadth and complexity of the recommendations.

From 2007 until 2009, NGOs such as the Judicial System Monitoring Program (JSMP) reported on STP-CAVR dissemination activities, and members of the National Alliance for an International Tribunal (ANTI) called for implementation of the CAVR recommendations on justice for human rights violations committed during the 1975–99 conflict. In 2008, several organisations came together to establish the Reparations Working Group in order to raise public awareness about victim reparations and develop strategies on implementation of key CAVR recommendations.²³ Working group members provided important technical and political support to the Parliamentary Committee for Constitutional Issues, Justice, Public Administration, Local Power and Government Legislation (Committee A) in formulating a *Chega!* implementation plan. Their advocacy work with the national parliament arguably led to the most significant public discussion of *Chega!* since its 2005 release. Through their work, organisations such as ACbit and HAK Association have also been successful in securing 'alternative' reparations for some conflict-affected victims through existing MSS programs for vulnerable people.

Since 2013, NGOs have increasingly focused their efforts on the issue of missing persons. As well as lobbying the government to establish an institute for missing persons in line with the *Chega!* recommendations, organisations such as Asia Justice and Rights (AJAR) have developed their own program to help unite missing people with their families. For instance, in May 2015, following a lengthy process, AJAR staff in Indonesia and Timor-Leste reunited 14 of an estimated 4000 ‘stolen children’ with their families, after up to 35 years apart. These Timorese had been taken as children from East Timor to Indonesia by Indonesian military forces during the military occupation. Most had been five to 10 years old at the time. The survivors were gathered from many areas of Indonesia, and AJAR staff in Timor-Leste gradually identified and contacted their families. During the week-long visit, other Timorese families approached AJAR seeking assistance in finding their children (see AJAR 5/7/2015).

Advocacy around the *Chega!* recommendations has, however, been constrained by divisions amongst NGOs on some

issues. These include the question of whether Indonesia or Timor-Leste should provide reparations to conflict victims and whether reparations should be provided in the absence of prosecutions of perpetrators of human rights violations. Another challenge has been the lack of individuals within local human rights organisations with a comprehensive knowledge of the report’s contents. Staff turnover, the multiple demands on NGO staff, the length and complexity of the report, the time that has passed since the report was published and the large number of recommendations are contributing factors. Some respondents also suggested that NGOs had focused their advocacy too narrowly on a few key recommendations — namely, prosecutions and reparations — and that this had contributed to narrow understandings of *Chega!*

Initially, NGOs’ advocacy efforts were also hampered by a lack of direct advocacy by victims themselves, which politicians used to point to the lack of popular support for this agenda. Since 2008, however, some NGOs have supported a national victims’ network to strengthen victims’ voices in these debates.



Figure 1: Display from ‘walk-through’ *Chega!* exhibition. Courtesy of ACbit.

2. Education and Socialisation Efforts

In contrast to the lack of official support for a follow-up institution to implement *Chega!* recommendations there has been some progress in relation to education/socialisation of the *Chega!* findings. This in fact indicates a degree of support for *Chega!* implementation, as a range of recommendations focus on the need to disseminate the report and develop educational materials that make use of its content.²⁴ Support for *Chega!* socialisation was also reflected in this study; indeed, the vast majority of interviewees were extremely positive about the idea of using *Chega!* to educate the younger generation about Timor-Leste's history.

Education efforts are being actively supported by the Office of the President through its support for the STP-CAVR. President Gusmão established the STP-CAVR in December 2005 to assist with the dissemination of the CAVR final report on behalf of the presidency. The Office of the President has funded the publication and international dissemination of an English-language *Chega!* Official funding has also been provided for the publication of a Portuguese-language edition for dissemination within the Community of Portuguese-speaking Countries. The office continues to request annual budgetary allocations for the STP-CAVR to care for the CAVR archives and heritage site, and undertake a limited amount of socialisation activities. The Prime Minister's Office, through its civil society fund, funded ACbit to create and transport a mobile version of the *Chega!* educational exhibition to the districts.

STP-CAVR's Socialisation Work

The STP-CAVR is an independent entity under the Office of the President. Its mandate is to assist with dissemination of the CAVR's final report and preserve the CAVR archives and historical prison site from which the CAVR operated. According to the presidential despatch of 2005, dissemination of *Chega!* within Timor-Leste was to occur through 'awareness campaigns with national reconciliation in mind'.²⁵

Shortly after the STP-CAVR's establishment, staff embarked on a Timor-Leste-wide *Chega!* road-show that was designed to introduce *Chega!* to key leaders at the district level (STP-CAVR 2007). A team of STP-CAVR staff visited each of Timor-Leste's 13 districts for two to four weeks at a time. Staff held initial meetings with district administrators and other key figures (police, sub-district administrators). A full set of CAVR publications was presented to each district administrator and

a copy of the full report was also provided to district libraries, youth and community centres (a total of 23 nationwide).

Another component of the road-show involved a series of day-long seminars in each district to discuss *Chega!* with community leaders such as xefe suku, xefe aldeia, local NGO staff, veterans, individuals who worked for or provided testimony to the CAVR, teachers, police and military officers. A total of 925 people attended the 14 seminars, which were chaired by a panel consisting of victim and government representatives, former CAVR commissioners and STP-CAVR staff. Follow-up workshops were held to discuss further the issues raised during the seminars and to identify willing focal points that could link the STP-CAVR to communities for future *Chega!* dissemination efforts. In the evenings, STP-CAVR staff showed *Dalan ba Dame (The Road to Peace)*— a CAVR-produced film focusing on the history of the conflict. In response to a recommendation made by the Judicial System Monitoring Program (JSMP), the STP-CAVR began to accompany *Dalan ba Dame* screenings with community discussions that linked the CAVR findings and recommendations to the film content (JSMP 2006). Unfortunately, however, some of the former CAVR national commissioners were unable to assist with this dissemination program because they had been appointed as commissioners to the recently established CTF, and were preoccupied with their new roles. This may have reduced the impact of initial socialisation efforts.

Since 2005, the STP-CAVR has made available CAVR materials and produced a number of written and audiovisual materials designed to communicate the CAVR's work, including its findings and recommendations, to the general public in an accessible way. These include a CAVR Executive Summary of *Chega!*, a 16-page brochure introducing the CAVR final report, a *Chega!* Plain Guide, a *Chega!* Popular Version in comic book form,²⁶ a shorter version of *Dalan ba Dame* and an audio version of *Dalan ba Dame*. The STP-CAVR also produces a weekly radio program on RTTL national.²⁷ These products have been widely distributed, and *Dalan ba Dame* is shown as part of one-day 'socialisation' workshops conducted by the STP-CAVR at the district level.

The STP-CAVR has digitised sections of the CAVR's records to ensure that they are preserved and are eventually accessible to researchers. These archives contain transcripts and recordings of interviews with conflict victims and key Timor-

ese political leaders whose preservation is vital in retaining a record of the conflict.

The STP-CAVR has also curated a ‘walk-through’ exhibition of *Chega!* at the Comarca prison, the site of the CAVR’s offices, which was opened by President José Ramos-Horta in December 2008. The permanent exhibition is a stimulating, multi-media introduction to *Chega!* in Tetum and English. As part of the exhibition, graffiti by prisoners and ‘dark cells’ have been retained as a reminder of the human rights violations committed there. Two STP-CAVR staff work as guides for the exhibition.

It is evident that those exposed to the ‘walk through’ *Chega!* exhibition find the experience powerful. An analysis of student responses to the exhibition suggest that many are inspired by learning about the history of the independence struggle and have a desire to work for their country. As one female student in Dili put it:

From this visit to *Chega!* exhibition I’ve learned that independence was achieved through sacrifice. I never imagine that the people can live together in small dark cells, I myself when I entered, I could not breathe. I’ve learned how to respect human rights, don’t treat people like animals. We all need to know human rights. I’ve just learnt that the baby in the womb has human rights. The visit has strengthened my spirit of nationalism and patriotism.²⁸

As another female student from Dili put it:

My father is former resistance member, when he told me history of resistance, I did not believe him. But with this visit I started to believe because I can see with my own eyes. A lot of sacrifices. I can’t resist with this type of situation. It’s time to work together for our country. We need to work harder. We only knew the *Chega!* report after visiting this place.²⁹

These responses indicate that ‘hands-on’, experiential ways of learning about the past are particularly effective ways of communicating the work of *Chega!* to the public. Given low levels of literacy amongst the population, audio visual products — such as films like *Dalan ba Dame* — are also very popular.

Nonetheless, there are questions about the effectiveness and reach of the STP-CAVR’s dissemination and socialisation work. A key issue is that the STP-CAVR is funded by the government which, some staff felt, compromised the organisation’s independence. Moreover, funding constraints mean there are only two staff members involved in the socialisation program.

Based on observation of a socialisation workshop in Liquica, the content of these workshops is also very general in nature. The workshops promote messages about the need to learn from the past so as not to repeat the same mistakes in the future, but staff seem to lack the facilitation skills and detailed knowledge of *Chega!* that would enable them to relate the CAVR report to contemporary challenges and to the specific issues of each local community. The STP-CAVR’s reliance on written materials is also problematic given the low levels of education and literacy amongst the population.³⁰

Despite the work that has gone in to the CAVR archives, their potential as a resource has not been fully exploited. Due to concerns from STP-CAVR staff about inadvertently releasing sensitive information, there is currently no workable access policy. Even if an effective access policy was in place, the basic level of organisation of the archives and lack of facilities for public access would also make it difficult for researchers to search for and locate materials. Recordings of interviews and public hearings are not yet incorporated into the ‘walk-through’ *Chega!* exhibition.

NGO Socialisation Efforts

In addition to the STP-CAVR, a small number of NGOs are working to educate the population about the CAVR’s work, findings and full set of recommendations. The most active of these was the International Centre for Transitional Justice (ICTJ) and now its national successor organisations Asia Justice and Rights (AJAR — Indonesia/Timor-Leste) and ACbit. These organisations developed an illustrated version of the CAVR report for use in schools. These Tetum-language books were distributed to schools across the country in 2011. A Portuguese-language version was published in 2012 and provided to state-run schools. An English-language version is also available.³¹

ACbit also created a mobile version of the ‘walk-through’ *Chega!* exhibition that it takes to display in the districts. The young relatives of conflict victims have been trained to facilitate visits to the mobile exhibition and are on hand to explain aspects of the conflict and the CAVR’s work to exhibition visitors. Even though the exhibition is still heavily reliant on written text to communicate its message, the photographs and verbal explanations given by facilitators do make *Chega!* more accessible to members of rural communities with limited literacy skills.

ACbit and another NGO, the HAK Association, combine efforts to support the commemoration of conflict-related events, such as the 1999 Suai Massacre, with *Chega!* socialisation activities so that local communities can see how the

CAVR documented their experiences during the conflict. ACbit also focuses on schools. It organises training for secondary school teachers and has written a human rights training module for students that can be used alongside visits to the *Chega!* exhibition.

Another organisation that has used *Chega!* as an educational resource is the East Timor Crisis Reflection Network (ETCRN). Composed of former CAVR staff members and others, ETCRN used *Chega!* and the film *Dalan ba Dame* in the wake of the 2006 crisis to facilitate understandings amongst the community about conflict and its destructive effects. Funded by the Ministry of Social Solidarity, ETCRN visited communities in 2007 as part of a program that showed *Dalan ba Dame* and facilitated a discussion that sought to draw parallels between the conflict between Timorese during the 1975 civil war and Indonesian occupation and the 2006 violence.

As discussed in the previous section, local organisations including ACbit, HAK Association, NGO Forum, La'o Hamutuk and the NGO coalition ANTI have also used the CAVR findings and recommendations to advocate for a national victim reparations program, a tribunal to prosecute international crimes committed during the Indonesia–Timor-Leste conflict, and the search for persons who disappeared during the conflict. Although these efforts are envisaged more as advocacy rather than as educational efforts, they have nonetheless also had some impact in terms of raising public awareness about particular CAVR recommendations.

Schools

Arguably, one of the most effective ways of raising awareness of the CAVR findings nationally is by integrating them into the school curriculum (Leach 2015). Yet, the efforts by NGOs and the STP-CAVR to encourage schools to utilise *Chega!* have encountered a number of stumbling blocks, suggesting that the teaching of history remains politically contentious. Some



Figure 2: Students at 'walk-through' *Chega!* exhibition. Courtesy of ACbit.

schools are using the illustrated *Chega!* produced by AJAR, ACbit and the STP-CAVR as an educational resource. Nonetheless, use of these books is at the discretion of individual teachers as there has been no national direction from the Ministry of Education on the incorporation of CAVR materials into the curriculum. Monitoring by the ICTJ and then ACbit indicates that some teachers are using the illustrated *Chega!* to teach Timorese history, but others had not even removed the books from their boxes. Some requested more guidance and assistance in the utilisation of these resources.

As noted in the previous section, however, the Ministry of Education's establishment of a team to revise the primary school history and human rights curriculum suggests that there may soon be a more systematic approach to the incorporation of *Chega!* into the school curriculum. This is necessary because, as the STP-CAVR itself acknowledges, *Chega!* was not written directly for the classroom and still needs to be 're-presented ... appropriately for different levels and subject areas' (STP-CAVR 2008:39). These efforts will hopefully ensure a more nationwide approach to the teaching of history (Leach 2015:51).

3. Conclusions and Recommendations

In conclusion, there is more support in Timor-Leste for the implementation of the CAVR's recommendations on the socialisation of *Chega!* than for its other recommendations. At the same time, few key actors, including political leaders, members of the government, journalists, and representatives of the Church, evince a detailed understanding of the report findings or its recommendations. Most respondents associate *Chega!* with its recommendations for prosecutions of serious crimes and for victim reparations. Where *Chega!* is invoked by the political elite, it is invoked selectively, and often with little reference to the actual content of the report or its recommendations.

The most important reason for this state of affairs is political. Political leaders prefer to address the legacies of the conflict in a manner contrary to that recommended in the CAVR final report. Ongoing opposition from high-level political figures to human rights organisations' calls for an international tribunal and other forms of accountability for crimes during the 1975–99 wars has fostered a skewed impression in the minds of many policy and law-makers as to what *Chega!* stands for and what implementation of its recommendations would entail. By focusing their initial lobbying efforts principally on prosecutions and reparations, NGOs are perhaps also partly to blame for this impression.

The lack of progress on the official endorsement of, and implementation of, the CAVR recommendations suggests that *Chega!* has had limited direct political impact. Nonetheless, the fact that the report remains a topic of reference and debate, that some recommendations have been picked up by some government departments, that the report has provided a platform for limited civil society mobilisation, and that a number of educational efforts are taking place, suggests that the report has had some indirect impacts. Among the most important developments are those taking place in the education sector in relation to the revision of the education curriculum. The integration of *Chega!* into the school curriculum is likely to be a far more effective vehicle for national 'socialisation' of *Chega!* than one-off workshops for the general public. It is also important to bear in mind that official resistance to the take-up of truth commission reports is by no means unusual. Western states such as the United States and Australia have been as reluctant as the government of Timor-Leste to support the implementation of the *Chega!* recommendations or endorse 'truths' that implicate their own past actions. In relation to other post-conflict or post-authoritarian nations,

in Nepal, Sri Lanka and Haiti it took several years of lobbying for governments to even publish the truth commission's final report, while in South Africa, Guatemala, Peru and Sierra Leone, advocacy by human rights groups eventually led to governments legislating reparations programs (Bakiner 2014). As in many of these contexts, civil society mobilisation has been — and will continue to be — critical in keeping the findings and recommendations of *Chega!* alive.

Recommendations

To the Prime Minister:

- > The STP-CAVR is now 10 years old, has a limited mandate, and was only envisaged as a short-term institution. In a context in which parliamentary debate on the *Chega!* recommendations seems increasingly unlikely, the Prime Minister should establish a working group to conduct consultations on a follow-up institution to implement agreed-to recommendations proposed by the CAVR and the Commission of Truth and Friendship (CTF). The tasks of the working group should be to undertake a 'stocktake' as to which recommendations have been implemented and which remain outstanding and to develop the terms of reference for the new institution.

To civil society organisations:

- > NGOs conducting advocacy on *Chega!* should focus not only on the recommendations relating to prosecutions and reparations but also on the other recommendations in the report. This may help to broaden perceptions of the content of *Chega!*
- > NGOs should continue to support the national victims' network to ensure that conflict victim's interests are reflected in debates regarding *Chega!* implementation.
- > NGOs should test government claims that it has implemented 112 of the recommendations directed to Timor-Leste. It is clear that some key recommendations have not been acted on or have been only partially implemented. These relate to: dignifying conflict victims (CAVR 2005: part 11, 4.1.4, 12); the tracing and identification of conflict-related missing persons (ibid.: part 11, 3.2.1, 3.2.3); land law and reform (ibid.: part 11, 3.4.3); the non-involvement of the military in internal security operations and prevention of military and police abuse (ibid.: part 11, 3.3.3, 6.1.1,

6.1.2, 6.2, 6.3.3, 6.3.5, 6.3.9); judicial investigation and prosecution of serious crimes (ibid.: part 11, 7); documentation and memorialisation of conflict-related events (ibid.: part 11, 3.2.2, 3.2.4, 3.3.1, 3.3.2, 7.5.2–6); establishment of a CAVR follow-up body; and requests to governments and other institutions for relevant archives. This could be challenged via Timor-Leste's 2016 Universal Periodic Review.

Socialisation:

- > Due to parliamentarians' poor knowledge of *Chega!* and its recommendations, renewed efforts to educate them are needed. This may help to counter some of the arguments that have derailed previous attempts at parliamentary debate.
- > Should a follow-up institute to the STP-CAVR be established, this institute should build on and support existing socialisation efforts being undertaken by NGOs and community organisations.
- > Socialisation efforts need to be targeted, strategic and meaningful for the target group rather than undertaken in a generalised way. For instance, socialisation efforts targeted at youth could focus on encouraging young people to learn about the experiences of youth during the conflict. *Suku-* or *aldeia*-based socialisation efforts could also refer to the findings of *Chega!* in relation to that particular *suku* or *aldeia*. *Chega!* socialisation efforts should also be linked to specific days of commemoration in a district and/or *suku* (as some NGOs are already doing). More consistent efforts need to be made to link the lessons of *Chega!* to current human rights issues, for instance, the use of the Timor-Leste armed forces in what would normally be police operations.
- > 'One-off' socialisation programs are of questionable effectiveness. More efforts should be focused on sustainable and national-level initiatives such as incorporating *Chega!* into the history education curriculum at primary, secondary and tertiary level, or making it a part of the training of teachers and the seminary education of clergy. For such efforts to be successful, it is necessary to bring together individuals with good knowledge of the report's contents and those with experience developing educational materials.
- > The Church has vast educational and outreach resources, yet, apart from one or two exceptions, it has been conspicuously silent on the fate of *Chega!* politically and inactive in socialising *Chega!* in its institutions and networks. NGOs and the STP-CAVR should seek to utilise Church resources and networks.
- > There is a need for more 'socialisation' of *Chega!* amongst policy makers, many of whom have limited knowledge of the report and its recommendations. NGOs could separate out recommendations that are specific to government ministries/departments and consider how to advocate these recommendations to those ministries in a targeted, creative way.
- > Audiovisual means of communicating *Chega!* need to be further developed. A short film could be one way in which the CAVR's findings and lengthy and complex set of recommendations could be more effectively communicated. The values and lessons in *Chega!* could also be incorporated or referred to in films, television programs, and other materials generated by ministries, and local and international agencies.
- > The CAVR archives contain a wealth of information about the past conflict, including recordings of political leaders and victims talking about their experiences during the conflict. More attention needs to be directed towards making the contents of this archive available to the Timorese public. For example, inclusion of audio recordings from the CAVR hearings in the 'walk-through' *Chega!* exhibition would make the exhibition more accessible for the less literate.

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UNOTIL (United Nations Office in Timor-Leste) 28 & 30/1/2006.
[Daily Media Review](#): CAVR Report is a Test for Indonesia: Ramos-Horta.

Annex 1: List of Interviewees

Civil Society Organisations

- Manuela Leong Pereira, Director of ACbit, Dili, 5 February 2015
- Sisto dos Santos, HAK Association and AJAR, Dili, 26 February 2015
- José Caetano Guterres, Director of East Timor Crisis Reflection Network, Dili, 12 May 2015
- Chiquito da Costa Guterres, Socialization Coordinator STP-CAVR, Dili, 6 May 2015
- José Luis de Oliveira, AJAR, Dili, 28 July 2015
- Jacinto Alves, former commissioner of CAVR and CTF, 25 May 2015
- Aventino de Jesus Baptista Ximenes, Archive Coordinator STP-CAVR, Dili 12 August 2015

Education Sector

- Jose Dias Guterres, Director of Herois da Patria Secondary School, Dili, 26 August 2015
- Julio Magalhaes, Teacher at Herois da Patria Secondary School, Dili 26 August 2015
- Alice Maria de Sousa Soares, Student, 27 August 2015
- Flaviana Guterres, Student at the Integrated Development Training Centre (Centro Treinamento Integrado ba Dezenvolvimentu) Dili, 27 August 2015
- Lourdes Maria Gorreti, Student at the Integrated Development Training Centre, Dili, 27 August 2015.
- Feedback from students on the *Chega!* mobile exhibition
- Eligia de Jesus Soares, Eskola Sekundaria 99, Atauro, 23 September 2014
- Reinaldo António Soares, Eskola Pre Sekundariu Perola Atauro, 24 September 2014
- Eligia, Eskola Sekundaria 99, Atauro, 23 September 2014
- Dircia da Cunha Lourdes da Cruz, Eskola Sekundária Dom Martinho da Costa Lopes, Maliana, 3 September 2014
- Martinho da Costa Barros, Eskola Sekundária Dom Martinho da Costa Lopes, Maliana, 3 September 2014
- Salustiana, Kolejiu Infante de Sagres Maliana, 4 September 2014, Catholic Church
- Jovito do Rego Araújo, Vigario Episcopal Reevangelisação Diocese de Dili, 29 July 2015
- Herminio de Fatima Gonçalves, Director of Justice and Peace, Dili, 31 August 2015

Media

- Rita Almeida, Editor of Timor Post, Dili, 21 August 2015
- Cancio 'Cassimata' Ximenes, Director of Mata Dalan, Dili, 12 August 2015
- Mouzinho Lopes de Araújo, Director of Jornal Independente, Dili, 31 August 2015

Political Parties

- Carmelita Moniz, National Congress for Timorese Reconstruction (Conselho Nacional de Reconstrução de Timor — CNRT) Parliamentarian and President of Parliamentary Commission A, 12 February 2015
- Aniceto Guterres, Head of the FRETILIN Bench in the National Parliament, 18 February 2015
- Dionisio Babo, Secretary General of CNRT, 24 June 2015
- Mario Viegas Carrascalão, Founder of the Social Democratic Party (Partido Social Democrata — PSD), Dili, 7 September 2015

State Institutions

- Fidelis Magalhaes, Chief of Staff of the President of the Republic, 27 February 2015
- Silverio Pinto Baptista, Provedor for Human Rights and Justice, 5 May 2015
- José Neves, Vice Commissioner of the Anti-Corruption Commission, Dili, 11 September 2015
- Alfredo Araújo, Director of Primary Education, Ministry of Education, Dili, 12 September 2015
- Marcus da Costa, Director of Bilateral Cooperation, Ministry of Foreign Affairs, Dili, 18 August 2015
- Cirilo Cristovão, Minister of Defence, Dili, 14 September 2015

Annex 2: CAVR-Related Texts and Materials

Written

- 1 *Chega!*, CAVR and STP-CAVR (Indonesian, 2010; English, 2013; Portuguese, 2014) .
- 2 *Chega!* Executive Summary, STP-CAVR.
- 3 Introducing...*Chega!*, STP-CAVR. A brochure introducing the CAVR final report.
- 4 *Chega!* A Plain Guide, STP-CAVR, 2013.
- 5 CAVR Public Hearing Books, STP-CAVR
 - a. Famine and forced displacement
 - b. Massacres
 - c. Women in Conflict
 - d. Internal Conflict 1974–1976
 - e. Self-Determination and the International Community
 - f. Political Imprisonment
 - g. Children and the Conflict.
- 6 Rona Ami Nia Lian, CAVR. Photos of East Timorese who shared their stories of pain and suffering with CAVR.
- 7 *The Comarca Balide Prison, A 'Sacred Building'*, STP-CAVR. A short history of the former prison in Dili that was used by the CAVR as its national headquarters.
- 8 *Chega!* Popular, ICTJ (now AJAR and ACbit) and STP-CAVR. (Tetum 2010, Portuguese 2011 with Indonesian and English forthcoming).

Audio Visual

- 1 CAVR Poster Series, STP-CAVR. Twenty posters depicting highlights from Timor-Leste's history.
- 2 *Dalan ba Dame (The Road to Peace)* film, CAVR and edited version STP-CAVR.
- 3 Audio version of *Dalan ba Dame*, STP-CAVR.
- 4 Walk-through *Chega!* exhibition at the Comarca, STP-CAVR.
- 5 Mobile *Chega!* exhibition, ACbit and STP-CAVR.
- 6 Radio Program 'Dalan ba Dame' broadcast on RTTL national radio each Saturday at 7.00 am, STP-CAVR [not available on CAVR website].³²

Endnotes

- 1 The research project was coordinated by Dr Lia Kent and was funded by the State, Society and Governance in Melanesia program at the Australian National University. Naomi Kinsella conducted a preliminary desk review and worked on the first draft of this report. Nuno Rodrigues conducted and analysed the Timor-Leste interviews. The study dovetailed with a similar study of *Chega!*'s reception in Indonesia conducted by Pat Walsh and Budi Hernawan. That report, entitled *Inconvenient Truths: The Fate of the Chega! and Per Memoriam ad Spem Reports on Timor-Leste*, is published by Asia Justice and Rights (AJAR).
- 2 According to the United Nations Development Programme, adult literacy stands at around 58.3 per cent. See UNDP (2015:244).
- 3 The CAVR was an independent statutory body established by the United Nations Transitional Administration in East Timor (UNTAET) in 2001, after a request from the National Council for Timorese Resistance (CNRT). In addition to its truth-seeking role, the CAVR was also tasked with facilitating community reconciliation hearings around the country to integrate perpetrators of minor crimes committed before and after the 1999 referendum back into communities, assisting in restoring the dignity of conflict victims, and preparing a report on its findings and recommendations. The CAVR commenced work in 2002 and its findings and recommendations were made public in late 2005 when *Chega!* was presented to the then president and former Timorese Resistance leader, Xanana Gusmão. See [CAVR](#) website.
- 4 For the [full set of recommendations](#), see CAVR (2005). Also AJAR's [Chega+10](#) website.
- 5 The CTF was established by the governments of Indonesia and Timor-Leste in 2005. The CTF was mandated to seek the 'conclusive truth' about the violence of 1999 in order to contribute to a 'definitive closure of the issues of the past [that] would further promote bilateral relations'. A copy of the CTF final report is available in English (CTF 2008).
- 6 [Establishing the Public Memory Institute](#), Bill No. II and the [Framework of the National Reparations Programme](#), Draft-Law No. II, Democratic Republic of Timor-Leste, National Parliament, Dili, 15/6/2010.
- 7 Both key leaders within the Timorese independence movement, José Ramos-Horta was Timor-Leste's first post-independence Foreign minister, went on to briefly hold the position of prime minister, and was then elected president in the country's 2007 elections. Xanana Gusmão was elected president in 2002 and held the position of prime minister from 2007 until 2015.
- 8 At the same time, there are an increasing number of younger parliamentarians and government officials who do not have this knowledge.
- 9 Such as, '*Chega!* [A Plain Guide](#)'.
- 10 Gusmão mentioned this again in his opening of a 2012 conference on peace and reconciliation in Asia.
- 11 Speech of His Excellency President Kay Rala Xanana Gusmão on the Occasion of the Handing Over of the Final Report of the CAVR to the National Parliament, 28 November 2005.
- 12 As Timor-Leste's political leaders have repeatedly stated, establishing an international tribunal is the responsibility of the international community, and should not be the responsibility of Timor-Leste.
- 13 During the parliamentary debate of the bills on reparations and the Institute for Memory, members of parliament who were former Resistance fighters raised their concern that the implementation of CAVR recommendations would lead to future prosecution of Resistance members.
- 14 O Presidente da Republica, Mensagem, Dili, 22 de Junho de 2006, 'CAVR nia Relatório husu atu PÁRA HO VIOLÊNCIA POLÍTICA, hodi Povo labele terus tan ... Buat hotu nebé CAVR halo no hato'ó, hodi rona povo nia halerik, povo nia husu, povo nia exigência, ba políticos sira atu labele tan halo povo sofre, atu evita violência politica, buat sira né hotu, liderança Fretilin lakohi rona, la halo kazu.'
- 15 [Speech By His Excellency Prime Minister Kay Rala Xanana Gusmão](#) on the Inauguration Day of the IV Constitutional Government of Timor-Leste, 8 August 2007.
- 16 Speech of H.E. José Ramos-Horta, Nobel Peace Laureate, Prime Minister of Timor-Leste, 10 July 2006.
- 17 In a June 2007 press release, FRETILIN claims that it is the only political party that has consistently supported justice for victims of human rights abuses and insisted that neither the CAVR nor CTF have the power to grant amnesties. FRETILIN parliamentarian and former CAVR and CTF commissioner Aniceto Guterres is quoted as saying that FRETILIN is keen to hold a formal parliamentary debate on the CAVR recommendations (Timor Online 21/6/2007). On 5 May 2008, FRETILIN parliamentarian Francisco Branco (and member of Committee A) told the media that FRETILIN was against joint Indonesian–Timorese

- military training in order to avoid offending the victims of Indonesian military violence. He stated that the CAVR and CTF reports needed to first be 'implemented to heal old wounds' (Suara Timor Lorosa'e 5/5/2008).
- 18 In his speech before parliament, FRETILIN party bench leader, Aniceto Guterres, also a former CAVR and CTF commissioner, accused the government of wanting to, 'get rid of justice in order to replace it with reconciliation and buy friendship with Indonesia'. He pointed out that despite FRETILIN having 'urged' the parliament to consider *Chega!* it had avoided this debate due to the CAVR recommendations on justice for crimes committed in relation to the 1975–99 conflict. La'o Hamutuk 12/10/2009. In response, Prime Minister Gusmão noted that FRETILIN leader Mari Alkatiri had endorsed the CTF (hinting that the CTF process was explicitly agreed upon by Indonesia and Timor-Leste to supersede any judicial action against perpetrators of human rights violations in Timor). He also argued that FRETILIN had taken no action to consider the CAVR final report while it was in government and enjoyed a parliamentary majority. The vote of no-confidence ultimately failed.
 - 19 This figure is based on a speech given by Carmen da Cruz, Director of MSS's National Directorate for Social Reinsertion in November 2015.
 - 20 In its concluding observations the committee did not refer to the CAVR but recommended that Timor-Leste: continue to resolve cases of children separated from their families as a result of 'foreign occupation'; strengthen efforts to introduce human rights and peace education in school curricula; carry out studies on the social implications of the experiences of the children involved in hostilities during Timor-Leste's armed struggle for independence, and identify former child soldiers and provide appropriate psychological and rehabilitative services (UNCRC 14/2/2008b: para 46; UNCRC 14/2/2008a: paras 10, 16).
 - 21 Statement of behalf of the National Human Rights Institution of Timor Leste on the Outcome of the UPR, 16 March 2012.
 - 22 Interview with Father Herminio, Director of the Justice and Peace Commission, Dili, 31 August 2015.
 - 23 The Office of the Provedor for Human Rights and Justice (PDHJ), International Centre for Transitional Justice (ICTJ), Post-CAVR Technical Secretariat, HAK Association, the UN Mission in Timor-Leste and NGO Forum.
 - 24 For example, Recommendation 7.4.1. calls for the final report to be translated into the Tetum language and widely distributed in Timor-Leste so that current and future generations have access to its contents. Recommendation 7.4.2 calls for the Ministry of Education to work with the post-CAVR institution to utilise the Final Report and other commission materials in the development of curricula and other educational resources related to human rights, reconciliation, history, law, gender studies and other relevant disciplines.
 - 25 Presidential Decree 20 December 2005. The president was obliged to make the final CAVR report public under the UN regulation establishing the CAVR. UNTAET Regulation 2001/10 (21.3) CAVR's final report should be immediately made available to the public and published in the Official Gazette.
 - 26 This was produced in collaboration with the International Centre for Transitional Justice (ICTJ) and ICTJ's successor organisations Asia Justice and Rights (AJAR) and Asosiasaun Chega! ba Ita (ACbit).
 - 27 For the full list of products, see Annex 2.
 - 28 Comment by Faviana Guterres (on file with ACbit).
 - 29 Comment by Lourdes Maria Gomes (on file with ACbit).
 - 30 Many of these points were also made in an evaluation of the *Chega!* socialisation efforts that was conducted in 2011. While there a number of flaws in the methodology of this evaluation, it nonetheless found that disseminating information through printed materials in a country with a poor culture of reading has limited effectiveness and that distribution of the CAVR materials has not occurred in a particularly strategic way.
 - 31 See www.chegareport.net/. Its editor, Pat Walsh, believes that the existing Tetum version needs serious revision.
 - 32 NGOs have also produced radio and television programs on the CAVR but only 'official' CAVR materials have been included in this list.



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