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THE DISSEMINATION OF “CHEGA!”: THE FINAL REPORT OF THE CAVR

1. INTRODUCTION

“Chega!”, a Portuguese word which translates as “No More!”, “Stop!”, or “Enough!” is the title of the Final Report of the now dissolved Commission for Reception, Truth and Reconciliation Timor-Leste (Usually referred to by its Portuguese acronym, “CAVR”). The Final Report covers a period of some 25 years during which time Timor-Leste was in continuous political and social upheaval. There is no doubt that the Final Report is an important historical record. It represents the culmination of 3 years of work by the Commissioners and staff involving hearings, fact-finding missions and research. However, the real significance of the Report lies in its contribution to the ongoing formal reconciliation process within the civil community of Timor-Leste. It is therefore imperative that the community at large be made aware of the contents of the Final Report.

As part of its monitoring programme, JSMP has conducted a preliminary review of the dissemination process currently being organised by the Post-CAVR Technical Secretariat (“STP-CAVR”). The dissemination process is a formal mechanism for assuring the population that their contribution to the reconciliation process has borne fruit. As the CAVR itself stated in its Final Report:

“Preservation, dissemination and development of educational materials are all important aspects to be followed up to secure the legacy of the CAVR and to honour the trust that the people of Timor-Leste placed in the Commission.”¹

In this Justice Update, JSMP aims to assess the dissemination process against the stated objectives and mandate of the CAVR and STP-CAVR and to comment on the significance of the dissemination process for the reconciliation process in Timor-Leste. At the time of writing, the planned dissemination process has been completed in all Districts excluding Dili and Oecusse (which will be completed during December 2006). JSMP believes that certain issues should be highlighted

¹ *Chega!* Executive Summary, p183.

prior to the dissemination process commencing in Dili with a view to raising public awareness of the importance of the work being done by the STP-CAVR.

2. PUBLIC IMPLEMENTATION OF THE CAVR'S RECOMMENDATIONS

2.1. Lack of response by the Government and Parliament to the CAVR's recommendations

The Final Report was officially handed to the President of the Republic on 31 October 2005, in accordance with UNTAET² Regulation No. 10/2001³ as subsequently extended by amending legislation.⁴ The President then presented the Report to the National Parliament and the Prime Minister on 28 November 2005.⁵

One of the recommendations contained in "Chega!" was that:

*The National Parliament supports the recommendations in this Report, takes primary responsibility for overseeing and monitoring their implementation and delegates this task to an appropriate Parliamentary Committee.*⁶

However to date, over 1 year from the date when the Report was first received by it, the National Parliament has yet to start debating the Report and has made no official statement on the subject. The Government has also taken no steps to implement the CAVR's recommendations.

JSMP concedes that certain of the recommendations made in the Report require the participation of international actors and thus the Parliament and Government of Timor-Leste are not solely responsible for the lack of response to those recommendations. However many of the recommendations made in the Report call for specific action by the Parliament and/or Government of Timor-Leste. It is beyond the scope of this report to engage in an analysis of each of the recommendations made. However, JSMP takes the view that the persistent refusal by the Parliament and Government to debate or publicly respond to the recommendations made in the Report diminishes the value of the contribution made by each person who participated in the work done by the CAVR and inhibits the truth and reconciliation processes.

Furthermore, the lack of any response by the National Parliament to the Final Report, appears to have contributed to the decision by the President of the Republic to himself attempt to create a follow-up institution, a step which JSMP

² United Nations Transitional Administration in East Timor.

³ UNTAET Regulation 2001/10, sections 2 and 21.

⁴ RDTL Law 7/2003; RDTL Law 13/2004; and RDTL Law 11/2005.

⁵ This was required by RDTL Law 11/2005, article 2(2).

⁶ *Chega!* Part 11: Recommendations, p44, Recommendation 13.1.

regards as of doubtful constitutionality (see section 3 below). JSMP therefore regrets the lack of action by the National Parliament, which could have created a constitutionally valid, publicly funded, and well-empowered institution to follow up the work of the CAVR.

2.2. Need for legislation to preserve and protect the Archives of the CAVR

The CAVR preserved and organised its archives in accordance with its statutory obligations under UNTAET Regulation No. 10/2001.⁷ In the Final Report the CAVR said that the archives are

*“a unique part of Timor-Leste’s national heritage and comprise thousands of multi-media records that have been entrusted to the Commission by individuals, families and communities across the country as well as national and international organizations and governments.”*⁸

The CAVR went on to recommend that “[t]he National Parliament of Timor Leste adopts legislation regulating the preservation, organization and use of national archives”.⁹

With the increased circulation of the Final Report among the community greater interest in the materials held in the archives will almost certainly be generated among the public of Timor-Leste and the international community. Apart from the national historical significance of those records there are confidentiality issues that arise with respect to granting access to the archives, particularly as concerns victims’ testimony. In the absence of clear legislative guidance there are no safeguards to physically or legally protect the archives or regulate public access to those records.

3. LEGAL STATUS OF THE STP-CAVR

The CAVR’s substantive mandate officially terminated when it handed over the Final Report to the President of the Republic on 31 October 2005.¹⁰ With the expiry of the CAVR’s mandate a post-CAVR body needed to be created to ensure that the Report was disseminated and to continue the preservation and maintenance of the archives of the CAVR.

One of the recommendations contained in “Chega!” was that:

⁷ UNTAET Regulation 2001/10, Section 43(2).

⁸ *Chega!* Part 11: Recommendations, p27.

⁹ *Chega!* Part 11: Recommendations, p28, Recommendation 7.5.1.

¹⁰ RDTL Law 11/2005, 10 August 2005, article 1. UNTAET Regulation 2001/10, section 43(1), as amended by RDTL Law 7/2003, section 2, gave the President three months after this time to formally dissolve the CAVR. This occurred on 20 December 2005.

The National Parliament mandates an appropriate organisation to conduct a national consultation under the auspices of the President on the role, terms of reference and feasibility of a follow-on institution and, based on these findings, to make a recommendation for consideration by the National Parliament. Issues to be considered should include:

- *the implementation of the Recommendations in this Report*
- *the need for further reconciliation in Timor-Leste*
- *the preservation of the ex-Balide Comarca as a heritage site and its use as a national memorial centre for victims and human rights*
- *the preservation and use of the CAVR archives*
- *the legal status of the institution.*¹¹

As explained above (see section 2) there has to date been no response from the National Parliament to the Final Report. Rather, a new institution, the STP-CAVR, was purportedly established by the President of the Republic in order to support him in the following functions:¹²

- maintaining the Comarca¹³ heritage site;
- preserving the records, files, archives and documentation of the CAVR and apportioning responsibility for the safety of these resources;
- concluding the outstanding administrative work of the CAVR, namely: the closure of accounts and auditing; and
- supporting the President in distributing the final report.¹⁴

However, JSMP has some concerns about the legal status of the STP-CAVR.

In particular, two legal issues arise in relation to the Decree:

- (i) the constitutionality of the STP-CAVR's establishment;
- (ii) the scope of the STP-CAVR's functions; and
- (iii) the length of time for which the STP-CAVR is mandated to continue its activities.

3.1. Constitutionality of the STP-CAVR's establishment

The STP-CAVR was purportedly established by Presidential Decree on 20 December 2005.¹⁵ However JSMP has significant concerns about the validity of this instrument.

¹¹ *Chega!* Part 11: Recommendations, p44, Recommendation 13.2.

¹² Presidential Dispatch No. 20/2005, 20 December 2005, article 3.

¹³ The Comarca Prison in Belide, Dili, was the home of the CAVR during its operation. The site was formerly a prison which was used during the Indonesian occupation to house political prisoners.

¹⁴ JSMP notes that the completion of supporting publications left unfinished by the CAVR (including the "popular version" of the Final Report, and the Tetum translation of the Report's Executive Summary) is not a task expressly given to the STP-CAVR under the Presidential Dispatch, although the STP-CAVR appears to believe this to be the case. JSMP is of the opinion however, that the completion and dissemination of these publication may fall within the STP-CAVR's dissemination mandate, if the task of "supporting the President in distributing the final report" is read widely rather than literally.

¹⁵ Presidential Dispatch No. 20/2005, 20 December 2005.

The powers of the President of the Republic are defined in the Timor-Leste Constitution.¹⁶ With respect to legislative processes, the President's competency is limited to either promulgating or vetoing statutes passed by the National Parliament.¹⁷ No power is given to the President to initiate or create legislation. Rather, the constitutional power to legislate is granted to the National Parliament¹⁸ (which may also authorise the Government to make laws on specified matters¹⁹) and to the Government²⁰ (on matters concerning its own organisation and functioning and the management of the state). That these legislative powers are not transferrable or able to be exercised by other organs is made clear by the inclusion of the principle of the separation of powers in the Constitution.²¹

Accordingly, the President does not have constitutional authority to legislate for the creation of a statutory body such as the STP-CAVR. Therefore, in JSMP's opinion, the Presidential Decree purporting to establish the STP-CAVR is invalid under the Constitution.

Even if the President did have power under the Constitution to create administrative units within his own office and this was what the STP-CAVR is intended to be (since its role is said to be the support of the President²²), JSMP cannot find any constitutional basis for the President's office carrying out the acts of the sort mandated to the STP-CAVR. For example, the President of the Republic does not have competency under the Constitution to preserve or provide safe custody of public records or heritage sites, or to carry out public information activities.²³ These are the the sorts of activities which would usually be carried out by the Government or by a statutory entity created by the Parliament.

If the Decree is constitutionally invalid then the STP-CAVR itself has no legal status. This may not affect the lawfulness of the STP-CAVR's dissemination program (which is funded by external donors and involves activities which do not appear to require public authorisation). However questions about the STP-CAVR's status would raise serious issues concerning its custody of public assets such as the CAVR archives and the Comarca heritage site. For this reason JSMP believes that Parliamentary action is required to ensure that the STP-CAVR's status and powers are established correctly according to law.

¹⁶ RDTL Constitution, sections 85 – 88.

¹⁷ RDTL Constitution, sections 85(a) and 88.

¹⁸ RDTL Constitution, subsections 95(1) and (2).

¹⁹ RDTL Constitution, section 96.

²⁰ RDTL Constitution, section 115(3).

²¹ RDTL Constitution, section 69.

²² Presidential Dispatch No. 20/2005, 20 December 2005, article 3.

²³ See RDTL Constitution, sections 85 – 88.

3.2. Duration of the STP-CAVR's mandate

The staff of the STP-CAVR have informed JSMP that the STP-CAVR is only mandated to continue its dissemination activities until 20 December 2006.

However, according to the terms of the Presidential Dispatch purporting to establish it, the STP-CAVR is to continue until "the appropriate legal framework is in place and is carried out by competent constitutional bodies". Leaving aside the question of the constitutional validity of the Presidential Dispatch, on the face of it there is no temporal limitation imposed on the STP-CAVR's activities generally or in respect of dissemination in particular.

4. THE DISSEMINATION PROCESS

4.1. JSMP's review of the Dissemination process

In the Final Report, the CAVR made specific recommendations concerning the dissemination of the Report in Timor-Leste and internationally.²⁴ The CAVR particularly recommended that the Report be disseminated to those countries named in the Report such as Portugal, Indonesia and Australia.²⁵ Although the publication of the Report at an international level is important, for the purposes of this Update, the JSMP has elected to focus on the dissemination of the Report in Timor-Leste as it is of more immediate concern to the civil society of Timor-Leste.

In order to assess the dissemination process JSMP attended two meetings with representatives of the STP-CAVR dissemination team. The STP-CAVR also invited JSMP to participate in the dissemination activities being organised in the Districts of Liquica and Manufahi. Staff from JSMP attended:

- (i) a public screening of the CAVR video entitled 'Dalan ba dame' (Road to Peace) in the church yard in Moto-Ulun, Liquica District on 9 November 2006; and
- (ii) a public seminar organised by the STP-CAVR in Same, Manufahi District on 16 November 2006.

4.2. Outline of the dissemination process

It is useful briefly to set out how the STP-CAVR has organised the dissemination of the Report. The dissemination process is organised around a 4-week period in each of Timor-Leste's 13 Districts. A team of 4 STP-CAVR representatives is allocated to each District and it is intended that the team should spend a continuous 4 weeks in each District. The dissemination process commences with an initial meeting with the leaders of the community, including the police, the district and sub-district administrators, and representatives of the Church. The

²⁴ *Chega!* Part 11: Recommendations, pp3-5 and 27.

²⁵ *Chega!* Part 11: Recommendations, p4, Recommendation 1.1.

Executive Summary of the Final Report, a CD-Rom of the Report, a book of victim's photos and statements used are handed out in the meeting.²⁶ The team then spend a few weeks raising awareness of their presence and their purpose in the District. Scheduled screenings of the film version of the Final Report, *Dalan ba Dame*, are organised in a number of different villages within each Sub-District. Around 200 invitations are sent out to various members of the community including representatives of the victims and veterans, the police and military, the District Administration, elected local government representatives, local NGOs, Church and schools to attend a District-level Seminar and follow-up Workshop.

At the Seminar a panel is set up consisting of a former National Commissioner of the CAVR a representative of the Church, a representative of civil society, and a representative of victims. An explanation of the most important findings and recommendations of the Final Report is given. People are then invited to ask questions of the panel and the STP-CAVR representatives. The purpose of the Seminar and the work-shop is to facilitate different members of the community coming together in a formal forum to discuss the Final Report and the impact of the Report on their community and to allow people to ask questions of the Commissioner. In determining the list of invitees a particular focus is given to leaders of the Community and people who gave testimony during the CAVR fact-finding process.

According to the STP-CAVR, the main focus of the Seminar is to present information about the CAVR Final Report, including its findings and recommendations, to listen to the views of participants, and to gather ideas on responses to the Report. An effort is made not to get involved in discussions about the current civil, security and political issues. Due to constraints on funding and the lack of certainty over how long the STP-CAVR is to continue, one objective of the workshops is to create a local network of individuals in each District who are prepared to continue developing public awareness of the Final Report. These internal district networks will be connected with similar networks in other districts and the STP-CAVR office in Dili. This structure is envisaged to continue working beyond the end of the official STP-CAVR dissemination program.

4.3. JSMP's comments on the dissemination process

JSMP appreciates the commitment and dedication with which the STP-CAVR dissemination teams are conducting their activities. JSMP staff were impressed with the professionalism of the dissemination teams and the obvious dedication

²⁶ According to information provided to JSMP by the STP-CAVR, the materials distributed in each district and their numbers are roughly as follows: Booklet "Hear our voices" including photos and messages from victims (100 copies); Public Hearing Booklet "Women and the Conflict" (70 copies); Public Hearing Booklet "Forced Displacement and Famine" (70 copies); Public Hearing Booklet "Massacres" (70 copies); Executive Summary (100 copies); CD-Rom (20-30 copies); Audio CD of the film *Dalan ba Dame* (1-5 copies).

of the STP-CAVR to the tasks with which they have been entrusted. JSMP is also greatly appreciative of the cooperation which was extended to it by the STP-CAVR.

However JSMP believes that despite the commitment of the STP-CAVR, the dissemination process has not yet been able to achieve its objectives. There are a number of issues that arise in relation to the dissemination process.

The dissemination processes assessed against the CAVR's recommendations

First, in assessing the manner in which the dissemination is being carried out, regard must be had to the Recommendations contained in the Final Report on this issue. The CAVR recommended that:

*The Report be translated into the Tetum language and widely distributed in Timor-Leste so that current and future generations have access to its contents.*²⁷

*The Ministry of Education in the Government of Timor-Leste works 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.*²⁸

*The Government of Timor-Leste and international donor partners support the reproduction of the Final Report and related materials to enable this continuing education programme.*²⁹

These recommendations have not been implemented as part of the current dissemination process. First, the Final Report (which was produced by the CAVR in Portuguese, Indonesian and English) has not been translated into Tetum. JSMP understand that there is a popular version of the Report currently being produced which will have a Tetum version, and that the Executive Summary will also soon be available in Tetum. At present the following resources are available for public distribution in Tetum: a pamphlet summary of the Final Report, various soft-cover books on some of the themes of the Report³⁰ containing photos and extracts of testimony from the victims, and the film *Dalan ba Dame* which documents the history of the period covered by the Report.

Second, the Ministry of Education has made no response to the Final Report and to date there has been no attempt to use “Chega!” or any of the associated publications in the development of school curricula.

²⁷ *Chega!* Part 11: Recommendation, p27, Recommendation 7.4.1.

²⁸ *Chega!* Part 11: Recommendation, p27, Recommendation 7.4.2.

²⁹ *Chega!* Part 11: Recommendation, p27, Recommendation 7.4.3.

³⁰ Women and the Conflict, Forced Displacement and Famine, and Massacres.

Third, funding for the dissemination of the Final Report has been provided by Japan, Norway, Germany and UNDP, with AVI (Australian Volunteers International) providing two advisers. JSMP has been told that some government funding has been promised in principle. In JSMP's view, a financial contribution by the Government would be a positive step in reassuring the community that the Government and Parliament are supportive of the STP-CAVR's activities.

The dissemination process assessed against more general principles

With respect to domestic dissemination of the report, the Presidential Dispatch purporting to establish the STP-CAVR states that:

"The produced report ["Chega!"] should also be distributed at the national level, promoting campaigns for greater awareness and understanding and explanation, with a view to national reconciliation".³¹

While this objective is not readily quantifiable, JSMP believes that one aspect of it is that the contents of the report are communicated to and understood by a significant proportion of the Timor-Leste community. JSMP also considers that the dissemination process should reach all victims and other persons who gave evidence to the CAVR during the course of its research. JSMP has therefore sought to gauge the success of the dissemination project by considering the extent to which it has been able to achieve these goals.

4.3.1. Distribution of materials

As explained above, dissemination teams distributed materials to community leaders in the districts and to persons who had provided testimony to the CAVR during its research process. One copy of the full report was provided to each District Administrator's Office and in some districts to a library or other central location.³² Informal discussions with community members were also held during this part of the dissemination.

JSMP appreciates the efforts undertaken by the STP-CAVR to ensure that victims who gave testimony to the CAVR were provided with information about

³¹ Presidential Dispatch No. 20/2005, 20 December 2005, article 2.

³² In addition to the District Administrator's Office, a full version of the Final Report is available for access at following the libraries and other institutions: Ailieu: Biblioteka Edukasaun; Baucau: Biblioteka Lorosae, Buka Hatene, Biblioteka Comunidade Venilale; Bobonaro: Biblioteka Maliana, Biblioteka Lolotoe, Museum Balibo; Covalima: Centro Comunidade, Centro Juventude; Dili: STP-CAVR, Xanana Reading Room, FONGTIL and Roman Luan (Atauro); Ermera: Biblioteka Ermera, Biblioteka Paroki Letefoho; Liquica: Biblioteka Edukasaun; Lautem: Radio Comunidade Lospalos; Manatuto: Biblioteka Edukasaun; Manufahi: Biblioteka Edukasaun; Oecusse: Biblioteka Distritu; Viqueque: Centro Juventude.

the outcome of the CAVR process and supporting materials. However JSMP believes that the provision of materials to communities in the districts has so far been insufficient.

- The provision of a copy of the full Final Report to each District Administrator's Office, with just a few additional copies for public access in libraries, is clearly inadequate. While the Report is understood to be held by the District Administrator for the purpose of public access, it is unrealistic to think that persons from all over the districts would be able to travel to the District Administrator's office, bearing in mind the distances involved, difficulties with transport, and the amount of time that it would take to undertake a thorough reading of the Report (which is some 2500 pages long) even for a person with a very high level of literacy. JSMP understands that the reason why more full copies of the report were not distributed was related to the cost of their production – approximately US\$100 for each copy. JSMP considers it extremely unfortunate that this cost should present a barrier to Timorese people being able to access the full version of "Chega!". JSMP hopes that the Government and external donors will fund the translation of the Report into Tetum and the production of more copies of "Chega!" which may be distributed at least at the sub-District level, as well as to universities and libraries.
- Similarly, the provision of other materials has to date been unable to reach the majority of the Timorese community, or even all victims who were involved in the CAVR research process. During its monitoring of the Seminar in Manufahi District, JSMP noted the sentiments of a number of victims who indicated their disappointment at not having received materials from the STP-CAVR. JSMP thought it unfortunate that materials were not available at the seminar for distribution at the very least to participants. Again, JSMP acknowledges the hard work of the STP-CAVR dissemination teams in attempting to provide materials to a wide section of the Timorese population, including to all victims who provided testimony to the CAVR. However it appears that in the time allocated for the dissemination process it has not been possible to fully achieve this goal. JSMP has been informed that once the Tetum versions of the Executive Summary and Popular Version of "Chega!", as well as additional Public Hearing Booklets, are completed there may be a wider dissemination of these materials to the population.³³ JSMP hopes that this will occur and that teams will be able to carry out dissemination, if possible, in each of Timor-Leste's 443 Sukos.³⁴

4.3.2. Screenings of the CAVR film

³³ JSMP was told that this depended on the "extension" of the STP-CAVR's mandate past 20 December 2006, and a continuing commitment from the international donor community.

³⁴ Timor-Leste has 13 Districts, each of which is subdivided into sub-Districts, each divided into Sukos, each divided into Aldeas.

The CAVR film, *Dalan ba Dame*, is a highly accessible and useful tool for increasing understanding at a general level of the contents of the Final Report and its significance for Timor-Leste civil society. However JSMP believes that the film is most effective if showed in the context of a discussion. This is partly because the film does not contain information about the CAVR's recommendations, or explicit information about the CAVR process or Report. It also of course does not address the response (or lack of response) to the Report and its recommendations by the Government and Parliament. At the screening which JSMP attended in Liquica District, the film was introduced by an informative introduction which provided context about the CAVR and its recommendations. However JSMP believes that the experience could be made more interesting and informative if there was an opportunity for the community to discuss the film or ask questions following it. Given that the film is lengthy and has to be shown at night-time, one way of dealing with this might be to have discussions on the following day in the same location as where the film has been shown, or two show the film over two consecutive nights with a discussion to follow.

Further JSMP regrets that at the present time the film is not able to be distributed as widely as possible. The dissemination program to date has only been able to include a handful of viewings in each district. From JSMP's observations, only a small proportion of the local population have been able to attend these public screenings due to lack of transport. JSMP was informed that many people have requested copies of the DVD to show to their friends or family. However due to a protracted disagreement between the copyright holder of some of the original footage used in the film and the CAVR/STP-CAVR, copies of the DVD are still unavailable for general distribution.³⁵ JSMP believes that it would be of great benefit to the local communities (particularly schools) if such an accessible educational resource could be made available for general distribution. JSMP therefore hopes that an agreement will soon be reached between the STP-CAVR and the copyright holder which will enable a wider distribution of the film.

4.3.3. Seminars and workshops

Generally, the seminar and the workshop forum appear to have been well received by participants. JSMP also believes that the concept underlying the seminars is an excellent one: the dissemination of the report to the community must involve a dialogue with community members and an opportunity for victims and community members to exchange ideas with each other and with the STP-CAVR.

³⁵ JSMP understands that a licence has been granted by the copyright holder to allow public screenings within Timor-Leste, but that no agreement has been reached that would allow the distribution of copies of the DVD or the broadcast of the film internationally.

However, JSMP has some concerns about the seminar process as carried out to date:

- First, only a limited number of people are able to attend each seminar or workshop. According to the STP-CAVR approximately 200 invitations are sent out to attend the seminar and only about 60 people usually attend.³⁶ According to the STP-CAVR a number of considerations affect the number of attendees such as the distance of the Seminar from invitees homes and the lack of a transport budget in the STP-CAVR program. In addition, it appears that there was insufficient time spent in the Districts to ensure that people were fully aware of the activities being planned and the purpose of the STP-CAVR dissemination team's activities in their community. The problems have been exacerbated in those Districts where the Dissemination process was interrupted by the crisis³⁷ as the teams were not able to spend extra time when they returned to the District to ensure that the community knew about their renewed activities.
- Further, JSMP believes that the effectiveness of the seminars was undermined by the fact that participants had inadequate knowledge of the contents of "Chega!". In the seminar in Manufahi District, some attendees commented that they were unable to adequately discuss the report with the panel because they had not yet had a chance to access the Final Report or supporting materials. This difficulty is linked to those discussed above: the inability of the STP-CAVR to date to reach a sufficient portion of the community with materials and/or the film *Dalan ba Dame*. JSMP considered that some changes to the dissemination program to combine the film with the seminar format might address this difficulty, although this would clearly involve holding many more seminars in each District.

Overall it appears that the dissemination process while based on sound objectives and principles, has been hampered by a shortage of time. JSMP believes that if the process were able to continue for a longer period and with sufficient financial support from donors and the Timore-Leste government, it may be possible to effectively address many or all of the problems identified above. JSMP regrets that the apparent misunderstanding concerning the length of time of the STP-CAVR's mandate has therefore contributed significantly to difficulties in the dissemination process, since the process might have originally been designed to last for two or three years had this option been considered.

³⁶ Seminar attendances were 59 persons in Bobonaro District, 46 in Manatutu District, 67 in Covalima District, but more than 100 (estimate only) in Viqueque District: statistics supplied by the STP-CAVR.

³⁷ Liquica, Manufahi, Lautem and Oecusse. Dissemination in these districts began in July but after two weeks were aborted due to the crisis. A further two weeks to complete the dissemination process in these districts was allocated in November.

5. JSMP'S RECOMMENDATIONS

The effective dissemination of the CAVR Final Report in Timor-Leste is a vitally important step in the ongoing reconciliation process. JSMP commends the STP-CAVR for the work that it has carried out so far. However JSMP has two major concerns:

- (i) the ongoing lack of a response from the organs of sovereignty to the CAVR's Final Report; and
- (ii) the need for further and much more widespread dissemination of the report.

These two difficulties are not unrelated. JSMP believes that if information about the CAVR and "Chega!" was more widely disseminated in Timor-Leste, public pressure may be able to encourage the organs of sovereignty to address the CAVR's recommendations at least in part.

The taking of action by the Parliament and Government and the effective dissemination of the report are vitally important steps in the the process of addressing the needs of victims. Both may bring about dialogues and changes which not only address the history of suffering in Timor-Leste but which may help to prevent the re-emergence of difficulties such as the current crisis.

Given the importance of the dissemination process and the need for official responses to the CAVR's recommendations, JSMP makes the following recommendations:

- that the Parliament and Government begin debating the CAVR Final Report as soon as possible;
- that the Parliament prioritises the passage of legislation relevant to the CAVR's work, including most importantly, legislation establishing the STP-CAVR as a constitutionally valid and publicly funded statutory institution with all necessary powers, and legislation providing for physical and legal protection of the CAVR's archives;
- that the Ministry of Education with assistance from the STP-CAVR implement the recommendation of the CAVR that the Final Report and associated materials be used in the development of school curriculums;
- that the STP-CAVR not cease their activities on 20 December but seek funding to continue their work in dissemination of the report with a view to carrying out dissemination on a Suko level over one to two years;
- that the STP-CAVR and the owner of copyrighted material used in the film *Dalan ba Dame* continue to seek resolution of their legal dispute, if necessary through mediation, in order to reach an agreement which will enable the film to be accessed more widely;
- that the STP-CAVR translate the full version of the Final Report into Tetum;
- that the STP-CAVR produce sufficient copies of the full version of the Final Report so that they may be accessed in each sub-District and in universities and libraries;

- that international donors continue to fund the work of the STP-CAVR, with particular priority given to the production of a Tetum version of the Final Report;
- that residents of Dili District, including victims, civil society members and internally displaced persons participate actively in the dissemination process which is to occur there in December 2006.