



Meg Munn MP
Parliamentary Under-Secretary of State
Foreign and Commonwealth Office
London SW1A 2AH

11 February 2008

Open letter

Dear Ms Munn,

We write concerning the failure of the United Nations Integrated Mission in Timor-Leste, UNMIT, to implement its mandate on accountability and justice for serious crimes committed in Timor-Leste. The UN Secretary General's latest report on UNMIT will be considered by the Security Council on 14 February and we urge the UK government to question why UNMIT has not acted on this key part of its mandate.

In its resolution 1704 of August 2006, the Security Council reaffirmed 'the need for credible accountability for the serious human rights violations committed in Timor-Leste in 1999' and instructed UNMIT to assist with investigations into cases of serious violations of human rights.

However, the Secretary-General's report on UNMIT for 21 August 2007 to 7 January 2008 acknowledges that little has been done to carry out this extremely limited mandate. The report says that UNMIT will 'soon sign an agreement' with the government of Timor-Leste and that it has 'started preparing plans to conduct investigations'.

We would ask you to question why has it taken UNMIT nearly 18 months just to start preparing plans for investigations and negotiate an agreement with the Timor-Leste government.

In a meeting with Timorese NGOs on 5 February, UNMIT head Atul Khare indicated that the delay had been due to ongoing violence in Timor-Leste and the need to prepare for elections in 2007. He said that to focus on 1999 would have been a force for instability. We would suggest that, on the contrary, the breakdown in law and order in Timor-Leste has been caused in part by the persistence of impunity and the lack of respect for the rule of law. UNMIT has contributed to this by its failure to implement its serious crimes investigation mandate.

In your letter to TAPOL dated 17 January 2008, you stated that one of the primary purposes of the Security Council's mission to Timor-Leste last November/December was to '...reaffirm the commitment of the UN Security Council to assist the Timorese people to consolidate peace, democratic governance and the rule of law...and to


assess the progress made on the ground in the implementation of UNMIT's mandate.' We believe that the Security Council's commitment to peace, democracy and the rule of law has been seriously undermined by UNMIT's dereliction of its responsibilities regarding justice and accountability.

This state of affairs is a sad reflection on the UN's commitment to justice for Timor-Leste. The UNMIT mandate to assist with investigations was itself a minimal commitment since it did not include support for prosecutions and trials and ignored recommendations by both the UN's own Commission of Experts and the UN-established Commission for Reception, Truth and Reconciliation in Timor-Leste. The latter recommended that the UN should assist with the renewal and completion of the work of the Serious Crimes Process.

The complete lack of progress by UNMIT demonstrates that justice and accountability cannot be achieved by less than half-hearted commitments and efforts. We urge the UK to press the Security Council to re-consider how it can fulfil its responsibility for justice by re-visiting the recommendations of the Commission of Experts and holding a debate on the findings and recommendations of the Commission for Reception, Truth and Reconciliation as a matter of urgency.

We are grateful to you for your attention to this matter.

Yours sincerely,



Paul Barber
Research and advocacy coordinator, TAPOL



Steve Kibble
Regional Advocacy officer for Africa, Middle East and Asia

Cc: HE Sir John Sawers, UK Permanent Representative to the United Nations