

## SOUTHEAST ASIA NGO DIRECTORY

### 동남아시아의 민주주의·인권·평화관련 NGO 목록

· 발 행 : 민주화운동기념사업회

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민주화운동기념사업회는  
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 민주화운동기념사업회  
Korea Democracy Foundation  
서울시 중구 정동 34-5 배재정동빌딩 1-3층  
전화 02-3709-7500 팩스 02-3709-7530  
<http://www.kdemocracy.or.kr/>

# EAST TIMOR

**Location:** Southeastern Asia, northwest of Australia in the Lesser Sunda Islands at the eastern end of the Indonesian archipelago.

**Area:** total: 15,007 sq km ; land: NA sq km ; water: NA sq km (note - East Timor includes the eastern half of the island of Timor, the Oecussi (Ambeno) region on the northwest portion of the island of Timor, and the islands of Pulau Atauro and Pulau Jaco.)

**Population:** 1,019,252 (note: other estimates range as low as 800,000 (July 2004 est.)

**Population growth rate:** 2.11% (2004 est.)

**GDP:** \$440 million (2001 est.)

**GDP** - real growth rate: -3% (2003 est.)

**GDP** - per capita: purchasing power parity - \$500 (2001 est.)

**Labor force:** NA

**Unemployment rate:** 50% (including underemployment) (1992 est.)

**Internet country code:** .tp



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The Portuguese began to trade with the island of Timor in the early 16th century and colonized it in mid-century. Skirmishing with the Dutch in the region eventually resulted in an 1859 treaty in which Portugal ceded the western portion of the island. East Timor declared itself independent from Portugal on 28 November 1975 and was invaded and occupied by Indonesian forces nine days later. It was incorporated into Indonesia in July 1976 as the province of East Timor. A campaign of pacification followed over the next two decades, during which an estimated 100,000 to 250,000 individuals lost their lives.

On 30 August 1999, in a UN-supervised popular referendum, the people of East Timor voted for independence from Indonesia. During 1999-2001, anti-independence militias - supported by Indonesia - conducted indiscriminate violence. East Timor became a fully independent republic in May 20, 2002, following approximately 2½ years under the authority of the U.N. Transitional Administration in East Timor (UNTAET).

The country has a parliamentary form of government with its first parliament formed from the 88-member Constituent Assembly chosen in free and fair, U.N.-supervised elections in 2001. The 29-member Cabinet is dominated by the Fretilin Party, which won the majority of Assembly seats. Mari Alkatiri, Fretilin's Secretary General, is Prime Minister and Head of Government, and Xanana Gusmao, elected in free and fair elections in April 2002, is President and Head of State. UNTAET's mandate ended with independence but a successor organization, the U.N. Mission of Support in East Timor (UNMISSET), was established.

The Constitution ratified in March 2002 provides that "laws and regulations in force continue to be applicable to all matters except to the extent that they are inconsistent with the Constitution." Under this provision, many Indonesian and UNTAET laws and regulations remain in effect. Regulations providing for an independent judiciary generally were respected; however, at times, the judicial system was inefficient and inconsistent.

UNMISSET maintains responsibility and command of the U.N. Peace Keeping Force (UNPKF) and the U.N. Police Forces (UNPOL). In addition to providing interim law enforcement and public security, UNMISSET is assisting in the development of the national police service, the Policia Nacional de Timor-Leste (PNTL). During the year, UNPOL transferred authority for internal law and order district by district; Dili, the last district, was turned over to the PNTL on December 10. UNPOL is expected to end operations, except for a small advisory unit, in May 2004. A national defense force, Falintil-Forca Defesa Timor-Leste (F-FDTL), is gradually assuming responsibility for external defense from UNPKF, and UNPKF continued to reduce its presence during the year.

security

Lesser Sunda Islands

: 15,007 sq km ; : sq km ; : sq km ( : Oecussi

(Ambeno) , Pulau Atauro Pulau Jaco )  
: 1,019,252 ( : 800,000 (2004 7 )

: 2.11% (2004)

**GDP**: \$4 4 (2001)

**GDP**- : -3% (2003)

**1 GDP**- : -\$500 (2001)

: 50% ( ) (1992)

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UNMISSET UNPKF(U.N. Peace Keeping Force) UNPOL(U.N. Police Forces)

UNMISSET 가 PNTL (Policia Nacional de Timor-Leste)

UNPOL 2004 5

F-FDTL(Falintil- Force Defesa Timor-Leste)가

UNPKF 가

## Human Rights

The Government generally respected the human rights of its citizens; however, there were problems in some areas. The PNTL is responsible to the civilian Minister of Internal Administration, and the F-FDTL is responsible to the civilian Secretary of State for Defense. While civilian authorities generally maintained effective control of the security forces, there were a few instances when members of the forces acted independently of government authority. Some members of the PNTL and F-FDTL committed human rights abuses.

There were numerous reports of excessive use of force and abuse of authority by police officers. Prolonged pretrial detention was a problem. The rights to due process and to an expeditious fair trial often were denied or restricted, largely due to severe shortages of resources and lack of trained personnel in the legal system; there were also reports of abuse of authority by government officials. It was not clear how many refugees or displaced persons wished to return to the country but felt unable to do so either because of fear of reprisals from militias in West Timor or because of attacks and harassment of returnees suspected of being former militia members. Domestic violence against women was a problem, and there were instances of rape and sexual abuse. The country also lacked the infrastructure to care adequately for persons with mental or physical disabilities. Child labor in the informal sector occurred, and there were reports of trafficking in persons.

## Arbitrary Arrest, Detention, or Exile

Following the atrocities in 1999, the U.N. assumed responsibility for policing and public security in the country and, in accordance with its U.N. Security Council mandate, initiated a program to establish, train, and equip a national police force capable of assuming responsibility for the country's law enforcement. Several nations assisted bilaterally in this process. In May 2002, the U.N. began transferring authority for law enforcement on a district-by-district basis to PNTL.

Despite the training and support received from the international community, the PNTL remained both ill equipped and under-trained, and there were numerous credible allegations of abuse of authority, mishandling of firearms, and corruption. The PNTL were often slow to respond, willing to overlook required procedures, or ill equipped to complete an investigation or arrest. In June, police reportedly failed to arrest a murder suspect in Railako because they had no vehicle at their disposal.

## Fair Public Trial

The civil law court system includes four district courts (Dili, Baucau, Suai, and Oecussi) and one national Court of Appeal in Dili. The Ministry of Justice is responsible for administration of the courts and prisons and provides defense representation as well. The Prosecutor General is responsible for initiating indictments and prosecutions. The Government continued to make progress in establishing institutions that comprise the justice sector, but faced serious limitations in recruiting and training qualified judges, prosecutors, and defense attorneys.

The Appeals Court became fully functional and heard its first cases in July. The Appeals Court is responsible for adjudicating appeals from the district courts. Until a Supreme Court is established, the Appeals Court will remain the country's highest tribunal.

Shortages of legal and judicial personnel affected the entire legal system, and also led to trials that were contrary to prescribed legal procedures. For example, the Oecussi District Court reportedly tried a suspect without legal representation rather than waiting for a public defender to become available. The Dili District Court reportedly tried and sentenced a defendant in absentia without notifying the defendant of his trial date and following any of the required preliminary procedures, such as the defense's response to the indictment or holding any preliminary hearings. In another case, the Appeals Court reportedly extended the 7-year sentence of a man found guilty of rape to 10 years without notifying the defendant of the hearing date in advance or providing him with legal representation.

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## Democracy and The Right of Citizens to Change Their Government

The Constitution provides citizens with the right to change their government peacefully through periodic elections. In May 2002, Xanana Gusmao was inaugurated as the first President, and, in accordance with the Constitution, the members of the Constituent Assembly were sworn in as the first National Parliament. At that time, Mari Alkatiri became the first Prime Minister of the country. The 88-member Assembly, elected in 2001, was charged with writing a constitution, which was completed in March 2002 and came into effect upon independence. Some observers criticized the provision under which the Constituent Assembly automatically became the Parliament and a parliamentary election is not required until 5 years after independence.

There were 23 women in the 88-seat Assembly. Women held two senior cabinet positions, Minister of State and Minister of Finance and Planning, and three vice minister positions. One of the three judges on the Appeals Court was a woman.

Small ethnic minority groups existed within the country. They generally were well integrated into society; therefore, the number of members of such groups in Parliament and other government positions was uncertain. Citizens of minority ethnicity are not precluded from holding office. Both the Prime Minister and the Secretary of State for Defense are members of ethnic minority groups.

### Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A wide variety of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Nongovernmental organizations (NGOs) have played an active role in assisting and advising in the development of the country, and numerous NGOs were established over the last 3 years.

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: Po Box 222, Dili, East Timor  
: Abilio Monteiro Road Vila Verde, Dili,  
East Timor

/ : ++ 3323 828

: +670 - 7234954



: [www.ChristianChildrensFund.org](http://www.ChristianChildrensFund.org)

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: ++3323672  
: +670-7233535  
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: M.OLANDINA ALVES

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## Fundasaun Dame no Demokrasia

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: **Balide (Ex-CNRT) Dili PO.Box 88,  
Dili Timor Leste**  
: **+670-3317189.**  
: **+670 - 7235753**  
: **+670 - 7235752**  
: **jiilberg@igc.org /**

: **Jill Stenberg**

DemocracyHumanri  
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**Sahe Institute for Liberation, c/o. HAK  
Foundation, Dili, East Timor**

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**Aderito de Jesus Soares  
Coordinator**

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: Rua Gov.Serpa Rosa 88 Mandarin Dili  
PO Box 45, East Timor

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+670 3322580

:

+670-7230861

:

+670 3324640

:

[crset@east-timor.org](mailto:crset@east-timor.org)

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Jamison Davies

DemocracyHumanrightsPeaceDemocracy  
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