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Excellency,

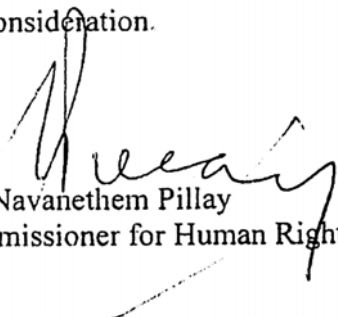
I would like to congratulate you and the people of Timor-Leste on the occasion of the celebration of the 10th anniversary of the popular consultation of 30th August 1999. OHCHR is proud to have supported your Government and the people of Timor-Leste in strengthening the rule of law and promoting a strong culture of respect for human rights.

I must express, however, my deep concern about reports that the Timorese authorities have released Mr. Maternus Bere, who had been indicted for crimes against humanity in connection with the Suai massacre in 1999. I understand that Mr. Bere was arrested by PNTL on 8 August and had been in pre-trial detention until 30 August, when he was handed over to the Indonesian authorities.

This decision is extremely regrettable as it has grave consequences for the prospects of accountability for the serious crimes which occurred in 1999. It would seem to violate article 160 of Timor-Leste's Constitution, as well as the country's Penal Code. It also counters successive Security Council resolutions which call for accountability for past crimes. You will equally be aware of the United Nations' firm position that there can be no amnesty or impunity for serious crimes such as war crimes, crimes against humanity and genocide.

I appreciate your Government's desire to develop healthy relations with Indonesia and welcome the progress that has been made in that regard. However, I trust that you will appreciate that your Government should not avoid its international obligations in the name of bilateral cooperation. I would appreciate, therefore, receiving more detailed clarifications on the circumstances of the release of Mr. M. Bere.

Please accept, Excellency, the assurances of my highest consideration.


Navanethem Pillay
High Commissioner for Human Rights

H.E. Mr. José Ramos-Horta
President
Democratic Republic of Timor-Leste
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