

La'ó Hamutuk

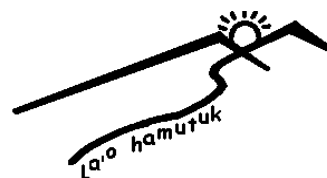
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Dili, 14 August 2017

To : Sr/a.....
Address : National Parliament
Subject : Open Letter to Each Member of the Parliament for 2017-2022

Your Excellency,

La'ó Hamutuk is a national organization that monitors and analyses development process in Timor-Leste, in order to facilitate communication between the people and their leaders with the objective that the people should be the primary actors in the development process.

First of all, we would like to congratulate the people of Timor-Leste who have exercised their rights peacefully in the recent Parliamentary Election, and we also extend our congratulations to each of you who have been elected as members of the National Parliament. We also appreciate the work of CNE and STAE, as well as other state agencies which contributed to the election process.

Article 92 of the Constitution of RDTL states that National Parliament is an independent body of the Republic of Timor-Leste which represents all of the people of Timor-Leste, with legislative powers, to conduct oversight and make policy decisions. Therefore, we encourage your Excellency in the National Parliament to do your best to fulfil your duty to uphold the national interest, and to prioritize the interests of the people and this nation over those of any party or group.

As an organization that has been providing analysis on development policies in Timor-Leste, we are ready to support you and to work together to provide information to strengthen the role of the Parliament to make policy decisions for our beloved country which respond to the lives of Timor-Leste's people. We hope that during your mandate, you will use your constitutional powers to decide and enact policies and laws which advance the rights of the poor and other vulnerable groups.

There are several laws which are very important for our country, such as the Anti-Corruption Law, which need to be prioritized so that they become foundations to strengthen good governance in Timor-Leste. We also suggest that you reassess several draft laws that were initiated by the VI Government, such as the Mining Law. Your mandates will decide on these laws, and we encourage you to discuss them further, and to conduct further consultations and public hearings in order to safeguard the lives of all of the people of Timor-Leste.

Towards the end of the Third legislature, President of the Republic Dr. Lu-Ólo vetoed the Private Investment Law due to several principal concerns; however, the National Parliament did not consider the President's veto message, and instead simply voted again to enact the law, which we consider as a missed opportunity to improve this law so that it reflects and protects the interests of the people. Therefore, for your mandates, we suggest that you carefully consider and respond to opinions from the Courts and the President of the Republic on laws which you will be asked to approve.

Other challenges faced by the State of Timor-Leste include how to manage the wealth that came from oil and gas in order to develop a sustainable economy such as agriculture, cooperatives and

small industry – as well as developing human resources and social services – which can replace the oil economy after the oil runs dry.

Our Kitan oil field has been dry since late 2015, and our Bayu-Undan field will only produce “profit oil” until 2018, and after that it will be dry in 2020. Thus, the final period of Bayu-Undan’s production will occur during your mandate. At the same time, our youth population will increase twice as rapidly as during the last five years, and our country’s economic needs continue to increase.

Unfortunately, over the last ten years, we have carried out several megaprojects and many programs that have wasted money. We have also now become a debtor nation, but we seem to have forgotten that in future years when we have to pay back our debts, Bayu-Undan will no longer exist. Therefore, we suggest that the Fourth National Parliament and the Seventh Government work together to prioritize productive economic sectors, based on realistic, reasonable and sustainable state plans, rather than making plans based only on fantasies. This is the only way that we can avoid the resource curse, and reduce poverty, social inequality and conflict which reduce the security of people living in our country.

The Parliament must also guarantee the democratic rule of law according to the RDTL Constitution. Article 1.1 refers to a State which is democratic, sovereign and respects the dignity of each individual, Article 2.2 says that the State must adhere to the constitution and laws, and Article 6(b) guarantees and promotes the basic rights of citizens, and respects the state’s principle of democratic rights.

The RDTL Constitution also adopts fundamental principles from the United Nations’ Universal Declaration of Human Rights. But unfortunately, during the last five years, our justice sector has continued to be weak, partly because of strong political intervention in the justice sector, and also because political decisions and resolutions of the Parliament caused some Timorese people to die and suffer, while others received unjust treatment. The military operation in Laga and other parts of Baucau which caused the deaths of Mauk Moruk and some of his members should serve as an important lesson for you, that such practices must never be repeated in Timor-Leste.

We see this as part of an approach toward conflict prevention that has devalued human rights, which is a consequence of the prevailing impunity for crimes against humanity committed during the Indonesian occupation. Once again, we urge reform of PNTL and F-FDTL in order to strengthen the principles of human rights in their conduct, especially when dealing with their own people.

In addition, we ask politicians to communicate policies in a mature and thoughtful way in order to avoid conflict and social instabilities. Timor-Leste, as a nation that has just emerged from conflict, is likely to fall back to conflict if the leaders do not approach policies with genuine political maturity.

Lastly, we are conscious that you will face many challenges in the next five years. Article 95.1 of the RDTL Constitution describes your roles, including making laws on basic issues, and on internal and external policies of the country. We are always ready to provide information through our analysis and research in order to help you to decide wise policies for all of the people of Timor-Leste. This task is part of our contribution to the development of this beloved nation so that it can become more sustainable and democratic.

This concludes our letter to your Excellency, and we thank you very much for your consideration and collaboration.

Sincerely,

Juvinal Dias
La’o Hamutuk Coordination Team

Celestino Gusmão