

East Timor Evidence Project

The International Commission of Jurists based in Geneva has sanctioned the Australian section of the ICJ to compile evidence and intelligence on events leading up to and surrounding the East Timor Popular Consultation on independence, in what has become publicly known as the East Timor Evidence Project (ETEP).

President of the Australian ICJ, Justice John Dowd, told delegates at the recent Australian Legal Convention in Canberra that the ETEP must be aligned with the ICJ motto of "do no harm".

"Clearly this is not a short range project, or an easy project", said Justice Dowd. "Careful planning is needed before we even start taking statements."

The ASICJ's task is to collect material in respect of incidents which may constitute international (and/or domestic) crimes, including genocide, crimes against humanity, murder, rape and the like.

The investigation is to examine the entire period of Indonesian occupation of East Timor, with particular focus on events during 1998 and 1999, including the lead up to and events following the plebiscite.

So far 700 lawyers across the nation have come forward to help the people of East Timor. In the Territory, 25 legal practitioners have volunteered to assist. The ETEP will involve the extensive briefing



ICJ Secretary General David Bitel, Professor Philip Base, ICJ President John Dowd and Chairman of the National Coordinating Committee of the East Timor Evidence Project, Mr Nicholas Cowdery QC at the ICJ presentation at the Australian Legal Convention, Canberra.

and training in statement taking techniques, use of interpreters and methods of dealing with traumatised witnesses, for those volunteer lawyers. A number of seminars have already been scheduled for this purpose.

"We must not give false expectations," Justice Dowd told delegates. "We must explain the processes to the witnesses properly. We will only take evidence from volunteers. It is their evidence - we are a facility only."

Justice Dowd said the ASICJ hope to

achieve three principle goals. The first, to act as a deterrent and to indicate to those people committing the offences in East Timor that someone is watching them and collecting evidence which may be used at some time.

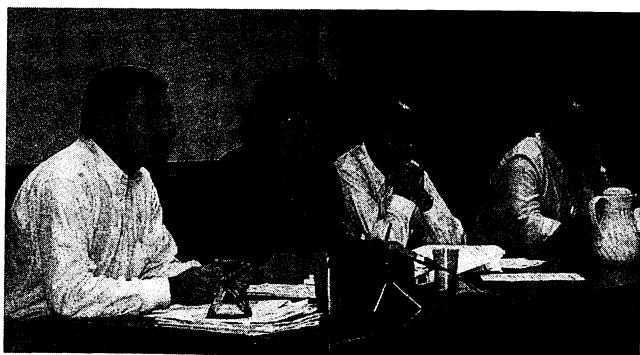
The second is to record the evidence of those who have direct evidence to give and to ensure that this is gathered while the experiences are still fresh and unaffected by the passage of time.

Lastly, the ETEP will gather intelligence about the activities of individuals and groups to help save victims still living in terror in Timor and throughout the Indonesian archipelago.

The evidence gathered will be handed over by the prosecutor of an international tribunal which is proposed to be set up by the United Nations.

Mr Nicholas Cowdery QC, NSW Director of Public Prosecutions and President of the International Association of Prosecutors, has been appointed Chairman of the National Coordinating Committee for this project.

Mr Dowd has indicated he will travel to Darwin to conduct training sessions. The Law Society will advise as soon as a date has been set.



International Red Cross Delegate, Daniel Philipin, Alexis Fraser, Darwin Representative of the National Coordination Committee of the International Commission of Jurists, Tom Stodulka, Captain, Royal Australian Navy Reserves, and Tom Berkley, private practitioner and Lt Col, Royal Australian Army Reserves. The panel presented a background briefing session to 50 participants on the international humanitarian law issues pertinent to East Timor.