

Estafeta

Voice of the East Timor Action Network/U.S. Vol. 8, No. 1/Spring 2002

East Timor Achieves Hard-won Nationhood

May 20 independence begins new phase in Timor's struggle

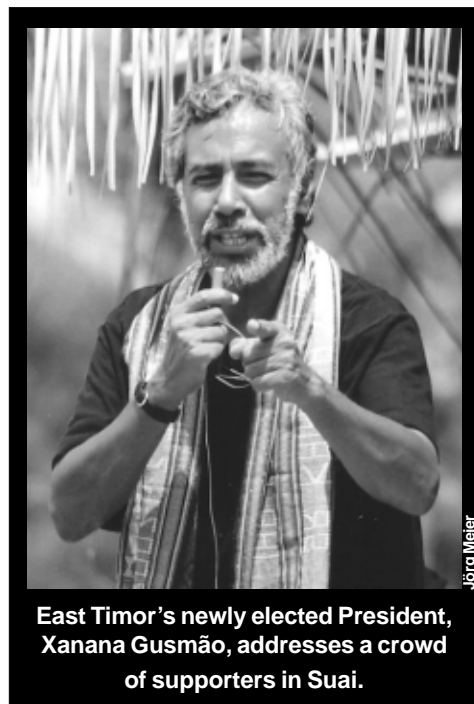
By Charles Scheiner

Dili, April 24, 2002— On May 20, East Timor will become the first new nation of the millennium in a grand celebration which will draw heads of state and celebrities, including Bill Clinton, from around the world. While independence is indeed cause to celebrate, these high profile individuals are not from the ranks of the diehard solidarity activists who supported East Timor's long struggle. Some feel an emphasis on such big names may not accord enough respect to the ordinary people of East Timor, who suffered and struggled for a quarter-century to defeat the Indonesian dictatorship. They, not the United Nations and foreign countries who ignored and betrayed them from 1975 until 1999, are the true victors. And they are the ones who will live with their freedom, and the results of Indonesian and UN rule, after East Timor again disappears from the world's consciousness.

East Timor faces tremendous problems. Some are the legacy of centuries of colonial and military occupation. Others stem from the massive September 1999 destruction of East Timor by the Indonesian military. And still others developed during thirty months of transitional rule by the United Nations, and the politics and structure of East Timor's government that developed during this time.

Nearly three years after InterFET forces entered East Timor and the rampaging Indonesian military (TNI) withdrew, much of the infrastructure destroyed by the TNI, police and their militia surrogates remains unreconstructed. Close to 70,000 East Timorese remain virtual hostages, trapped in Indonesian West Timor by the same militia leaders who took them there after the UN-sponsored independence referendum.

The United Nations Transitional Administration in East Timor (UNTAET) has gov-
(continued on page 9)



East Timor's newly elected President, Xanana Gusmão, addresses a crowd of supporters in Suai.

Changes and Challenges in Washington

by Karen Orenstein

Since the last issue of *Estafeta*, the rightward political shift in Washington has made ETAN's work more difficult. We have been kept busy fending off Pentagon attempts to restore full-blown engagement with the Indonesian military (TNI) despite its egregious human rights record and failure to hold any senior military or government personnel accountable for the 1999 scorched-earth campaign in East Timor. At the same time, with assistance from economic justice-focused NGOs and in coordination with the joint East

Timorese/international monitoring project La'o Hamutuk, ETAN launched the International Campaign for a Debt- and Structural Adjustment-Free East Timor. As this article goes to press, battles rage on both fronts.

Economic Justice

The jubilation surrounding East Timor's independence could be short-lived. The nascent East Timorese government — tasked with a massive reconstruction effort — is facing a substantial shortfall in its already-lean budget over the first three years of indepen-

dence. While financing gap estimates are far less than the Bush Administration spends on one F-22 fighter plane, for a small country like East Timor, this shortfall could stand in the way of the country's determination to use future revenues for healthcare, education, and other vital services rather than paying off debt to wealthy states and institutions.

On May 14 and 15, donor countries and international financial institutions will gather in East Timor for a pledging conference to solicit grants to cover the financing gap. The East Timorese government has joined with
(continued on page 10)

About East Timor and the East Timor Action Network

Estafeta is the Portuguese word for messenger. In East Timor, it identifies people who, with great courage and ingenuity, carried messages throughout the resistance and civilian underground during the Indonesian occupation.

East Timor is a half-island the size of Massachusetts, 400 miles northwest of Australia. It was a Portuguese colony for four centuries, and its 600,000 people tasted independence following the anti-fascist Portuguese revolution in 1974.

On December 7, 1975, Indonesia invaded East Timor after getting the "green light" from President Ford and Secretary of State Kissinger. Indonesian armed forces occupied East Timor until October 1999, with essential military and diplomatic support provided by the United States.

Between 1975 and mid-1999, more than 200,000 East Timorese people (one-third of the pre-invasion population) were killed by massacre, forced starvation and disease. Systematic campaigns of rape, murder, torture and arbitrary arrest terrorized the population. Natural resources (including oil, coffee and marble) were pillaged by Indonesian dictator Suharto's military-business complex.

Suharto ruled Indonesia brutally for 32 years (and oversaw genocide in East Timor for 23). But the Indonesian people forced him to resign in 1998, and the Habibie government allowed the East Timorese to vote. On August 30, 1999, after a quarter-century of brutal Indonesian rule, 78.5% of the East Timorese people chose independence.

Following the vote, the Indonesian military and its militias carried out their threats of retaliation. Thousands were killed. More than three-fourths of the people were displaced from their homes, a quarter-million taken forcibly to Indonesia. Most towns and houses in East Timor were leveled.

East Timor has finally achieved independence. But tens of thousands of people have still not been able to return home, and those who have face a mammoth task of reconstruction. Their country's judicial, educational and health care systems are severely underdeveloped, and the East Timorese people are frustrated that the

Indonesian military officers most responsible for their country's destruction have not been brought to justice.

International awareness of the horror of East Timor increased after November 12, 1991, when Indonesian soldiers acting under high-level orders killed more than 270 nonviolent demonstrators at Santa Cruz Cemetery in Dili. Unlike many previous massacres, this one was witnessed by foreign journalists, who documented the incredible courage of the demonstrators — and the horrific inhumanity of the Indonesian army.

The East Timor Action Network was created in response to the

Dili massacre. ETAN is a grassroots movement of more than 10,000 members and key contacts around the country. We have worked for human and political rights for the people of East Timor and for Indonesians who are struggling for democracy in their country.

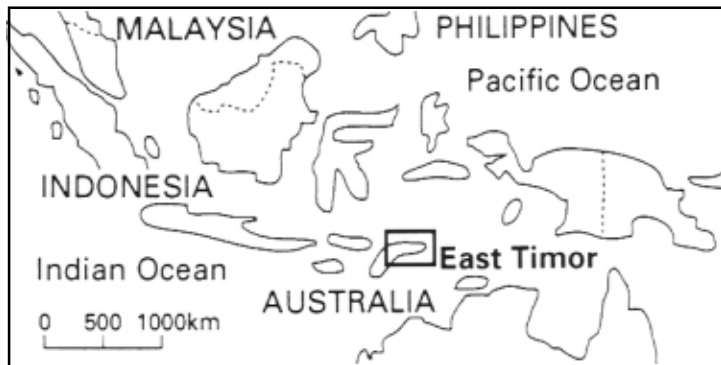
Since East Timor has now moved from UN rule to self-government, ETAN work is focused on helping achieve justice for crimes committed

in East Timor and the return of forcibly displaced refugees. We support grassroots democracy and sustainable development in East Timor.

ETAN embraces tactics from public education to protest, lobbying to local organizing, diplomacy to development, resource production to media work. We helped stop U.S. military training aid to Indonesia in 1992, and have maintained limitations on such aid ever since.

Over the years, our grassroots pressure blocked numerous weapons sales to Indonesia. We will continue to pressure the Indonesian and U.S. governments until all refugees have been allowed to return home and those responsible for crimes committed in East Timor from 1975 to 1999 have been held accountable. We will push for U.S. as well as Indonesian accountability.

ETAN is made up of people just like you who contact their representatives in Washington, protest and educate others about U.S. foreign policy toward East Timor and Indonesia. We survive on your generous donations of time, talent and money. Please join us. And thank you. ■



The East Timor *Estafeta* is the newsletter of the East Timor Action Network of the United States. We welcome your comments and suggestions on improving its layout or content.

Editors: Ben Terrall

Proofreading: Diane Farsetta
John M. Miller
Chris Lundry

Layout: Eric S. Piotrowski

ETAN National Offices

Washington Representative

Karen Orenstein
1101 Pennsylvania Ave. SE,
Suite 204, Washington, DC 20003
202-544-6911, fax 202-544-6118
karen@etan.org

Field Organizer

Diane Farsetta
1202 Williamson Street
Madison, WI 53703
608-663-5431
cell phone 608-347-4598
diane@etan.org

Outreach/Media Coordinator

John M. Miller
48 Duffield Street
Brooklyn, NY 11201
718-596-7668
fax 718-222-4097
cell phone 917-690-4391
john@etan.org

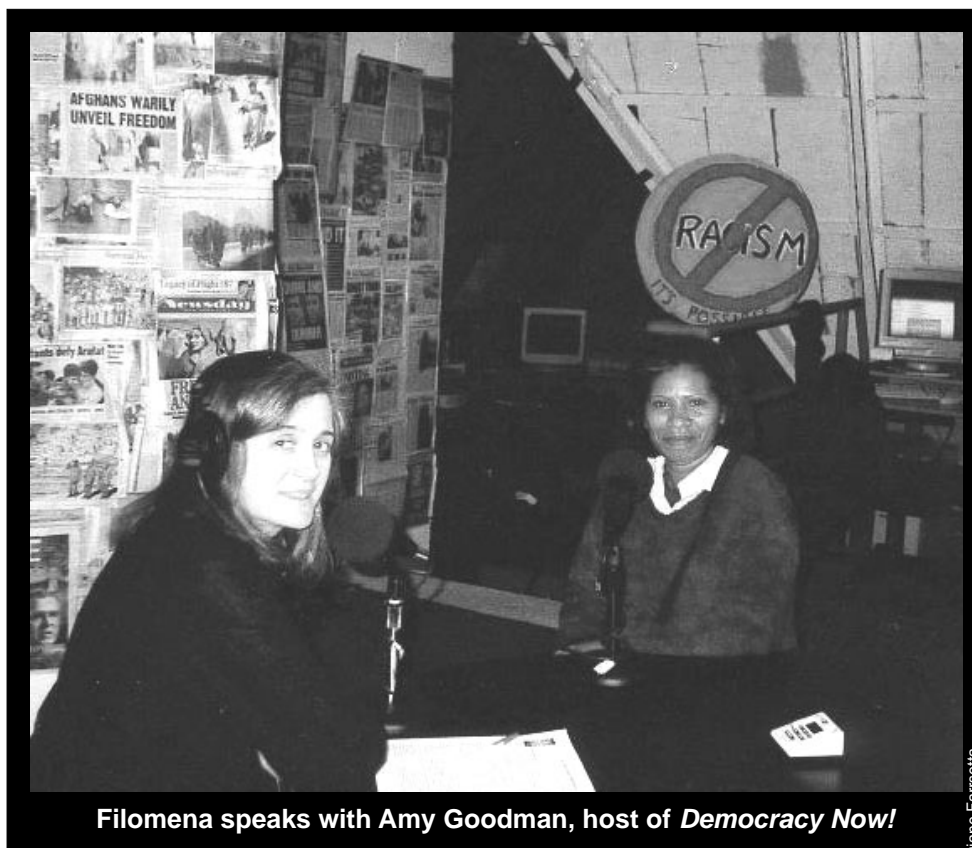
The Women of East Timor Demand Justice

by Diane Farsetta

Even as the United Nations conveniently forgets its own recommendations for an international tribunal, the East Timorese leadership comes under increasing political pressure to support “reconciliation,” and the international community attempts to portray the sham Indonesian *ad hoc* Human Rights Court as an acceptable process (see *article* page 8), the demands for real justice voiced by East Timorese are growing louder. At an international meeting on East Timor last June, the East Timorese Women’s Network (REDE) stated, “an international tribunal is the most pressing demand in the interests of justice.” A conference on justice and accountability held in Dili last October ended with a unanimous call from all major East Timorese human rights organizations to establish an international tribunal for serious crimes going back to the 1975 Indonesian invasion. In February and March, East Timorese activist Filomena Barros dos Reis brought this important message to 28 cities in 16 states across the U.S. during ETAN’s spring speaking tour on “Finding Justice for East Timor.”

In her presentations, Filomena shared her personal experiences and political analyses, emphasizing the integral, continuing role of East Timorese women in the movement for justice. Filomena became a human rights activist in response to the widespread suffering of Timorese women. “Everywhere women were wearing the black clothes of mourning,” she said. “I wanted to see women smiling, not crying like they always were during Indonesian times.”

Filomena was one of the first members of



Filomena speaks with Amy Goodman, host of *Democracy Now!*

Diane Farsetta

the women’s human rights organization FOKUPERS. She explained how a small group of committed activists founded the group: “A friend, an Indonesian human rights defender, came to East Timor in 1997 to do research and found that human rights abuses—especially violence against women—were very serious. We then organized a seminar on women’s health and decided we needed to form an organization to give attention specifically to women. We told the Indonesian military our new organization looked only at health issues, but behind this we secretly did human rights work.”

As a member of FOKUPERS, Filomena gave human rights training sessions throughout the country and counseled women victims of military violence. She took part in FOKUPERS’ first investigation, into an August 1983 massacre: “We realized that to end the occupation, we

needed to get information out to our friends overseas. So we went to Creras — now called ‘the Village of Widows’ — where the Indonesian military had killed all of the boys and men over the age of ten. After the massacre, the military closed off the village, not even allowing the women to visit nearby relatives. We had to pretend we were nuns giving religious instruction to be allowed in Creras. At first, the women were too afraid to talk to us, or they said, ‘We are dirty. Don’t get close to us.’ But after a while they began to tell us horrible stories, saying, ‘Suffering for us is like one piece of bread every day.’ This means every day the women were subjected to harassment, torture and rape at the hands of the Indonesian military.”

Filomena clearly stated why she felt it was important for U.S. audiences to know and act on this information: “The U.S. has a lot of power in the world. I have come here to build solidarity with you all, to ask you to work together with us for an international tribunal. The victims of East Timor — especially the women — continue to demand justice. If you pressure your government, justice will be done. In East Timor, people asked me to tell whoever I met in the U.S. that we want peace, but we cannot build a lasting peace without justice.”

Inspired by Filomena dos Reis and the many other East Timorese women fighting for justice, ETAN organized a women’s statement calling for the establishment of an international tribunal for East Timor, with a mandate covering the entire Indonesian military occupation. The response was tremendous — over 125 concerned feminist organizations and activists signed on in support, including such well-known women by such well-known women as activist Gloria Steinem, actor Susan Sarandon and playwright Eve Ensler, Judith Shapiro, President of Barnard College, authors Naomi Klein and Susan Brownmiller, and Indian organizer Vandana Shiva and human rights defender Sister Dianna Ortiz. Three members of Congress, Reps. Tammy Baldwin (WI), Barbara Lee (CA) and Cynthia McKinney (GA) also signed.

The resolution and list of signatories is on ETAN’s website at www.etan.org/news/2002a/02women.htm

A Dangerous Oil Slick

Australia Tries to Hijack East Timor's Future

by Joseph Nevins

It is hoped that revenues from oil and natural gas will provide East Timor the financial means necessary to successfully battle the country's profound poverty and the legacy of underdevelopment brought about by 24 years of Indonesian occupation and centuries of Portuguese colonialism. These lucrative resources are contained in a seabed between East Timor's south coast and the north coast of Australia in an area called the Timor Gap. But an intensifying struggle between the East Timorese and Australian governments over the eastern and western boundaries of the seabed has thrown into doubt an agreement between the two countries.

The Timor Gap is a continental shelf area between northern Australia and the island of Timor. In 1972, Australia and Indonesia agreed to a shelf boundary between the two countries to the east and the west of East Timor; the agreement gave Australia 85 percent of the sea territory between the two countries. The Portuguese, however, refused to sign a similar agreement, arguing that the boundary should be halfway between the coastlines of the two territories. The disputed area in between the boundaries delimited by Indonesia and Australia is what is popularly known as the "Timor Gap."

Australia was more than willing to exploit the opportunity presented by Indonesia's bloody annexation of East Timor to "close the gap." Negotiations began in 1979. Ten years later, the Australian and Indonesian foreign ministers signed the Timor Gap Treaty while flying in a plane over the seabed. The treaty divided the area into three sectors: one under Indonesian control; a second under Australia; and a third controlled jointly. Observers

and analysts tend to agree that Australia got the better deal. Indonesia was eager to sign the treaty as a way of solidifying its claim to East Timor and gaining international support for that claim. Australia, in fact, extended legal or *de jure* recognition of Indonesia's annexation of the former Portuguese colony as a pre-condition for entering into formal negotiations over the seabed.

In the aftermath of Indonesia's withdrawal and the United Nations' assumption of power, Australia has had to renegotiate with East Timor, now standing in for its former occupier. This is an ongoing process.

A July 5, 2001 "memorandum of understanding" (MoU) signed by Canberra and Dili granted East Timor 90 percent of the revenues from the entire "Gap," leaving only 10 percent to Australia. While this may seem to be a good deal for East Timor, it is problematic for two reasons. First, because international law states that sea boundaries should be the median line between the two countries concerned, it is highly questionable if Australia has a right to any of the resources within the seabed. Second, and most important, because the MoU only revised the division of the resources within the gap, and did not call into question its east-west boundaries.

International experts who participated in a seminar in Dili in March 2002 contended that, were the east-west boundaries to be drawn in a manner consistent with international law, the boundaries would move outward and include the most lucrative Timor Sea deposits within the gap's boundaries. This would make a dramatic difference in the amount of revenues earned by East Timor.

It is impossible to know with certainty how much East Timor will earn from the gap

as they are predicated on always changing commodity prices. But were the MoU to become a treaty once East Timor becomes independent, as Australia wants, it is thought that the country would receive about US\$8 billion in revenues over a few decades. But if the would-be treaty were to reflect international law, East Timor could earn up to US\$36 billion, the difference being monies that Australia would have received otherwise.

It is for this reason that Canberra announced in late March that it will no longer submit to international legal rulings regarding its maritime boundaries. Instead, the Australian government states that it will only negotiate such boundaries directly with the concerned parties, in this case East Timor.

Canberra is well aware that there are tremendous pressures on East Timor to ensure that revenues from exploitation begin flowing into the country's poverty-stricken treasury as soon as possible (which requires an agreement with Australia). East Timor also needs to maintain good relations with its powerful southern neighbor. Canberra's expectation is that East Timor will thus not be able to negotiate from a position based fully on principle and will feel compelled to take a "pragmatic" approach to the renegotiation.

It is unclear if East Timor's post-independence government will have the political will and the strength needed to take on Australia and to ensure East Timor's control over what are clearly its own resources—at least as defined under international law. It is for such reasons that the roles of pro-East Timor forces within Australia, East Timorese civil society, and the international solidarity movement could prove to be very important in this evolving controversy. ■

Independence Is Just a Beginning

Your Support Is Still Needed!

The East Timorese recognize the need for ongoing international solidarity with the new nation. Nobel laureate Jose Ramos Horta has said an independent East Timor will prioritize its relationship with international friends.

Help ETAN continue its ten year history of effective advocacy for human rights and justice!

Your participation and financial support are essential.

Non-tax deductible contributions for our political advocacy work should be made out to ETAN/U.S.; tax-deductible donations for educational efforts should be made out to the Foundation for International Scientific Cooperation (put ETAN/U.S. in the memo line).

Thank you.

Mail to: ETAN/U.S., 1202 Williamson St, Madison, WI 53703.

Documents Detailing Role of Kissinger and Ford in 1975 Invasion Released

U.S. support for the occupation of East Timor led to the formation of ETAN over a decade ago. More details of U.S. complicity in Indonesia's illegal annexation of East Timor were made public on the 26th anniversary of the invasion. On 7 December 2001, researchers released previously-classified United States government documents which proved what many had known for years: the U.S. was informed in advance of Indonesia's plans and approved them at the highest levels. The information, which included transcripts of two 1975 meetings between President Gerald Ford and Indonesian dictator Suharto, was obtained through the U.S. Freedom of Information Act and made public by the National Security Archive, a Washington-based non-governmental organization.

In July 1975, Suharto visited Washington, meeting with Ford and Secretary of State Henry Kissinger. Although at the time East Timor was still under Portuguese rule, the Indonesian leader told the Americans: "...the only way is to integrate into Indonesia," describing Fretilin [the leading pro-independence East Timorese party] as "Communist elements."

Before their next meeting with Suharto, Kissinger provided "talking points" to Ford, which included the following: "We note Indonesia has expressed willingness to see a merger of [East Timor] with Indonesia with the assent of the inhabitants of Timor. This

would appear to be reasonable solution." The same memo proposed doubling U.S. military aid to Indonesia.

Preferring a quiet takeover to an outright invasion, the memo notes that "use of U.S.-supplied weapons in an overt occupation of the territory, however, would contravene U.S. law." It goes on to say this had been pointed out to Indonesia and "it appears to have been a restraining factor." But on December 6 Ford declined to use the possibility of lessened U.S. military assistance to discourage an Indonesian invasion.

When Suharto, Ford and Kissinger met in Jakarta, U.S. intelligence already knew about Indonesia's recently-finalized invasion plans. Early in the meeting, Ford was "enthusiastic" about building an M-16 munitions plant in Indonesia. The Indonesian dictator then raised the Timor issue, saying, "We want your understanding, if we deem it necessary to take rapid or drastic action." Ford replied: "We will understand and will not press you on the issue. We understand the problem and the intentions you have."

Although Kissinger acknowledged the illegality of using U.S. weapons for offensive attacks, saying, "the use of U.S.-made arms could create problems," both he and Ford saw this as something that could be dealt with.

But Kissinger warned Suharto: "it is important that whatever you do succeeds quickly. We would be able to influence the reaction if whatever happens, happens after we

return.... If you have made plans, we will do our best to keep everyone quiet until the President returns home." He added, "the President will be back on Monday at 2 PM Jakarta time. We understand your problem and the need to move quickly but I am only saying that it would be better if it were done after we returned."

Kissinger asked if Suharto anticipated "a long guerilla war" and the Indonesian leader replied, "[t]here will probably be a small guerilla war." Indonesia launched their invasion soon after the meeting, while Ford and Kissinger were in the Philippines. Over 90% of the weapons used came from the U.S. Six months later, according to another recently-released document, U.S. State Department officials agreed, "We've resumed all of our normal relations with [Indonesia]; and there isn't any problem involved."

These documents highlight the need to hold U.S. leaders, as well as Indonesian military and government officials, accountable for the invasion and occupation of East Timor. They offer further evidence that while the U.S. had no particular interest in East Timor, relations with the Suharto regime were of utmost importance to Washington. To Kissinger and Ford, the fate of hundreds of thousands of East Timorese clearly mattered little as long as Suharto was happy.

New Coalition Targets Crimes of Henry Kissinger

ETAN recently joined the International Campaign against Impunity and Instituto Cono Sur (which refers to the southern cone of South America, where "Operation Condor" death squads operated) in launching KissingerWatch, a project modeled on the success of the Pinochet Watch bulletin (<http://www.tni.org/pinochet>). The coalition notes that "to many, Henry Kissinger epitomizes the failure of the Western world to pay serious attention to the grave crimes committed by its leadership," and will distribute relevant information, examine the status of Kissinger's impunity, foster debate and facilitate action.

Though long overdue, it does seem that legal pressures on the celebrity war criminal are making his old age a bit more uncomfortable. Cases against Kissinger and other Nixon administration officials have been launched by victims of the Pinochet regime's 17-year dictatorship in both Chilean and American courts. A Chilean investigating judge has formally asked Kissinger to respond to questions about the killing of American citizen Charles Horman (subject of the Costa-Gravas film "Missing"), after the coup that ousted democratically

elected Socialist President Salvador Allende Gossens and brought General Pinochet to power on September 11, 1973.

Judges in Spain and France have sought to question Kissinger on "Operation Condor." A London activist recently failed in an attempt to have Kissinger arrested for war crimes in Indochina. The magistrate said such a request should be heard in a higher court, pointing the way for further action should Kissinger visit England again.

A new generation of activists is becoming aware of other periods in Kissinger's unsavory career (as detailed in Christopher Hitchens' book "The Trial of Henry Kissinger," see page 11), including his orchestration of the illegal bombing of Laos and Cambodia during the Vietnam war. Declassified documents show that Kissinger knowingly lied to Congress when he testified that areas in those countries bombed by the U.S. were "unpopulated." He was also complicit in covering up massive war crimes committed in Angola, Cyprus and Bangladesh.

For more info on KissingerWatch and Kissinger's Timor role see www.etan.org/news/kissinger/.

Ten Years for Justice

A Decade of the East

by John M. Miller

Information, education and action. For a decade these watchwords have guided ETAN in our pursuit of self-determination and justice for the people of East Timor. With the former achieved, ETAN continues to work for justice.

Through the first 15 years of the Indonesian military occupation, few in the U.S. heard about, much less acted to stop, this outrage. The November 12, 1991 Santa Cruz massacre changed that. Filmed and photographed, the attack on peaceful demonstrators by Indonesian troops wielding U.S.-supplied weapons sparked the formation of organizing efforts in cities throughout the U.S. These local groups soon found each other, creating the national East Timor Action Network.

Some early members of ETAN had been concerned about East Timor and/or Indonesia for years and saw that change might at last be possible. Others saw the U.S. role in backing Indonesia's invasion and occupation as a particularly egregious example of the worst in U.S. foreign policy. Many would join, horrified that their country had assisted in one of the worst genocides of the late 20th century. One early leaflet simply stated that East Timorese could be shot for attending a

"ETAN channeled our voices of opposition to U.S. policies blocking East Timorese self-determination, and in so doing became a powerful force for change."

Noam Chomsky

demonstration, and while the Timorese had to take great risks in speaking out, we could easily support them from our relative safety. A simple recitation of the facts was all that was needed to convince many that a grave injustice needed to be confronted.

Early on we decided to be non-partisan (working with people and politicians with a wide-range of views on other subjects), tactically diverse and focused on gaining self-determination for East Timor. These three principles have served us well.

Through the years, we engaged in a wide range of tactics.

We built public awareness through educational events, personalizing the issue through annual tours of East Timorese, and highlighting the plight of the East Timorese in both mainstream and alternative media. We leafleted outside showings of the documentary "Manufacturing Consent," which includes a substantial section on East Timor. We spoke inside (and outside) the UN and organized countless demonstrations at the Indonesian Embassy and its various consulates around the U.S. Several hundred were arrested in civil disobedience sit-ins.

The internet greatly facilitated our ability both to learn what was going on in East Timor and to get the word out quickly, and enabled us to inexpensively mobilize people

on short notice. We compiled news reports, documents and other information from a range of international sources, filling in for the scarce coverage in U.S. media. We also published a newsletter, first called Network News, then renamed *Estafeta*. Our resource list made available hard to obtain documentaries and books, many from overseas.

We issued dozens of action alerts via internet, fax, phone and mail. We reached out to other organizations and constituencies who helped amplify these calls to action directed at the UN, the Indonesian government and, most often, the U.S. Congress and administration.

Our political strategy was both ambitious and simple. Viewing the Indonesian military as key to the occupation and the U.S. as the military's chief benefactor, we set out to sever that relationship. We believed that Indonesia would value its ties to the U.S. more than its continued occupation of East Timor. Events would bear out this analysis.

Though the U.S. had rarely cut off military training or aid because of human rights violations, we pushed Congress to pass legislation stopping military assistance and other aid for Indonesia. Mobilizing existing concern and building new support, we found early success when Congress quickly banned IMET military training for Indonesia in

1992. Versions of that ban have been annually renewed ever since. Through the years, either the administration (always under Congressional pressure) or Congress would end specific weapons sales or suspend the transfer of categories of military weapons. Indonesian dictator Suharto twice refused training or weapons in a fit of pique over criticism of re-



Charles Scheiner

and Self-Determination: Timor Action Network

pression in East Timor.

In September 1999, as the Indonesian military ransacked East Timor after its pro-independence vote, President Clinton finally cut all military ties (and other assistance) to Indonesia. This action had the effect we had



always predicted. Indonesia quickly agreed to withdraw and allowed in a peacekeeping force. But the damage had been done.

Ten years ago we set a seemingly impossible goal: freedom for an obscure nation occupied by the fourth largest country in the world with backing from the world's only superpower. "Against All Odds: Victory for a Lost Cause" was the *Estafeta* headline. Having helped the East Timorese achieve that goal, we are now set to support them on their perilous path of independence.

Meeting soon after, ETAN's steering committee decided to remain focused on East Timor. We agreed on a program of support for the new nation: justice for East Timor through an international tribunal and accountability for the U.S. role; return of all refugees who want to go home; support for human rights and sustainable development. We committed to maintain the suspension of military ties with Indonesia, both to pressure Indonesia on East Timor and to support those still on the receiv-

ing end of Indonesian military brutality. We also helped launch the Indonesia Human Rights Network to expand that work.

As East Timor celebrates its independence, all of us in ETAN can be justly proud of our role in supporting this wonderful victory. Having made a real difference for ten years, ETAN remains committed to making a difference for East Timor's future. You can too.

For more on ETAN's history see <http://www.etan.org/etan/default.htm>.



Mike Flugemock

ETAN in Action: Some Highlights

1992

- Congress bans IMET military training for Indonesia

1994

- Pressuring President Clinton to raise East Timor at the APEC summit in Jakarta and supporting East Timorese activists who hopped the fence at the U.S. Embassy there
- A Senate vote on an amendment to ban the use of U.S. supplied weapons in East Timor. Although the provision was defeated, it led directly to a ban on the sale of small arms and riot control equipment to Indonesia

1995

- Organizing the widely cited questioning of Henry Kissinger at a New York speaking engagement
- A sold out forum featuring Noam Chomsky, Allan Nairn and Constancio Pinto at Columbia University

1996

- Supporting a local union in their victorious struggle with the management of a factory owned by an Indonesian company with close ties to the Suharto regime

1998

- The unanimous passage by the U.S. Senate of a resolution supporting self-determination for East Timor, soon followed by the House.
- Exposing the JCET (Joint Combined Exchange Training) end-run around Congressional bans on military training program, leading to Pentagon suspension of the program

1999

- Winning a suit to have the street in front of the Indonesian Consulate in New York City temporarily renamed "East Timor Way"
- ETAN members participate as election observers during East Timor's "popular consultation" on independence

2002

- Helping sue Indonesian General Jhony Lumintang.

2002

- Celebrating East Timor's independence.



John M. Miller

ETAN Continues Refugee and Justice Campaigns

by Diane Farsetta

Thus far in 2002, ETAN has continued to focus most of its energies on East Timor's refugee crisis and the campaign for a tribunal for East Timor.

Happily, progress has been made toward achieving a resolution to the refugee crisis.

Following intense pressure from East Timorese and international human rights groups – including a letter from non-governmental organizations (NGOs) organized by ETAN – the UN High Commission for Refugees (UNHCR) delayed its planned phase-out of activities in East Timor from June to December 2002. The letter, sent to UN High Commissioner for Refugees Ruud Lubbers, urged the UNHCR to re-establish an office in West Timor and to remain in the area “as long as there are East Timorese refugees.”

ETAN also protested the joint UN-Indonesian government strategy to address the refugee crisis, released late last year. Among the shortfalls of the plan are: a failure to seriously address disarming and disbanding of militia members (the word “militia” is mentioned only once in the 73 page text), the reliance on Indonesian military and police to provide security and accurate information to refugees, and the absence of safeguards to ensure refugees participating in repatriation or resettlement programs elsewhere in Indonesia are doing so of their own free will.

Despite these and other obstacles, refugee repatriation rates increased dramatically in early 2002. Some 3600 people returned to East Timor in March – the highest number in two years – and another 3500 returned by mid-April. The UN attributed the increase to

a desire to vote in the April 14 Presidential elections (see page 1) and the end of the rice harvest in West Timor. The Jesuit Refugee Service had earlier documented cases of desperate refugees returning to East Timor, following the Indonesian government's January 1 cut-off of all food aid.

Approximately 60,000 East Timorese remain in West Timor. East Timorese leaders hope that the peaceful election of Xanana Gusmão and the draw of celebrating Independence Day will keep repatriation rates high. ETAN will continue to monitor the situation and to raise the plight of refugees elsewhere in Indonesia, including the estimated 1600 East Timorese children separated from their families.

Unfortunately, the movement for justice has not yet seen significant progress. Although Indonesia finally made good on its promise to hold trials, its ad hoc Human Rights Court on East Timor has been criticized by Timorese, Indonesian, international and U.S.-based justice and human rights organizations, including ETAN, Human Rights Watch and Amnesty International.

On the tenth anniversary of the Santa Cruz massacre in November, ETAN activists in 20 cities did community and Congressional outreach to build support for an international tribunal for East Timor. The same month, an ETAN-organized Congressional letter sent to Secretary of State Powell from ten Senators stated, “we add our voices to East Timor's National Council (the former legislature), all 16 political parties, many East Timorese and Indonesian NGOs, and prominent individuals like Nobel Laureate Bishop Carlos Belo, in calling for an inter-

national tribunal for East Timor.”

In January, ETAN released a statement signed by nearly four dozen legal experts from around the world calling for an international tribunal. ETAN's spring speaking tour also focused on justice, building grassroots, Congressional and UN support for an international tribunal (see page 3).

ETAN's media work kept the question of justice for East Timor alive, generating coverage by the Associated Press, the BBC, Feature News Service, UN Wire and Mother Jones magazine website. As the Indonesian ad hoc trials were beginning in mid-March, ETAN enumerated “Ten Reasons Why Indonesian Courts Will Not Bring Justice to East Timor.” When the International Criminal Court was ratified in early April, East Timorese lawyer and legislator Aderito de Jesus Soares released a joint statement with ETAN welcoming the formation of the court, but pointing out its inability to hear cases of past atrocities means that East Timor needs its own international tribunal. ETAN also criticized the UN Human Rights Commission for releasing a weak and inaccurate statement on East Timor – despite Human Rights Commissioner Mary Robinson's call to re-examine the need for an international tribunal.

As ETAN tour speaker Filomena dos Reis explained, “We know the road to justice is long, but justice will come.” See sidebar (below) or ETAN's website (www.etan.org) for how you can help push for an international tribunal for East Timor. ETAN will also be working to push a process of accountability for Washington's role in the occupation. Even with independence, the struggle continues. ■

Have your Members of Congress co-sponsored the resolutions calling for an international tribunal for East Timor? Passage of House Concurrent Resolution 60 and Senate Concurrent Resolution 9 are essential to build official U.S. support for an international tribunal. More information on the resolutions (including sample letters) can be found on ETAN's website at www.etan.org/action/action2/04alert.htm

A list of resolution co-sponsors is at www.etan.org/legislation, or contact ETAN Washington coordinator Karen Orenstein at karen@etan.org or 202-544-6911. Call or fax your representatives in Washington and/or visit their local offices to demand justice for East Timor!

(*Presidential Election, cont. from page 1*)
erned the country since October 1999. UNTAET's responsibilities included ending the humanitarian crisis, rebuilding the country, and developing the human, physical, social and political capacity for independence. While it accomplished much, UNTAET has fallen short on many fronts: capacity building for a self-sufficient future is inadequate, and the education, health, judicial, road, electric, water, communications and other systems are still among the worst in the world. Except for subsistence agriculture and a few short-term, foreign-owned businesses profiting from the temporary influx of international staffers, economic development is virtually nonexistent. East Timorese workers and families are in for a tough time for the next 3-5 years, until revenues from the Timor Sea oil and gas deposits are realized (see page 4).

East Timor's de facto emperor, UNTAET Transitional Administrator Sergio Vieira de Mello, will abdicate to an elected parliament and president on May 20. A few thousand UN peacekeeping soldiers and international police will remain until 2005, and around 100 or so civilian advisors will continue to support East Timor's government.

Birth of a Nation-state

In August 2001, UNTAET organized an election for East Timorese voters to choose 88 people to form a Constituent Assembly to write the nation's Constitution (see cover story, previous *Estafeta*). The leading pro-independence party from 1975, FRETILIN (the Revolutionary Front for an Independent East Timor), which most East Timorese associate with the resistance movement, won 57% of the vote, and has 64% of the Assembly seats.

Acting under tremendous pressure, with no experienced legislators, the Assembly tackled its task, doubled the unrealistic 90-day period the UN had assigned, and approved a 170-article Constitution on March 15. The document protects most basic human and social rights and separates powers, with Parliament responsible for most areas and the President serving as head of state and the military. Most administrative authority resides in a Council of Ministers, chosen by the Parliament. The Constitution contains some limitations on transparency, freedom of the press, and civil liberties – perhaps understandable in light of East Timor's unfriendly neighborhood. Stability is built in – elections are infrequent and it is difficult to amend the Constitution in fewer than six years (an English translation of

the constitution can be found at www.etan.org).

The first Council of Ministers was appointed in September 2001 by the Transitional Administrator. Reflecting the election results, the Chief Minister is FRETILIN leader Mari Alkatiri, a Muslim in this overwhelmingly Catholic country. The 53-year-old Alkatiri was born in East Timor but lived in exile from 1975 to 1999, teaching law in Mozambique and traveling the world for the diplomatic front of East Timor's resistance.

The other ministers are mostly FRETILIN, with a few independents. The Democratic Party (PD), formed out of the younger activist generation, got a few Vice-Ministerial positions, while the Social Democratic Party (PSD), headed by former Indonesian-appointed governor Mario Carrascalão, decided not to participate. The Council has governed East Timor since September, defining patterns and policies that will endure for years. Some of the Ministers will retain their portfolios after independence, although others will not.

After adopting the Constitution (PD and PSD dissented, but signed on after losing the vote), the Constituent Assembly transformed itself into East Timor's first parliament, with FRETILIN's majority consolidating its power.

Like any party in power, FRETILIN wrote the Constitution to protect its control. But PD and PSD, which appeal to the generation that broadened the resistance during the 1990s, could develop a serious opposition by the next parliamentary and presidential elections, in 2007.

President Xanana

On April 14, East Timor's people elected Jose "Xanana" Gusmão as its first President. Xanana rebuilt East Timor's nearly-defeated guerilla movement in the early 1980's, and continued to lead the resistance after capture and imprisonment by Indonesian forces in 1992. Although he is considered the only per-

son with the stature and the popular support to lead the nation, the 55-year old Xanana played hard to get, denying he wanted to be president, and ultimately saying he was giving in to popular pressure.

Xanana received an 83% mandate, defeating 66-year-old Francisco Xavier do Amaral, President during the short-lived 1975 government of FRETILIN and now Vice-President of the Parliament. Throughout the campaign, Amaral said he did not expect to win but was running because democracy meant the people should have a choice.

FRETILIN encouraged Xanana to run as a non-partisan independent, but he declined. Hours before the deadline for filing candidacies, Xanana was nominated by nine "smaller parties," effectively the parliamentary opposition.

The early stages of the campaign were more symbol than substance – a major controversy began after Xanana threatened to withdraw his candidacy unless party symbols were dropped from the ballot. The furor was resolved by Xavier's acquiescence to Xanana's demand.

In spite of his vast popularity, Xanana made some voters uncomfortable. He has avoided the difficulties of transitional government, resigning as head of the first consultative legislature in 2000, and sometimes appearing to belittle the Constitution-writing process. His conciliatory approach to Indonesia – justified by the need for national unity and reconciliation – rankles many frustrated by the UN's inability and unwillingness to bring Indonesian military and civilian officials to justice for crimes committed in East Timor from 1975 to 1999. Finally, Xanana's reputed estrangement from FRETILIN leadership causes concerns about government unity.

During the most hopeless years of East Timor's struggle against Indonesia, Xanana Gusmão's motto was "to resist is to win." Now that his people have won independence, they still face many challenges. In another phrase of the period, "A luta continua." ■

ETAN Welcomes Shawn Jones

To make sure our work for justice and human rights can continue, ETAN is welcoming Shawn Jones as our new part-time Development Director. Shawn brings to ETAN an impressive level of experience with various non-profit fundraising efforts. He has designed as well as implemented successful development strategies for organizations focused on the arts, public health and homeless issues. Shawn looks forward to working with the ETAN family and to building support for a cause he finds "very important and personally compelling." Contact Shawn at: shawn@etan.org and 410-944-3992.

(Washington Update, cont. from page 1)

civil society in making poverty alleviation its highest priority. Top officials have publicly affirmed their commitment to avoid the debt trap, instituting a “no loans” policy. Donors are expected to provide funds needed for the first year of independence, but assistance for the following two years could well be insufficient. Without concerted international solidarity pressure, East Timor may have no choice but to resort to loans given on the terms of the World Bank and other international financial institutions.

Any contributions, whether from the U.S. or other donors, must not be tied to crippling “structural adjustment” policies. Though the conditions may be called something else, there are strong indications that such onerous attacks on social spending will be applied to monies for East Timor.

ETAN has been working hard with allies in Congress to ensure that U.S. representation at the pledging conference makes the most generous donation possible – at least 25% of the total needed – without restrictive macro-economic conditions. State and Treasury Department discretionary funds could cover such an amount, or it could be appropriated via a legislative process. We are also insisting that the U.S. coordinate with other donors ensure funding for all three years is provided through grants. Representative Barney Frank (D-MA) has taken the lead on delivering these messages to the Bush Administration through a congressional letter. Some offices have also taken individual initiatives.

In addition to working domestically with the grassroots networks of activist organizations Jubilee USA and 50 Years Is Enough, ETAN has initiated campaigns in other countries, focusing particularly on large donors to East Timor. Letters signed by a range of non-governmental organizations (NGO) have also been sent to Secretary of State Colin Powell, as well as to Appropriations Committee members in both chambers of Congress.

Many other economic dangers await East Timor. One setback has already occurred. Because donor countries do not commonly give money directly to other governments, a facility has been established to oversee contributions to East Timor’s budget. Despite the objections of many in East Timor, the World Bank is expected to manage the facility. With this initial compromise of financial independence, the chipping-away at East Timor’s sovereignty has already begun.

East Timor will likely need to produce a Poverty Reduction Strategy Paper (PRSP), required by the World Bank and IMF of many

poor countries applying for foreign loans, grants, and “debt relief.” PRSPs are widely seen as structural adjustment programs masquerading as “poverty reduction.” Tying assistance to such programs has led to worsened conditions in many countries of the Global South – including decreased access to health-care and education; devastated small- and medium-sized farms, businesses, and other local industries; lowered wages and increased unemployment; undermined food security; and environmental degradation. All of these effects disproportionately burden women.

International solidarity is crucial if East Timor is to be free of the shackles of economic colonialism which have crippled too many poor nations. Activists in the U.S. and other countries must push their governments not to inflict the crushing burdens of debt and “fiscal austerity” on East Timor. In addition to covering the financing gap, the U.S. and other donors need to give enough assistance directed at appropriate recipients in East Timor to ensure a decent standard of living until the nation becomes self-sufficient. Given the complicity of most donor countries in Indonesia’s war on East Timor, this is the least they can do.

Military Ties

The 2001 State Department’s Country Report on Human Rights Practices describes “shooting of civilians, torture, rape, beatings and other abuse, and arbitrary detention,” carried out by the Indonesian security forces, and notes that the Government rarely holds the military or police accountable for committing extrajudicial killings or using excessive force.”

Despite this egregious record, the Pentagon is pushing hard to remove all obstacles to full engagement with the TNI. Should it succeed, carefully considered International Military Education and Training (IMET) and Foreign Military Financing (FMF) restrictions in the Foreign Operations Appropriations Act legislated in response to the TNI’s incriminating acts would be nullified. IMET and FMF restrictions, and the “Leahy” conditions which must be met before they are lifted, were imposed in response to the 1999 scorched earth campaign in East Timor. None of the seven conditions, which include safe passage for all forcibly-displaced refugees in West Timor who wish to return home and serious trials of military officers responsible for the destruction of East Timor, have been met. Overriding those conditions would violate congressional intent, and U.S. leverage has to encourage civilian control of the military, accountability for past human rights violations in East Timor and In-

donesia, and respect for basic human rights standards would be lost with nothing gained.

The Pentagon argues that relations between U.S. and Indonesian militaries are needed for military reform and to keep open channels of influence.

But recent history proves otherwise. Since September 1999, when broad restrictions on military ties were imposed, the Administration has lifted the embargo on commercial sales of non-lethal defense articles and increased bilateral contacts between the militaries. For its part, Congress agreed to reinstate “Expanded” IMET for 2002. These initiatives have produced neither TNI reforms nor lessening of military repression.

With the assistance of Senators Daniel Inouye (D-HI) and Ted Stevens (R-AK), Commander In Chief of the Pacific Asia Command Admiral Dennis Blair secured a last-minute addition to the FY02 Defense Department Appropriations Act (HR 3338, provision 8125) providing \$17.9 million to establish a Regional Defense Counter-terrorism Fellowship Program. There are no restrictions on which countries can participate in the program, which has an unknown curriculum. The FY02 Emergency Supplemental Appropriations request calls for an additional \$8 million for “training of civilian and military personnel in support of humanitarian and peacekeeping activities in Indonesia,” \$8 million to “vet, train, and equip a counter-terrorism unit,” and potentially millions more for defense articles, services, training, and other aid from large pools of money for unspecified countries, including \$100 million “to support foreign nations.”

Provision 8125 was an end-run around Foreign Operations Appropriations IMET restrictions. The Supplemental Appropriations requests go a step further. Not only could the TNI have access to prestigious U.S. military training without congressional oversight, equipment may also be made available. Bill language providing for defense articles and services to unspecified countries could be used to supply banned FMF. Many of the supplementals’ funds “may be made available notwithstanding any other provision of law.”

To allow the Pentagon to ignore existing Foreign Operations Appropriations restrictions in the FY02 Emergency Supplemental Appropriations request would offer a U.S. seal of approval to a military that continues to terrorize civilians throughout Indonesia and strongly resists accountability.

To combat these initiatives, ETAN worked with Senator Russell Feingold (D-WI) on a congressional letter to Defense Secretary Rumsfeld and Secretary of State Powell. We

have also worked with the Arms Transfers Working Group and other NGOs concerned with the Emergency Supplemental Request, and circulated an NGO sign-on letter to Secretaries Powell and Rumsfeld signed by 40 NGOs. ETAN's grassroots network has been working the phones, protesting to their members of Congress and the Bush administration.

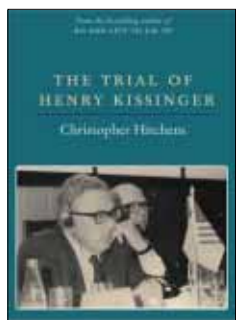
Finally, ETAN worked with the offices of Representatives Christopher Smith (R-NJ), Jim McGovern (D-MA), Patrick Kennedy (D-RI), Frank and others, and Senators Lincoln Chafee (R-RI) and Feingold on a resolution

congratulating the courageous people of East Timor on their independence and calling on the administration to take action to ensure justice and post-independence U.S. support for East Timor.

The IMET and FMF restrictions for the TNI must be respected and renewed in FY03. The TNI should not receive training under the Regional Defense Counter-terrorism Fellowship Program. Other funds appropriated through the supplemental request should not be used to train the TNI in any form or provide the military with undefined defense ar-

ticles and services. Foreign policy formulation should be returned to the authority of congressional Foreign/International Relations Committees, the Foreign Operations Appropriations Subcommittees, and the State Department, where it has traditionally resided. The U.S. must not assist the TNI in further acts of murder, torture and rape in Indonesia. We must continue to convey these messages to our elected representatives to prevent more such crimes from being committed in our name. ■

New from ETAN

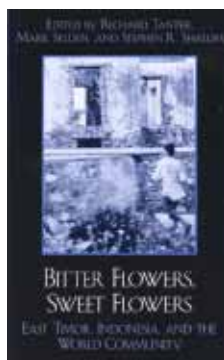


The Trial of Henry Kissinger
by Christopher Hitchens
160 pp., \$12 paperback

"I find it contemptible." — Henry Kissinger

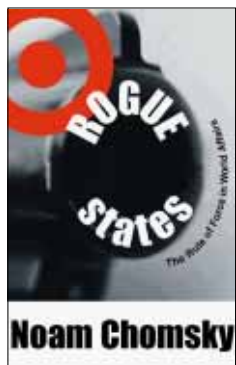
"An eloquent and devastating indictment of Henry Kissinger's involvement in the war in Indochina, genocide in East Timor and many other acts of indiscriminate murder."

— The Village Voice



Bitter Flowers, Sweet Flowers: East Timor, Indonesia and the World Community
Edited by Richard Tanter, Mark Selden and Stephen R. Shalom.
304 pp. \$20 paperback

Comprehensively describes the referendum process and prospects for Timor's independence; chapters by Allan Nairn, Constancio Pinto, Charles Scheiner, Noam Chomsky & others.

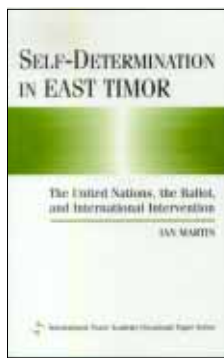


Rogue States: The Rule of Force in World Affairs
by Noam Chomsky
252 pp. \$16 paperback

"Chomsky has delivered another impressive argument that the U.S. flouts international law when it finds it convenient to do so."

—Publishers Weekly

Biting analysis of the U.S. role in East Timor and other hot spots.



Self-Determination in East Timor: The United Nations, the Ballot, & Int'l Intervention
by Ian Martin
171 pp. \$14 paperback

The head of the UN's mission in East Timor's insider account from the May agreement to the vote and its violent aftermath.

Crashing the Stock Market!
25 min. VHS. \$20

Amy Goodman and Democracy Now! crash an exclusive party during the World Economic Forum, Feb. 2002. Goodman questions Nicholas Platt, former Ambassador to Indonesia, and president of the Asia Society about East Timor. Platt: "What axe are you grinding right here." Goodman: "I survived a massacre in East Timor in 1991."

**From Annihilation to a New Nation:
The Founding of East Timor**
6 hours. VHS. \$75

Video dispatches by Amy Goodman and Democracy Now! reporting from East Timor for a week and a half before, during and after independence day, where they interviewed a widerange of East Timorese, activists and officials as the new nation is born.

Send orders to:
East Timor Action Network
P.O. Box 15774, Washington, DC 20003 USA
add postage and handling (20%, 15% for orders over \$50, 30% int'l air mail)

see ETAN's website for complete list and coming updates (www.etan.org/resource/booksetc.htm)

Join ETAN for...

LOBBY DAYS 2002

Sunday, June 9 - Tuesday, June 11
Washington, DC

East Timor is free, you say. What is left to do? International support for East Timor is still crucial, especially given the current political climate. Here are three good reasons the world's newest country needs you to come to Washington:

1. Economic Justice and Sustainable Development – The UN is rapidly scaling down its presence and international attention is fading as the first independent East Timorese government takes charge. Yet the country remains devastated and the vast majority of the population lives in poverty. There is a substantial financing gap which, if not filled with grants, could force the world's newest country into debt. International financial institutions and some in the Bush administration would like to see East Timor follow in the footsteps of many poor countries, and consequently become mired in a cycle of debt and poverty. We must ensure that the U.S. supports sustainable, environmentally-sound, and socially just development.

2. International Tribunal – The East Timorese people have yet to see justice for 24 years

of war crimes. The Bush administration may very well use current sham trials on East Timor in Jakarta to oppose further accountability for human rights violations. We must continue to push for an international tribunal on East Timor and begin a process of U.S. accountability.

3. Pentagon Aggression and Military Engagement – In the current atmosphere of increased militarization, the Pentagon has already succeeded in securing funding for a new "counter-terrorism" center that will likely train Indonesian military personnel. The Bush Administration is also working to expand other forms of engagement with the Indonesian mili-

tary. Crucial congressional restrictions on military aid to Indonesia are less secure now than ever before.

Your voice is needed now to stop U.S. backsliding on human rights in the region and to support a positive future for East Timor! Face-to-face lobbying in Washington by ETAN activists has been invaluable in the struggle over the years. The results are visible, and we must build on them. A luta continua!

For more information on Lobby Days 2002 and how you can participate, please contact ETAN's Washington Coordinator Karen Orenstein, karen@etan.org, 202-544-6911.

Help spread the word!
Invite a Speaker on East Timor
contact ETAN
see page 2

EAST TIMOR ACTION NETWORK/U.S.
P.O. Box 15774
Washington, DC 20003
U.S.A.

PRSRT STD

U.S. POSTAGE
PAID
A & E Mailers