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Tel: 914-428-7299. Fax: 914-428-7383. E-mail IGC:CSCHEINER or CSCHEINER@IGC.ORG

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**“LUSITANIA EXPRESSO”
BLOCKED FROM
REACHING DILI**

**JAPANESE VOW TO DEFY
EAST TIMOR SHIP BAN**

Tokyo, Feb 26, Reuter —Four prospective passengers on a Portuguese vessel due to sail to East Timor to mark an army massacre of civilians say they are determined to make the protest voyage despite a ban by Indonesia.

Three Japanese students and a Portuguese professor in Tokyo will join about 100 other passengers and journalists aboard the Lusitania Expresso, which is due to sail from Darwin in Australia for East Timor on March 3.

Indonesia was widely criticised for the shooting last November 12 in the East Timor capital of Dili in which scores of people died. On Tuesday it banned the ship from its waters, accusing its sponsors of being troublemakers.

But the four participants from Japan are defiant. “I’m happy to die if I had to, if I could spread the message around the world that I was dying for freedom of East Timor,” Mitsuhiro Matsumoto, a student at Okayama University, told reporters on Tuesday evening.

“I would rather get arrested than simply go back without doing anything in Timor,” said Jaime Coelho, a professor at Sophia University in Tokyo.

Yoko Furuyama said: “I’m actually very afraid that something bad will happen to me during the voyage but I have to be there to see what happened in Timor, by interviewing the people and spreading the message to the Japanese people after I return.”

The four criticised Japanese Foreign Minister Michio Watanabe who said last week the massacre would not affect Japan’s aid to Indonesia.

“Japan’s attitude makes the world think that it bases its interests mostly on economics, which also makes Japan a criminal,” said Furuyama.

Japan, Indonesia’s largest aid donor, provided 235 billion yen (1.9 billion dollars) last year.

Indonesia has failed to win international recognition of its rule over the impoverished territory of East Timor, which it invaded in 1975 shortly after the Portuguese left.

At the final stage Furuyama could not get on board because she had to go to New York at the weekend. 235 billion yen is Japan’s aid to Indonesia of fiscal 1991 and this includes 170 billion ODA and 65 billion loan by Export-Import Bank.

**PEACE SHIP EN ROUTE TO
EAST TIMOR**

[Peace Media Service, Feb 28] A hundred students and journalists from 19 countries, including the former Portuguese President Antonio Ramalho Eanes, are due to set sail March 7 from Darwin, Australia, bound for Dili, the capital of East Timor. They hope to lay a wreath of flowers at the cemetery where Indonesian troops opened fire November 12 on a crowd taking part in a funeral procession, killing 100 people. The organizers said the initiative was “aimed at maintaining the issue of East Timor on the international agenda.” The “peace ship”

Lusitania Expresso left Lisbon January 22 and has since departed from the port of Djibouti on the eastern coast of Africa. It is due at Darwin March 6.

Five Indonesian Navy vessels have been ordered to intercept the ship before it reaches East Timor. East Timor military commander Brig. General Theo Syafei warned that passengers would be arrested if they tried to land. There have also been threats of force. The House of Representatives Home Affairs Commission accused the ship of embarking on a trouble-making mission and said the Navy should sink the boat if organizers tried to land. "The commission rejects the ship because the call would only stir new unrest in East Timor," Marcellinus Adang da Gomez said during a hearing.

Indonesian officials in East Timor have arrested at least three people for allegedly setting up a committee to welcome the envoy. Indonesia has reimposed a ban, lifted in 1989, on visits to East Timor by foreign journalists. Authorities in the former Portuguese colony have carried out sweeping checks of identity cards on the streets in recent days and re-established checkpoints throughout the region, the news magazine *Editor* reported.

The Portuguese government has expressed moral support for the Lusitania Expresso voyage but has withheld official backing. "Personally I can only admire the efforts of those who have undertaken this initiative," President Mario Soares said after bidding farewell to expedition leader Rui Marques.

An Indonesian military council investigating the massacre has found six soldiers guilty, including the former East Timor military commander and the former regional military commander. Three others have been dismissed from the military and one is temporarily off active duty. Despite such disciplinary actions, however, apparently the Indonesian military has no fundamental objection to the army attack on the funeral procession. On March 1 Indonesian Defense Minister Benny Murdani said that those killed at Dili had provoked the troops. He told the Jakarta newspaper Kompas that during the demonstration, protestors expressed support of the pro-independence movement. Murdan said he regretted the casualties and insisted that the government had not ordered the shootings of demonstrators, but added, "Certainly the government and the armed forces could not allow this [demonstration] to continue."

On February 28 the Jakarta Attorney's office released 17 East Timorese students from several cities in Java and Bali detained since they took to the streets in November demanding self-determination for East Timor. Another five are to face trial. Two of the students to face trial have been charged with subversion, which carries the death penalty. Three others face criminal charges of publicly expressing "enmity, hate or

insult" towards the Indonesian government. The students had called on the United Nations to pressure Jakarta into allowing a process of self determination for East Timor.

The Indonesian government regards those East Timorese who advocate self determination as a threat to national security. Native Timorese have no rights of free speech or assembly. East Timor, 1,250 miles east of Jakarta, was annexed by Indonesia in 1975.

FIVE WARSHIPS OFF TIMOR

UPI, Jakarta, March 2 – Indonesia said Monday it had deployed five warships off East Timor to block a planned visit by a Portuguese "peace ship" carrying journalists and students sympathetic to pro-independence East Timorese.

Military authorities said they had stepped up their preparations to prevent the Lusitania Expresso from docking in the East Timorese capital of Dili to mark an attack Nov. 12 by Indonesian soldiers on unarmed East Timorese demonstrators, killing at least 50 people.

Authorities in the former Portuguese colony have carried out sweeping checks of identity cards on the streets in recent days and re-established checkpoints throughout the region, the weekly news magazine *Editor* reported.

PEACE MISSION STILL ON COURSE

TAPOL report, 3 March 1992

The planeload of people who left Lisbon at the weekend to join the Lusitania Express, a Portuguese car-ferry which is on a peace mission to East Timor, are currently in Sydney.

Their air trip to Australia had to take a round-about route because the Indonesian authorities would not permit the aircraft to fly over Indonesian air space. The people now in Sydney are due to leave for Darwin tonight.

Meanwhile, a group of Australian participants will leave Adelaide and Melbourne for Darwin, also tonight. They include Shirley Shackleton, whose husband Greg was one of a five-man Australian TV crew shot dead by Indonesian troops in October 1975 as they were filming Indonesian incursions into East Timor. Tony Stewart, whose brother died on that occasion, is also in the peace-mission group. The third member is Andi Alcock, East Timor activist in South Australia.

A big gathering is planned for Thursday night in Darwin, as a send-off for the peace mission which plans to set sail from Darwin for Dili over the weekend.

The arrival of the Lusitania in Darwin was also delayed by obstructions created by the Indonesian navy, preventing the ship

from reaching Australia through Indonesian territorial waters. It has not yet docked in Darwin harbour.

"WE WILL NOT GIVE UP THIS MISSION"

AFP, Sydney, March 3 – Organisers of an international human rights mission sailing to East Timor said Tuesday they were neither deterred nor intimidated by threats from Indonesia, but would try to avoid confrontation.

"We will not give up this mission and they cannot force the ship to go back," spokesman Antonio Ravara said.

"We are prepared to fight, but we will do so in a reasonable way because we believe we can achieve our objective without becoming martyrs," he said.

Ravara is one of a group of about 90 journalists and human rights activists, including former Portuguese president General Ramalho Eanes, flying via Sydney to the northern port of Darwin to join the former car ferry Lusitania Expresso.

At least 28 nations are represented on the peace boat mission, which is being financed by public subscriptions in Portugal.

"The goal is to stop the violation of human rights and to try to give the opportunity to the people to have the right of self-determination," spokesman Ravara said.

One passenger on the ship is a young East Timorese student, recently freed by the Red Cross from what Ravara said was months of torture and abuse in detention in Dili.

The student, whom organisers asked not to be named, was arrested after being involved in a demonstration during a visit by the pope two years ago. He is now a naturalised Portuguese citizen.

TIMORESE STUDENTS 'REJECT' SHIP

Forwarded from Indonesians@janus

RRI, as monitored by BBC, March 3 – Students at East Timor University released a statement on 3rd March saying that they rejected the presence of Portugal's "peace boat", the Lusitania Express, in Indonesian waters, Antara news agency reported. The students' statement said that East Timor was an inseparable part of Indonesia by the will of the people of East Timor. Efforts to involve "foreign parties" would only cause unrest, the statement said. Portuguese students on the Lusitania Express would not help to settle problems in Dili but only hurt the feelings of the East Timorese, who had suffered Portuguese colonialism for 450 years. The statement was circulated to provincial authorities and Indonesian government figures.

LUSITANIA EXPRESS UPDATE

Compiled and translated by Billy Williams

A DIFFICULT DAY IN LISBON

Consternation reigned in the office of "Forum Estudante", organizers of the "Peace in Timor Mission", on mid-day Friday 28 February when a phone call from Atlantic Air announced that the 87 participants could not fly out that day on route for Darwin as planned. The problems arose in part from difficulties in arranging a route which would not enter Indonesian air space but were compounded by a cash crisis as not enough of the promised funds had arrived in time and Thai Air was asking for 300,000 dollars in cash to fly out the group.

Frantic phone calls to cash sponsors followed while all concerned went through some "bad moments" as it continued to be very much in doubt whether the trip would be able to go ahead. The group were taken to a hotel for the night. Finally at 4 am next morning it was announced that anonymous donors had contributed enough of the half a million dollars outstanding for the group to catch a flight at midnight which would arrive in Darwin 4 days later.

The 87 (21 nationalities in all) who took off from Lisbon at midnight on the 29th, will meet with the rest of the 125 participants in Darwin. The ship itself is scheduled to arrive in Darwin on 6 March and set sail for Dili next day March 7.

THE 127 PARTICIPANTS

Along with 9 organizers and a medical team of 4, the group includes 18 Portuguese students and 26 Portuguese journalists.

The guests include General Ramalho Eanes (former Portuguese President); Prof Barbedo Magalhaes (Oporto University); Ana Nunes (Peace is Possible in East Timor Group); Fr Jose Lopes Baptista; Rui Oliveira Costa (trade union leader) from Portugal.

International figures include Shambhu Chopra (president of the Indian Society of Human Rights) and David Mitchell Targan (dean of Brown University USA) and a considerable number of Australian political and Church figures.

The 46 international students come from 21 countries in all and are comprised of the following: Australia (1); Belgium (2); Brazil (2); Canada (3); Cape Verde (1); Czechoslovakia (1); China (1); Denmark (1); France (1); Germany (3); Greece (3); Guinea Bissau (1), Holland (2); Italy (2); Indonesia (3); India (2); Japan (4); Spain (3); Sweden (1); UK (4) USA (5)

RIFTS HEALED IN DARWIN

Meanwhile in Darwin, during the hours of uncertainty about events in Lisbon, two Timorese who had not spoken face to face for 15 years, agreed to sit at the same table. Joao Carrascalao of the UDT and Alfredo

Ferreira of FRETILIN agreed to put aside past bad feeling, which dates back to the civil war in East Timor in 1975, and they arrived at a consensus whereby the two separate reception parties planned to be held in different parts of the city, would be united in a single joint reception. (Publico 1 March)

"THE NAVIGATOR"

The leading figure in the organization of the mission is "Forum Estudante" founder Rui Marques, a 29-year-old medicine graduate-turned-broadcaster on the Catholic Church's Radio Renascensa. Marques, a charismatic figure who only came into the public arena when this project began after the massacre in Dili on November 12, refuses to talk about himself to the press and has fought against media attempts to personalize the organization of the mission. In a profile in *Expresso* under the headline "The Navigator" a colleague sums up Marques's years in the at times turbulent, internal politics of Church broadcasting in Portugal, saying "he has a very strong character - he generates either very firm support or strong repudiation in those around him." Marques has continually told journalists who ask about the dangers of the planned voyage that "this is not a provocation; it is a peaceful and a symbolic gesture. The adventure is in carrying it off; the only risk is the risk of failure" (*Expresso* 22 February)

CANBERRA WORRIED

The Australian government is said to be worried about the outcome of the mission to Dili and although denying the threats reportedly made by Philip Flood, ambassador to Jakarta, that "Australia will not sacrifice its good relations with Jakarta, which are at the moment stronger than ever before", has warned the students that it will take "appropriate measures" if they "act illegally" (*Publico* 22 February)

ARRESTS IN DILI

The *Jawa Pos* reported that a number of Timorese were arrested in Dili in early February on suspicion of trying to organize a welcome committee for the Lusitania Express. (*Publico* 10 February)

WHAT COULD HAPPEN TO THE LUSITANIA EXPRESS?

The following is a slightly abridged translation of an article by Captain Jose Manuel Cabral head of SINCAP, the Portuguese Merchant Seamen's Union in *Publico* of 20 February.

The voyage of the Lusitania Express to Darwin (Australia) and Dili (East Timor) raises questions of the application of the rules regarding international maritime law. The ship will sail through the territorial waters of a territory (East Timor) which is under the jurisdiction of the United Nations and under the administration of a distant State (Portugal). This distant State does not in fact administer the territory due to the

occupation by a neighbouring State (Indonesia), de facto administrator, although it is not internationally recognised as such. Yesterday, in Jakarta, the commander of the eastern zone warned that patrols would impede the passage of the Lusitania Express through Indonesian waters and through the so called Sea of Flores forcing it to sail outside these waters in the same way as fishermen who go there to fish without authorisation. Is this action in accordance with the applicable international maritime law? Besides replying to this question this article analyses the various options open to the ship's captain on his voyage, particularly on the route from Darwin to Dili.

1) The ship aims to land in Dili, so that a group of passengers and possibly crew go to the Santa Cruz Cemetery to lay a wreath of flowers in memory of the victims of the massacre of the 12 November 1991. What are the regulations concerning the disembarkation of crew and passengers at ports of call?

As far as crew members are concerned, the regulations define a situation in which the immigration officers of the port authority issue safe passages which allow them to disembark and move around for as long as the ship is in port albeit only within the port's administrative area. The regulations stipulate that the crew members who are nationals of the country which administers the port have guaranteed access to land; the remaining crew members may or may not be authorised to disembark depending on whether diplomatic and/or consular relations exist between their countries and the country which administers the port, or depending on whether there is a situation of diplomatic or armed conflict between the two countries. An exception is made in the case of people who are ill or wounded who are always authorised to disembark for treatment, together with the captain who even in the most adverse circumstances is usually authorised to disembark.

As for passengers the normal regime for visas applies. So, in Dili, from a legal point of view, all the Portuguese passengers and crew should automatically be given authorisation to disembark. As for the remaining non Portuguese passengers tourist regulations will apply. However we could have a situation where of the crew, due to their not being Portuguese, only the captain will be authorised to disembark and of the passengers only those whose countries have diplomatic and/or consular relations with Indonesia (North Americans, Japanese, Australians, Dutch etc.) will be authorised to disembark.

2) The Indonesian Foreign Affairs Minister, Ali Alatas, recently declared that the Indian Ocean was not the Pacific, insinuating the possibility of some action against the ship before its arrival in Darwin.

One of the possibilities that we can foresee is the unleashing of an attack on the ship (let us remember the episode of the ecological movement Greenpeace's ship which was blown up by French secret service agents). In all we consider this an unlikely possibility, due to its raising by the minister and we wonder about his real intention when making such an affirmation, because we believe that in the context of internal Indonesian political struggles it may have served to dissuading extremist action by more radical military officers. Another possibility that we foresee is based on a bureaucratic action which would impede disembarkation from the ship which we will consider later.

3) What is the legal basis for the threats made yesterday by the Indonesian Vice-Admiral?

Ships have the right of safe passage through the waters of coastal States, if they reach the applicable standards of navigational safety. As the Lusitania Express is not transporting arms we do not see how Indonesia can legally impede the passage of the ship through its waters, if the captain expressly refers to this right which can only be restricted in war zones or areas where there is a serious threat of natural disaster. The declarations of the Indonesian Vice-Admiral, commander of the Eastern zone have no legal basis.

As far as we know Indonesia has never declared that a state of war exists in the area, so that it would be difficult to defend the non-granting of the ship's right of safe passage. This right states that a ship can sail through the waters of any coastal State but can not land or have anything to do with any vessels coming from the land. However a coastal State can stop any ship passing through its waters for visits and inspections namely in relation with customs crimes (smuggling) or drug trafficking. It is in a situation like this that we see a need for great caution on the part of the ship's captain, in the sense that he should avoid the "planting" of articles which could incriminate the ship or "justify" its detention or even imprisonment.

4) Can the maritime authorities carry out safety inspections on ships berthed in their respective ports.

The answer is yes. For example, the captain of the port of Darwin can carry out, on his own initiative, an inspection of the conditions and safety measures of the ship and if anomalies are detected that could in his opinion endanger the ship and its crew and passengers he can prevent the ship from leaving until these anomalies are corrected. Here we are faced with a bureaucratic action which is highly objective and which could delay the ship in port for the time necessary. The European coastal States created a similar system through the "State Port Control," commonly known as

the "Paris Memorandum" of which Portugal is a signatory.

5) Supposing that the ship continues its voyage from Darwin to Dili and arrives at the port area of this city, what could happen?

On its arrival in the port's pilot area the ship has to request authorisation to enter the port and a pilot boat for berthing manoeuvres. This authorisation depends on the captain of the port of Dili who could refuse it due to a lack of available quays or for other reasons of a bureaucratic nature thus forcing the ship to anchor in the Dili anchorage (an inlet protected by raised land) for an indefinite period of time without the entry dispatch being issued and putting the ship in a position where it could not establish contacts with the land or with any vessels from there.

CONCLUSIONS

It is our understanding that neither the Lusitania Express nor its crew and passengers are running any physical risks but the ship could be the object of bureaucratic measures, through safety or other inspections which would immobilise it in a port of call (namely Darwin) or in the Dili anchorage. A second hypothesis may be the stopping of the ship in waters which the Indonesians consider their own (between Darwin and Dili) for customs inspections where it could be expelled from Indonesian or Timor waters or even possibly detained.

All these possibilities will have been carefully considered by the ship owner, by the freighter and by the captain and they will have decided what actions to take should one of these situations arise. Fundamentally this is purely theoretical. We hope that the ship continues without incident on its voyage to Dili and that it fulfils the object of its journey: that we do not forget Santa Cruz.

ABRI COMMANDER BANS BOAT

UPI, Jakarta, March 4 – Indonesian armed forces commander Gen. Try Sutrisno asserted Wednesday the government will bar the arrival of a Portuguese "peace boat" sailing to East Timor to commemorate a massacre there.

Sutrisno said East Timor waters are closed for the ship Lusitania Expresso, and he warned none of the passengers will be allowed to land.

"If they forced on to enter East Timor waters aboard the Lusitania Expresso boat, authorities will take action against them in accordance to the international as well as Indonesian laws," Sutrisno told reporters.

"We are doing this to safeguard our integrity and sovereignty," he said, adding that the intruders would be arrested and deported.

Sutrisno blamed the Portuguese government of inciting the students and others to participate in a voyage to lay wreaths at Dili cemetery, scene of a November 12 massacre of pro-independence demonstrators by Indonesian troops.

"Portugal is responsible for this ill-purposed voyage, although they have excuses that it's being arranged and managed by non-government organizations" he said. "Portugal is doing this merely for its own political interest against Indonesia."

PROTESTERS ARRIVE IN DARWIN

Reuter, Darwin, Wilson da Silva, March 4 – More than 200 Timorese, many weeping, gave an emotional welcome in Darwin on Wednesday to some 90 students and activists taking part in an international peace mission to East Timor.

The protesters, the last of a contingent of 120 students and activists to arrive in Darwin, will board the converted Portuguese car ferry Lusitania Expresso when the "peace boat" reaches Darwin at the weekend.

"The first goal of the mission is to take a step toward a resolution of the question of East Timor," said East Timor Peace Mission spokesman Antonio Ravara. "We want to stop the violation of human rights in the territory.

"It's not since November 12 that this has been happening, it's been 16 years of violations of human rights and 200,000 deaths. We want to see all governments, and see the United Nations, do something for the Timorese," he said.

The protesters from 28 nations arrived in Darwin to cries of "Viva Timor, Viva! Long live the struggle!" by more than 200 Timorese exiles living in Darwin, some 800 km (500 miles) southeast of East Timor.

Ex-Portuguese president Antonio Ramalho Eanes, travelling as a private citizen, said the mission was not an official venture but Lisbon sympathised with its goals.

"This seeks to attract international attention to the predicament of the Timorese...so that all governments pressure Indonesia for change, and so human rights are respected (in East Timor) as they are everywhere else around the world," he said.

"The right of the Timorese people should be considered as have the rights of other peoples around the world. In particular the case of Kuwait comes to mind," Eanes said.

THE PEACE SHIPPERS

Reuter, Darwin, Wilson da Silva, March 5 – Activists planning to sail a "peace ship" to East Timor in defiance of an Indonesian ban said on Thursday they would not provoke a confrontation but would challenge

Jakarta to respect United Nations resolutions.

Mission organiser Antonio Ravara told a news conference the mission, initiated by the Lisbon-based student group Forum Estudante, would conform with all maritime regulations and would not endanger the safety of the passengers or the ship.

Ravara said the ferry would halt if it was challenged at the periphery of Indonesian waters. The organisers would then read over the radio to the Indonesians the United Nations resolutions which recognise Portugal as the administering authority and then demand to be allowed to proceed.

Ravara said the students planned to embarrass Indonesia without endangering passengers. They would not provoke Jakarta's military and experienced merchant marine captains aboard would advise what the ferry could legally do at each point of any encounter with Indonesian vessels.

"Any provocation will be by Indonesia, we will follow international and maritime law," Ravara said. "They will have to break laws, we will not give them a reason to board us."

Many of the 120 students from 28 nations, most in their early 20s, said their parents were worried.

"My father was very upset," said Canadian student Genevieve Appleton. "It's hard to explain why you'd want to do something like this, I mean it does seem like a suicide mission to parents, but it's not of course."

"(My father) told me that the Indonesians have a different view of human rights than our country does, and we really don't know what's going to happen. But I feel that the risk is worth it, because so many people have died already," she said.

Indonesian student Reza Muharam, whose place aboard was withdrawn on Wednesday because of fears he would be victimised on returning home, said the invasion of East Timor was now recognised by many Indonesians as a mistake.

"Once we believed in freedom and independence, and we were a champion in the anti-colonial movement," he said.

"(The invasion of East Timor) undermines our own principles, so it is not only for me this is important but also for Indonesia," he said.

"For the first time in 16 years, student organisations are daring to speak out in favour of (an independence) referendum in East Timor. We just want the killing stopped, it has cost too many human lives."

British student Nick Wood accused his country of putting arms sales to Indonesia ahead of human rights: "Human rights, it seems to me, goes right to the bottom of the agenda if there's a lot of money involved."

American student Lorne Rider said governments had ignored the prickly issue of East Timor for 16 years but November's massacre had brought the issue to prominence.

"(A peace mission) is better than watching our leaders squirm in a mire of hypocrisy, and have nobody care about it."

INDONESIAN STUDENTS NOT TO BOARD TIMOR PEACE BOAT

Source: Missao paz em Timor, press release, 5 March 1992.

Mission Peace in Timor organizers decided not to allow two Indonesian nationals who are participating in the mission to board the Lusitania Expresso when it leaves Darwin for Dili, East Timor, this Sunday.

"The risks of going simply outweigh the benefits, both for their personal security and that of the mission," said mission leader Rui Marques. "Of the students representing twenty-one countries, the Indonesians are the only ones who cannot count on some form of intervention from their home country should they be arrested or tortured. Their presence may also endanger the mission by provoking Indonesia into an act of vengeance specifically directed at domestic dissenters."

"We are fully aware of the risks involved in going on the ship and are prepared to accept them, as we would be ashamed if Indonesia had no representatives in this mission which seeks to halt the human rights abuses in our own country," said Aeri Harapan, a member of the Front Demokrasi Indonesia. "We feel it is important to give courage to other Indonesians who oppose the army's brutal actions in East Timor and elsewhere. Nevertheless, we understand the position of the organization and we will do our best to help the efforts of the mission in Darwin."

Reza Muharam, also a member of the Front Demokrasi Indonesia, similarly agreed to stay in Darwin to decrease the danger to the rest of the group of 120 international students and journalists. "We have already placed our lives on the line by publicly announcing our participation. If the Indonesians want to kill us, they will do it later when we are out of the world's spotlight."

LIVING WITH GENOCIDE

DPA, Darwin, March 6 – Organisers of a "peace mission" to East Timor said in Darwin on Friday that the purpose of the trip was to promote human rights there.

"If something is not done to draw international attention to the plight of East Timor, then the world will have to live with the wholesale genocide of an entire nation," said Nick Wood, a British spokesman for the group.

ASHAMED TO BE CANADIAN

Reuter, Darwin, Wilson da Silva, Mar 6 – Canadian students taking part in an international "peace mission" to East Timor

were warned on Friday that Indonesian forces could react violently, and were urged to abandon the quest.

Consul Refean Tessier, carrying a letter from Canadian High Commissioner Michael Berry, met the students privately at the peace mission's headquarters here and later told journalists the students could face serious consequences.

"There is a serious risk of violence, and if there is a confrontation there are Indonesian laws that, for instance with respect to illegal entry or illegal manifestation of demonstrations, which could bring consequences to their act," he said.

"Essentially, consular assistance is very hard if they are in Dili and (our consulate is) in Jakarta," he said.

David Stewart, one of the four Canadians joining the ferry, said his compatriots were undeterred by the warning and criticised Canada's silence over the East Timor issue.

"I'm ashamed to be a Canadian," he said.

"I consider what Canada has done to help the Timorese a travesty of justice and human rights. Canada...is an accomplice to genocide."

SYAFEI ON TRAITORS

Reuter, Darwin, Wilson da Silva, Mar 6 – East Timor's military commander has said any Indonesian journalist aboard the Lusitania Expresso was a traitor.

Brigadier General Theo Syafei's statement followed reports that a journalist from a leading Indonesian publication was planning to travel on the ship to East Timor.

Syafei said additional security measures had been imposed, including checking of documents permitting people to travel in the territory.

But the peace mission may yet make it to Dili.

Timorese sources in Darwin, in regular contact with family and friends in East Timor, said hundreds of people suspected of opposing Jakarta's rule have been taken to the mountains by Indonesian troops, and pro-Indonesian Timorese moved in.

They said others in Dili have been told not to speak Portuguese to foreigners, nor approach Portuguese nationals — developments which the Timorese believe is an indication Indonesia is considering allowing the ferry to dock.

U.S. CONGRESSMEN SUPPORT PEACE BOAT

Provided by the East Timor Peace Mission, Darwin, Australia 8 March 1992:

SENATOR ALAN CRANSTON, CALIF.

March 6, 1992

His Excellency President Suharto
Jakarta, Indonesia

Dear President Suharto,

I am writing on behalf of two of my constituents, Mr. Richard Chiang and Ms. Tiffany Ronain, who will be traveling to East Timor the weekend of March 6, 1992. Mr. Chiang and Ms. Ronain are students at the University of California, Berkeley. They are participating in an international student delegation who wish to peacefully express their sympathy for those who suffered from the tragic events in Dili on November 12, 1991.

Given their peaceful mission, I hope the Indonesian authorities in East Timor will accommodate the delegation's wish to visit the Santa Cruz Cemetery. Knowing of your concern about the tragedy, I hope that you will be understanding of this group's desire to offer their heartfelt sympathies.

Best regards,

Sincerely, Alan Cranston

**FROM REP. BARNEY FRANK
(MASSACHUSETTS)**

**TO THE MEMBERS OF THE EAST
TIMOR PEACE MISSION:**

I admire your courage and dedication to the cause of human rights, and I urge the Indonesian government to respect your peaceful mission and allow you to enter into East Timor. I will continue to do all I can to support self-determination for East Timor

PEACE SHIPPERS' CAPTAIN

Reuter, Darwin, Wilson da Silva, Mar. 6 – Portuguese merchant marine captain Jose Manuel Cabral, one of two tacticians advising organisers and who will travel aboard, dismissed reports from Jakarta that Indonesia might be able to stop the ferry in international waters.

He said the Indonesians could not legally board the ferry in international waters unless it had been chased there from Indonesian waters.

The Dili-bound ferry could be searched by the Indonesians in international waters but if nothing illegal or menacing was found, the ferry's passage could not be stopped, he said.

Although none of the participants have asked for a visa, violations of Indonesia's immigration laws cannot be dealt with until the ship docks in Dili, and therefore the ferry cannot be boarded for immigration reasons, Cabral said.

PEACE MISSION WILL NOT PROVOKE INDONESIAN ARMY

*East Timor Peace Mission March 6, 1992,
Darwin, Australia*

The East Timor Peace Mission announced at a press conference today in Darwin, Australia that it will not provoke a conflict with the Indonesian Navy. Mission spokesman said that its only goal is to

guarantee the human rights of the East Timorese people.

The Mission is an international group consisting of students and journalists from 21 countries, which plans to sail a ship called the Lusitania Expresso to Dili, East Timor and to lay flowers on the graves of the 180 victims of the Santa Cruz cemetery massacre. The victims were killed in Dili when Indonesian troops opened fire without warning on a large group of peaceful demonstrators who wanted independence for East Timor.

"This mission is for human rights," said Nick Wood, a British spokesperson for the Mission. "If something is not done to draw international attention to the plight of East Timor then the world will have to live with the wholesale genocide of an entire nation."

The mission also stated that it will not provoke the Indonesian Navy. This is an interesting point, considering the impossibility that the Lusitania Expresso, a 72-metre, 700 tonne unarmed ferry could provoke rumoured 5 naval warships waiting for it off the shores of East Timor.

"If the superior force of the Indonesian Navy prevents the ship from entering East Timorese waters, we will not resist," said Portuguese mission member Antonio Ravara. "If we are prevented from landing we will have achieved our aim if our efforts are publicised throughout the world."

The Indonesian government has said that if the Lusitania Expresso enters within 12 nautical miles of East Timor, it will do so on its own risk. Indonesia however made no comment about the participation of 2 Indonesian nationals. Reza Muhuram, an Indonesian Mission member and political activist believes his country made a historic mistake when it invaded East Timor. "It violated its own principle of independence, and its strong anti-colonial philosophy," says Muhuram. "I am a member of the East Timor Peace Mission to demonstrate that Indonesians feel a strong sense of solidarity with that country's people."

Since Indonesia invaded the former Portuguese colony in 1975 the death toll of East Timorese has risen to 200,000 people, roughly one third of the population. The international community has passed resolutions in the United Nations for Indonesia's complete withdrawal from East Timor but has backed these with little or no concrete action. International human rights groups have reported that the East Timorese have faced torture, jail without trial, deportation and mass execution.

The Lusitania Expresso will sail to East Timor as soon as it arrives in Darwin. At the moment it is 880 km northwest of the city. Many of the members' governments have said they can offer little help if the students run into trouble with the Indonesian Navy. Only one thing is for certain, the people of East Timor wait on the beaches for the Lusitania Expresso's arrival.

For NEWSLETTER our correspondent Karin Kruse (Sweden) has joined the East Timor Peace Mission.

"WE ARE NOT LIKE GREENPEACE"

AFP, Darwin, March 6 – Confrontation with Indonesia will be avoided if possible, organisers of a "peace boat" mission due to leave here early next week for East Timor said Friday.

"We are not crazy guys, we are not like Greenpeace," said mission spokesman Paulo Veiga, referring to the London-based environmental group.

"We don't want to create confrontation with the Indonesian navy," Veiga told reporters.

Veiga maintained that the Lusitania Expresso, a Portuguese car ferry which will be carrying some 120 students, journalists and activists, had the right to sail to the East Timor capital Dili.

Organisers of the mission claim the ship has the right to sail to Dili because the United Nations has not recognised Indonesia's 1976 annexation of East Timor.

The Lusitania Expresso was expected to arrive in Darwin late on Sunday, setting out for Dili some 700 kilometres (435 miles) to the north on Monday.

Earlier, organisers announced that two Indonesian students had been barred from joining the Lusitania Expresso because of possible reprisals against them by Jakarta.

"The risk of them going simply outweighs the benefits, both for their personal security and for that of the mission," said mission leader Rui Marques in the statement.

Their presence could endanger the mission by provoking Indonesia into an act of vengeance against domestic dissenters, he said.

The barred students, Aeri Harapan and Reza Mhuaram, both members of the Indonesia Democratic Front, said in the statement they understood and accepted the decision by mission organisers not to allow them on the boat.

STUDENTS RESIST GOVERNMENT PRESSURE TO QUIT PEACE MISSION

Press release from the East Timor Peace Mission, Darwin. March 7, 1992.

Several Western governments have issued warnings to their citizens who are participating in the international peace mission to East Timor. Representatives of the Canadian, British, and Australian governments have all issued statements warning of the risks involved and advising their citizens not to participate in them mission.

Despite these warnings, the Canadian, British, and Australian citizens remain set on sailing to Dili to lay wreaths at the Santa

Cruz Cemetery where Indonesian troops massacred between 50 and 180 civilians. John Millard, one of the Canadians, said that "No amount of pressure from our governments will stop us from going. This is a question of human rights and we feel a moral obligation to show our support and solidarity."

Yesterday in Darwin, Australia, where the East Timor Peace Mission is currently based, a representative of the Canadian Embassy in Australia personally delivered a statement to four Canadians that urged them to "consider their actions carefully" and advised them "not to proceed on board the Lusitania Expresso."

A political officer from the British Embassy in Canberra advised all participants to remain polite at all times and not provoke the Indonesian navy. The officer also added that noisy confrontations should be avoided.

In Australia, Senator Gareth Evans, the Minister of Foreign Affairs, issued a warning last week to all Australian citizens considering participating in the peace mission, saying that they should "think carefully before participating."

On an additional note, a representative of the US State Department argued that there was no need for the mission, as the human rights situation in East Timor was witnessing an "upward trend."

PEACE MISSION FEARS

AP, Darwin, Paul Alexander, March 7 – Peace activists said today they were scared but determined to attempt to reach the violence-wracked province of East Timor despite warnings from Indonesia to stay away.

East Timor's military commander, Brig. Gen. Theo Syafei, said Friday that a naval blockade will be organized.

"If any of them manage to sneak past the special task force, they will not be able to reach their destination or carry out their objective of laying wreaths at the Santa Cruz cemetery," he said Friday in Dili.

Syafei said four people, including Santa Cruz's mayor, have been arrested for trying to form a committee to welcome the ship.

Sen. Alan Cranston, D-Calif., sent a letter Friday to Indonesian President Suharto, saying he hoped the delegation would be allowed to carry out its mission.

"It's getting a little scary," said Tiffany Romain, an 18-year-old freshman at the University of California at Berkeley and one of six American students planning to make the trip. "It seems so surreal...I'm kind of hoping we get turned around because that's the safest situation and we still will draw media attention to the Timorese people."

"In some ways, I don't want to think about it because I might change my mind. But I honestly believe they're not going to blow the ship up," said Berkeley student Richard Chiang, 21, who also heads the

school's chapter of the human-rights group Amnesty International.

INFIGHT ON THE ARRIVAL OF THE LUSITANIA EXPRESSO

Original document (in English) issued in Jakarta, 7 March 1992 by INFIGHT, the Indonesian Front for the Defence of Human Rights:

As the time approaches for the arrival in Dili, East Timor, of the Lusitania Expresso, on a peace mission as manifested in its passengers' aim to lay wreaths at the graves of the victims of the Dili 12 November massacre, the Indonesian government, in particular the military, has adopted a less than wise position. Such lack of wisdom is reflected in the government's claims that the Lusitania Expresso wishes to incite political provocation, and consequently, its entry into Indonesian waters will be refused.

Infight thus considers it necessary to respond to this matter as follows:

1. The peace movement reflects a trend of world solidarity in the field of human rights and democracy.
2. The peace movement involves non-violent action which sooner or later is to become a popular international political culture, and to substitute the violent militaristic methods in the resolution of political conflicts.
3. Indonesia must take a careful and wise stance in welcoming the era of the peace or non-violent movement, so as not to isolate itself in the context of current world concern for human rights.
4. The peace movement, be it in the form of the arrival of the Lusitania Expresso to lay wreaths or whatever form, should not be responded to in a reactionary (as exemplified by accusations of provocation), or militaristic way.
5. Moreover, the peace mission of the Expresso includes the involvement of peace activists from 21 countries, including Australia, Canada, Japan, Italy, Britain, the Netherlands, Portugal and the USA. This fact shows that the mission has been organised by international peace activists and not only by Portugal.
6. Indonesia should adopt a more responsible foreign policy which views the peace movement in a more favourable light, rather than continuing with its typically reactionary stance.
7. In the final analysis the will of the people in all its manifestations must be considered as the most valid form of political legitimacy in the formulation of policy.

INDONESIA MONITORS PEACE SHIP

UPI, Jakarta, March 7 – Indonesian authorities have located the Portuguese "peace" ferry Lusitania Expresso carrying students and journalists to East Timor to protest last November's cemetery slayings on the island of Dili.

Indonesian naval forces detected the vessel 60 miles south of Roti island heading for Dili [sic], an official spokesman told Antara.

Indonesia has accused Portugal of inciting people to take part in the protest voyage, and authorities warned that the ship would not be permitted within 12 nautical miles of East Timor.

EAST TIMOR PEACE MISSION REJECTS N.T. CHIEF MINISTER

Press Release from East Timor Peace Mission, Darwin, 8 March 1992.

A spokesperson for Mission for Peace in East Timor today rejected Northern Territory Chief Minister Marshall Perron's statement that the mission was "provocative." Mr. Antonio Ravara re-emphasised that the mission was entirely peaceful and would strictly adhere to international law and maritime convention. "We merely wish to focus international attention on the continuing human rights abuses in East Timor."

Concerns that the ship might be held up by bureaucratic protocol were allayed today when the Waterside Workers' Federation joined a large number of other unions in their expression of solidarity with the mission. The workers promised to expedite the necessary port procedures, and to provide security for the ship while it is docked at Port Darwin.

The Australian Congress of Trade Unions (ACTU) had earlier endorsed the mission "against the brutal action of Indonesia's armed forces" in East Timor. In a statement, the ACTU Council requested that the Australian Government "facilitate and expedite the visit of the ship to Darwin" and urge the Government "to provide any support and protection for of those involved in the peace mission."

Shirley Shackleton, widow of Greg Shackleton, who was one of the five Australian journalists killed by Indonesian troops at Balibo in 1975, will join several other prominent people on the deck of the Lusitania Expresso at 11 am Monday at a press conference. "Pontius Pilate, thy name is Gareth Evans," said Shackleton, referring to the Australian Foreign Minister's support for the Indonesian occupation of East Timor and his recent warnings to the peace mission.

Prominent personalities from several countries who are joining the peace mission when it sets sail for Dili on Monday, will make statements at the press conference. They include Victorian MP Jean McLean (Australia), Father Jaime Coelho from Japan, Prof. Antonio Barbedo of the University of Porto (Portugal), Dr. John Tomlinson of the Australian Council for Social Service, New South Wales union leader Paul Matters (Australia), and former Portuguese President, General Antonio Ramalho Eanes. The Choir of the Darwin East Timorese community will perform a song written in support of the mission.

CANADIANS REFUSE TO LEAVE PEACE MISSION

EAST TIMOR ALERT NETWORK, Canada, 8 March 1992

A representative of the Canadian High Commission in Australia has flown to Darwin to urge four Canadians not to join 120 international students and journalists in a peace mission to East Timor that leaves later today. The representative, Rejean Tissier, delivered a statement expressing the concerns of the Canadian Secretary of State for External Affairs, Barbara McDougall, urging the Canadian participants to "consider their actions carefully."

The East Timor Peace Mission will set off for Indonesian-occupied East Timor by boat later today (Sunday morning, Australian time; Sunday night, EST). Indonesia has already informed the mission it will not be allowed to land in East Timor, and deployed five warships in the area to enforce this order. The mission plans to lay flowers on graves at Santa Cruz cemetery, site of the massacre of between 100 and 200 people by Indonesian soldiers last Nov. 12.

Despite the strong warning from the government and pressure from the Canadian High Commissioner, the four Canadians are determined to make the trip.

David Stewart, one of the Canadians, said: "None of us will be dissuaded from making this trip and carrying out the mission, no matter how much it may embarrass the Canadian government. It is not a question of economics, but of human rights."

According to Peter Monet, a documentary film-maker from Ottawa, "The Canadian government's investment and trade with Indonesia is so high that they don't want to do anything that would jeopardize the economic relationship between the two countries."

Although \$30 million in Canadian government-to-government aid to Indonesia was suspended in light of the November massacres, \$46 million in existing aid was left untouched. Last month, Indonesian Foreign Minister Ali Alatas met with McDougall, who expressed her "satisfaction" with the Indonesian government's investigation of the Nov. 12 massa-

cre. Monet said: "Based on this tacit acceptance of the investigation — which Amnesty International has called 'fatally flawed and unacceptable' — full bilateral aid is likely to be reinstated."

In 1991, Indonesia was the third-largest recipient of Canadian aid.

The Canadian government statement on the East Timor Peace Mission noted that the students on board would "violate Indonesian law" by entering the waters surrounding East Timor. According to international law as laid down by the United Nations, the waters are under the administration of Portugal, the colonial ruler of East Timor until the 1975 Indonesian invasion. Tissier said that although Canada does not recognize Indonesia's de jure possession of East Timor, with the presence of their military forces Indonesia "has the means to enforce their laws in East Timor."

"The clear implication of all this," according to Genevieve Appleton, a student at Ryerson Polytechnic in Toronto representing the Ontario Federation of Students on the mission, "is that our government recognizes that Indonesia has the right to use force against a peaceful mission, whereas in fact it has no jurisdiction under international law to do so at all."

Monet sees the strong diplomatic and economic relationship between Canada and Indonesia as the central factor motivating the Canadian government to pressure its citizens not to join the boat. "For the first time," he said, "the Canadian government is going to be forced to publicly defend its position of support for Indonesia's illegal occupation of East Timor. They are trying to sweep the issue of East Timor aside and want to avoid any incident that might push East Timor back into the spotlight."

Canada has actively lobbied against UN resolutions condemning Indonesia's occupation of East Timor and its repeated violations of human rights, including the Nov. 12 massacre. Most recently, Canada opposed a European Community resolution on East Timor at the UN Commission on Human Rights which last week concluded its annual meeting in Geneva.

PEACE SHIP IN DARWIN

UPI, Darwin, March 8 — The Portuguese peace ship *Lusitania Expresso* arrived in Darwin Sunday, docking before its attempt to run the gauntlet of Indonesian warships on its mission to East Timor.

Darwin port authorities said the vessel entered Darwin Harbor at 5.45 p.m., dismissing earlier reports from Indonesian authorities that they had located the vessel heading towards Dili, the East Timorese capital.

Around 100 activists, including a former president of Portugal, General Antonio Ramalho Eanes, were waiting to board the ship for the final leg of the voyage, which authorities warned could be dangerous.

Indonesia has reportedly deployed five warships in anticipation of attempts to defy its warning.

About 150 activists from all over the world intend to make up the ship's total complement with a mission to lay wreaths at the Santa Cruz cemetery in Dili where more than 50 people were killed when troops opened fire on mourners at a funeral on November 12 last year.

Eighty-five peace activists from 23 countries, including Eanes who was president of Portugal from 1976 to 1986, flew into Darwin on a charter flight Thursday to join the ship.

In Jakarta, Indonesian officials said they had banned unauthorized journalists from covering the arrival of the ship.

Amir Ali, head of the East Timor information office, said security forces would be checking at three points of entry — Ngurah Rai airport on Bali, El Tari airport on Kupang of West Timor and Komoro airport in Dili — to prevent non-accredited foreign journalists from entering East Timor.

A spokesman for the ship, Antonio Ravara, said the mission had already been successful in focusing worldwide attention on human rights violations in East Timor.

"The more public and media attention we can draw ensures the safety of people there," he said in Darwin Sunday.

Organizers said the ship would set sail for Dili Monday or Tuesday, regardless of the risks.

One student activist aboard, American Dean Falbo, said: "We are in a unique position to get together with students from various other countries to make a strong statement about what youth in America thinks about what's going on in East Timor."

Australia's Foreign Minister, Senator Gareth Evans, said he would have officials convey to the ship's captain the nature of the potential risks that he may be running on behalf of himself, his crew and passengers.

He disassociated Australia from the voyage saying: "We don't believe this particular ship visit will improve the situation in East Timor in any way and we don't regard it as contributing in any useful way to a process of longer-term reconciliation in the province."

INDONESIANS "BUZZED" PEACE SHIP

Reuter, Darwin, Wilson da Silva, March 8 — The Portuguese "peace boat" *Lusitania Expresso* arrived off Darwin on Sunday, preparing to sail for East Timor, and protesters waiting to embark said they would defy Indonesian warnings to stay away.

The car ferry, chartered in Portugal, is due to sail to the East Timorese capital of Dili on Monday.

Planes in Indonesian colours buzzed the ferry as it sailed towards Darwin, one of the protest organisers, Paulo Veiga, quoted Captain Luis dos Santos as saying.

"He said two planes criss-crossed the boat then came back and did the same again," said Veiga, who spoke to the captain by satellite telephone.

The captain, in a telex earlier on Sunday, said his ship was buzzed by an aircraft bearing Indonesian colours and flying 30 metres (100 feet) above sea level.

"I ask if this is an appropriate and normal procedure from an Indonesian navy air plane in Australian waters," dos Santos said in his telex.

In Jakarta, Antara news agency confirmed that the Indonesian armed forces had been tracking the progress of the Lusitania Expresso. But authorities were not available to comment on the buzzing charges.

More than 50 journalists plan to cover the ship's voyage to East Timor. Indonesia on Saturday decided against flying foreign journalists to navy ships to cover the approach of the "peace boat" but local journalists will be allowed.

Some potential protesters — students and others from 21 nations including former Portuguese president Antonio Ramalho Eanes, the nine Portuguese student organisers, three medics, a psychologist and 20 crew — have been warned by their governments that they risk violence if they go ahead.

Jakarta has said it will defend its sovereignty against the mission, which it regards as provocative. One parliamentarian, according to Indonesian press reports, has urged the navy to sink the Lusitania Expresso.

"One of the possible scenarios is that we're going to get shot because the military want to discredit (Indonesia President) Suharto and topple him," said Australian student Joely Sobott, 20.

"If one reflects on the past actions of the Indonesian authorities, there's certainly a possibility we could be arrested, detained, possibly suffer physical abuse and be deported," said John Millard, 26, a Canadian teacher.

"Everybody must be quite clear on that. There is potential for danger and physical injury here," said Millard.

Organisers on Saturday gave participants letters to sign stating that they were aware of the dangers and absolved them from responsibility.

German student Armin Seebass, 22, said participants did not want to die in a foolhardy test of Indonesia's military might but sought to apply international resolutions calling for Indonesia to leave East Timor. Most of the world does not recognise Jakarta's rule.

"There is the danger of demonstrations on shore and another massacre. But the Timorese here say this is something important and good, go ahead and do it," he said.

The mission organised by the Lisbon student group Forum Estudante after the Dili massacre raised just over a million U.S. dollars in donations from the public, unions and firms in Portugal, Australia, South Africa and Macao.

BIG WELCOME FOR PEACE SHIP IN DARWIN

Reuter, Darwin, Wilson da Silva, March 8 — The Portuguese "peace boat," heading for Indonesian-ruled East Timor on a protest mission, berthed on Sunday to a tumultuous welcome in the Australian port of Darwin.

The Lusitania Expresso, a 540-tonne converted car ferry, was greeted by a cruise launch laden with Timorese and Portuguese well-wishers as it entered the harbour.

Banners blew in the wind and patchy rain as Portuguese music blared and more than 200 people aboard cheered and cried, while a television helicopter hovered above.

A crowd of more than 500, mostly Timorese, greeted the ferry, children threw white carnations to the crew, and an eight-man Aboriginal troupe performed on the dock.

The Lusitania Expresso ended its 12,000 km (7,560 mile) voyage from Lisbon 11 days behind schedule. It will be berthed until Monday afternoon when it is scheduled to depart for Dili, the East Timor capital.

"I was very emotional, overtaken by hope that that the world will this time solve the issue of East Timor for the better," said Alice Goncalves, a Timorese living in Darwin.

Captain Luis dos Santos, speaking to reporters on the deck of the Lusitania, confirmed that for two days he had been buzzed by low-flying aircraft bearing Indonesian colours, the last time within 150 miles of Darwin.

Organisers of the East Timor peace mission have labelled the flights an attempt to intimidate the 20 crew. According to Portuguese newspaper reports, many are already nervous about the prospect of facing the Indonesian warships now massing on the Timor Sea to meet the peace boat.

But dos Santos played down the possibility of confrontation: "Let's not get carried away with speculation...we don't want to create panic or hysterics."

The Lisbon-based student organisers, galvanised by images of the November massacre, mounted the 1.13 million U.S. dollar mission to test the U.N. resolutions which consider East Timor still a protectorate of Portugal.

PEACE SHIP SAILS FROM DARWIN

UPI, Darwin, March 9 — The Portuguese "peace ship" Lusitania Expresso ignored renewed warnings of danger and left Darwin

late Monday on the last leg of its protest voyage to East Timor.

The Darwin port authority told United Press International the vessel left its berth at 7.15 p.m. on its way to attempt to run the gauntlet past Indonesian warships to reach Dili, the East Timor capital.

But the ship's captain, Luis Santos, said Monday he would put the safety of his passengers first and, if confronted by Indonesian naval ships as was expected, he would make an on-the-spot decision whether to proceed.

"My concern is the people and the safety and the property of the ship," he said.

"And at that time, I will deal with that problem."

In Jakarta, the Indonesian news agency, Antara, Monday quoted authorities as saying that the 58 square-mile remote Atauro island, about 20 miles north of Dili, was being prepared as a quarantine centre to process the ship and its passengers.

Antara said the ship, which is protesting a massacre of pro-independence activists in East Timor, would be escorted to the island and its passengers processed for entry permits. Those without the necessary permits, which none of the passengers on the Lusitania Expresso have applied for, would be deported.

Tiny Atauro island, with a population of 6,000, was a place for exiled prisoners during the four centuries of Portuguese occupation of East Timor.

Indonesia's chief of the East Timor operational command, Brig. Gen. Theo Syaifei, said the special task force of six warships deployed around the controversial province remained on high alert to anticipate the ship's arrival.

Indonesia has labelled the voyage as "provocative" and accused organizers of trying to incite further disturbances. It has warned that the ship would not be allowed within 12 nautical miles of Indonesian territory.

In Australia, the leader of the federal opposition, John Hewson, and the Northern Territory Chief Minister Marshall Perron, Monday joined the Australian government in criticizing the voyage.

Perron agreed with Indonesia that the mission was provocative.

"They are clearly after a reaction from the Indonesians that will stop them, and I am sure that will be the case. They are determined to provoke an incident," he said.

Hewson said the Australian government had not been strong enough in its statement condemning the voyage and warning passengers of its potential dangers.

WARSHIPS WAIT

Reuter, Jakarta, Jonathan Thatcher, March 9 — Indonesia has sent more warships to patrol off East Timor and keep away a banned Portuguese "peace boat"

expected to try to sail into its waters within the next two days.

The official Antara news agency on Monday quoted a navy spokesman in East Timor as saying the navy had now deployed six warships in the Wetar Straits which lead to the capital Dili.

Indonesia has banned the ship from its waters, saying its mission is provocative. It has also barred foreign media from East Timor for the first time for three years.

"This task force won't have any problem whatsoever in its particular mission," Antara quoted the spokesman as saying.

Among the six ships are a frigate and a destroyer, Antara said.

Earlier reports said another frigate was also off East Timor.

In case the ship does get through, Indonesian authorities have set up an immigration centre in Atauro Island, 20 miles off Dili. A local official said villagers had set up camps for the ship's passengers before they were deported.

BON VOYAGE, LUCY

*Australian Broadcasting Corp. TV News
March 9, 1992. Darwin. Christopher
O'Hearn*

The farewells at Darwin Wharf are probably the last friendly signs those on board the *Lucitania Expresso* will see for some time.

It plans to visit the capital of East Timor, Dili, and lay a wreath at the site of November's massacre in the Santa Cruz cemetery.

In reality, the ship will be confronted long before it reaches East Timor, by 9 frigates forming a naval blockade.

While Jakarta has condemned the mission as provocative, organizers have challenged Indonesia to let the ship land.

[Antonio Ravara – Spokesman] "... why this unarmed boat will be stopped by such a force ... if anything happens to us, you know in this moment who will be responsible..."

On board are 60 media representatives and more than 70 students and peace activists. One of the passengers is former commando, Jack Boardman, who reminded Australians of the courage of East Timorese who fought against Japan in World War Two.

[Jack Boardman – War Veteran] "And we owe them a debt we can never repay.

They lost 40,000 casualties, we lost 30,000, during the war."

Organizers have denied reports that a number of participants have pulled out of the mission for lack of faith in the captain. They say a small number of people have withdrawn because of work or study commitments.

The ship is expected to reach Indonesian waters on Wednesday morning.

MORE FROM RADIO AUSTRALIA

Radio Australia (Australian Broadcasting Corporation's short wave service.) 9 Mar. 11:00 UT (Read by studio announcer in Melbourne)

In Lisbon, Portugese President Mario Soares warned that if anything went wrong with the mission, his country would take diplomatic and political steps to express solidarity with the protesters.

...
Australia's Federal Opposition says the Government should have issued a stronger warning to those planning to travel aboard the *Lucitania Expresso* to East Timor. The Federal Opposition Leader, John Hewson said he understands the motives of the peace activists on board the ship, but they shouldn't inflame the situation in East Timor.

[John Hewson]

"We thought they gave a fairly lukewarm statement of the dangers, but er, you know, we're sure the Indonesians will respect international maritime laws, but er, you know it's, it's er, look, quite frankly, in simple terms the last thing we want right now is for that area to be closed out. We really don't want, er, East Timor to be closed down and, er, not to get access, not to be able to monitor developments."

"IF NOT TODAY, TOMORROW"

Reuter, Darwin, Wilson da Silva, March 9 – A Portuguese "peace boat" with students and activists aboard set sail from the north Australian port of Darwin on Monday for East Timor, with an Indonesian navy flotilla determined to block it.

The 540-tonne converted car ferry *Lusitania Expresso* left in driving rain as some 140 Timorese supporters sang freedom songs and shouted independence slogans in Portuguese.

Many wore white T-shirts emblazoned "East Timor Peace Mission" in Portuguese as they crowded passageways and stood on lifeboats to wave farewell.

"I have absolutely no doubt in my mind that, if not today then tomorrow, the East Timorese will succeed in their fight for independence and self-determination," Indian human rights leader Shambhu Chopra told a news conference before departure.

Organisers say they will adhere to international maritime law and halt if challenged by Indonesia.

"My main concern is the safety of the people on board of this ship," Captain Luis dos Santos told reporters. "At the time, I will act accordingly to fulfil my responsibilities."

Asked whether he would try to run an Indonesian blockade, dos Santos said: "Probably not. When it's brute force against

me, and the ship is civilian and I have no arms, I have no choice but to turn around."

Some 15 passengers quit the protest voyage before the ship sailed, citing job and study demands.

"Some people had to go because of exams, because of their jobs," Belgian medical student Jean-Bertrand Christaensen, 24, said as he prepared to go home.

"It was hard. I was very eager to go on board," he said, waving to his friends from the wharf.

Among the 50 journalists aboard was correspondent Dewi Anggraeni Fraser of Indonesia's *Tempo* weekly news magazine.

Asked about statements from Jakarta that any Indonesian journalist aboard the ferry would be considered a traitor, Anggraeni Fraser said she felt uneasy but that her editors had cleared her coverage of the mission.

"It feels a bit scary," she said. "I can't see why I shouldn't go. I don't believe the Indonesian government is a primitive government that cannot see the difference between covering this in a professional capacity and participating."

After some delay, the ferry slid away with a blast of its horn just after sunset. The crowd clapped and waved while some shouted "The battle continues! Viva East Timor!"

Participants from 19 countries have joined the protest voyage.

There are about 50 students and activists, nine of the student Portuguese organisers, 14 "distinguished guests" such as former Portuguese president Antonio Ramalho Eanes, three medics, a psychologist and 20 crew.

Also aboard are 14 television teams and representatives of 11 radio networks, 16 newspapers and magazines, and three news agencies.

The ferry should reach waters claimed by Indonesia within 36 hours.

INDONESIAN PLANES BUZZ LUCY EN ROUTE TO DILI

Press release from the East Timor Peace Mission, 10 March 1992

An Indonesian military aircraft repeatedly buzzed the *Lusitania Expresso* today in an obvious attempt to intimidate the members of the East Timor Peace Mission.

The ship is on its way to Dili to lay wreaths at the Santa Cruz cemetery. The cemetery was the scene of the massacre by Indonesian security forces last November 12, which claimed the lives of at least 150 people.

The aircraft was described as a twin-engined Nomad plane, carrying Indonesian markings and the number TNIALP-802.

The aircraft flew in circles over the ship at an extremely low altitude at a position between 130 and 150 miles northwest of Darwin.

The overflight of the Indonesian aircraft is further evidence of Indonesia's hostile stance towards the peace boat, already demonstrated by Jakarta's deployment of 14 warships in the area.

The aircraft was first sighted at 12:40 local time, 130 nautical miles from the Australian coast.

The aircraft returned at 3:40 pm and continued to shadow the vessel at close quarters.

Two other aircraft subsequently joined the overflight and continued harassment of the ship.

The 130 passengers on board remained calm and determined in the face of this response of Indonesia to the peaceful intentions of the mission.

The Peace Mission continues on its way despite these ominous actions and appeals to the international community to keep a close eye on the developing situation.

DAVID JENKINS ON LUCY

Radio Australia's International Report 10 March 92 11:00 UT

Studio Announcer: Mark Boling, on board the *Lucitania Expresso*. ...

PT: Let's shift to the *Lucitania Expresso*. Is Indonesia particularly concerned about the fact that this ship is sailing from Australian waters?

DJ: I think they're concerned about the ship's arrival because it's a potential embarrassment to them and they don't want people to highlight the difficulties they're having in East Timor.

PT: So what are they going to do about it, do you believe?

DJ: Well they seem to have half their navy waiting to greet it and I dare say they'll try and operate in close proximity to the ship and persuade the captain to turn around.

PT: What sort of factors would be influencing the minds of Indonesia's leaders in determining how to handle this situation?

DJ: I think the main one is loss of face. If they had chosen to invite the Portuguese ship to visit Indonesia then they could have perhaps contained some of the international attention and channelled it, but this way it's challenging them and putting them in a very invidious position.

PT: It's a loss of face either way, isn't it?

DJ: I think it is — it's a very difficult thing for them to handle.

PT: So if they don't accept it, and drive the ship back, that will be an international incident of some sort too.

DJ: It will, and it will be widely publicised, and I don't think they can tow the ship

away — I think the ship's probably larger than any of the frigates they have lined up to meet it. But I imagine they'll cruise close to it, try and head it off, if necessary fire a token shot across its bows, and the captain will then withdraw.

PT: Who would be making the decision in Indonesia — at what level?

DJ: I think it would be made at the highest level of the military, by the military and by the president. So I imagine the defence minister, General Murdani and the coordinating minister for political affairs, Admiral Sudomo, the most senior navy man in the government would also be closely involved in the decision.

PT: What do you expect the impact to be of the trials that are starting this week in East Timor?

DJ: I think it's unfortunate that there's been so much emphasis in Indonesia on the Timorese demonstrators, and so little attention paid until very recently to those in the army who actually fired the shots.

By the same token, I think it's unlikely that any of these people are ever going to get the death sentence. I think they'll be dealt with very harshly by the Indonesians, but I don't think they're going to be sentenced to death.

ON BOARD THE LUCY

Radio Australia's International Report 10/3/92 11:00 UT

RADIO AUSTRALIA ON THE BOAT, THE LEAK AND THE TRIALS

Studio Announcer: Tension is building off the northern coast of Australia this morning as the protest ship *Lucitania Expresso* steams toward East Timor. The ship left Darwin last night with students and peace activists among the passengers determined to go ahead with the mission to lay wreaths in Dili's Santa Cruz Cemetery, scene of last November's massacre.

Indonesia has sternly warned the ship that it won't be allowed to enter Indonesian territorial waters and has stationed nine navy frigates off East Timor.

Mark Boling reports from on board the *Lucitania Expresso* as it heads for a likely confrontation with Indonesian authorities:

Mark Boling:

Students (were) in high spirits last night — their first on the voyage from Darwin. From now on their ship is chartering a hazardous course (sic). Confrontation with the Indonesian navy could begin as early as first light tomorrow. By that time, on its present course and speed the ship will reach Indonesian territorial waters where nine navy frigates are understood to be stationed and waiting.

The mission organizers plan to press ahead until challenged by the Indonesian military. That could happen soon after dawn, or it could mean the *Lucitania Expresso* heads on into Indonesian waters. Either way the Portuguese organizers on board, with the backing of Australian students and activists, say Indonesia has no legitimate claim over the waters surrounding East Timor, or to the province itself.

But that is not the students' main reason for wanting to press ahead to reach Dili. Their aim is to highlight alleged human rights abuses in East Timor and, of course, the presence of the Indonesian military in the province. With a large international media contingent aboard, they're managing to highlight those points very well.

The *Lucitania Expresso* is not equipped for any chase with Indonesia on the high seas — it's a tourist boat which has spent most of its working life carrying passengers and their cars between Portugal and the African west coast.

Here in the Timor Sea it's ill-equipped. The main cabin leaks, the air conditioning hardly works, and there's nowhere for most of the passengers to sleep but on the floor.

Just how long the voyage will continue depends on the Portuguese captain. He'll decide what happens when the ship enters the disputed Indonesian waters around East Timor and the navy moves in. He says he'll make an on-the-spot decision what to do next, but he insists he won't be risking the lives of the passengers.

LUCY AT SEA

Reuter, alongside the *Lusitania Expresso*, Timor Sea, Wilson da Silva, March 10 — Students and activists aboard a Portuguese peace boat sailing toward East Timor in defiance of Indonesia's rule there were in high spirits on Tuesday when they paused to pick up a late-arriving reporter.

The 150 activists and reporters on the *Lusitania Expresso*, a 540-tonne converted car ferry, had slept little after the first 12 hours of their mission to lay flowers at the Santa Cruz cemetery in East Timor's capital, Dili, where Indonesian troops shot dead between 50 and 180 civilians last November.

The Timor Sea was smooth at dawn, but large storm clouds hung to the north where a flotilla of Indonesian navy ships was waiting.

The *Lusitania Expresso* slowed to rendezvous with the 16-tonne tri-hull *Gramps*, 124 miles northwest of Darwin.

An Australian television journalist left behind in the northern city of Darwin because he lacked a valid passport climbed a rope ladder as passengers cheered and waved.

The skipper of the Portuguese ship, Luis dos Santos, was playing it safe. Although his ship was within radio range, and the *Gramps* was expected, he kept radio silence

for two hours before responding to calls to arrange the rendezvous.

He has not filed a sailing plan with Australian authorities in Darwin — a normal safety precaution.

“From here on they face the blockade alone,” mission organiser Paulo Veiga said as the Gramps pulled away.

At its current speed and course, the Lusitania Expresso would cross into what Indonesia claims as its territorial waters just after dawn on Wednesday.

Jakarta has said it is determined to stop the mission, and eight naval vessels were said to be in position to stop it.

The activists were running through tactics to deal with the blockade — tactics they said would be within international and maritime laws.

The international composition of the mission, which includes 14 international observers and 50 journalists, seeks to focus world attention on the 16-year impasse over East Timor.

Captain dos Santos has said he regards the voyage as a normal charter.

“Not a bad first night,” passenger Shirley Shackleton shouted out from a doorway where she stood with dos Santos.

Shackleton joined the mission because her husband was killed by Indonesian troops in the 1975 invasion.

She said she could not forget that the Australian government had quietly forgotten his death and those of four of his colleagues during the invasion.

LUCY BUZZED AGAIN

Reuter, Darwin, Wilson da Silva, March 10 – Military planes with Indonesian markings buzzed the Portuguese “peace ship” Lusitania Expresso on Tuesday as it steamed through the Timor Sea towards a naval blockade of Indonesian warships off East Timor.

Tension aboard rose when the first plane, described by organisers as a twin-engine Nomad, circled the vessel at an altitude of about 90 feet, passengers said via a radio link with the north Australian port of Darwin.

The plane, which bore Indonesian colours and the markings TNIALP-802, returned three hours and appeared on the ship’s radar flying in huge circles around the vessel, they said.

The 150 activists and reporters aboard the Lusitania Expresso sweltered in tropical humidity as they watched the plane fly past.

The encounters occurred at the half-way point on the voyage.

The Lusitania Expresso, now heading into a tropical storm, was expected to meet the Indonesian blockade in the early hours of Wednesday local time, or around 1700 GMT on Tuesday.

“There is no fear aboard,” psychiatrist Margarida Neto said over the radio link from the ferry.

“But I would think that tonight very few people will get any sleep. These are people committed to what they are doing, so they are calm,” she said.

Diplomats in Jakarta said at least eight naval vessels were in position off East Timor to stop the Lusitania Expresso.

One naval officer said marine police would reinforce the flotilla arrayed across the Wetar Straits.

“It is a show of force far exceeding what is needed to stop an unarmed ship,” said a naval attache.

AP, Darwin, Paul Alexander, March 10 – Three small aircraft bearing the Indonesia colors reportedly flew over the ship, and a reporter aboard said the vessel was being trailed by two Indonesian frigates.

About 40 reporters are on the ship. One journalist, Ian Hyslop, said on Cable News Network that he had been told two Indonesian frigates began shadowing the Lusitania Expresso on Tuesday night.

Students aboard the ship said three small aircraft bearing the Indonesian colors flew low over the ferry earlier Tuesday.

Five of the students aboard the ship are Americans.

East Timor’s military commander, Brig. Gen. Theo Syafei, has said neither the ship nor its passengers would pass through the naval blockade. But he told a newspaper his forces would only use force as a last resort.

“We will not use violence,” he was quoted as saying. “If they endanger ABRI (the armed forces) and shoot, we will shoot back. If they shoot once, we will shoot twice.”

The protesters have said there are no weapons aboard the ship.

UPI, Darwin, March 10 – “We have just been buzzed by two Indonesian navy aircraft and that is the second time in the last two hours that navy aircraft have flown overhead,” said the Australian Broadcasting Corporation’s Mark Bowling, reporting from the ship by satellite telephone.

“On the first occasion, a Nomad aircraft clearly marked with an Indonesian flag, flew low over the vessel and made four passes,” he said.

“Then a short time ago, two navy aircraft made a second pass, a large circle around the ship and disappeared over the horizon.”

Bowling said the planes were going as low as about 160 feet, flying on either side of the ship.

He said the ship was already inside the 200-mile off-shore Indonesian economic zone, the area in which it controls fishing. The passengers were warned by the ship captain, Luis Dos Santos, that “anything can happen” as the vessel approaches the 12-mile off-shore Indonesian territorial sea,

which authorities in Jakarta have declared a “no go” zone for the Lusitania Expresso.

Bowling described the mood aboard as pensive and tense, in contrast to the boisterous optimism of the previous night.

“Everyone is standing on the deck with binoculars and cameras looking for any sight of further planes, and the mood can only be described as very tense and pensive,” he said.

The captain had carried out emergency drill during the day in case the ship had to be abandoned, he said.

Indonesian armed forces spokesman Brig. Gen. Nurhadi Purwosaputro in Jakarta blamed the captain of Lusitania Expresso as the person most responsible with the fate of all people aboard the ship.

SHADOWING LUCY

Reuter, Lisbon, March 10 – An Indonesian frigate has begun shadowing a Portuguese “peace boat” as it sails towards East Timor from Australia.

The news agency Lusa quoted reporters on board the Lusitania Expresso as saying a warship was seen about two miles away steaming on a parallel course.

Lisbon’s TSF radio station identified the warship as an Indonesian frigate.

Reporters on board say the vessel is expected to reach the 12-mile limit of East Timor’s territorial waters at dawn on Wednesday (2130 GMT Tuesday).

The yellow and blue painted ship which left Darwin on Monday was earlier buzzed several times by Indonesian military surveillance planes.

‘MOMENTS OF TRUTH’ AT DAWN

UPI, Darwin, March 10 – The Portuguese “peace ship” Lusitania Expresso, with student activists from 23 countries and journalists, steamed Tuesday toward East Timor and an inevitable confrontation with the Indonesian navy.

The population in Dili, site of a massacre of pro-independence marchers last year that inspired the sending of the “peace ship,” is calm, although it has been bombarded with news about the arrival of the protesters, according to the Jakarta Post.

Authorities in East Timor were apparently tightening security, with soldiers patrolling the main streets and area around the port, according to news reports in Jakarta.

The protesters, in their first night at sea, following departure from Darwin, were heard singing loudly as Australian Broadcasting Corporation reporter Mark Bowling described them in high spirits.

ADMIRAL’S CHALLENGE: “FIND ANY WAY IN”

Reuter, Jakarta, Moses Manoharan, March 10 – An Indonesian admiral chal-

lenged a Portuguese "peace boat" heading for East Timor on Tuesday to try to break through a formidable naval cordon around the territory.

"Let's see if they can find any way in," Eastern Fleet commander Tanto Kuswanto said in the East Timor capital of Dili on Monday, the Jakarta Post newspaper reported.

Diplomats said at least eight naval vessels were in position near East Timor to stop the Lusitania Expresso.

Another naval officer said marine police would reinforce the flotilla arrayed across the Wetar Straits.

The diplomats said the ships included at least two Dutch-made frigates with modern surveillance equipment, a locally-made patrol boat and a landing craft.

A naval attache said the tension would be quickly reduced if the ship heeded the challenge of the naval vessels and turned away when asked if it had permission to enter Indonesian waters.

"If it didn't, a warning shot is usually fired across the bows of the ship," he said, adding that the next shot could be directly at the vessel.

The organisers of the "peace boat" say they will abide by international maritime law and halt if challenged.

Ship captain Luis dos Santos said his main concern was the safety of his passengers.

Asked whether he would try to run the blockade, dos Santos said: "Probably not. When it's brute force against me and the ship is civilian and I have no arms, I have no choice but to turn around."

Indonesia has called the mission provocative, banned the ship from its waters and barred foreign media from East Timor.

In case the ship does get through, authorities have set up an immigration centre in Atauro Island, 20 miles off Dili. A local official said villagers had set up camps for the ship's passengers before they are deported.

TSF correspondent Manuel Acasio on board the Lusitania Expresso said that if the ship were confronted by Indonesian naval vessels it would probably not try to force its way past them, but neither would it obey orders to turn around immediately.

Instead, the ship would try to remain on station for several hours to draw international attention to the fact that Indonesia was blocking its access to the territory, he said.

Acasio said the passengers and crew had been told not to shout or make any provocative gestures if the Lusitania Expresso was intercepted by an Indonesian warship.

SYAFEI WARNS OF RETALIATION

Reuter, Jakarta, Jonathan Thatcher, March 10 – An Indonesian general warned of bloody retaliation if anyone on a Portuguese "peace boat" now sailing to East

Timor attacked his soldiers but said he would not start the violence.

"We are not going to use force. (But) if they endanger soldiers and shoot we will shoot them back," Brigadier-General Theo Syafei told the Indonesian weekly Editor, published on Tuesday.

Syafei, newly-appointed to the East Timor command, said: "If the November 12 incident happens again during my command, the victims might be more." He added however that the risk of violence was small.

Diplomats say Syafei has clamped down hard on the former Portuguese colony since taking over. One recent visitor said the capital was in a state of siege.

While many Indonesians expressed shock over the November massacre, there has been general contempt for the voyage of the Lusitania Expresso which the government has called provocative.

"Indonesia should take firm action against the Portuguese ship," the daily *Merdeka* said in an editorial on Tuesday.

SYAFEI 'PREPARED' FOR PEACE BOAT (EDITOR)

Remark: Translation from Editor, March 14, interview with East Timor Operations Execution Commander (Pangkolakops) Brig. Gen. Theo Syafei on preparations for the Lusitania Expresso. Original Indonesian supplied to SEASIA-L by Loren Rytter.

Loren's Comment: It is clear that the passengers would be treated as if they were armed and dangerous, which they were not. It also seems like Syafei thought the boat would try to "sneak" into East Timor, and that they had to be "detected." Also, the interviewer's bias (the peace ship must be dealt with and ABRI is the one to do it) is very clear by the nature of the questions.

Q: As for ABRI units, we hear that the Eastern Region Fleet is prepared at the 12 mile baseline. And also the Navy Station Command (air) and Army Special Task Force on the beach and on land (Sector C)? [Trans. – Sector C is Dili.]

A: Right. Except for places already under detection, we've also prepared helicopter units. So we can coordinate with and contact the Navy. By using high-mobility helicopters, wherever they are we will definitely detect them. How many helicopters? Four. We feel four helicopters are adequate to monitor them.

Q: If they slip through onto land, then it's the job of Sector C?

A: Yes. Sector C will confront them around Dili.

Q: If they face our troops, will our response be violence?

A: No. We will split them up. Those from Europe, and those from Portugal. And after that they will be handled by immigration personnel. But if they resist, we

will treat them as criminals. The police and prosecutors will interrogate them. And if they resist even more strongly, we will treat them as rebels.

Q: What if they resist violently?

A: We will not use violence. If they endanger ABRI [Trans. – Indonesian Armed Forces] and shoot, we will return fire. I have never said they may be shot. But if ABRI is endangered, I have already issued the order to shoot. First of all, occasional shooting on the smallest scale. [This is the hardest sentence to translate in the interview and might be rendered quite differently out of context or making an assumption of nefarious intent. Syafei's remark, as Editor wrote it, was, "Tembak pada kesempatan paling kecil, paling pertama."]

Q: What would indicate ABRI is endangered?

A: If they fire once, we will fire twice in return. So I say, if something occurs again under my leadership like the November 12 incident, maybe the casualties will be greater.

ADDENDUM MAR 21, 1992 BY JOHN MACDOUGALL

My personal copy of Editor's March 14 issue arrived a few minutes ago. Just to make things perfectly clear, the Indonesian excerpt provided to SEASIA-L by another poster — and my translation of it — represented about 8 column inches of an 18 column inch story. Some of Editor's introductory remarks and further comments by Brig. Gen. Theo Syafei are also worth reporting. My translation of the full article will appear in Indonesia News Service No. 320. Dadi Rustandi Sumaatmadja did the interview for Editor. The article editor cited is Djoenady Siswo Pratikno. Both work in Editor's Jakarta coverage division.

John A. MacDougall

U.N. CHIEF URGES RESTRAINT

Reuter, United Nations, March 10 – As Indonesian warships awaited a controversial "peace ship" sailing towards East Timor, U.N. Secretary-General Boutros Boutros Ghali on Tuesday urged all sides to exercise restraint.

"He hopes that no violent incident will occur and that good judgment and maximum restraint will be displayed by all concerned," his spokesman Francois Giuliani said.

Giuliani said the secretary-general had received an appeal from students on the Portuguese ship, assuring him of the peaceful nature of their mission.

At the same time senior officials to the secretary-general spoke to the ambassadors of Indonesia and Portugal to draw attention

"to the dangerous possibilities," a U.N. source said.

Undersecretary-General Vladimir Petrovsky, in charge of political affairs, spoke to Indonesia's ambassador on Friday, presumably to warn against any violent action by Indonesian vessels against the ship, diplomats said.

His deputy, Assistant Secretary-General Scitrios Mousouris carried a further message on Tuesday to both ambassadors.

JAPAN EVINCES 'CONCERN'

Reuter, Tokyo, March 10 – Japan said on Tuesday that a Portuguese "peace boat" sailing towards East Timor in defiance of Indonesia could cause turmoil.

"The Japanese government is very anxious to see that the Lusitania Expresso's attempt to visit East Timor will not cause unnecessary turmoil," a foreign ministry spokesman told reporters.

"If this voyage leads to undesirable consequences, it will not be considered constructive for a solution of the problem," the foreign ministry spokesman said.

ASEAN CRITICIZES LUCY

DPA, Kuala Lumpur, March 11 – Association of Southeast Asian Nations (ASEAN) diplomats Wednesday warned the Portuguese "peace boat" Lusitania Expresso not to continue with its "provocative voyage" to the Indonesian island of East Timor.

"The move by the activists is outright provocative and they should heed Indonesia's warning at once. No foreign vessel should challenge any nation which warns it from entering its territorial waters. ASEAN is disturbed by current developments and urges the peace boat which is now an enemy to turn back at once," said a Malaysian diplomat who asked to remain anonymous.

A Thai diplomat said "any disturbance of the peaceful waters of any ASEAN nation is a direct challenge to ASEAN as a whole."

LUSITANIA SHADOWED BY WARSHIP

Press release issued in Darwin on 11 March 1992 by the East Timor Peace Mission:

The Peace Boat Lusitania Expresso is being shadowed closely tonight by an Indonesian warship.

The ship, identified as an Indonesian frigate, was first sighted at a distance of 5 miles at 11.20 pm local time about 81 nautical miles south of East Timor. At 11.30 pm the warship steered onto a parallel course and began to close.

The Lusitania Expresso is on a peace mission to Dili in East Timor in order to lay wreaths at the site of the 12 November massacre in which at least 150 peaceful

protestors were killed by Indonesian security forces.

The frigate is now shadowing the Peace Mission from a position 1 nautical mile to starboard and following on a parallel course.

The atmosphere aboard the Lusitania Expresso remains calm and the mission is continuing as planned despite this provocative action outside Indonesian territorial waters.

PEACE BOAT FORCED TO TURN AROUND, WAIT

Press Release from the East Timor Peace Mission Darwin, 11 March 1992 10:30 am local time.

The Peace Boat Lusitania Expresso has been forced to about turn by the Indonesian Navy whilst still in international waters. The Lusitania Expresso was on a Peace Mission to Dili in East Timor in order to lay wreaths at the site of the November 12 massacre in which at least 150 peaceful protestors were killed by Indonesian security forces.

The Peace Boat, which has been shadowed by an Indonesian frigate since 11:30 pm last night, local time, encountered two more warships south of the East Timorese 12-mile limit. At 7:50 am local time, the first direct communication with an Indonesian warship occurred by radio, 14 miles from the East Timorese coast.

A warning was issued from the bridge of the Indonesian frigate, while two helicopters hovered directly overhead. The Peace Boat was told: "I tell you directly to leave this area. You are now in Indonesian territory. Turn back immediately or force will be used."

The Indonesian Commander stated strongly that there would be no discussion on the matter, despite attempts by Rui Marques, the Mission's Director, to recontact the warship. The Lusitania Expresso had no choice but to comply with this illegal threat of force. An emotional wreath laying ceremony was held on deck and a short prayer service conducted before the boat turned to its port side and proceeded slowly southwards, shadowed by the Indonesian forces.

The Peace Boat has now stopped 14 miles south of the 12-mile limit, where it is intended to hold a press conference.

The Peace Mission is currently surrounded by three frigates and one helicopter.

The use of three fully-armed warships supported by aircraft to stop a civilian ferry carrying unarmed students illustrates once again to the world that wherever peaceful protest arises against Indonesian authority, military force will be used.

Overshadowing this is the fact that the East Timorese continue to live in a state of terror under the Indonesian occupying forces.

LUCY HALTS

Reuter, Darwin, Wilson da Silva, March 11 – A Portuguese "peace boat" bound for Indonesian-ruled East Timor to protest against a massacre of civilians was drifting in international waters on Wednesday after being turned back by Indonesian warships.

The converted car ferry Lusitania Expresso, carrying 130 students and peace activists, was drifting 28 nautical miles south of East Timor.

Protest organisers in Darwin, in contact with the ferry, said Captain Luis dos Santos told the Indonesians his engines were overheating and he would hold his position until they had cooled.

"His engines are overheating and therefore he will not be able to proceed," said merchant marine captain Jose Manuel Cabral, one of the organisers.

He said the warships, which earlier threatened to use force unless the boat reversed course, appeared to have accepted dos Santos' explanation and were holding off within sight of the Lusitania Expresso.

Cabral said the ferry, surrounded by three Indonesian warships and being off-lown by a navy helicopter and a military plane, had no choice but to return to Darwin.

Dos Santos told the Indonesian frigates the ferry's cooling system could not cope with the warm waters of the Indian Ocean but he hoped it could get under way quickly.

Rui Marques, chief organiser of the peace mission, said the breakdown might give the international community more time to condemn Indonesia's action before the ship continued its voyage back to Darwin.

"There has been a happy coincidence between technical and diplomatic matters," Marques told Portuguese radio aboard the Lusitania Expresso.

"I tell you directly to leave this area," one frigate earlier told the Lusitania Expresso in radio communications transmitted from the ferry to the peace mission's news room in Darwin via satellite telephone.

"You are now in Indonesian territoriality," the ship said, while two Indonesian naval helicopters hovered overhead.

Dos Santos complied with the order to turn back. Marques, also on the bridge, tried to negotiate with the Indonesians who did not respond.

In a live report from the ferry, a Portuguese Radio correspondent said the captain of the Indonesian frigate commanding operations twice threatened to use force unless the Lusitania Expresso reversed course.

He quoted the captain as saying: "We are warning you that if you do not reverse course we have the necessary means to use force against your ship."

PORTUGAL WATCHES

Reuter, Lisbon, March 10 – “I think everything is well, we are all confident,” Eanes told Portuguese television before the order to stop came. The frigates had closed into within 500 metres of the ferry.

The passengers were under instructions to make no gestures or movements which could be interpreted as a provocation.

Portugal’s parliament passed a motion on Tuesday calling on the international community to “remember that Indonesia has no legitimate jurisdiction over territorial waters of East Timor.”

Jakarta’s rule in East Timor, which it invaded in 1975 after the Portuguese colonial administration withdrew, is not recognised by the United Nations.

The Portuguese news agency Lusa said U.N. Secretary-General Boutros Boutros-Ghali had appealed to Jakarta to show “good sense” in its reaction to the Portuguese ferry. He said he was aware of the peaceful nature of its mission, Lusa reported.

LUCY RETREATS

AP, Darwin, Paul Alexander, March 11 – An Indonesian warship today blocked an international protest ship from landing in East Timor, forcing those aboard to toss wreaths for slain pro-independence demonstrators into the sea and turn away.

Mission organizers still claimed success. They said they had drawn the world’s attention to East Timor, which they allege is the focus of a deliberate Indonesian program to wipe out the Timorese culture.

Mission organizers claimed they had a right to travel to East Timor because the United Nations never has recognized Indonesia’s occupation.

The students, from nearly 20 countries, included five Americans — three from Brown University and two from the University of California at Berkeley.

They watched nervously as two Indonesian frigates tailed them for several hours as they sailed toward East Timor’s 12-mile territorial limit. Just before the limit, the ferry made radio contact with a third frigate, which blocked the route and ordered the protesters to turn around.

Mission spokesman Peter Monet said from Darwin, where organizers maintained phone contact with the ferry, that the Indonesians refused any discussions.

The vessel was expected to return to Darwin, about 400 miles away, by late Thursday.

LUCY HOUNDED

UPI, Darwin, March 11 – The Portuguese “peace ship” Lusitania Expresso retreated from Indonesian territorial waters

Wednesday, warned off by Indonesian navy frigates with crews manning machine guns.

The captain of the Lusitania Expresso, Luis Dos Santos, had complied immediately with the order to go back and late Wednesday the ship was returning to Australia at full speed.

In Jakarta, Indonesian authorities said Wednesday navy ships would continue shadowing the Lusitania Expresso until it finally reached Australia’s port of Darwin.

The afternoon daily Suara Pembaruan quoted East Indonesia’s naval commander Tanto Kuswanto as saying the special task force of the armed forces would remain in East Timor until the ship had returned to Portugal.

In his report from the ship, Mark Bowling of the Australian Broadcasting Corporation said when the “Lusitania Expresso was heading very close, in fact on the edge of Indonesian territorial waters early this morning, it was flanked by three Indonesian frigates and a radio message came from the commander of those frigates to turn around immediately.”

“We could see the crews on the frigates manning machine guns.

“That warning was heeded by the captain of the Lusitania Expresso and that’s exactly what he did.

Bowling said the ships then flanked them for about three hours to ensure they were heading in the right direction.

Asked whether there was any doubt about the fact that the ship was returning to Darwin he replied: “Undoubtedly that’s the case. Any fears that we might have been making a second attempt to head for Dili at this stage that is certainly not on.”

Bowling said that once the ship had left Indonesian waters there was a very emotional service during which wreaths were thrown into the sea to honor those killed in last November’s Dili massacre.

PORTUGAL CONDEMNS

Reuter, Lisbon, Stephen Brown, March 11 – Lisbon condemned Indonesia on Wednesday for sending warships to turn back a Portuguese “peace boat” bound for the former colony of East Timor to protest at a massacre of civilians by troops last November.

“The international community must condemn Indonesia’s attitude for using force to block the passage of a peaceful ship carrying unarmed civilians of various nationalities,” a foreign ministry statement said.

Lisbon expressed its “indignation and concern” at Jakarta’s action.

The statement said that, since the United Nations does not recognise Jakarta’s rule and the territory is still officially under Portuguese administration, the Indonesian navy’s action was “illegitimate according to international law.”

Indonesia invaded East Timor in 1975, after the Portuguese colonial administration withdrew, and annexed it a year later.

The Portuguese government statement said the peace mission “just wanted to show solidarity with the victims of the massacre which the Indonesian authorities say they lament.”

The government said it had nothing to do with the organisation of the mission but “appreciated its generosity and its moral importance” and its efforts to bring attention to the human rights situation in East Timor.

Portuguese President Mario Soares and Prime Minister Anibal Cavaco Silva met the organisers of the voyage, headed by the student magazine Forum Estudante, before they left for Darwin.

Portuguese Foreign Minister Joao de Deus Pinheiro said in Brussels on Tuesday the voyage was an “extraordinarily generous and courageous decision.”

Lisbon was following events closely and had made unspecified preparations “for some of the possible outcomes,” he said.

PORTUGAL HAILS LUCY

Reuter, Lisbon, Robert Powell, March 11 – Portugal watched with regret on Wednesday as Indonesian warships turned a privately-sponsored “peace ship” away from its former colony East Timor, but the government and media agreed the gesture had been worthwhile.

“Dictatorships are afraid of flowers and of unarmed and peaceful young people when they want to protest,” President Mario Soares told Lisbon’s TSF radio station.

“Flowers against cannons,” said a front-page headline in the Lisbon daily *Diario de Noticias*, echoing the same sentiment.

“Politically it was an excellent means of pressure against the Indonesian dictatorship. Diplomatically it upset the usual actors in set piece situations who were this time obliged to follow a script with different rules,” the Lisbon daily *Publico* said in an editorial.

Portugal continues to press diplomatically for East Timor’s right to self-determination.

Portuguese Foreign Minister Joao de Deus Pinheiro told reporters in Brussels on Wednesday that the organisers of the “peace ship,” should be congratulated for their initiative.”

“We should all be grateful for their courage and determination,” he said.

The Lusitania Expresso voyage, which cost more than a million dollars, was the brainchild of Rui Marques, the editor of an obscure student magazine called *Forum Estudante*.

The government has repeated insistently that it was a private venture without official backing, but government and opposition

leaders have openly expressed their sympathy and moral support for it.

The only politician to actually take part in the voyage was former president Antonio Ramalho Eanes, who served as Portugal's first freely-elected head of state after the 1974 revolution from 1976 to 1986.

INDONESIA ACCUSES PORTUGAL

Reuter, London, March 11 – The Indonesian army hinted on Wednesday that Lisbon masterminded a mission by a "peace boat" to Portugal's former colony of East Timor to protest against a massacre of civilians.

An Indonesian army spokesman said statements by Lisbon after Jakarta sent warships on Wednesday to turn back the Lusitania Expresso car ferry showed who was responsible for arranging the voyage by 120 student activists, personalities and journalists.

"It was now obvious who had masterminded the ship's activities, and this could be seen from the comments made by high-ranking Portuguese officials in Lisbon soon after the mission had failed," the Indonesian news agency Antara, monitored by the British Broadcasting Corporation, quoted the spokesman as telling a news conference.

The spokesman, Brigadier General Nurhadi Purwosaputro, said that the incident itself was a minor issue but the army regarded it seriously because it involved national sovereignty, the agency said.

VIEWS FROM LUCY

Reuter, Darwin, Wilson da Silva, March 11 – Human rights activists turned away from East Timor by Indonesian warships on the high seas on Wednesday said their voyage had focused the eyes of the world on the former Portuguese colony.

Despite stark images of students confronted by warships, international reaction to the incident appeared muted. Mission officials, however, claimed success.

"It has reminded everyone that East Timor is not part of Indonesia, that the United Nations says so. And shows them that Indonesia can illegally and without just cause expel a peaceful vessel from waters which do not belong to it," said mission adviser Captain Jose Manuel Cabral.

"They in fact had no right to treat the Lusitania Expresso in the way they did in international waters, just as they have no right to occupy East Timor as they do," he said.

Australia said it was happy with the way Jakarta dealt with the ship.

Organisers said they were not surprised by the mild reaction to the incident. The mission was merely the first step in an international campaign to force Indonesia to

halt human rights abuse and leave East Timor, they said.

"This is just the tip of the iceberg," said Canadian student Peter Monet.

The mission caught the attention of the world, at least momentarily. There were 14 television groups represented on board, 11 radio networks, and 16 newspapers and magazines.

The organisers, the Lisbon-based student group Forum Estudante, raised 1.13 million U.S. dollars to fund the venture, mostly from unions, businesses and private sources in Portugal, Australia and countries with big Portuguese emigre populations.

PEACE SHIP TURNED BACK BY INDONESIA NAVY

Sydney, mar 11 (IPS) — a Portuguese peace ship's protest journey to East Timor has come to an abrupt end. the ship is now headed back to Darwin in Northern Australia after being ordered by the Indonesian navy early Wednesday to leave Indonesian waters immediately.

An Australian ABC Radio reporter on board the 'Lusitania Expresso' said the ship had been shadowed by two frigates of the Indonesian navy all night since the ship left Darwin tuesday.

Mark Bolling, the ABC radio reporter, said that as the ship came close to the frigates, he could see crews of the two Indonesian ships manning machine guns.

The orders came at dawn Wednesday when an Indonesian navy commander radioed the ship to withdraw from Indonesian waters immediately. the 'Lusitania' captain acknowledged the call and turned back to port.

Peace protesters aboard the ship have thrown wreaths to the sea in remembrance of the victims of the Dili massacre. many of them were reported to be emotionally overcome by the experience.

The acting Australian foreign minister John Kerin has expressed relief that the protest ship has been turned back.

"While the ship was in Darwin, officials of the department of foreign affairs spoke to both the captain and the owners of the ship and they certainly told us that this will happen. they will not risk the ship, the crew or the passengers," Kerin said in a press statement Wednesday.

Rob Wesley Smith, a spokesman for the protest organisers, said: "the voyage has established the illegal nature of their (Indonesia's) regime because the area the ship was turned back from is not recognised by the world community, except by a handful of governments like Australia, as belonging to Indonesia. it's international waters or Portuguese-controlled waters."

Smith said most people taking part in the protest believe their objective was accomplished. the ship's 120 passengers, which included human rights activists, students

and journalists, intended to lay flowers in the cemetery in Dili where Indonesian soldiers shot and killed at least 50 Timorese demonstrators last nov. 12.

Sen. Graham Tamblin, state senator of Australia's Northern Territory, told ABC radio wednesday that the whole episode has proved to be "a very costly, fruitless and useless exercise."

"The Portuguese organisers have a guilty conscience and a hidden agenda," said Tamblin. "they are no longer players in the region and they must accept that and butt out. they deserted Timor in 1975 after they exploited it and have left no adequate social structures in place."

THOUGHTS FROM THE LUSITANIA EXPRESSO

(LORNE RIDER)

by Lorne Rider, 11 March 1992

Timor Sea

For those of us aboard the Lusitania Expresso, it has been an astonishing Wednesday morning, but half way around the world it is still Super Tuesday.

Anchored just outside the territorial waters of East Timor and surrounded by three Indonesian warships, it's hard to imagine the banter being broadcast over American airwaves right now. Yet I can state with conviction that none of the candidates are putting East Timor high on their foreign policy agenda.

Especially for former CIA director George Bush, who understands fully the embarrassing parallels between Iraq's illegal occupation of Kuwait and Indonesia's illegal annexation of East Timor, any mention of the situation would further puncture his already-deflated "foreign policy president" balloon.

Even for the enlightened Jerry Brown, who has been afforded the luxury of becoming a presidential candidate by his family's flow of Indonesian oil wealth, East Timor (whose oil reserves could make Australia a net exporter for a half-century), is a touchy subject indeed. Only Tom Harkin had kept the genocidal situation in East Timor on the congressional agenda, but in the end, Harkin must have felt that US-sponsored slaughter does not command sufficient American concern to turn it into the cornerstone of his campaign.

Although our video is more dramatic than pictures of a man wearing a gas mask in a tent, I'd be truly surprised if any of it pre-empted Super Tuesday exit poll results. In Portugal the story of a peace boat's face off with the Indonesian navy is a story writ as large as the Gulf War. One might think that images of an unidentified ship suspensefully trailing the Lusitania Expresso throughout the night, followed by pictures of our dawn reception by the force of Indonesian warships, helicopters, and spy planes,

might pique the curiosity of network media moghuls. But as we were informed days ago by CBS and NBC: no blood, no story.

It's a sadistic paradox. Sinking a boat full of 120 students and journalists from 21 countries, a scenario which some Indonesian hard-liners publicly advocated, would have guaranteed us a flash of US media attention. But unlike a quarter of a million East Timorese who have died in the past 16 years, we are not martyrs, and none of us ever intended to be.

Despite the prudence the Indonesian navy showed in their restraint from physical attack which would have been recorded by dozens of cameras, the unchallengeable threat of violence was never absent. The captain of the Lusitania Expresso was told seven times to turn back or risk retaliation. At no time did the Indonesian commander allow us to plead the case we had hoped to articulate: international law does not recognize Indonesia's authority over East Timor and we should therefore be allowed to proceed without further molestation. The captain, who had been informed by Reuters in Jakarta last night that the Indonesians unequivocally intended to sink the unarmed peace ship, was not prepared to run the risk of provocation by his persistence.

We were prevented from achieving our objective of laying flowers at the Santa Cruz cemetery in memory of the 180 East Timorese massacred last November. Yet in the context of East Timorese tradition, we were still able to honor those slain. The East Timorese believe that flowers thrown into the sea to pay reverence to the deceased will be received by their spirits on the peak of Mount Ramelau, East Timor's highest mountain. After reciting words of prayer in a dozen languages, we threw wreaths, flowers, and olive branches given to us by the East Timorese communities in Lisbon and Darwin into the sea, all while navy helicopters circled noisily above.

On our voyage home to the United States, we feel contented with the idea that we have set a historic precedent today. For the first time, a group of individuals from many countries have acted independently from their governments to uphold international law as decided by the United Nations. We return with the profound understanding that individuals can succeed, however slightly, in drawing world attention to injustice which our leaders, whose hands are too deep in the coffers, seek to conceal.

EAST TIMOR PEACE BOAT TURNED BACK

From Peace News, (War Resisters International, London) April 1992.

The Portuguese car ferry Lusitania Expresso, which sailed from Lisbon in January en route to East Timor with 150 students and peace activists on board (Peace News March 1992) was forced to turn back

after an Indonesian frigate blocked the protest ship's progress near the limit of East Timorese territorial waters.

Despite the failure of the peace boat to reach East Timor — where a delegation hoped to lay wreaths at Santa Cruz cemetery in the capital Dili, where up to 200 died in a police and army massacre on 12 November — organisers claimed success in focusing the world's attention on the East Timor tragedy.

A Portuguese student magazine, Forum Estudante, initiated the peace boat project. Organisers received support from president Mario Soares, prime minister Anibal Cavaco Silva, and foreign minister Joao de Deus Pinheiro, who called the voyage an "extraordinarily generous and courageous decision." Former president General Ramalho Eanes joined the ship at Darwin as it prepared for the final phase of its 12,000km voyage.

Australia, which hosts a large East Timor exile community, was an uneasy stopover for the protesters' challenge to Indonesia's illegal occupation of the former Portuguese colony. On the one hand, the voyage caught the public imagination and enjoyed extensive press coverage; Australians referred affectionately to the ferry as "Lucy." On the other hand, Australian politicians agreed with the Indonesian authorities that the peace mission was "provocative." Liberal (that is, conservative) opposition leader John Hewson outdid Paul Keating's Labor Party government in opposing the mission, saying that the government should have issued a stronger warning to Australians who intended to sail on the Lucy. Other governments — including those of Britain, Canada, and the USA — also attempted to warn their citizens against taking part in the mission.

On 11 March, after the ferry had been forced to turn back (by three fully-armed Indonesian warships), there was a brief and emotional ceremony as the wreaths destined for the Santa Cruz cemetery were placed in the sea. Captain Luis dos Santos then sailed south, further into international waters, where a press conference was held.

Attention now shifts to the trials in Dili and the Indonesian capital Jakarta of 13 East Timorese who are accused of "trying to subvert the state" in connection with the November massacres. The maximum sentence could be death.

The British Coalition for East Timor has begun a campaign in the UK around the political trials. Organisers ask for letters to be sent to the Foreign Office requesting the British government to:

- protest to Indonesia for charging and trying East Timorese for what are considered elsewhere to legitimate political activities
- monitor the trials in Dili and Jakarta closely
- protest against the exclusion of journalists from East Timor, which means that the

trials cannot be reported properly to the outside world.

British Coalition for East Timor, 38 Ewhurst House, Jamaica St, London E1 3HS (tel and fax +44 71/071 639 4700). There will be a memorial service for the Santa Cruz massacre victims at St Brides Church, Fleet Street, London EC4 at 5pm on 20 March, followed by a procession to the Indonesian embassy.

CANDLELIGHTS IN DARWIN

AP, Darwin, Paul, Alexander, March 12 – Weary activists blocked from reaching East Timor staged a candlelight ceremony Thursday in memory of pro-independence demonstrators killed in the former Portuguese colony.

Just four hours after returning to Darwin, the student-led group joined members of the city's East Timorese community outside the Indonesian consulate.

About 250 people lit white candles and laid wreaths for those gunned down in November in East Timor.

The activists had hoped to conduct a similar memorial ceremony in Dili, the capital of East Timor.

The ship's captain, Luis doe Santos, said Thursday he complained to Portuguese maritime authorities over alleged dangerous conduct by the warships. He said he would take the matter to the United Nations.

"The ships, they were so close to me, you can imagine that if at that particular time, I had a problem with my rudder, and my ship started to turn suddenly ... it would create a problem, a big problem," he said.

LUCY IN DARWIN

UPI, Darwin, March 12 – The Portuguese "peace ship" Lusitania Expresso returned safely to Darwin Thursday after being turned back by Indonesian gunboats while trying to sail to East Timor.

The ship disembarked all of its 120 passengers, most of whom then marched to renew their protests outside the Indonesian Consulate.

Protesters said there was tension when the Indonesian navy ordered them to turn back under threat of force Wednesday, but said they were always confident that they would not be attacked.

"I didn't believe the Indonesians would have fired at us," said Paul Matters, one of the principal organizers, as he left the ship. "They probably would have boarded us, arrested us and impounded the ship."

Matters said their main concern now was for the East Timorese people.

"I think this is the biggest concern, whether people have been arrested simply because they had been organizing some kind of welcome for us," he said.

Another protester, Rob Wesley-Smith, said the mission had been a success even though they failed to reach Dili.

"We drew the attention of the world to the plight of the Timorese people once again, and this is very necessary if we are going to resolve their plight, which is probably the worst situation for any people in the world at this moment," he said.

Officials said the Lusitania Expresso would leave Darwin Friday to go to drydock in Singapore before undertaking another charter in Europe.

INDONESIA DEMONSTRATES NEW NAVAL POWER

Reuter, Jakarta, Moses Manoharan, March 12 – "The naval build-up was clearly a show of force," said one Western diplomat. It far exceeded what was needed on Wednesday to stop the aging ferry, the Lusitania Expresso.

The flotilla was led by Van Speijk class frigates acquired from the Netherlands and fitted with state-of-the-art electronic surveillance equipment.

The frigates were part of a consignment of six that the Netherlands finished delivering last year.

Jakarta projects its naval power across sealanes marked out by Indonesia under an "archipelagic concept" that puts its 13,000 islands and the sea separating them into one indivisible sovereign territory.

The London-based magazine International Defence Review said that area covered 5,200,000 square km, (2,007,722 square miles), 60 per cent of it water.

In 1988, Indonesia closed two island straits for naval exercises, provoking an international outcry.

"The matter remains a source of irritation, both between Indonesia and its regional neighbours, as well as remote trading nations whose ships use the straits," the magazine said.

The sealanes under its influence include the crucial Malacca Straits through which 70 per cent of Japan's oil supplies and much of the world's east-to-west trade pass.

A ship travels through the narrow straits, also bordered by Singapore and Malaysia, once every 10 seconds, one naval officer said.

Other vital sealanes are in the waters around the disputed Spratly islands and through the Indonesian archipelago, which separates much of Asia from Australia and the Indian Ocean.

"The Iran-Iraq and Gulf Wars taught the Indonesians a few lessons about the importance of sealanes," said one foreign naval officer, adding that Jakarta may be worried about being drawn into a conflict over the Spratlys.

The naval expansion includes doubling the submarine fleet to four with the purchase of two submarines from Germany.

Indonesia's Surabaya shipyard is building four hydrofoils for the rapid transport of troops between islands, and two patrol boats every year.

French-made Exocet and U.S.-made Harpoon missiles, as well as Bofors guns from Sweden, arm the navy, which must soon replace many of the 17 frigates that form its backbone.

The replacements have sparked a debate in the military, the diplomats said. One side wants to boost coastal defences and the other wants to project a longer-range blue water presence beyond its Exclusive Economic Zone (EEZ), a 200-mile limit that is not internationally recognised.

Those wanting stronger coastal defences sought more patrol boats for protecting the EEZ, while those favouring a strong blue water navy campaigned for frigates and destroyers.

INDONESIA HARDENS ON TIMOR (ANTARA)

Remark: Scanned article from FBIS.

"Antara English." Government, military, media, and popular reaction in Indonesia to the voyage of the Lusitania Expresso was overwhelmingly negative. This Antara story, written with obvious venom and plainly propagandistic, is much more representative of Indonesian views than the relatively sober story from Kompas posted earlier. It would not be overstating the case to say that the voyage resulted in a hardening of Indonesian positions on East Timor, whereas prior to the voyage positions were somewhat more volatile in the wake of the November 12 massacre, repeated official regrets over the deaths, and President Soeharto's timely and considered series of "compensatory" measures.

A review of available non-Indonesian media reaction suggests that the Lusitania Expresso story made significant impacts only in the Portuguese and Australian media. Elsewhere it was a minor item when it was covered at all. The impact of the voyage was probably greatest on the participants themselves. While many were longtime activists for Timorese independence, a striking number were relatively new recruits to this cause. In this sense, the foreign solidarity movement has been given a boost by the voyage. This will become particularly evident when all the participants have returned home.

On the other hand, some foreign supporters of the East Timorese cause, including myself, remain stunned that over a million dollars in funds was raised for a voyage which almost surely resulted in a net diminution of sympathy for East Timorese rights among Indonesians at home and abroad. It is difficult not to believe this vast sum could have been more fruitfully spent by the many chronically cash-poor — and even the few

cash-rich — non-governmental organizations outside and inside Indonesia working on behalf of the East Timorese people.

— John MacDougall

PORTUGUESE PEACE BOAT RETURNS TO DARWIN

Jakarta ANTARA in English 12 Mar 92

Darwin, Mar 12 (OANA-ANTARA) – The Portuguese ferry Lusitania Expresso which has conducted a failed provocative sailing to East Timor, arrived back at Darwin port at 1530 local time (1300 western Indonesian time) with no well-wishers welcoming her at the port, ANTARA's correspondent, Riris Irawati, reported here Thursday.

Rob Wesley-Smith, one of the mission's organizers earlier told ANTARA that he could not expect well-wishers to welcome the ferry because people in Darwin were still at work by 1500 hrs.

In the latest contact earlier, Expresso informed that it had reached 30 miles off the Darwin waters and would berth at the port in three hours, said Smith who is known as a hard-liner of the East Timor FRETILIN [Revolution Front For An Independent East Timor] trouble makers group (GPK) in the Australian Northern Territory.

Meanwhile, Peter G. Spillett, an Australian history expert who has undertaken a lot of researches in South Sulawesi and East Timor, said that the Expresso's mission was nothing other than an effort to gain cheap publicity.

Commenting on the claim of the organizers that the mission had achieved a great success, Spillett said that the aim of their mission was to lay wreaths on the Santa Cruz cemetery in Dili.

They failed in reaching Dili, how could they claim they have gained success?, he said. [punctuation as received]

Spillett, who is also known in South Sulawesi as Daeng Makulle, said that the Portuguese citizens who came to Australia to join the Expresso mission under a pretext of human rights protection were hypocrites.

They obviously forget pressures and violations of human rights principles in Mozambique, Angola and Macau, he said adding that the Portuguese ambassador to Australia seemed to have lost orientation when he said those aboard the ferry wanted to unite with their brothers in East Timor.

He said no one of those aboard the old ferry really had the intention to unite with the people of East Timor because in principle they have their own lives.

Local media reported that on its way back to Darwin, the ship developed engine trouble while other sources said it was quite possible that the difficulty was intentionally designed.

Wesley-Smith, when asked on the trouble with the ferry's engine cooling system, could not give confirmation saying that he had not yet succeeded in contacting

Expresso's captain to obtain the correct information.

He said the Portuguese ship was no longer escorted by the Indonesian naval frigate, indicating that Expresso was really sailing to Darwin.

Wesley-Smith also said that the mission organizers also planned to lay wreaths on the premises of the Indonesian Consulate building here at 2000 hours local time.

ANTARA's correspondent in Dili reported on Wednesday evening that commander of KRI [Republic Of Indonesia Ship] Yos Sudarso Marine Colonel Winarno at 0632 hours (Eastern Indonesian Time – EIT) had ordered Lusitania Expresso Captain Luis dos Santos to go back immediately to the high seas when the ferry just entered the Indonesian water territory, 12 miles from the Timor Sea.

Before the ferry entered the Indonesian waters, the KRI Yos Sudarso Commander had given a warning to the Portuguese ferry's captain that his 1,622 dwt vessel was about to enter the Indonesian territory illegally.

But the obstinate ship's captain steered forth to the Indonesia's water border forcing Colonel Winarno to issue a second order and only then the ship which sailed under the Portuguese flag to fulfill a provocative mission to East Timor, turned its bow to 180 degrees sailing back in the direction of Darwin.

Meanwhile reports received by ANTARA from KRI Kerapu also on Wednesday afternoon said that two warships of the East Indonesia fleet viz. KRI Yos Sudarso and KRI Ki Hajar Dewantara had driven the ferry carrying 120 passengers including students, journalists and activists, away to the high seas.

At a point of some ten miles from the Indonesian water territory Lusitania Expresso found time to put out its engines and the activists on board threw ten wreaths into the waves.

A festive mood had prevailed aboard the old 8-10 knot speed vessel but when entering the Indonesian water territory the atmosphere was rather tightened.

KRI Ki Hajar Dewantara at 2000 hours (East Indonesian Time) was sailing against the Portuguese ferry which was about 70 miles away from the Indonesian borders.

Then when the ferry was about five miles away of the borders, the KRI Yos Sudarso sailed against the ferry to establish a radio communication and issue the order to quit from the Indonesian territory.

COMMENT FROM TAPOL

Apr 2, 1992

PRESS COVERAGE OF LUSITANIA

To put the record straight, the Singapore press gave the Peace Ship a lot of coverage. We received today seven clippings about it from The Straits Times. All are substantial

in size, three-, four- or five-column reports. Several have large-sized photos of the ship or of passengers. All are published in the Asean section of the paper at the top of the page, so very eye-catching. Some are based on AFP or Reuter reports from Jakarta. Four are filed by the paper's correspondent in Jakarta, Paul Jacob.

Also, please don't overlook the hard-hitting editorial published in Bangkok's The Nation prompted by the Lusitania mission.

The Malaysian press, as we know from the report in The Nation posted on reg.easttimor last week, is under pressure from Mahatir not to publish anything unhelpful to Indonesia.

We should recognise the growing concern in Asean countries about East Timor, and the Lusitania mission did get some significant coverage in those countries where the

[rest of this piece is missing]

LUSITANIA OBEYS ORDERS AND RETURNS TO DARWIN

(KOMPAS)

Translated from Kompas Kamis, Mar 12.

Remark: I've not closely checked the translation except mainly inserting in brackets English versions of untranslated acronyms. For the meticulous, "Wita" means Central Indonesia Time, "WIB" Western Indonesia Time. Be aware that in any case Erick omits the final part of the Kompas article which deals with a demonstration by Universitas Timor Timur students opposing the visit of the Lusitania Expresso.

Here is Kompas' version of Lucy's retreat. Much has been left out of the Western wire service and other accounts. Of some interest is the personal presence of generals Mantiri and Syafei in a helicopter which watched Lucy. This seems characteristic especially of Syafei's leave-nothing-to-chance, hands-on approach to events involving East Timor.

— John MacDougall

I have translated the following news concerning the Lusitania Expresso from the original Indonesian. This story ran in Indonesia in Kompas. I have tried to translate as accurately from Indonesian as possible; however if there are any mistakes in the translation it is entirely my responsibility. I feel it is very important that everyone also have access to the viewpoint of the Indonesian press. That is why I took the time to translate this.

— Erick Venden

The Portuguese ship Lusitania Expresso stopped and returned to Darwin after receiving a warning from KRI Yos Sudarso in close proximity with KRI [Republic of Indonesia Ship] Ki Hadjardewantoro, Wednesday morning (11/3) at 06:07. At that time the Lusitania Expresso was 1 mile inside Indonesian waters, it immediately turned its bow around and headed back in

the direction of Darwin, shadowed by KRI Yos Sudarso and KRI Ki Hadjardewantoro. [Information Service Head] Navy Lt Colonel Toto Soenyoto made contact with the Lusitania Expresso from KRI Yos Sudarso when the Portuguese ship was still 3 miles from the border of Indonesian waters. The Commander of Frigate 353 KRI Yos Sudarso warned the Lusitania Expresso not to enter Indonesian waters. However, the Lusitania moved forward to 1 mile inside Indonesian territorial waters. After the warning was given that the Lusitania had entered Indonesian waters they were asked to return to international waters, the captain of the Lusitania Expresso Luis Dos Santos immediately altered the course of his ship.

KRI Yos Sudarso moved close to their ship and requested that they "leave these waters immediately and return to international waters." Before Captain Luis Dos Santos altered the course of his ship, KRI Yos Sudarso said "If you continue your journey we will take measures to force you to leave these waters." There were four warnings delivered by the Commander of the KRI Yos Sudarso, but there was no further measures taken. One and a half hours sailing time towards Darwin the Lusitania Expresso stopped and announced that they were making repairs to the cooling system on the ship. Lusitania hoisted two black balls to signal the ship was stopped dead in the water.

08:15, An Indonesian Army Bell 204 helicopter carrying passengers among which were Pangdam [Commander of Military Area] IX/Udayana Major General Mantiri and Pangkolakops Timor Timur [East Timor Operations Execution Commander] Brig General Theo Syafei, who organized the aircraft maneuvers over the Lusitania Expresso.

A journalist from Kompas Budiman Tanuredjo rode inside the helicopter reported that the Lusitania was not moving faced with 3 Indonesian ships, namely KRI Yos Sudarso, KRI Ki Hadjardewantoro, and commando ship KRI Teluk Banten, at coordinate 8 degrees 36 minutes latitude and 127 degrees 40 minute longitude east 20 miles from the eastern tip of Timor island. Meanwhile another journalist from Kompas Ansel Da Lopez was onboard KRI Yos Sudarso.

It was noticed from the helicopter that something was floating in the water around the Lusitania Expresso. [Actually, the text says the waters were 'dirty'.] It was determined that the items [actually, the text says 'dirt' or 'refuse'] floating in the water were flowers scattered by the demonstrators of the Lusitania as a sign of sorrow for the incident in Dili 12 November 1991. It was originally intended to scatter the flowers in Dili. At that time an Indonesian Army helicopter and a Cassa 212 flew around the Lusitania Expresso. Through the helicopter pilot Lettu [First Lieutenant] Burhanuddin, Major General Mantiri congratulated the

Eastern Fleet Commander Laksa [Rear Admiral] Tanto Koeswanto who was on-board KRI Teluk Banten.

09.07. After being asked several questions by KRI Yos Sudarso, Lusitania Expresso answered that they were preparing to leave. The ship began to move at 10 knots in the direction of Darwin. During its voyage the Lusitania was shadowed by KRI Yos Sudarso, KRI Ki Hadjardewantoro, and KRI Teluk Banten to 100 miles from the eastern tip of Timor island. It is expected that if the Lusitania Expresso maintains 10 knots she will arrive in Darwin Thursday about 17:30.

Meanwhile a journalist from Kompas Ratih Hardjono reported from Darwin, the owner of the ship Lusitania Expresso Carlos Rocha Cabecas said that when the ship entered the territorial limit the first question raised by the Commander of the KRI Yos Sudarso was who are you and where are you going. Captain Luis Dos Santos answered giving his name, the name of the ship, and said clearly that he intended to sail to Dili. Then Santos asked if the Commander of the KRI Yos Sudarso wished to speak with the spokesman of the demonstrators onboard. KRI Yos Sudarso rejected this request and ordered that Lusitania immediately return to international waters.

Carlos Cabecas said he was happy because the ship was safe, but was also unhappy because the ship was being shadowed by Indonesian warships far into international waters.

Kompas' source in Darwin said that he believed that the Lusitania was already at the territorial border since 0300. The ship waited until the sunrise before moving on.

DARWIN PROTEST BY PEACE BEATERS SAID PROVOCATIVE (ANTARA)

Remark: Scanned articles from FBIS.

Jakarta, ANTARA in English 13 Mar 92

Jakarta, March 13 (OANA-ANTARA)-The demonstration lodged by the passengers of the Lusitania Expresso and members of the East Timorese troublemakers group (GPK) in front of the Indonesian Consulate in Darwin, indicated that the controversial voyage of the ship to lay wreaths in the Santa Cruz cemetery in Din is obviously a provocation, a senior military officer has said.

After failing in their provocative voyage on the Lusitania Expresso (to Dili), they still launched another provocative action by staging a demonstration in front of our consulate building, spokesman for the Indonesian Armed Forces (ABRI) Brigadier General Nurhadi Purwosaputro said here late Thursday.

The Portuguese ship which carried some 130 passengers turned back towards Darwin Wednesday morning after three Indonesian

Navy warships intercepted it while cruising towards East Timor.

Nearly 150 people took part in the demonstration, ANTARA journalist Riris Irawati reported from Darwin on Thursday night.

Some demonstrators laid wreaths in front of the consulate while one of them was reading a protest petition.

The demonstration was apparently triggered by the abortive voyage of the ship which had cost nearly 1.5 million U.S. dollars.

Australian police officers were on high alert to deal with a possible attack by the demonstrators against the building.

There were no reports of damage in the incident.

The demonstrators looked angry after their failure to lay wreaths at the Santa Cruz cemetery, which Jakarta called as a provocative mission.

The demonstrators also looked very angry when an ANTARA journalist took a photograph of the event.

The police suggested the Indonesian journalists who covered the event to act prudently so as not to enrage the demonstrators.

The demonstration, which lasted a relatively short time ended at 21.30 (local time).

The Australian ABC Television network reported on Thursday night that the organizers of the mission had planned another provocative voyage in a larger scale next year.

COMMANDER SAYS PORTUGAL'S CREDIBILITY DAMAGED

Jakarta Radio Republik Indonesia Network in Indonesian 0000 GMT 14 Mar 92

Brigadier General Theo Syafei, commander of the East Timor Operations Command, says Portugal's credibility in the eyes of its supporters in East Timor has plummeted after the ship Lusitania Expresso was easily turned back by the Indonesian Armed Forces. Speaking to reporters in Dili before he left for Jakarta yesterday, the commander said the failure of the Portuguese ship's mission has strongly affected the morale of its supporters in Dili. Portugal must have believed that the ship's provocative mission would produce something more significant than the 12 November 1991 incident.

But now Portugal's credibility has been strongly affected by the amateurish voyage of the ship. To make things worse, former Portuguese President Antonio Ramalho Eanes was also aboard the so-called peace boat.

From his observation, our correspondent Sudirman Hala reports that the situation in East Timor, especially in Dili, is now calm and local people are relieved to see the Portuguese ship's failure to enter Indonesian territorial waters.

SUCCESS IN THWARTING PORTUGUESE SHIP HAILED

Jakarta Radio Republik Indonesia Network in Indonesian 0600 GMT 14 Mar 92

[From the press review]

SUARA KARYA discusses Indonesia's success in thwarting the provocative voyage of the Portuguese ship Lusitania Expresso. This daily says there is a lesson to be learned from the event – namely, that with a firm stand based on existing laws as well as our ability not to be provoked easily, we can eventually force our opponents to turn back. Besides, the fact that the Lusitania Expresso's captain heeded the Indonesian warship Yos Sudarso's warnings amounts to a sort of recognition of our country's sovereignty over East Timor. This means that we have once again refuted the argument of Portugal, which has always claimed sovereignty over East Timor.

KEDAULATAN RAKYAT says Indonesia's success in chasing away the Portuguese ship has tremendously enhanced our spirit of patriotism and heroism. Our next task concerns how to maintain such patriotism and heroism so as to ensure the success of development and uphold our national dignity.

PEACE SHIP IMPOUNDED BY COURT RESTRAINING ORDER

Jakarta Radio Republik Indonesia Network in Indonesian 15 March 92

It has been reported from Darwin that the Portuguese ship Lusitania Expresso, which failed to carry out its provocative mission in Indonesian waters, has been impounded because its owner had an unpaid debt of \$50,000 to a Spanish company. Officials in Darwin disclosed that lawyers of the Spanish company have obtained a court restraining order that prevented the ship from leaving Darwin last Friday.

TIMOR PEACE SHIP RETURNS

By Debbie Sewell, Green Left Weekly. March 17, 1992

DARWIN – The Lusitania Expresso set sail from Darwin on Monday, March 9 heading for Dili to lay floral wreaths at the Santa Cruz cemetery, site of a massacre by Indonesian forces on November 12 last year. Songs of freedom rang out as the boat was given an emotional farewell by hundreds from Darwin's Timorese community and supporters.

First contact with Indonesian forces came at 2 p.m. the next day. Ironically, it was an Australian designed and built Nomad aircraft, which made low passes over the peace ship. Aircraft surveillance continued late into the afternoon.

Tension increased when a small frigate was seen at 11 p.m. Tuesday evening. It sailed in close to the Lusitania, keeping a parallel distance of one mile.

At 7 a.m. on Wednesday, with the mountains of East Timor visible 16 miles away, three navy vessels could be seen approaching the Lusitania. The captain tried to make contact. The Indonesian naval commander eventually made radio contact, warning the peace ship that it would be forced to leave.

There was no doubt in the mind of Lusitania captain Luis Dos Santos that the Indonesian authorities would use force.

The unarmed peace ship was harassed by three navy warships and helicopters for four hours. Peace mission organizer Antonio Ravara said, "This is a violent action against the ship. The Indonesians don't have to fire their guns in order to have a violent confrontation." The ship was finally forced to sail out of the area, escorted by warships well into the evening.

The short voyage forged a bond between the participants, mainly students, from 21 countries. A prayer service was conducted and wreaths and flowers were thrown into the ocean in a symbolic message of hope and love for the people of East Timor.

An international student network is being set up to disseminate information and coordinate activities in support of human rights and the East Timorese struggle for self determination.

LUCY — PAWN IN THE GAME?

AP, Melbourne, March 15 – Portugal's main government-owned oil company was the biggest backer of last week's East Timor protest boat, despite organizers' claims the mission was non-political.

Portugal consistently claimed it gave moral support to the student protest mission — which Indonesia turned away — but no official or financial backing.

The Portuguese government has filed a complaint with the International Court of Justice about an agreement between Australia and Indonesia to explore the ocean floor off East Timor, which is believed to have huge, lucrative oil and mineral reserves.

The United Nations never has recognized Indonesia's occupation of East Timor. Australia is one of two UN members that do.

Galp Petroleos de Portugal provided up to \$600,000 for the mission, which also received funding from six Portuguese banks and a major electronics company, Marconi, Melbourne's respected *Sunday Age* newspaper reported.

Portuguese media also have reported that a group of businessmen from northern Portugal, including former Defense Minister Eurico de Melo, saved the mission at the last moment with an injection of money.

Rui Marques, the mission's director, consistently claimed the effort was paid for with a fund-raising drive by a Portuguese student newspaper he edits, "Forum Estudiente."

Members of the mission had raised questions about the funding — which allowed the students to be flown from Europe and put up in luxury hotels — before the boat left shore, but were assured by Marques that it was non-political.

However, one person who decided not to go told the *Sunday Age* that when pressed, Marques provided a list of the banks and mentioned Galp.

"It was pretty clear we were quite possibly pawns in the hands of an oil company with potential interests in the Timor Sea ... that it was in the interests of that oil company, quite possibly, to damage relations between Australia and Indonesia," said Nick Woods of Britain.

The *Sunday Age* said a mission organizer, who spoke anonymously for fear of "reprisals," confirmed that Galp was the biggest backer.

LUCY'S OWNERS MAY SUE INDONESIA

Reuter, Lisbon, Stephen Brown, March 13 – The owners of the Portuguese "peace boat" turned back by Indonesian warships from East Timor said on Friday they would take legal action against Jakarta via the United Nations and International Maritime Organisation.

"Nobody is allowed to stop a ship in international waters and not let it proceed...especially when it is on a peace mission," Rui Coias, chairman of Portuguese ship owners Contramar, told Reuters in a telephone interview.

"We are going to take this to the IMO in London and to (the United Nations in) New York," he said.

The Portuguese government has already announced it will take steps against Jakarta.

Coias said the action by three Indonesian frigates contravened international maritime law and the U.N. ruling that East Timor, invaded by Indonesia in 1975 and annexed a year later, is still officially under the administration of Portugal.

The warships threatened to use force if the ferry did not turn back, saying it was in Indonesian waters. Coias said it was three miles outside the territorial waters of East Timor.

The frigates threatened the ferry again when it had to stop 28 miles outside Timorese waters because of engine problems.

"When the ferry stopped they surrounded it...and were very intimidating to the captain," said Coias.

Contramar was consulting its insurance company about what action to take, but ferry captain Luis dos Santos had already

lodged complaints with Australian and Portuguese authorities.

Portuguese Foreign Minister Joao de Deus Pinheiro said on Thursday he was awaiting reports from Dos Santos which he would "take to the appropriate organisations."

"The incident did not take place within Indonesian national waters but within Timorese waters, for which Portugal is the administering power," he added.

Sydney, Mar 14 (ips) — the owner of the Portuguese ship, 'Lusitania Expresso,' which was intercepted by Indonesia while bound for East Timor on a peace mission, said it was taking legal action against Jakarta for forcing the ship to abort its journey, the Australian Associated Press (AAP) reported Saturday.

Rui Coias, chairman of Contramar, the ship's owner, said it would bring its case before the United Nations and the International Maritime Organisation.

Stopping a ship in international waters and denying it the right to proceed contravenes international maritime law, Coias said.

The United Nations continues to recognise East Timor as falling under the administrative authority of Portugal. The former Portuguese colony was invaded by Indonesia in 1975 and annexed the year after.

The 'Lusitania' was carrying about 120 students, human rights activists and journalists who were on their way to the East Timor capital of Dili to lay flowers at the cemetery site of the massacre of more than a hundred Timorese protesters by Indonesian soldiers last Nov. 12.

The mission was aborted Wednesday when the ship was forced by an Indonesian navy fleet to leave international waters some 26 nautical miles from East Timor.

Meanwhile, an Australian court authorised Friday the impounding of the 'Lusitania' a day after it arrived in the northern Australian port of Darwin following its aborted mission.

A Spanish firm had obtained a writ from the Darwin supreme court alleging the owners had failed to pay a debt of more than 52,000 dollars. The writ was placed on the bridge of the 28-year-old passenger ferry less than a day after it docked in Darwin.

Lawyer John Neil who represented the Spanish firm said the alleged debt dated back to 1990 when Contramar chartered another vessel from the Spanish firm and failed to pay up.

The ship's Portuguese owners were not represented at the hearing.

ANTARA STONED IN DILI

UPI, Jakarta, March 17 – Reports Tuesday from East Timor said youths, believed to be supporters of the pro-independence Fretilin movement, threw stones and staged demonstrations in reaction to the Indonesian navy blocking a planned visit

last week by the Portuguese "peace ship" Lusitania Expresso.

Youths threw stones at the state-run Antara news agency office, the Jakarta Post newspaper reported.

INDONESIA SLAMS HYPOCRISY ON LUCY

Remark: Forwarded by akuhon. The story derives from press releases by the Permanent Missions of Indonesia and Portugal to the United Nations.

New York, March 20, 1992—Indonesia reaffirms its commitment to fully cooperate with the United Nations Secretary General in his efforts to find a comprehensive and internationally acceptable settlement to the question of East Timor, it was announced by the Permanent Mission of the Republic of Indonesia to the U.N. in New York on Thursday, March 19.

The release apparently answered a challenge from Portugal. In a release a week earlier, the Portuguese government reiterated its readiness to participate in a dialogue with Indonesia and all parties, "under the auspices of the Secretary General of the United Nations, and without any preconditions, with a view to finding a solution," according to the Portugal release dated March 11.

The Indonesian release also said that in order to ensure a solution, an atmosphere conducive for such efforts must be created. "For that purpose, it is imperative that Portugal show sincerity and good faith by words and deeds," it said, "and desist from its smear campaign and maneuvering against Indonesia."

On the other side, the Portuguese government in its release called attention to the seriousness of the prevailing situation in East Timor, saying that Indonesia's attitude must be strongly condemned "since it used force to prevent innocent passage of a vessel transporting unarmed civilians, from various nationalities, who only intended to show solidarity toward the victims."

The release from the Indonesian side acknowledged that upon entering the Indonesian territorial sea, two frigates, KRI Yos Sudarso and KRI Ki Hajar Dewantara, intercepted the Portuguese-flag ship Lusitania Expresso. Following the second request by the Commander of 'KRI Yos Sudarso,' the vessel turned back and left Indonesian waters. According to the release, the commander had acted in conformity with Indonesian government policy. The government had declared that its territorial waters were closed to the Lusitania Expresso and firmly rejected the visit of the vessel. "Since the purpose of the voyage was provocative in nature, far from being a voyage of peace and respect for human rights, it was politically motivated," said the statement.

The Portuguese government stated that it did not have any relationship with the voyage. It was the wish of the people who proposed the trip. "The Portuguese government is not connected with the voyage of the Lusitania Expresso," said Portugal's statement.

It also said that an action of that nature is not consonant with the diplomatic and political steps the Portuguese government is taking in order to defend the legitimate rights of the East Timor people.

The Indonesian release said the Portuguese government has made desperate attempts to disassociate itself from the voyage, arguing that those attempts seriously lacked credibility. Quoting the "Sunday Age" (Australia, March 15, 1992) and "Washington Times" (March 16, 1992), the Indonesian release alleged that the sponsor of the voyage was the Portuguese government-owned oil company so-called Petroleos de Portugal. "These reports contradict the claim of non-involvement so consistently made by the Portuguese government," the Indonesian release said.

GALP CONFIRMS LUCY FUNDING

OIL COMPANY ADMITS ROLE IN TIMOR PEACE VOYAGE

*Source: The Sunday Age 22 March 1992
Byline: Paul Daley. Abridged*

Portugal's national oil company has confirmed it was a key financial backer of the 'peace voyage' to East Timor, apparently contradicting the Portuguese Government's assurances it was 'not connected' to what was promoted worldwide as a human rights mission.

'The Sunday Age' last week reported GALP Oil — also known as Petroleos de Portugal — added a well-hidden political dimension to the 'East Timorese Peace Mission' by funding the voyage of the Lusitania Expresso with up to AUD\$750,000.

Investigations by 'The Sunday Age' contradicted the organisers' persistent claims that the mission was non-political and the backing came only from "private, personal" donations and money raised by a six-month old Portuguese student newspaper.

GALP's 'donation' is significant because the Portuguese Government is strenuously appealing in the World Court of Justice an agreement between Australia and Indonesia to share potential oil rights in the bed of the Timor Sea. Portugal maintains that since it is the UN-recognised 'administering power' of East Timor, any oil treaty not including Lisbon is illegal.

If the court upholds its complaint, Portugal could gain the Timor Sea's very promising oil and mineral rights.

Australia is one of two UN countries to recognise Indonesia's annexation of East

Timor, after Portugal withdrew its own administration in 1975.

GALP is entirely owned by the Portuguese Government. In 1990 it supplied 67% of the country's oil consumption.

A spokeswoman for GALP, Ms Manuela Meneses, confirmed during a telephone conversation from Lisbon this week that her company was a key sponsor of the peace mission.

"In solidarity with the aim of the mission we did it. We never tell what our contributions are for such humanitarian efforts..." Ms Meneses said.

Ms Meneses was not sure if GALP was the biggest contributor to the peace mission.

'The Sunday Age' revealed six major Portuguese banks had also funded the peace mission and that its director, Mr Rui Marques, had considerably enhanced his political aspirations through the voyage. Sources close to Mr Marques said that he had little background as an activist and had been approached by two political parties — including the ruling Social Democratic Party — to be a candidate in the next Portuguese

TAINTED LUCY HEADS HOME

Reuter, Sydney, Wilson da Silva, March 23 — A Portuguese ship, forced by Indonesian warships to abandon a "peace mission" to East Timor two weeks ago, left Darwin in northern Australia for home on Monday.

The Lusitania Expresso stopped with engine trouble 30 minutes after weighing anchor but was expected to get under way again overnight, port authority staff in Darwin said.

Most of the students and activists who took part in the mission have already left Australia.

Organisers said the mission was a student venture to highlight human rights abuses in East Timor, which Indonesia invaded in 1975.

The Sunday Age newspaper reported that a Portuguese state-owned refining and distribution company, Petroleos de Portugal, was a key financial backer of the mission, contributing half the venture's budget of 1.2 million U.S. dollars.

The Timor Sea between Australia and Indonesia is a rich potential oilfield. The two countries in January granted 55 oil companies permits to explore it.

Analysts estimate output in the region could reach 200,000 barrels per day by 1995 — double Australia's current offshore oil output.

Portugal, still recognised by the U.N. as East Timor's administering power, has challenged Australia in the World Court over the permits.

Mission media liaison officer Paulo Veiga, still in Australia, denied the mission had been a front for Portuguese oil interests

or the Portuguese government. He said the oil company, through its GALP subsidiary, was not the key backer.

"GALP made a donation...the size of donations made by many other Portuguese companies, but it's nowhere near the amount (The Sunday Age) talks about," he said.

PEACE MISSION TURNED BACK BUT FOCUSED ATTENTION ON MASSACRE

By Scott Whalen

Peterborough Examiner, 26 March 1992. Page three article with photo of Lusitania Expresso sailor Genevieve Appleton. Factual errors made by The Examiner reporter.

Comment: A day of action for East Timor at Trent University in Peterborough, Ont. (Canada), which has fewer than 4,000 full-time students, collected 700 letters from students to Canadian and Indonesian government officials. The day also received excellent coverage on the local TV station. A similar public forum at the University of Toronto was held a week earlier.

A week ago, 21-year old Genevieve Appleton of Toronto was sailing on a peace mission to East Timor.

She never got there.

Appleton, who gave a seminar last night at Trent sponsored by the university's East Timor Alert Collective, was part of a group of 120 students and journalists who tried to get to the troubled Indonesian country [sic] last week.

They wanted to lay flowers on the graves of 100 Timorians [sic] killed when soldiers opened fire on 3,500 mourners at a funeral in the East Timor capital of Dili.

"We left from Darwin, Australia. But when we got to the twelve-mile territorial zone around the island, the Indonesians stopped us."

Appleton said three frigates and a helicopter approached the ship. They were fully armed and threatened to shoot unless the students and journalists turned back.

"The captain would not aill any further," Appleton said.

But she points out that despite the fact the group didn't make it to East Timor, the peace mission did accomplish its goal of bringing international attention to the plight of the people there.

Appleton said the atrocities characterized by the shooting deaths last year are continuing in East Timor.

The horror stories of executions, disappearances, child rape, mass sterilization of women and forced abortions are still going on, Appleton says.

"The culture, language and religion of the Timor people is being completely suppressed. It is basically a fascist state."

Besides speaking on the peace mission, Appleton also updated people on the current situation in East Timor where some natives have been charged with subversion for simply handing out pamphlets on human rights [sic].

"Many of these people are facing death sentences and torture for no offences," she said.

Appleton also wants people to know the peace objective for East Timor is continuing. Creating a network of supporters for the Timorians throughout the world is a continuing goal and there are plans for a major protest in Amsterdam in the spring to focus on the international money pouring into the Indonesian-run country.

Work is also continuing through the network to celebrate East Timor Day in December for world-wide recognition of the troubles there.

ABOARD THE TIMOR PEACE SHIP

By John Tomlinson, *GreenLeft News*, April 1, 1992.

In the wake of the November 12 massacre in Dili, Portuguese students organised the "Missao paz em Timor." And so, on March 9, 120 people from 21 countries boarded the Lusitania Expresso in Darwin with the intention of laying a wreath at the Santa Cruz cemetery in memory of those who died on November 12. The aim of the trip was to make the world stop and think about the people of East Timor and the injustice which has been inflicted on them.

Indonesian military spokespersons had announced beforehand that we would be stopped from entering Indonesian waters, stopped from landing in Dili, refused permission to go to Santa Cruz, blown out of the water ... There were also Indonesian newspapers reporting that the ship had a mine on board which was to be used by the organisers of the peace mission to blow it up in order to pretend that the Indonesian navy had sunk us.

In the late afternoon, with the sun sinking below our bow and 600 people standing on the Darwin wharf singing the Timorese national anthem, the Lusitania Expresso sailed for Timor.

On board were Italians, French, Canadians, Indonesians, Dutch, Brazilians, Australians, British, Portuguese, Indians, Japanese, Swedes, Germans and students from several African countries. The flags of many countries and of the United Nations were hung from an upper rail as a symbol of our truly international character. There were students and workers, men and women, old and young, a Portuguese ex-president and Australian parliamentarians, ex-servicemen and pacifists, and we were united.

The trip proceeded without incident until 8.45 on our second night out, when we had a report that the admiral in charge of the

Timor Sea had threatened to shoot us out of the water if we tried to enter Indonesian waters. This was disconcerting, since he'd previously maintained that he only intended to turn us back. We were about an hour away from the Indonesian 200-mile exclusive zone and we had a report from the bridge that they had picked up two ships on the radar, which had a 24-mile range for ships. I went up on deck but could see nothing.

As I returned to the deck at 10.50, a boat light appeared on our port bow about three miles off, coming directly towards us. It was a large vessel, which took up a position half a mile astern and shadowed us all night. During the night it was joined by two other warships.

By dawn we were in sight of the mountains of Timor reaching out in the early morning sun. It was an Australian-supplied warship, Number 353, which at 7.40 a.m., when we were within 12 to 15 miles of Timor, twice ordered the Lusitania Expresso to turn around and leave Indonesian waters. We had reports that there were up to 14 Indonesian warships in the area. We were constantly overflown by a military plane and by two naval and one army helicopter.

At 7.45 we turned round and began heading 10 miles back to sea, where we were given permission to wait one and a half hours while we attempted to get the secretary general of the United Nations to intervene to allow us to proceed. The day before, he had called on Indonesia not to act aggressively towards the peace mission, and Xanana Gusmao, leader of the East Timorese resistance, said his troops would not fire on the Indonesians while the peace mission was in Timor waters.

As we turned away from East Timor, a short ceremony in Tetum, English, French, German, Portuguese, Japanese and Chinese was conducted on the stern and the wreaths we had hoped to lay at Santa Cruz cemetery were thrown into the water. Many of us cried, disappointed that we had not reached Dili.

Silence fell as people just stood and stared as Timor disappeared behind us. Indonesian warships carried out manoeuvres which brought them within a quarter of a mile of us.

At a series of meetings on board, we decided that Australia should organise a further peace mission to East Timor, to leave Darwin on March 9, 1993. This peace mission is designed either to go to Dili to celebrate East Timor's independence or - if Indonesia has not by then carried out a United Nations-supervised referendum - to again remind Indonesia of the world's desire for it to respect the human rights of the East Timorese.

The Portuguese organisers have agreed to continue to work on the international component of the second peace mission, but this still leaves Australia with the task of raising \$1.5 million. This will require the

support of the Catholic church, the trade union movement and all Australians of good will. A million and a half dollars may sound a lot of money but it is only 8 cents from every Australian.

EAST TIMOR VOYAGE CLAIMS SUCCESS

[Peace Media Service, 2 April] Despite being blocked from landing by Indonesian warships March 11, passengers on the Lusitania Expresso claimed success in their attempt to lay wreaths at the Santa Cruz cemetery in East Timor where pro-independence demonstrators were killed last November. Those aboard held a brief prayer service before tossing their wreaths for the slain into the sea. Then their ship turned back toward Australia.

The 120 participants in the voyage, mainly students and peace activists, came from 21 countries. Initiated by a Portuguese student group, the organizers received support from President Mario Soares, Prime Minister Anibal Cavaco Silva, and Foreign Minister Joao de Deus Pinheiro, who called the voyage an "extraordinarily generous and courageous decision." Former President Ramalho Eanes was one of those on board the ship on the final leg of its 12,000 km voyage.

"We drew the attention of the world to the plight of the Timorese people once again," said Rob Wesley-Smith, one of those on board, "and this is essential if we are going to resolve their plight, which is probably the worst situation for any people in the world at this moment."

Though Indonesia's intention to prevent their landing was well-known beforehand, mission organizers claimed they had a right to travel to East Timor because the United Nations never has recognized Indonesia's occupation. Indonesia threatened to use force if the ferry did not turn back.

Two Indonesian frigates tailed the Lusitania Expresso for several hours as they sailed toward East Timor's 12-mile territorial limit. Just before the limit, the ferry made radio contact with a third frigate, which blocked the route and ordered the protesters to turn around. Mission spokesman Peter Monet said from Darwin, where organizers maintained phone contact, that the Indonesians refused any discussions.

"I didn't believe the Indonesians would have fired at us," said Paul Matters, one of the voyage organizers. "They probably would have boarded us, arrested us and impounded the ship."

The ship's captain, Luis doe Santos, charged the Indonesian Navy with dangerous conduct by its warships. He said he would take the matter to the United Nations. "The ships, they were so close to me, you can imagine that if at that particular time, I had a problem with my rudder, and

my ship started to turn suddenly . . . it would create a problem, a big problem," he said.

The owners of the ship told Reuters they would take legal action against Jakarta via the International Maritime Organization. "Nobody is allowed to stop a ship in international waters and not let it proceed . . . especially when it is on a peace mission," said Rui Coias, chairman of Portuguese shipowners Contramar.

Australia, with its large East Timor exile community, was a major stopover for the voyage. The peace ship caught the public imagination and had enjoyed wide press coverage. Australians referred affectionately to the ferry as "Lucy."

A disturbing aspect of the voyage came to light afterward when journalists in Australia and Portugal discovered the main funding for the project came from Portugal's government-owned oil company, Galp Petroleos de Portugal. Galp provided up to \$750,000 for the mission, which also received funding from six Portuguese banks and a major electronics company, Marconi, Melbourne's Sunday Age newspaper reported. Portuguese media also have reported that a group of businessmen from northern Portugal, including former Defense Minister Eurico de Melo, saved the mission at the last moment with an injection of money.

The Portuguese government has filed a complaint with the International Court of Justice about an agreement between Australia and Indonesia to explore the ocean floor off East Timor, which is believed to have huge, lucrative oil and mineral reserves. If the court upholds its complaint, Portugal could gain the Timor Sea's very promising oil and mineral rights.

A spokeswoman for Galp, Ms. Manuela Meneses, confirmed to Reuters that her company was a key sponsor of the peace mission. "In solidarity with the aim of the mission we did it. We never tell what our contributions are for such humanitarian efforts," she said.

"The Portuguese organizers have a guilty conscience and a hidden agenda," said Australian Senator Graham Tamblin. "They are no longer players in the region and they must accept that and butt out. They deserted Timor in 1975 after they exploited it and have left no adequate social structures in place."

Yet the sincerity and courage of those taking part in the voyage was obvious.

One of them, Lorne Rider of Brown University in the US, said, "We feel contented with the idea that we set a historic precedent. A group of individuals from many countries acted to uphold international law. We return with the profound understanding that individuals can succeed, however slightly, in drawing world attention to injustice which our leaders, whose hands are too deep in the coffers, seek to conceal."

Attention now shifts to the trials in Dili and the Indonesian capital Jakarta of 13 East Timorese who are accused of "trying to subvert the state" in connection with the November massacres. The maximum sentence could be death.

TRIALS OF CIVILIANS

LBH: SEVEN DETAINED EAST TIMORESE NEED LAWYERS

Jakarta Post. 28 Feb. Slightly abridged.

The Indonesian Legal Aid Foundation (LBH) yesterday urged the authorities in Jakarta and Dili to provide its lawyers with access to seven East Timorese who were detained in connection with last November's bloody riot (sic).

Lawyer Luhut Pangaribuan said that the LBH had been asked to represent seven East Timorese [in Dili] by their relatives but efforts to meet their clients have been frustrated by bureaucratic procedures.

The Criminal Code (KUHAP) guarantees legal representation to anyone by lawyers of their choice during interrogation and throughout the trial, Luhut said. "As their lawyers, we hope that the KUHAP will be implemented in its entirety and consistently."

He acknowledged that all the 32 people reportedly detained in Dili have apparently been accompanied by a practising lawyer during police interrogation.

"In comparison, their brothers who are currently detained in Jakarta have not been given the same treatment," he said, referring to the dozens of East Timorese students arrested for holding an "anti-integration" demonstration on 19 Nov. in Jakarta.

Luhut said the LBH had been asked and had accepted the brief to represent Gregorio da Cunha Saldanha, Francisco Miranda Branco, Bonifacio Magno, Juvencio de Jesus Martins, Jacinto das Neves Raimundo Alves, Filomeno da Silva Ferreira and Carlos dos Santos Lemos [spelling of names corrected, where necessary]. Saldanha and Branco will be charged with subversion, an offence punishable by death.

An LBH team visited Dili last week following requests by a number of families to represent seven of the detainees in the East Timor capital, Luhut said. It had obtained written requests from the relatives and had tried to gain access to their clients in jail, but failed because of complex bureaucratic procedures, he said.

He praised the fact that in many respects, the KUHAP had been observed in East Timor. The relatives of those detained have been allowed to see them in jail and all have been represented by a lawyer, albeit not of their choice, during interrogation.

He said access should be maintained and that chaplains and doctors should be allowed to see the detainees. The detainees should also be given writing materials for correspondence with the outside, he said.

SUBVERSION TRIALS IN DILI A TRAVESTY OF JUSTICE

(TAPOL)

TAPOL, the Indonesian Human Rights Campaign, issued the following Press Release on 3 March 1992:

Two East Timorese will go on trial very soon, charged with subversion for participating in a peaceful demonstration in Dili, the capital of East Timor, last November. The demonstration ended in a massacre when up to 200 people were shot dead by Indonesian troops.

The trial of Gregorio da Cunha Saldanha, 29 years old, will commence in Dili on Saturday, 14 March. The subversion trial of Francisco Miranda Branco, 41, is likely to start soon afterwards. The maximum penalty under Indonesia's anti-subversion law is death. Five others will be charged under the Criminal Code and could face up to seven years in prison. Besides these seven, many more East Timorese, some arrested soon after the massacre, some arrested more recently, are known to be in detention in Dili and in other parts of East Timor.

Carmel Budiardjo of TAPOL said today: "There is no justification whatever for these trials. The defendants, along with five others who will be tried for 'inciting hatred against the government,' were exercising their legal right to demonstrate for East Timor's self-determination. They are survivors of a massacre; to punish them shows the lengths to which the Indonesian government will go to crush the aspirations of the East Timorese people for independence."

The defendants have no chance of a fair trial. They have been denied the right to appoint defence lawyers of their choice. The Jakarta-based Legal Aid Institute (LBH) has been asked by the defendants' families to represent them but Indonesian barrister, Luhut Pangaribuan and other LBH lawyers were refused access to the detainees when they visited Dili last week.

Foreign correspondents will not be able to report the trials because of a blanket ban on foreign journalists visiting East Timor which was announced by the Indonesian Ministry of Information on 27 February.

TAPOL calls for the immediate, unconditional release of Gregorio da Cunha Saldanha, Francisco Miranda Branco and all the other East Timorese detainees being held in East Timor. It calls on the British Government to urge the Jakarta authorities to abandon these trials. If the trials go ahead, the British Government should insist on diplomats from Jakarta being allowed to monitor the trials.

TIMOR TRIALS TO START NEXT WEEK (ASIA WATCH)

By Asia Watch: March 4, 1992

Today, the dossiers of five East Timorese students in Jakarta were formally turned over to a district court, signalling that the trials of the five might start as early as next week. At the same time, Asia Watch learned that the subversion trials of two East Timorese accused of masterminding the November 12 demonstration, Gregorio da Cunha Saldanha and Francisco Miranda Branco would begin in Dili on March 12 and March 14 respectively. Six other detainees in Dili face trial as well in connection with the November 12 demonstration.

The five in Jakarta are Fernando Araujo and Joao Freitas Camara, both of whom have been charged with subversion, and Agapito Cardoso, Domingos Barreto and Virgilio, who face the lesser but equally political charge of "spreading hatred." The last three are students in Bali, Jakarta and Malang respectively, but all have been detained in Jakarta since a demonstration in the capital on November 19 to protest the massacre in Dili a week before. All five will be defended by the Legal Aid Institute (Lembaga Bantuan Hukum or LBH) in Jakarta.

In addition to Gregorio and Francisco, the Dili detainees include Bonifacio Magno, Juvencio de Jesus Martins, Filomeno da Silva Ferreira, Carlos dos Santos Lemos, Saturnino da Costa Belo and Jacinto das Neves Raimundo Alves. All have now given authorization to LBH through their families to defend them, but there is concern that the armed forces headquarters is making arrangements to send another lawyer from Jakarta. On a trip to East Timor over a week ago, lawyers from LBH were not allowed to see their clients.

The trials come amidst a new wave of arrests and heightened tension in Dili and intimidation of recently released East Timorese students in Jakarta. More than two dozen arrests have been reported in Dili over the last two weeks in connection with preparations for a Portuguese "peace ship," now anchored in Darwin, Australia, to visit East Timor, and the number is likely to be far higher, as Asia Watch has also received reports of arrests in Ailieu and Taibesse, together with a much more visible military presence in and around the capital. The Jakarta Post reported "scores" of new arrests.

In Jakarta, Asia Watch learned that the students "released" from police custody after it was announced that only five of the 21 participants in the November 19 demonstration would be tried, were still being held as of March 2 in Wisma Jayakarta in Jatinegara, East Jakarta, to await a "lecture" from army officials. Most are expected to be called back to the trials as witnesses. Other East Timorese students in Jakarta, whose

names have been given to Asia Watch, have been called repeatedly to the Jakarta regional military command (KODAM Jaya) over the last two weeks to give testimony about some of their friends facing trial. At no time have any of them been given formal summonses.

Asia Watch has not learned when or where the courts-martial of eight soldiers and officers announced by the armed forces last week will take place. The names of the eight and the charges against them have also not been made public.

It is critically important that there be international observers, including embassy officials and members of the foreign press corps at all of these trials, especially in the beginning and final phases. Asia Watch urges the US government to press for a lifting of the ban on access to East Timor by foreign journalists and to ensure that its own officials are present at the trials.

CALL FOR JOINT ACTION TO PROTEST THE TRIALS (TAPOL)

To East Timor solidarity groups everywhere from TAPOL 4 March 1992

1. The Indonesian Attorney-General has announced that 13 East Timorese will be tried in the aftermath of the Santa Cruz massacre and the 19 November demonstration in Jakarta. Four will be tried for subversion – two in Dili and two in Jakarta. Nine will be tried under the Criminal Code “for inciting hatred against the government” – six in Dili and three in Jakarta.

2. The four to be charged with subversion are: Gregorio da Cunha Saldanha (tried in Dili), Francisco Miranda Branco (tried in Dili), Fernando de Araujo (arrested in Bali, tried in Jakarta) and Joao Freitas da Camara (tried in Jakarta).

Five of the six to be charged in Dili under the ‘hatred’ articles are: Bonifacio Magno, Juvencio de Jesus Martins, Jacinto das Neves Raimundo Alves, Filomeno da Silva Ferreira and Carlos dos Santo Lemos.

The identities of the defendants on ‘hatred’ charge in Jakarta are not known.

3. The trial of Saldanha is due to commence on Saturday, 14 March. Branco’s trial may start soon after.

4. We propose a world-wide joint action any time from Thursday 19 March to Saturday 21 March, to condemn the trials and demand that those being tried should be unconditionally released.

Regarding the trials, the following demands can be made:

- the trials should be open to international observers and diplomats in Jakarta should insist on attending the trials;
- the defendants should be defended by lawyers of their own choice and given all the facilities for a fair trial;

- the ban on foreign journalists visiting East Timor should be lifted immediately to enable journalists to attend and report on the trials.

5. We suggest certain actions. Each group can work out its own programme. Actions should include:

- A demonstration or vigil outside the Indonesian embassy or other Indonesian office.
- A statement of protest to Indonesia and demands to your own government. Consider collecting signatures from NGOs in your own country. The statement should be made public on the day of protest and presented to the government and to the Indonesian embassy. (Each group can draft its own statement, to avoid the complications of trying to draft a joint world statement.)
- Other activities involving MPs, personalities etc, as deemed suitable by each group. This could include asking questions in Parliament, tabling motions, letters to the press, etc.
- As much press publicity as possible.

6. As the initiators of this action, we are willing to coordinate in the sense of centralising information about actions in different countries and disseminating plans and results through E-mail or fax.

7. Please let us know by Saturday whether 1) you agree, 2) the date is suitable and 3) you have proposals to add to the above. If enough groups take part, we will announce next week that the action will go ahead.

REPORT ON FRANCISCO BRANCO (EXPRESSO)

“WE SHALL DIE ON OUR FEET, WITH OUR HEADS HELD HIGH”

Source: Expresso, Lisbon. Date: 7 March 1992. The following report is illustrated with a photo of Francisco Miranda Branco and his wife and family, taken on News Year’s Day, 1989.

“We will be finished off, we will all be dead. But we will die on our feet, with our heads held high.”

These words were written, shortly before the massacre at the Santa Cruz cemetery in Dili – in a letter to a compatriot living in Portugal; they seemed to presage the sentence which the Indonesians want to inflict, the penalty of death.

Accused of subversive activities for allegedly being one of the organisers of the demonstration last November, this civil servant will go on trial on 12 March, four months after the public demonstration against the Indonesian occupation of East Timor.

Arrested on 6 December, Francisco Miranda Branco, 41 years old, father of seven children aged from 2 to 15 years, has

been subjected to daily interrogation from 8am to 10pm, a Resistance source in Dili told *Expresso* on Thursday.

“They want him to confess to having been an organiser of the demonstration,” our informant said. But according to a number of witnesses, he was sitting in the office of the department of economic affairs when the demonstrators marched passed the Governor’s Office.

According to the Resistance, the authorities hope, in this way, to deter civil servants from supporting the nationalist struggle.

In fact, Francisco Branco now finds himself in Comoro Prison, Dili together with six other civil servants who are not receiving things they are entitled to. They are all obliged to sleep on the ground “on mats made of palm-leaves” and they have to receive their wives without any privacy, with all conversations taking place in the presence of the guards.

Last Wednesday, Francisco Branco and his wife were forced to sign a document without knowing what the contents were. For the first time, she learnt that her husband would be facing a charge for which the law allows the penalty of death. A similar situation faces Gregorio Saldanha, also detained in Dili, as well as Joao da Camara and Fernando de Araujo who are being held at the Metropolitan Police headquarters in Jakarta.

17 EAST TIMORESE STUDENTS RELEASED, 5 TO FACE TRIAL IN JAKARTA

Source: Berita Timor Timur, English edition No. 13, issued in Jakarta. Date: 7 March 1992.

17 of the East Timorese students who have been detained in Metro Jaya Police Station since November 19 1991, were released last week. On March 5 it was announced that the trials of the remaining five would begin on March 12.

HJC Princen is to give evidence at the trial and has said that he will not be secretive about his organisation’s (LPHAM, the Institute for the Defence of Human Rights) relationship with the Timorese students, in particular the assistance offered to them in the form of funds or in other forms. Evidence to come out in the trial may also have certain implications for other human rights organisations.

Those released are in a very weak physical condition, and two of them have liver and bladder complications. The 17 have been placed in a boarding house opposite the East Jakarta Mayor’s Office in Jatinegara, and are to be returned shortly to their respective places of study. Fernando de Araujo who remains in detention and is to face trial for subversion, has also fallen ill as a result of the insanitary conditions and lack of nutritious food inside. Fernando’s

illnesses include kidney stones, liver complications, potential hepatitis and urinary complications.

AUSTRALIAN ICJ LAWYER TO OBSERVE DILI TRIALS

Radio Australia (Australian Broadcasting Corp.) 9 March 92 12:00 UT

[Announcer] Meanwhile, an Australian lawyer, Rodney Lewis, will observe the trials of two East Timorese, charged with subversion, following last November's Dili massacre.

Under Indonesian law, subversion carries a maximum penalty of death.

The trials are due to start in the East Timorese capital on Thursday. Mr Lewis will observe the opening session on behalf of several Australian and international organizations, including the International Commission of Jurists, the Law Council of Australia and Law Asia.

Radio Australia's Tony Hastings asked Mr Lewis whether the trials would be open to foreign observers:

[Rodney Lewis] I understand that there will be accommodation for observers. We understand that the trials themselves will be open to the public.

[Tony Hastings] What criteria will you be using to determine whether their trials are fair?

[R.L.] Well, there are at least two rules to apply. The first is whether or not the trials are proceeding in accordance with the law of Indonesia.

The second rule is whether or not the trials and trial procedures and the whole routine complies with the normal standards of trials as laid down by international criteria, such as some of the U.N. covenants on civil and political rights and so on.

[T.H.] Will the trials be held in a civil court or a military court?

[R.L.] We understand they'll be held in a civil court. That is one of the reasons we believe the trials will be open to the public.

[T.H.] Now the two East Timorese have been charged with subversion, a crime which carries the death penalty. Do Indonesian courts usually impose the death penalty on those found guilty in such cases?

[R.L.] In my experience... it's my understanding that they treat every case on its merits, as, of course, I would expect them to do.

In some subversion trials of which I've been aware, penalties of many years of imprisonment have been imposed, but I understand that there were other trials, I

think notably some trials related to the disturbances in Aceh, where death penalty may have been imposed.

[T.H.] If the trial is less than fair, what can you do about it?

[R.L.] So far as my organization, the International Commission of Jurists, is concerned, the only thing we can do is, if you'll forgive the expression, take it to the appeal court of world opinion.

If we take the view, and that remains to be seen, but if we take the view that the charges, the trial procedures or the outcome of the trial is not in accordance with the rule of law, and human rights as we understand it, or in accordance with Indonesian law and so on, then we will say so, throughout the world.

FOCUS SHIFTS TO TRIALS

Remark: The trials of five East Timorese will start in Jakarta on March 16, with Fernando de Araujo and Joao Freitas da Camara the first to be tried. The trials will be held in Central Jakarta District Court. Domingus Barreto and Agapito Cardoso have withdrawn power of attorney from LBH. It is not clear who will defend them, but the others, and all eight in Dili, will be defended by LBH. Luhut Pangaribuan of LBH flew to Dili yesterday evening.

Reuter, Darwin, Wilson da Silva, March 11 – "It seems to be a bit of a damp squib," said one European diplomat of the ship's mission.

He said he doubted Portugal would be able to drum up enough support within the European Community to censure Indonesia for making the Lusitania Expresso turn back.

Other diplomats said the focus would now be on the trials of East Timorese accused of inciting demonstrations which the government says led to last November's massacre.

A total of 13 East Timorese are due to go on trial in connection with the November massacre, four on charges of trying to subvert the state which carries a maximum death penalty.

The first two trials in Dili are due to start on Thursday. There will be other trials in Jakarta and on the resort island of Bali.

EIGHT TRIALS FOR DILI

AP, Dili, March 11 – A district court on Wednesday sentenced an East Timorese civilian to five years in prison for leaking classified military documents to pro-independence militants.

The sentence came on the eve of trial for eight East Timorese charged with instigating an anti-Indonesia protest last Nov. 12 that ended with troops opening firing on unarmed demonstrators.

Attorney General Singgih has said two of those being tried in Dili face subversion charges, which carry the death penalty.

Last week, Amnesty International expressed concern that some of those facing trial had been tortured and denied access to lawyers. The human rights group said the trials might not meet international standards.

In the leak case, Judge Amir Pane ruled that Afonso Rangel, a former member of the Revolutionary Front for the Independence of East Timor, sent classified documents to Jose Ramos Horta, a resistance leader then in Darwin, Australia.

Pane said the publication of one of the stolen documents in a Portuguese newspaper damaged Indonesian interests abroad.

INDONESIA SENDS ACEH MOSLEM REBEL TO JAIL

JAKARTA, March 12, Reuter – An Indonesian court has sentenced a university lecturer to five years in jail for joining rebels in its northernmost province of Aceh, the official news agency Antara reported on Thursday.

It quoted judge Zaini Hamzah as saying Teungku Armia Muhammad Ali, a lecturer at an Islamic university in Aceh, was found guilty of joining illegal meetings of the Free Aceh movement, which wants an independent Islamic state in Aceh (pronounced Achay).

Teungku Armia, a graduate of Egypt's Al-Azhar University, had taken an Islamic course in Libya for several months before joining the rebel movement.

Acehnese and diplomats say hundreds of people have died in the almost two-year rebellion in the province, which has a long history of struggle first against the Dutch and later against Jakarta's rule.

Several people found guilty by Aceh courts of involvement in the rebel movement have been sentenced to up to 20 years in jail.

INDONESIA STARTS TRIALS, BARS LAWYER

By Menuk Suwondo

JAKARTA, March 12, Reuter – Indonesia put on trial on Thursday the first of eight East Timorese charged with involvement in last November's army massacre in the former Portuguese colony and barred a defence lawyer from the court.

"The lawyer was not allowed in court...because he did not have permit to practice in Dili," a local journalist attending the trial in the East Timor capital told Reuters by telephone.

Foreign reporters have been barred from East Timor apparently in connection with an attempt by a Portuguese "peace boat" to land in Dili to lay flowers in the cemetery

where Indonesian troops killed 50 to 180 mourners in November.

The ship, the Lusitania Expresso, was turned away from Indonesian waters on Wednesday morning and is now sailing back to the north Australian city of Darwin.

A spokesman for the Indonesian Legal Aid Foundation (LBH), which planned to defend Francisco Miranda Branco and 12 other East Timorese to be tried in Dili and Jakarta, said they were still trying to confirm their lawyer had been barred from the court.

Branco and seven others are being tried in the East Timor capital for involvement in an anti-Indonesia demonstration in Dili that the government said led to the November army massacre.

The government says the demonstration was backed by the dwindling Fretilin guerrilla movement that has been fighting Indonesian rule in East Timor since 1975.

East Timor, which lies at the eastern end of the Indonesian archipelago, is not internationally recognised as part of Indonesia.

The legal aid spokesman said families of the defendants were under pressure to withdraw their request for help from his organisation.

"There has been limited access to the defendants from the beginning, but we are trying our best," he said.

The same court on Wednesday sentenced Alfonso Rangel to five years in jail for leaking classified documents to Portugal, the Kompas newspaper reported on Thursday.

Rangel was found guilty of sending state secret documents to an East Timor rebel leader in Darwin, Ramos Horta, it quoted judge Amir Pane as saying.

The documents, which made their way to Portugal, included results of a United Nations human rights mission to East Timor and a Portuguese radio interview with governor Mario Viegas Carrascalao.

It has never been made clear why these documents should be considered secret.

Rangel's two colleagues — Amarao de Araujo and Felesmina dos Santos Concecao — are still on trial on similar charges.

The military has punished six officers held responsible for the incident and will court-martial another eight.

Trials of five East Timorese in Jakarta will start next Monday.

They are charged with involvement in a pro-independence demonstration outside the Australian embassy in Jakarta shortly after the Dili shooting.

WORLD CAMPAIGN AGAINST THE TIMOR TRIALS (TAPOL)

TAPOL report, 12 March 1992

East Timor solidarity groups around the world are planning joint actions next week to protest against the trials of East Timorese that have now begun. The first trial commenced in Dili today when Francisco

Miranda Branco was brought before court in Dili and charged with subversion.

Actions will take place in Australia, Belgium, Canada, France, Japan, the Netherlands, Norway, the UK and the USA.

Australia is the first to start, with a march planned for today, 12 March, in Melbourne around the slogan, 'Free the Timor Detainees.'

In Belgium, a newly-created group, SOS Timor, plans to write to the Belgian government and issue a press release.

In Canada, activities by the East Timor Alert Network include a forum at the University of Toronto on 17 March at which the trials will be raised. Actions under consideration are vigils at the Indonesian consulates in Vancouver and Toronto, questions in the House of Commons and a letter to the government.

In France, there will be a meeting about the trials on 24 March, letters will be sent to the government by the solidarity group, ASTO and other NGOs, and a press release will be issued.

Plans in Japan are still under consideration.

In the Netherlands, there will be a demonstration in the Hague on 21 March.

Letter-writing actions and a press release are planned in Norway by a small group of activists.

In the UK, the newly-created British Coalition for East Timor will hold a memorial service for the Santa Cruz massacre victims with prayers for the trial victims at St Bride's Church, Fleet Street on 20 March, followed by a torch-lit protest march to the Indonesian embassy.

Several actions are planned in the US, including a protest outside the Indonesian consulate in Los Angeles on 20 March organised by the East Timor Action Network /LA.

Other groups around the world wishing to take part in this week of action are asked to inform TAPOL of their plans.

LOS ANGELES DEMONSTRATION ON TRIALS

For Immediate Release: 12 March 1992

Contact: Matthew Jardine (310)396-4624(h) (310)206-6482(w)

The East Timor Action Network (ETAN/L.A.), along with many human rights activists from the Los Angeles area will be gathering, picketing, and leafletting in front of the Indonesian Consulate, 20 March 1992 from 12-2pm. At that time ETAN/L.A. will deliver a letter to the Consul General of Indonesia calling upon the Indonesian Government to make sure that the current trials of East Timorese proindependence activists conform to international human rights norms and to begin United Nations-mediated negotiations lead-

ing to a internationally-supervised plebiscite on self-determination.

Right now thirteen East Timorese are being tried in the aftermath of the Santa Cruz Massacre and a 19 November East Timorese independence demonstration in Jakarta.

Four are being tried for subversion (for which a guilty conviction carries a possible death penalty) — two in Dili and two in Jakarta. Nine will be tried under the Criminal Code "for inciting hatred against the government" — six in Dili and three in Jakarta. ETAN/L.A. is very concerned about the fairness of the trials and calls upon the Government of Indonesia to allow the trials to be open to international observers and that the defendants be defended by lawyers of their own choice and given all the facilities for a fair trial. ETAN/L.A. also asks that the ban on foreign journalists visiting East Timor be lifted immediately to enable journalists to attend and report on the trials.

For more than sixteen years, East Timor a former Portuguese colony located 400 miles north of Darwin, Australia has been under military occupation by the Government of Indonesia. Since the December 1975 invasion, about 200,000 East Timorese (almost onethird of the population) have died as a direct result of the ongoing occupation according to a variety of sources including Amnesty International.

On 12 November 1991, during a memorial march for a murdered pro-independence activist in Dili, the capital of East Timor, the Indonesian army fired upon thousands of mourners at Santa Cruz Cemetery killing anywhere between 100 and 200 defenseless East Timorese. Recent reports from East Timor by journalists and human rights organizations such as Asia Watch indicate that human rights abuses such as torture, unjustified detention, and extrajudicial executions are probably continuing to take place.

Despite Indonesian Government statements that they regret what took place in Dili on November 12th and that they have taken steps to correct the "excesses" committed by its troops such as the replacement of the top military officials in East Timor, the Santa Cruz Massacre must be seen as simply one incident in 16 years of Indonesian state terrorism in East Timor. Despite many United Nations resolutions calling upon the Government of Indonesia to withdraw from East Timor and for an internationally supervised plebiscite of self-determination, the Indonesian Government refuses to budge.

ETAN/L.A. is part of a national network working for human rights and self-determination in East Timor in solidarity with groups throughout the world.

LBH ON REPRESENTATION DISPUTE

Translation from Indonesian courtesy of Asia Watch. Acronyms and abbreviations translate as follows. LBH – Legal Aid Institute. IKADIN – Indonesian Advocates League or Indonesian Bar Association. SH – Master of Laws (Indonesian degree). LLM – Master of Laws (foreign degree). UU – Law. PNPS – Presidential Decree. MA – Supreme Court. Kumdil – (probably) judiciary law.

PRESS RELEASE ON THE TRIAL OF FRANCISCO MIRANDA BRANCO IN THE DILI DISTRICT COURT

From the Indonesian Legal Aid Foundation, Jakarta, March 13, 1992. Public Relations Department, Hendardi, head.

In connection with the news in the national press about the refusal of the Council of Judges in the trial of Francisco Miranda Branco to allow the defense team from LBH and IKADIN to accompany the accused, we hereby set out the full chronology of the trial procedure and means of defense used, as noted down directly by the defense team, consisting of Luhut Pangaribuan, SH, LLM; Barnabas Banggur, SH; Artidjo Alkostar, SH and Domi Yos Atok.

On Thursday, March 12, 1992, about 9:30 am Eastern Indonesian Time, the trial of Francisco Miranda Branco began. The trial was conducted by Judge Pandapotan Sinaga with Ade Raja and Andreas Don Rade as members [of the council of judges].

The agenda for the first session was the discussion of the charge-sheet. In the charge-sheet, the accused was charged with violation UU 11/PNPS/1963, the Anti-Subversion Law.

The trial proceeded as follows.

First, on March 11, 1992, the defense team arrived in Dili about 13:30. From the Komoro Airport, the team went straight to the Dili District Court to let the court know that the team was ready to appear in court.

At the district court, the team met with the head of the court, B. Gidang, and the head of the Council of Judges, Pandapotan Sinaga. The essence of the conversation was as follows:

- a. that the defense team was ready, and all were advocates with authority to practice anywhere within the jurisdiction of the Supreme Court of the Republic of Indonesia.
- b. that the defense team, even though it had not yet been told to attend the trial, nevertheless let the court know that it was going to appear for the defense in the Dili District Court. Armed only with information from the press, the defense team took the initiative to inform the court, not because it was required by law to do so but simply out of a sense of ethics and politeness.

c. in this meeting, the head of the District Court did not suggest that there were any procedural shortcomings at all, but just urged the team to consider cooperating with Ponco Atmono, a lawyer with a local permit, who had accompanied some of the accused during the investigation (it is not clear whether for all or part of the investigation or which of the accused he accompanied.)

d. that in the meeting with head of the Council of Judges Pandapotan Sinaga, the team reiterated what they had said to the head of the Court. His reaction was more or less the same, that is, that there would be no problem.

Second, on March 12, 1992, the defense team arrived at the District court around 8:30. But when they entered the front gate which was heavily guarded by officials, the team was stopped by officials in civilian clothes. They asked if we had consulted with Ponco Atmono. The team did not answer the question, except to say that we were going to meet with the head of the Court, and we went straight in without waiting for permission.

The team then informed the head of the Council of Judges that it had arrived and was ready. Everything went smoothly, that is, no problems of any kind were raised. But when the team was getting ready to go into the courtroom and put on their togas, suddenly the head of the Council of Judges told the team to see the court clerk.

In the office of the court clerk, the clerk explained that he had been instructed to get the team's registration. But what he meant by "registration" was a [formal] notice from the team that it was going to take on the case in Dili District Court. The team showed him a letter, but he remarked that the letter was only dated March 10, 1992, or less than seven days as stated in the Supreme Court directive (Surat Edaran Mahkamah Agung). The team said that was correct, but the substance of the directive had been followed. It is necessary to note that the directive is not a law but only an ethic that the Court suggested should be followed for the good of a trial. One important point is that the defense team was requested and appointed by the accused, and all members of the team were qualified as advocates.

Third, at about 9:30, the judges entered the courtroom as did the prosecuting team. About three minutes later, the defense team entered. As soon as they took their seats, the session began. The prosecutor was ordered to bring in the accused. The identity of the accused was examined, and there were no questions from the judges as to whether the accused was healthy or not.

After examining the identity of the accused, it was time to ask about the defense counsel of the accused. The chief judge asked, "Do you have a lawyer?" The accused responded, "Yes, from LBH." The

chief judge then continued, "Are they the ones sitting at the defense counsel's table?" And the accused answered, "Yes, they are."

The chief judge then directed a question to the defense team. He asked, "Do you have a letter granting you power of attorney (surat kuasa)? The head of the defense team, Luhut Pangaribuan, answered, "Yes, both oral and written. Orally, as we both just heard from the accused and noted by the clerk, and written as signed by the wife of the accused, the photocopy of which was sent to the court about two weeks ago." The written letter was then given to the judges together with the cards of the defense team certifying them as advocates.

Then another question was raised. "Did you inform the High Court in Kupang?" The head of the defense team said, "Yes, we did," and gave proof of postage to the judges. Then an argument ensued between the chief judge with the head of the defense team, because it seemed as though the former wanted to make an issue of the way in which the information was conveyed. The gist of the argument was as follows:

The chief judge questioned the way in which the team informed the court that it was taking the case, that they had given less than seven days' notice and that based on a question and answer session in an internal meeting of the Supreme Court with the heads of the High Courts, defense lawyers from Jakarta had to request permission [to appear in Dili District Court] from the High Court in Kupang.

The head of the Defense Team refused to accept that line of argument as follows:

- 1) it was true that there was a seven-day period but it had to be noted that a) the defense team had already reported to the Court that they were going to defend the accused and six others about two weeks before this session opened, but the Court had never informed them of the date and time of the first session. This was clearly in violation of the Criminal Procedure Code, but with the best intention [giving the Court the benefit of the doubt], the defense team informed them in writing on March 10. It also had to be noted that b) this kind of notice was not required by law but was something that was recommended to do as part of protocol.
- 2) the question and answer session in the internal meeting was not the basis of a law that everyone had to uphold, so that even if there were the words "obligatory" mentioned, it did not mean that one had to follow it.

Fourth, none of the arguments of the defense team was accepted, and as a result, the defense team was not allowed to accompany the accused until there was a permit from the head of the High Court in Kupang. After that, the chief judge read a letter appointing Ponco Atmono as defense counsel, without asking the agreement of the accused except to explain that the accused had to be

accompanied by a lawyer and since he did not have one, the Court had to appoint one. Then, the head of the Court explained that this was the procedure and he said to the defense team that they could choose to sit where they were or leave the session.

The defense team protested this arrangement because it was completely in violation of the criminal procedure code, but the debate was closed. Because the situation did not permit more than a protest, the defense team closed by saying the issue would be conveyed to the Supreme Court and as part of their legal and moral responsibility to their client, the team would stay.

The chief judge announced over a loudspeaker that if the lawyer Ponco Atmono was in the courtroom, would he make himself known. In fact, the lawyer with the local permit had been wandering around since the morning. He then took up his place alongside the defense team.

Without asking the accused whether he agreed with the arrangement that the local lawyer accompany him, the chief judge then asked the prosecutor to read the charge-sheet. The reading began at 10:10 and finished at 11:45.

This is the full chronology of the session and the efforts made by the defense team to put the problem in perspective.

From the above, it is crucial to put forward the following points:

1. Article 55 of the Criminal Procedure Code states, "The suspect or the accused has the right to counsel of his own choosing." This means that the appointment of someone by the judges without the agreement of the accused, even more so if the accused already has his own lawyer appointed in accordance with the Code, is in violation of the law;

2. The Supreme Court directive MA/Kumdil/6066/VI/87 in substance stresses the following in No.1 (b):

"on the basis of the [above-mentioned] Decision of the Ministry of Justice, [the lawyer] must obtain or have obtained a permit to appear in courts in every judicial region throughout Indonesia.

Apart from the Supreme Court directive which does not have the force of law, the requirement to inform the High Court in Kupang was fulfilled. Because of this, it is not too much to suggest that the refusal [of the judges to let the defense team appear] only because they had informed the High Court less than seven days before the trial began — a technical and administrative matter — gives the impression that there is no independence of the judiciary in this case.

3. The question and answer session in the internal meeting convened by the Supreme Court does not constitute a source of law, let alone a law that must be followed in a concrete case like this one. If it has any validity, it is for inter-

nal interests only and does not bind the three parties, even less so this case. A result of a working meeting is more in the nature of a concept, which if it is to become a law, must take a specific legislative form like a law, an administrative regulation and so on.

In accordance with the moral and legal responsibility we have for our client, especially as legal practitioners and upholders of justice, the Legal Aid Foundation and the Indonesian Bar Association through the defense team assigned to Dili will continue to try to accompany the accused Francisco Miranda Branco in all subsequent sessions as well as the other six accused in Dili.

LBH STYMIED IN DILI

Reuter, Jakarta, Jonathan Thatcher, March 13 – Indonesia's leading human rights group said on Friday it had made no progress in getting its lawyers into court to defend East Timorese charged for their role in events that led to an army massacre last November.

Four lawyers from the Indonesian Legal Aid Institute (LBH) were barred from court in the East Timor capital of Dili on Thursday because they did not have a permit to practise there.

"We haven't made any progress yet," an LBH spokesman said in Jakarta.

The institute had already made the necessary applications for its defence team to work in Dili but would repeat the process.

It was normal for the government to hamper LBH in political cases, he added.

Eight East Timorese are to be tried in the former Portuguese colony which Indonesia annexed in 1976.

All are charged with involvement in an anti-Indonesian demonstration on November 12.

Diplomats said an Australian lawyer, representing the International Federation of Jurists, had been trying to fly to Dili to monitor the trials since Wednesday but had so far been rebuffed by officials.

The trial of the first defendant, Francisco Miranda Branco, began on Thursday and was adjourned until later this month.

A second, Gregorio da Cunha Saldanha, is due to go on trial on Saturday.

Both are charged with subversion which can carry the death penalty. Diplomats said Da Cunha Saldanha is widely seen as the ringleader.

Trials of another five East Timorese will start in Jakarta next Monday on charges of involvement in a pro-independence demonstration outside the Australian embassy in the Indonesian capital shortly after the Dili shooting.

ACFOA ON TRIALS

Radio Australia 3/13

The Australian Council For Overseas Aid claims an East Timorese charged with subversion has been denied justice.

It alleges Indonesian government officials obstructed the Indonesian Legal Aid Foundation from defending the man, who went to trial in Dili last week.

The Council's comments are based on a press release issued yesterday by the Legal Aid Foundation. The Council has called on Indonesia to allow all East Timorese on trial to exercise their right to choose their own counsel, as stipulated by Indonesian law.

It also wants independent foreign observers and diplomats from Australia's embassy in Jakarta to attend the trials of all 13 East Timorese charged in relation to the Dili massacre. The Council says four are charged with subversion, the rest with spreading hatred.

TIMOR INDEPENDENCE TRIALS BEGIN

Reuter, Jakarta, March 16, Menuk Suwondo – Two East Timorese university students went on trial on Monday on charges which can carry the death penalty for protesting against an army massacre in the territory last November.

Police and plainclothes military men guarded two Jakarta courtrooms where Fernando de Araujo and Joao Freitas da Camara were charged with subversion before separate three-judge benches. Journalists packed the humid courtrooms.

State prosecutor Idris Daeng Makalo told one court that 26-year-old De Araujo had masterminded an anti-Indonesia protest in Jakarta on November 19 against the shooting.

Three others will appear in court on Tuesday over the November 19 protest but face lesser charges.

Makalo accused De Araujo of being head of a Bali-based student organisation called Renetil (Resistencia Nacional Estudiantes de Timor Leste), which is alleged to be helping a dwindling band of Fretilin separatist guerrillas in East Timor.

"The defendant has committed actions obviously aimed at undermining the legal (Indonesian) government," Makalo said.

Indonesia annexed East Timor in 1976, a year after invading the territory on the departure of its Portuguese rulers. The United Nations does not recognise the annexation.

Makalo also charged De Araujo with receiving medicine and cash from abroad to help his group in its separatist struggle.

The prosecutor said De Araujo told 37-year-old De Camara, a law student at Jakarta's Catholic university of Atma Jaya, to organise the protest in the capital.

De Camara was charged in the other courtroom with organising a protest march

from the United Nations offices in Jakarta to the Australian and Japanese embassies on November 19.

Prosecutor Simanjuntak said De Camara had relayed news of the protest to diplomats and foreign journalists, some of whose names were misspelt in the charge sheet.

Responding to the charges, De Camara said: "Objection sir."

De Camara told the court he was not an Indonesian but a Portuguese national and demanded that the court give him more time to discuss the charges with his lawyers.

Both trials were then adjourned to March 21.

"I am against the integration with Indonesia," De Camara told reporters afterwards when asked about his refusal to be called an Indonesian in court.

His lawyers, from Indonesia's Legal Aid Institute, were barred from defending two others brought to court in Dili last Thursday.

The two brought to trial last Thursday — Francisco Miranda Branco and Gregorio da Cunha Saldanha — are also being charged with subversion carrying the maximum penalty of death.

Six others will also be brought to trial in Dili for the November 12 violence but do not face subversion charges.

UPI, Jakarta, March 16 — Joao Freitas da Camara, 37, and Fernando De Araujo, 26, were charged in Jakarta Central Court with undermining the Indonesian government by staging a protest in Jakarta on Nov. 19 — one week after Indonesian troops opened fire on pro-independence demonstrators in East Timor killing at least 50 people.

The protest involved about 70 East Timorese youths who marched to the United Nations office as well as the Japanese and Australian embassies in downtown Jakarta to protest the massacre in the East Timorese capital Dili.

State prosecutors, T. Simanjuntak and Idris Daeng Makalo, told the court the defendants also held clandestine meetings on the islands of Java and Bali to discuss independence for East Timor.

"But the real purpose of the defendants' activities was to draw international sympathy to achieve their goal of separating East Timor from the (Indonesian) republic," the prosecution said.

They also alleged the two had been receiving funds since 1986 from international human rights organizations and from East Timorese exiles living in Macao, Australia and Portugal.

Both defendants are allegedly members of the Jakarta branch of the underground pro-independence group, RENETIL, the East Timorese student national resistance.

DPA, Jakarta, March 16 — Fernando De Araujo, 26, a student at Udayana University in Bali, and Joao Freitas Da Camara, 37, a former student of Atma Jaya Catholic

University in Jakarta, are on trial on subversion charges.

Presiding judges Sarwano and Wahono Baud adjourned the trials to Saturday to allow defendants and their lawyers time to prepare a defence.

WORLDWIDE PROTESTS AGAINST EAST TIMOR TRIALS

Press release from East Timor Action Network / United States. March 17, 1992

This Thursday and Friday, March 19 and 20, protests will take place at Indonesian government facilities in New York, Washington, and Los Angeles. These demonstrations are coordinated with similar events being held in Australia, Belgium, Canada, France, the Netherlands, Norway, the United Kingdom, and other countries.

The Indonesian government is prosecuting Timorese people who were arrested during or after peaceful demonstrations on November 12 in Dili and on November 19 in Jakarta. The Dili demonstration became a massacre when Indonesian troops deliberately shot into an unarmed memorial procession and killed 100-200 people. Although none of the perpetrators of the massacre have been arrested, large numbers of Timorese civilians were rounded up after the November 12 massacre. Many, including four of those coming to trial this week, are charged with subversion, and could get the death penalty. Neither their lawyers nor foreign reporters have been allowed to attend the trials.

- In New York City, a vigil will take place on Thursday, March 19, from 11:30 to 1:00 at the Indonesian Mission to the U.N., 325 East 38 Street, Manhattan. Contact Charles Scheiner at (914)428-7299.
- In Los Angeles, people will picket, and leaflet on Friday, March 20, from noon to 2:00, at the Indonesian Consulate, 3457 Wilshire Blvd. Contact Matthew Jardine at (310)396-4624 or (310)206-6482.
- In Washington, D.C., human rights activists will gather on Thursday, March 19 at 5:30 pm at the Indonesian Embassy (2020 Massachusetts Ave. NW), and march to the Australian Embassy, where they will ask Australia to withdraw its de jure recognition of Indonesia's 16-year occupation of East Timor. (Contact Malcolm Cummin of the International War Crimes Tribunal at (202)332-5049.)

At all three sites, the visitors will deliver letters to Indonesian officials, urging that the trials be open to international diplomatic observers, that defendants be represented by lawyers of their own choice and given all the facilities of a fair trial, and that foreign journalists be allowed into East Timor to attend the proceedings.

"As Americans, we oppose our government's encouragement and funding of the brutality of the Suharto regime," said Charles Scheiner, coordinator of the East Timor Action Network. "As human beings, we deplore the murders, frame-ups, and unfair trials being perpetrated against the people of East Timor. We insist that Washington stop arming Jakarta, and that the people of East Timor be allowed to determine their own future. These mock trials with real sentences are one more indication — like the November 12 massacre or last week's massive military repulsion of the peace ship Lusitania Expresso — that Indonesia's military dictatorship pays no attention to human rights, world opinion, or basic morality. We are working to change that, and to stop more corpses from being added to the 200,000 Timorese already killed by the Indonesian government."

FRANCISCO BRANCO TRIAL HEAVILY GUARDED

TAPOL report, 17 March 1992

When the trial of Francisco Miranda Branco opened in Dili on 12 March 1992, the Dili court-house was heavily guarded by armed Brimob (Mobile Brigade) troops who checked the identity cards of all who wished to attend.

A representative of Asia Watch who arrived in Dili, wanting to attend the trial, was turned back and threatened with violence if she did not leave East Timor immediately.

Branco has been accused of being a member of the clandestine group of the East Timor resistance movement and of conducting politically motivated activities aimed at the break-away of East Timor from the Indonesian Republic. He also was alleged to have organised meetings to plan demonstrations in the event of the visit of Portuguese parliamentarians which was due to take place last November, but was postponed. [Berita Timor Timur, No. 14, 13 March 1992]

NB: Francisco Miranda Branco is also mentioned in the indictment of Fernando de Araujo, on trial for subversion in Jakarta. A meeting held on 7 November 1991, to plan the demonstration which took place in Dili on 12 November, is said to have taken place in his home.

THEO SYAFEI INTERVENES OVER LEGAL REPRESENTATION

Following the decision by the chairman of the Dili district court not to allow lawyers of the Jakarta Legal Aid Institute to defend Francisco Miranda Branco, because they lacked authorisation from the chairman of the High Court in Kupang, the commander of Kolakops, the special military command in East Timor, Brig.Gen. Theo Syafei, declared that the lawyers had been excluded because they failed to follow the correct procedure.

He said that the accused had already appointed a lawyer to represent him, namely Ponco Atmodjo. "Ponco has accompanied FmB during the interrogation process by the Dili police, and now there's a change. Why is this?" [Media Indonesia, 16 March 1992]

On the same day, Media Indonesia reported that the Supreme Court issued a ruling to the effect that the LBH lawyers are entitled, according to established procedure, to defend the case in Dili. This means that when the trial reopens, the lawyers should be allowed to defend the accused, unless Syafei intervenes.

OUTSIDE PRESSURE

Meanwhile, the Public Relations spokesman of the LBH in Jakarta, Hendardi, said that the panel of judges in the trial were apparently under outside pressure to disregard the regulations in force (regarding lawyers' authorisation).

Hendardi also announced that three international lawyers' organisations, the International Commission of Jurists, Law Asia and the International Union of Jurists in France had expressed a willingness to provide moral support to the LBH lawyers in handling the Dili cases. The head of the Asia section of the ICJ in Geneva, Dilibur Parakh, wrote to the LBH expressing sympathy with the LBH in the handling of the trials. Hendardi said there were no political motives; it was only that the ICJ wanted to see for itself whether the court would preserve its independence in the conduct of the trial in Dili. [Media Indonesia, 16 March 1992]

LUHUT TERRORISED IN DILI

Luhut Pangaribuan, the senior LBH lawyer who has been appointed to head the defence team for Francisco Miranda Branco, told the press that he had been terrorised (diterror) by unidentified persons while he was in Dili. "People kept banging on the door of my hotel room but when I went to open the door, they ran away." [Media Indonesia, 17 March 1992]

EXCERPTS FROM THE ARAUJO INDICTMENT

The following are excerpts from the indictment read out by the prosecution in the trial of Fernando de Araujo, an East Timorese student who went on trial in Jakarta on 16 March 1992, charged with subversion. [As yet the full text of the indictment which runs into about 150 pages is not yet available. The following excerpts are taken from three pages received so far.] Courtesy of TAPOL.

9. On 28 October 1991, the accused, at his lodging, Jalan Sesean Gg Tamansari no 10, Denpasar, Bali, received a phone-call from Constancio Pinto in Dili, at about 06.00 local time [all times mentioned in the indictment are 'WITA' or Central Indonesian Time which includes Bali]

saying that at 00.30 local time, the 'intel' [intelligence] opened fire at the Motael Church, Dili, resulting in the death of two young East Timorese, and ordering him to pass this information on to Donaciano Gomes in Lisbon, Alfredo Pareira in Australia and to pass it on to the others;

At about 08.00 local time, the accused phoned a person named Donaciano Gomes in Lisbon and thereafter phoned Alfredo Pareira in Australia, in conformity with the order from Constancio Pinto and for it to be passed on to the others.

At about 10.00 local time, the accused phoned Joao Freitas da Camara in Jakarta informing him of the shooting at the Motael Church Dili, and asking Joao Freitas da Camara in Jakarta to make contact with Carmel Budiardjo in London;

All this being for the purposes of obtaining the sympathy of the outside world that human rights violations had taken place in East Timor.

10. That because the Portuguese Parliamentary Delegation had not come on 4 November 1991, there was a meeting on 7 November 1991 at the home of Francisco Branco attended by several members of the Executive Committee, including Juvencio de Jesus Martins, Gregorio da Cunha Saldanha, Francisco Branco and Constancio Pinto, which was chaired by Constancio Pinto, which drew up an instruction that because the Portuguese Parliamentary Delegation would not be coming, we should use the opportunity to have a demonstration on the occasion of the visit of the UN human rights envoy whose visit coincided with the Mass to commemorate the death of Sebastiao on 12 November 1991 when flowers would be placed on his grave in Santa Cruz, and that at the time of this visit, there would be three foreign journalists who would cover the procession of the Mass and demonstration, for the purpose of being able to show the outside world that East Timor has not yet been fully integrated and wants to be free, while at the same time asking for support from other countries to bring about a solution to the question of East Timor; information regarding this was then passed on by Constancio Pinto to the accused.

11. On 12 November 1991 at about 10.00 local time, the accused in Denpasar Dili received a phone-call from Constancio Pinto in Dili informing him that at about 09.30 local time, the army had carried out a massacre as a large crowd of people were on their way from Motael Church to the Santa Cruz cemetery to lay flowers on the grave of Sebastiao, and Constancio Pinto issued an instruction that a demonstration should take place in Jakarta;

At 13.00 local time, the accused phoned Joao Freitas da Camara, leader of the Renetil branch in Jakarta informing him about the incident in Dili, and the accused then instructed Joao Freitas da Camara, among other things:

- a. To tell the foreign press and foreign embassies in Jakarta about this event and to inform ACFOA in Australia and Amnesty in London;
- b. To organise a demonstration in Jakarta;
- c. To contact Renetil branches in Bandung, Semarang, Surabaya, Jogjakarta and Malang, and that for the purposes of the demonstration, each Renetil branch should send five persons, with as many as people as possible from Jakarta and Bandung;
- d. That the demonstration should be held no later than 18 November at which there should be banners and a petition to the UN office, the Japanese and Australian embassies in Jakarta, and that this demonstration should be led and coordinated by Joao Freitas da Camara....

[Several pages later.]

4. That the accused as chair of Renetil and also as the Clandestine Communication Centre to receive information about developments in East Timor from Constancio Pinto or Xanana Gusmao for dissemination abroad and for Renetil branches, or vice versa, and to receive assistance in the form of cash and medicines from abroad or from Dili to be used to promote the interests of the Clandestine operation, for which purpose the accused established contact by sending letters by relay to, or by telephone contact with, Fretilin GPK [the regime's acronym which stands for 'security disruptor gangs'] leaders, among others;
 - a. Ramos Horta and Alfredo Pareira in Australia as leaders of the CN (National Convergence);
 - b. Abelio Araujo, Estarao Tabral and Luisa Teotonia in Lisbon Portugal as leaders of the DEF (Fretilin External Committee);
 - c. Jose L. Guiteres in Macao;
 - d. Carmel Budiardjo and Geoff Robinson in London;
 - e. Xanana Gusmao as leader of the CNRM/Supreme commander of GPK/Fretilin in East Timor;
 - f. Constancio Pinto as leader of the Executive Committee of the Clandestine Front (CF) in East Timor.

Further, the accused received a special message from Xanana Gusmao that "To resist is to win," the purpose being to preserve the existence of the struggle to free East Timor from the Unitary State of the Republic of Indonesia;

That in order to finance these clandestine operations, the accused received financial assistance, among others:

Rp. 500,000 a month from Alfredo Pereira;
A\$2,000 from Ramos Horta;
Rp. 500,000 from Constancio Pinto;
A monthly contribution of Rp. 5,000 from each member;

some of which was received directly by the accused and via the intermediary of tourists whose identities are not known or through the Bank Nasional Indonesia (BNI) 1946, Denpasar branch.

Translator's note: All names are given here as spelt in the indictment.

NEW JAKARTA DEMO TRIALS

Reuter, Jakarta, March 17 – Three East Timorese students went on trial in the Indonesian capital on Tuesday for demonstrating against an army massacre last November in East Timor.

Dominggus Barreto, Agapito Cordoso and Virgilio da Silva were accused of carrying banners insulting the Indonesian government, a charge which carries a maximum jail term of seven years.

They say they were forced against their will to become citizens of Indonesia, according to the official Antara news agency.

Indonesia denied reports that an East Timorese rebel leader, Jose da Costa, had escaped from military custody, Antara reported.

UPI, Jakarta, March 17 – A trial of three youths charged with involvement in deadly anti-government protests in East Timor last November opened Tuesday.

The defendants were among 70 East Timorese students who marched to the United Nations office and the Japanese and Australian embassies in downtown Jakarta to protest the massacre and Indonesia's bloody annexation of the island in 1976.

If found guilty, the three could face up to seven years in prison.

PORTUGAL: TRIALS RIGGED

Reuter, Lisbon, March 17 – Portugal accused Indonesia on Tuesday of rigging the trials of five East Timorese accused of protesting against Indonesian rule in the former Portuguese colony and against an army massacre there in November.

"Everything indicates that the defendants' chances to defend themselves in the trials and all impartiality will once again be zero," a Portuguese foreign ministry statement said.

It said Jakarta was ignoring the standards of the United Nations Commission on Human Rights "which it says it accepts."

Portugal will follow the trial closely and "once more alerts the attention of the international community and public opinion to

the need for everything to be done to avoid another flagrant abuse of human rights in East Timor," it said.

Lisbon planned to make its position known to the U.N. Commission on Human Rights and to the Dutch government, which represents Portuguese interests in Indonesia. Lisbon and Jakarta have no diplomatic relations.

Tension between the two countries is already high after Indonesian warships forced a Portuguese "peace boat" carrying students and journalists to turn back from Dili last week.

DEFENDANTS IN DILI DENIED CHOICE OF LAWYERS

TAPOL, the Indonesia Human Rights Campaign, issued the following Press Release today, 18 March 1992.

Two East Timorese prisoners who face subversion charges in Dili, East Timor, have been prevented from appointing their own lawyers and forced to accept a lawyer appointed by the court. The Legal Aid Institute (LBH) in Jakarta which was appointed by the families of the two men to represent them, said in a press release in Jakarta today that the consequences of this unlawful decision of the court are "extremely serious." It means that the trial should be deemed as proceeding without the presence of defence counsel. The sessions of both trials already held should be declared invalid and proceedings should re-commence only after the court complies with Article 55 of the Procedural Code which says that a defendant has the right to appoint his own lawyer.

The LBH statement came after the second of the two subversion trials opened in Dili today. Gregorio da Cunha Saldanha, 29 was charged under the anti-subversion law and faces a maximum penalty of death. He is accused of organising a peaceful demonstration in Dili on 12 November 1991 which ended in a massacre when troops opened fire killing up to 200 people and injuring many more.

When Francisco Miranda Branco's trial opened in Dili last week, the court refused the LBH permission to act, saying that it lacked the authorisation of the High Court in Kupang. The LBH has since obtained a ruling from the Supreme Court confirming that such authorisation is not necessary.

It may come as a surprise that the Dili court should have ignored the Supreme Court's ruling. But there is evidence of interference by the military commander of East Timor, Brig.Gen. Theo Syafei, who told the press yesterday that he saw no reason why the accused should have a lawyer other than the one appointed to assist him until now. Syafei's remarks reflect the army's determination to exert pressure on the court to exclude the LBH.

Foreign journalists are banned from entering East Timor at present; a jurist appointed to observe the Dili trials by the International Commission of Jurists is still being prevented from going to Dili. If the LBH is not permitted to conduct the defence, the chances of monitoring the proceedings are remote.

24 PARTICIPANTS IN DILI INCIDENT TO BE INDOCTRINATED

Suara Karya, 9 March 1992. Dateline: Dili. Slightly abridged.

Comment: 32 East Timorese were held in police custody in Dili in the wake of the Santa Cruz massacre. In late February, the Attorney-General announced that eight of them would be charged and tried. After the other 24 were released early this month, mystery surrounded their whereabouts when relatives told lawyers they had not returned home. Brig.Gen. Syafei has now explained what has become of them. It is not difficult to imagine the rigours of life awaiting them as the captives of company commanders.

Twenty-four of the 32 people involved in the "Dili Incident" whose cases have been suspended because of lack of evidence to bring them to court are to undergo mental guidance under the indoctrination programme known as P4.

Commander of Kolakops, the special military command in East Timor, Brig.Gen. Theo Syafei, told journalists they had admitted in their interrogation reports that they had been influenced by agitation from separatists. Some of them are vehemently opposed to integration and some want East Timor to be free. He said the 24 whose cases have been suspended on the guarantee of their legal assistant, Ponco Atmono, could not realistically be returned to society if the idea of separatism still dominated their way of thinking.

"If they return to society, it is feared that they may be regarded as heroes or, on the contrary could encounter hostility from society and they might even be murdered," said Theo.

The East Timor chief of police, Police Col. Ishak Kodijak, has officially released them in order to be given guidance.

"I will treat them in a special way. Each company commander will receive one of the prisoners to be given guidance, to be educated to become sound Indonesians, capable of taking part in development," said Syafei.

The period of their guidance is not fixed. If after three months, they have become aware, they will then be returned to society.

They will take part in a "Kolakops-style P4" somewhere outside Dili. Their families will be notified of their whereabouts and they will be allowed to receive visits.

LBH DA CUNHA TRIAL STATEMENT

Remark: On March 16, the YLBHI/IKADIN defense team learned that the Supreme Court of Indonesia had sent a telex to Dili, authorizing the team to defend one of the Dili prisoners, Francisco Miranda Branco. As of March 20, it was still unclear whether the team would be able to defend Gregorio da Cunha Saldanha.

Press Release from the Legal Aid Foundation of Indonesia on the Opening Session in the Trial of GREGORIO DA CUNHA SALDANHA

Today, March 18 at 9 a.m. Eastern Indonesia Time, the first session in the criminal trial of Gregorio da Cunha Saldanha took place. The session was led by H. Gondang, who is also the head of the Dili District Court. Gregorio was accused of violating UU 11/PNPS/1963, the anti-subversion law. Artidjo Alkostar and Domi Yos Atok from the defense team of YLBHI-IKADIN were prepared to accompany him. YLBHI had earlier received written and oral authorization from the family of the accused to do so.

At the first session, the judges rejected that authorization and went on to read the charge-sheet with Ponco Atmono, the lawyer with a local permit, accompanying the accused, even though he was neither appointed nor accepted by the latter.

The beginning of the session, the essence of which was to reject the legally constituted defense counsel, went as follows:

The chief judge asked the accused, "According to your notes, have you already appointed a defense lawyer?" The accused answered, "It is true I once had a letter of authorization brought to Mr. Ponco, but I revoked that letter for this occasion. I wish to be defended by LBH."

The judge then asked, "Why did you revoke the authorization for Ponco?" The accused replied, "Because my family had already given power of attorney to the LBH lawyers." The judge then said, "There's nothing that says an accused person is allowed to revoke authorization that he already gave to a lawyer."

The accused then said sharply, "Mr. Ponco himself said that the letter I gave him could be taken back if LBH received power of attorney." The judge looked at Ponco and said, "Is it true what the accused says, Mr. Ponco?" Ponco replied, "I indeed said that before, because I didn't feel I was capable and needed to work with another team."

The judge then asked, "Does that statement still hold?" Ponco replied, "Now I have a team so that statement is no longer valid."

Opening the case like this without giving the opportunity to the defense counsel, which is clearly illegal, carries very serious

consequences. First, the session must be considered as having taken place without the presence of defense counsel, in violation of Article 56 of the Criminal Procedure Code. Second, the failure to respect the defendant's choice of counsel is in violation of Article 55 which states, "The accused has the right to choose his own counsel." Finally, based on these two points, the first session must be considered as not having taken place in accordance with the law and must start over once the conditions of the Criminal Procedure Code have been fulfilled.

Because of our responsibility toward the accused and his family as well as the commitment of YLBHI and IKADIN to uphold the law and the principles of justice, YLBHI and IKADIN stress that they will continue to try and find the best means for accompanying Gregorio da Cunha Saldanha in the next session.

As a protest against the violations of the right of the accused by the judges in this session, the board of directors of YLBHI are also going to immediately convey their protest to the Supreme Court of the Republic of Indonesia and the High Court in Kupang so that the behavior of Mr. H. Gondang as chief judge can be corrected.

Issued in Jakarta, March 18 1992 Luhut M.P. Pangaribuan, SH, LLM Coordinator

DILI 'SECRET DOCUMENTS' CONVICTION

Reuter, Jakarta, March 19 – In Dili, a court jailed an East Timorese woman for five years on Thursday after convicting her of stealing classified documents that were leaked abroad, Antara news agency said.

It quoted Judge Pandapotan Sinaga as saying Felismina dos Santos Conseicao, a 29-year-old employee of the East Timor military command, committed the offence in June.

The judge said she photocopied two documents she stole from her office. The documents later surfaced in Portugal. She was the second East Timorese to be sentenced to a five-year term for the offence.

Afonso Rangel, a former member of East Timor's Fretilin rebel movement, was jailed for masterminding the theft.

A third East Timorese, Conseicao's brother-in-law Amarao de Araujo, was tried on the charge that he passed copies of the document to Rangel. Sentence has yet to be passed.

The leaked documents included letters about a Portuguese parliamentary mission's abortive plan to visit East Timor and a Portuguese journalist's interview with the territory's governor, Mario Viegas Carrascalao.

ACEH 'REBEL BUSINESSMAN' JAILED

Reuter, Jakarta, March – An Indonesian court has jailed a businessman for four years for his involvement in a rebel movement in the northernmost province of Aceh.

It quoted judge Zaini Hamzah as saying Muhammad Gade Salam was found guilty of undermining the Indonesian government.

Hamzah said Salam had attended meetings of the Free Aceh movement.

Aceh courts have found several people guilty of joining the rebel movement and jailed them for up to 20 years.

REPORTS OF DEMONSTRATIONS ABOUT TRIALS

U.S. FEDERAL BUILDING, RHODE ISLAND

On March 19, more than 50 Brown University students and faculty braved blizzard conditions on a march to the Rhode Island Federal Building to call attention to the ongoing human rights abuses in East Timor and to call for the immediate cessation of all military aid and commercial arms sales to Indonesia.

Since Indonesia invaded East Timor in 1975, a move twice condemned by the United Nations, over 200,000 people (or one-third of the population) have died. Last November, nearly 200 unarmed civilians were massacred by Indonesian soldiers who open fired into a crowd with American M-16s. Indonesia gets much of its arms from the US.

The march, organized locally by East Timor Action Network/Rhode Island (ETAN/RI), represents a response to the call of an England based Indonesian human rights group called TAPOL. According to TAPOL, simultaneous demonstrations will go on in many world cities to draw attention to four political prisoners who began trials for subversion on Monday. Subversion carries the death penalty in Indonesia.

Addressing the marchers, ETAN/RI spokesman Lorne Rider said, "The people on trial might be sentenced to death merely for trying to alert the world of the killings in East Timor. If you were in Indonesia right now you would stand a good chance of also facing execution for your actions."

"Fortunately, this is not a crime in America. What is a crime in America is that we continue to be an accomplice to murder on a massive scale," Rider continued.

Representatives of the group met with the office director of Senator Claiborne Pell (D-RI) and with the press scheduler of Senator John Chafee (R-RI). The representatives asked Mr. Dennis Reily to thank Senator Pell for his long concern for the situation in East Timor, and urged him to

live up to his concern by introducing legislation to cut military aid to Indonesia until Indonesia allows for a referendum on the self-determination of East Timor.

Brown students who participated on the Peace Mission to East Timor assured East Timorese exiles in Portugal and Australia that they had a leader in the US congress. "Whether Senator Pell likes it or not, he now has a personal responsibility to the East Timorese people," said Jef Bekes, one participant of the Mission.

Representatives of the group asked Mr. Jim Barden to urge Senator Chafee to work with Senator Pell to introduce legislation against Indonesia. "US sponsored genocide is a non-partisan issue," said an ETAN member.

ETAN delivered to each Senator over 150 signed letters demanding the immediate suspension of military aid and arms sales to Indonesia.

REPORT OF DEMO AT INDONESIAN MISSION TO THE U.N., NEW YORK

From ETAN/US March 19, 1992

About a dozen people from the East Timor Action Network spent their March 19 lunch hour standing in cold, snow, sleet, and slush in front of the Indonesian Mission to the United Nations in New York City. The picketers handed out leaflets headed "In East Timor, we could be shot for picketing" and urged passers-by to contact the Indonesian and U.S. governments. We held signs reading "Indonesia out of East Timor," "No More Massacres" and "Stop U.S. Aid to Indonesia."

The leaflet and press release described our action as part of a global series of protests (including Washington DC and Los Angeles) against the excessive charges against Timorese activists currently being tried in Jakarta and Dili, who are facing the death sentence for peaceful protest, in the absence of their chosen attorneys and international observers.

Although the press had been alerted, and both Portuguese National Television and Worldwide Television News had phoned for information, the only one to brave the blizzard was Pacifica radio station WBAI-FM, which carried a long segment on their evening news.

We tried to deliver a letter (below) to Mr. Nana Sutresna, the Permanent Representative of Indonesia to the United Nations. After discussing of our right to protest, the head of building security refused to allow us inside to deliver the letter, but said he would get someone to accept it. When nobody came after an hour, we rang the doorbell again, but they refused to answer until a package-laden postman arrived. Our letter was taken grudgingly, but with a promise that it would be delivered to the Ambassador.

The following is the contents of the letter:

March 19, 1992

Dear Ambassador Sutresna:

We are Americans and others who are concerned about justice for the people of East Timor. We are visiting your mission today to express our alarm with the trials of peaceful protestors in Dili and Jakarta this week.

We hope you share our horror and shock with the massacre carried out by Indonesian military forces at the Santa Cruz cemetery in Dili last November 12. Members of your government have tried to minimize the impact of the killings by claiming that they were not official policy, and that they will not recur. But we are not reassured — the continuing wave of arrests, killings, and prosecutions since then give no indication that President Suharto and the rest of his administration have changed their policy toward East Timor.

As we stand here in the snow, Gregorio da Cunha Saldanha and Francisco Miranda Branco are being tried for subversion in Dili. Although are charged with nothing more than peacefully voicing their opposition to Indonesian control over East Timor — as we are doing here today — they could be executed. Their attorneys, members of the Indonesian Legal Aid Foundation, have not been allowed to represent them, with Brigadier General Theo Syafei (Indonesia's military commander in East Timor) blatantly asserting that government-appointed lawyers are the only defense they deserve against government-initiated prosecution.

To finally seal their doom — and that of others (including Fernando de Araujo and Joao Frietas da Camara) being tried in Jakarta and later in Dili, diplomatic, legal, and journalistic observers are barred from the proceedings. What is Indonesia so afraid of that these trials must be conducted in secret?

We are here to let your government know that Indonesian oppression of the people of East Timor cannot be kept secret. As we ask the United States government to stop providing weapons, money, and trade preferences for your country, we are insisting that your government free all those arrested for peaceful protest. Any trials should be conducted openly, with attorneys chosen by the defendants, and witnessed by international observers.

Your government may be able to keep out the Lusitania Expresso, but you cannot escape the scrutiny of worldwide public opinion.

Very truly yours,
Charles Scheiner, coordinator East Timor
Action Network/U.S.

LOS ANGELES DEMONSTRATION AT THE INDONESIAN CONSULATE

By Matthew Jardine, ETAN/Los Angeles, March 20.

Despite a rather miserable day of almost constant rain (a big deal here in Los Angeles) about 10 people gathered at 3457 Wilshire Blvd. in Los Angeles the site of the Indonesian Consulate, Garuda Airlines, and the Indonesian Tourist Bureau at noon on Friday, 20 March. Members of both the East Timor Action Network and Pax Christi Southern California took part in a demonstration for self determination and human rights in East Timor which culminated in Pax Christi's Curt Grove's presenting letters (see below) to a representative of the Consul General of Indonesia in Los Angeles.

Before we had even arrived for the demonstration, a Los Angeles police officer who turned out to be extremely cooperative was already present as was a representative of the U.S. State Department who was supposedly there to safeguard the Consulate. According to the police officer, the Consulate had been notified the previous evening by its United Nations mission in New York City that the demonstration was going to take place.

The Indonesian Consulate was clearly bothered by the demonstration. During the demonstration, the Consulate remained closed and we were not only videotaped by one person but photographed by two others all of whom were clearly affiliated with the Consulate. Despite this, the consular staff with whom we dealt behaved in a professional and courteous manner; a few even read some of our flyers.

In terms of media coverage, I was interviewed once again by KPFK Pacifica's Los Angeles affiliate for the morning news. The interview lasted about 4 minutes and included a discussion of the current trials of the proindependence activists, the Santa Cruz Massacre, the West's aiding of the Indonesian occupation of East Timor, and an announcement of that day's demonstration. The interview (slightly amended) would have been rebroadcast for the evening news had KPFK been able to get in touch with me in the afternoon. Because of the weather, they were not sure if the demonstration had taken place and I didn't think to call them to let them know that it had.

Because of the terrible weather, our expectations in terms of numbers of demonstrators and passersby with whom we might have engaged concerning East Timor were not fulfilled. Nevertheless, given that we had a visible presence in such adverse conditions and had some valuable publicity, the outcome of the day is very encouraging for future activities concerning East Timor.

Pax Christi Southern California
1149 Crestwood Street, San Pedro, CA
90732

20 March 1992

Consulate General of Indonesia in L.A.
3457 Wilshire Blvd., Los Angeles, CA

Dear Sir:

The following statement concerning last year's atrocities committed by Indonesian troops against a group of East Timorese people on 12 November 1991 was issued by Pax Christi International on 22 November 1991:

"Ever since the invasion of East Timor by Indonesia in 1975, Pax Christi has never ceased calling on the international community to stop the massacres being committed there, and to give the East Timorese people the chance to map out their own future. Several members of the Australian Pax Christi section, who have recently visited East Timor, attest that fifteen years after the invasion, the war still goes on unabated.

Once again, Pax Christi International has to speak out against new atrocities committed by the Indonesian army against citizens. This time, the act of violence is particularly horrid: the killing of at least fifty unarmed civilians at the cemetery of Dili. Even if according to independent observers there was no provocation against the Indonesian troops, the shooting lasted for ten minutes. This was admitted by the military commander of East Timor himself, who added that he did not think that this was too long.

We mourn with all those who have lost relatives or friends in this incident, or in the long period of repression and human rights violations which preceded it. We want to express our sympathy with the people and with the Church of East Timor in this hour of profound grief.

In view of the grave nature of this incident, Pax Christi International asks that an independent international inquiry be undertaken to reveal the full truth about it. We also ask that the International Red Cross be immediately allowed to visit those wounded during the shooting. We hope that this sad event will make foreign countries reconsider their military aid to Indonesia.

Until the legitimate right to selfdetermination of the East Timorese people is finally granted, Pax Christi will not remain silent on what is happening in this country. At the moment, several Pax Christi sections are developing new initiatives concerning East Timor. The Portuguese section is prominent among them. Our hope is that these activities will constitute a small but helpful contribution to redress one of the major injustices in our present world."

Pax Christi Southern California, a branch of Pax Christi USA and Pax Christi International that looks westward and desires peace and justice for all Pacific Rim nations, strongly endorses this statement.

Curt Grove (signed)
Regional Coordinator Pax Christi
Southern California

East Timor Action Network
1062 Marco Place, Venice, CA 90291

20 March 1992

Mr. Haridadi Sudjono Consul General
Consulate of Indonesia

Dear Mr. Sudjono:

We who are gathered today at the Indonesian Consulate are very concerned about the situation in East Timor, both in terms of human rights and in terms of Indonesia's very presence in the former Portuguese colony.

As you probably know, thirteen East Timorese are currently being tried in the aftermath of the Santa Cruz Massacre and a 19 November 1992 East Timorese independence demonstration in Jakarta. Four are being tried for subversion and nine are being tried under the Criminal Code "for inciting hatred against the government." The East Timor Action Network of Los Angeles (ETAN/L.A.) is very concerned about the fairness of the trials and calls upon the Government of Indonesia to allow that the trials be open to international observers and that the defendants be defended by lawyers of their own choice and given all the facilities for a fair trial. ETAN/L.A. also asks that the ban on foreign journalists visiting East Timor be lifted immediately to enable journalists to attend and report on the trials.

Despite Indonesian Government statements that they regret what took place in Dili on November 12th and that they have taken steps to correct the "excesses" committed by Indonesian troops such as the replacement of the top military officials in East Timor, the Santa Cruz Massacre must be seen as simply one incident in 16 years of Indonesian rule in East Timor during which, according to a variety of sources including Amnesty International, about 200,000 have died as a direct result of either war or famine.

As a MemberState of the United Nations, Indonesia has pledged to uphold and respect human rights. In this spirit, we call upon the Government of Indonesia to begin internationally supervised negotiations with Portugal and with the people of East Timor both inside and outside of East Timor with the goal of holding a plebiscite on selfdetermination that would conform to international human rights standards.

The Government of Indonesia has long maintained that the vast majority of the population of East Timor wants to be part of the Republic of Indonesia. If this is the case, the Government of Indonesia has nothing to lose and much to gain by allowing for an internationally supervised act of selfdetermination to take place within East Timor.

We would appreciate it if you would convey our sentiments to the appropriate authorities of the Government of Indonesia.

Please accept our most cordial regards.

For the East Timor Action Network of Los Angeles,

(signed) Matthew Jardine, Coordinator

TRIALS PROTESTS IN LONDON*TAPOL report, 21 March 1992.*

A Memorial Service for the victims of the Santa Cruz massacre and for those now facing trial in Jakarta and Dili was held on Friday, 20 March, at St Bride's Church, Fleet Street in central London. There was also a 'cage' protest outside the Indonesian embassy in Grosvenor Square, and articles relating to the trials were published on the same day in The Times and the Catholic Herald. The day of action was organised by the British Coalition for East Timor.

These actions were part of a worldwide campaign of protest against the trials of East Timorese which commenced last week in Jakarta and Dili.

Four celebrants led the prayers at the Service, the Rt Rev. Patrick Kalilombe, former Bishop of Lilongwe, Malawi, Rev. Predendary John Austin, Church of England Board of Responsibility, Rev. Ian Hamilton, Minister at St George's Methodist Church, Stepney and Fr Sarath Wasanta, Catholic priest from Negombo, Sri Lanka.

The well-attended service also heard reflections from the journalist, Hugh O'Shaughnessy of The Observer who described Indonesia's invasion and annexation of East Timor as an act of subversion against the world community and the people of East Timor. James Gibbons, the brother of Kamal Bamadhaj who was shot dead during the Santa Cruz massacre, read out extracts from Kamal's diary written in Timor shortly before he was killed. There were also reflections from a Malaysia refugee, John Joseet who was detained in the mid 1980s under Malaysia's Internal Security Act. He said that he had once visited East Timor after its annexation; one of the most persistent questions asked by his interrogators during his detention was why had he paid a visit to East Timor.

East Timorese refugee Estevao Cabral read out a song of struggle in Tetum.

At the end of the Service, those present signed a letter to the Indonesian ambassador in London, calling for the release of all the East Timorese on trial in Jakarta and Dili.

More than a dozen people took part in a 'cage' demonstration outside the embassy, carrying posters saying: "Free the East Timorese political prisoners!," "Free East Timor," and "Lift the bonds of oppression from East Timor"

Timor support group in Ireland

A newly established East Timor support group has been set up in the Irish Republic. It plans a series of actions in protest against the trials on Good Friday, 18 April when an East Timorese refugee from London will take part.

TRIAL PROTEST IN CANBERRA

Report, written 25 March, of a protest organised by the Sydney based East Timor Independent Committee (ETIC) outside the Indonesian Embassy in Canberra, Australia on 22nd March 1992.

About 100 mainly East Timorese from Sydney drove for about 3 hours to Canberra and staged a protest outside the Indonesian Embassy. The trip was organised to protest against the trials of East Timorese arrested after the Nov 12th Dili massacre. The protest started with a march from the East Timor Information Centre, located on a vacant land about 300 metre from the Indonesian Embassy. The East Timor Information Centre was set up after the Dili massacre and has been there since. Carrying banners which say "East Timor – Indonesia's killing fields," "independent for East Timor Now" and several others denouncing the Indonesian Government, the protesters marched to the front of the Indonesian Embassy, where all together about 10 Australia Federal Police and Australian Protective Service personnel stood guard. Slogans such as "Sueharto is a butcher, free East Timor Now," "Free East Timorese Students Now" and others were continuously shouted towards the Embassy. A Fretilin NSW representative addressed the protesters, demanding that soldiers involved in the Dili massacre and Benny Murdany be tried for murder. The speaker demanded the release of all East Timorese political prisoners, saying any form of trial in Indonesia and the occupied East Timor can never be fair, and that Indonesia has no right to trial East Timorese because of Indonesia's illegal occupation of East Timor. A street theatre re-enactment of the Dili massacre was performed by East Timorese Youth group from Sydney. The theatre ended with the tearing apart and the burning of a red and white Indonesian flag. The protest finished off about 3 hours later with a prayer in front of the memorial candles erected outside the Indonesian Embassy in memory of those killed in the Dili massacre.

The protest was carried in the Canberra Times newspaper on the actual day of the protest, as well as on the 23rd March. The 23rd March article was carried on the 3rd page, headed "Timorese call for prisoners' release," and had two photographs of the protest (one showing the march, with the front banner showing 'East Timor – Indonesia's Killing Field,' and the other photo showing the protesters staging a street theatre). Its report is:

"About 100 East Timorese people demonstrated outside the Indonesian Embassy yesterday, burning that country's flag and staging a street-theatre re-enactment of the Dili massacre.

The protesters were demanding that the Indonesian Government release what they called political prisoners, and that any ne-

gotiations between Indonesia and Portugal include East Timorese involvement.

They also expressed their continuing concern about the problems in their homeland."

Two TV stations also turned up for the protest and interviewed East Timorese with the protest on the background.

LBH CHARGES HUMAN RIGHTS VIOLATIONS

Reuter, Jakarta, March 19 – A group of Indonesian lawyers accused an East Timor court on Thursday of violating human rights by refusing to let them defend a student charged with provoking an army massacre in the territory last November.

"The trial should be considered illegal," said Luhut Pangaribuan, who coordinates a team jointly organised by the Legal Aid Institute and the Indonesian Bar Association to defend eight East Timorese charged in connection with the massacre in the East Timor capital Dili.

The Dili high court trying Gregorio da Cunha Saldanha on a subversion charge barred the Jakarta-based legal aid institute lawyers on grounds they did not have permits to practice in the town. The charge carries a maximum penalty of death.

The Dili court ban apparently ignored a ruling from a higher court, which according to local newspapers had cleared the lawyers to defend the eight.

A legal aid institute statement said da Cunha Saldanha had asked the court at the start of his trial on Wednesday to replace the local lawyer it allocated him with lawyers from the group.

The institute said it would ask the Supreme Court to correct the judge's action, "as a protest against the violation of the defendant's fundamental rights."

The court has so far brought to trial da Cunha Saldanha and Francisco Miranda Branco, also charged with subversion.

The two are on trial for their alleged roles in an anti-Indonesia demonstration that Jakarta says forced troops to open fire at a cemetery on November 12.

REUTER, JAKARTA, MARCH 19 – IN DILI, A COURT JAILED AN EAST TIMORESE WOMAN FOR FIVE YEARS ON THURSDAY AFTER CONVICTING HER OF STEALING CLASSIFIED DOCUMENTS THAT WERE LEAKED ABROAD, ANTARA NEWS AGENCY SAID.

It quoted Judge Pandapotan Sinaga as saying Felismina dos Santos Conseicao, a 29-year-old employee of the East Timor military command, committed the offence in June.

The judge said she photocopied two documents she stole from her office. The documents later surfaced in Portugal. She

was the second East Timorese to be sentenced to a five-year term for the offence.

Afonso Rangel, a former member of East Timor's Fretilin rebel movement, was jailed for masterminding the theft.

A third East Timorese, Conseicao's brother-in-law Amarao de Araujo, was tried on the charge that he passed copies of the document to Rangel. Sentence has yet to be passed.

The leaked documents included letters about a Portuguese parliamentary mission's abortive plan to visit East Timor and a Portuguese journalist's interview with the territory's governor, Mario Viegas Carrascalao.

EAST TIMORESE PRISONER GRAVELY ILL IN JAKARTA

TAPOL, the Indonesian Human Rights Campaign, issued the following Press Release, today, 20 March 1992

The East Timorese political prisoner, Fernando Araujo, a student at Udayana University, Bali, who went on trial for subversion last week in Jakarta, is gravely ill. He has been taken to the Police Hospital in Kramat Jati, East Jakarta.

The nature of his illness is not clear though sources believe he is suffering from hepatitis. He has been in very poor health for some time, as the result of mal-treatment during interrogation and poor food during his detention. He was arrested on 24 November 1991, in Denpasar.

The charges against him, which make him liable to a death sentence under Indonesia's anti-subversion law, are based on his considerable activities to keep the outside world informed of the violations of human rights in East Timor. He is alleged to have kept contact with the foreign press, foreign embassies in Jakarta, with Geoff Robinson of Amnesty International in London and with Carmel Budiardjo of TAPOL, as well as Portuguese and East Timorese contacts in Lisbon and Australia.

TAPOL has also been informed that 17 East Timorese prisoners who were released from police custody a few weeks as the authorities had decided not to charge them, are now being detained in an army building, Wisma Jayakarta, East Jakarta. There conditions give rise to alarm also, as they are being provided with no food rations, only Rp. 3,000 a day, less than 1.00, for their food. They were all arrested on 19 November last year after participating in a demonstration in Jakarta protesting against the massacre in Dili on 12 November when up to 200 people were shot dead by Indonesian troops.

BRANCO'S NIECE TELLS HER STORY

The London Times, 20 March 1992. By: Margaret Coles. Unabridged.

This article was published in the features section, well placed with a striking photograph of Dolores Joaquim Branco.

ON THE ISLAND OF THE LOST

As new trials start in East Timor, a survivor of 'the most frightening place on earth' tells her story.

Dolores Joaquim Branco's ninth birthday was meant to be a happy day. She awoke on March 11, 1979 full of excitement, wondering what present she would get. There would be something special from her father, a doll, perhaps, or a pretty dress.

Early that morning, while Dolores and her brothers were still asleep, Indonesian soldiers had come to the house and taken their father away. "My mother did not wake us because they told her that they were just taking him for a meeting," Ms Branco says. "The soldiers said, 'Don't worry, he is coming back.'"

Dolores waited with her mother and her two brothers, aged five and seven. But her father, Leopoldo Heraldo Joaquim, did not come back. Now, Ms Branco is 22 years old, and one of a handful of East Timorese in Britain. At home, the soldiers have come again – this time for her uncle, who is awaiting trial on charges of subversion. He could face the death penalty.

After her father disappeared, Ms Branco and her family fled to Dili, the capital of East Timor, and took refuge in the home of a relative. "He owns a large shop, and he doesn't have any trouble with the Indonesians. My mother thought we would be safe there," she says. Although East Timor, a small island east of Java in the Pacific Ocean, has a civil governor, it is run by the military. Indonesian has populated the country with its own nationals.

In Dili the family were, in fact, not safe. Mr Branco's father was a member of Fretilin, the nationalist movement. When Indonesia invaded, he had taken his family to the mountains, which were under the control of the resistance. He brought them from the mountains three years later when Indonesia's President Suharto announced an amnesty for resistance fighters who surrendered. It was shortly after this that he was taken.

"It was difficult for us in Dili. We used to go out in the street and the Indonesians used to shout at us 'Children of Fretilin.' Other people, the Timorese, wanted to help us but they could not do anything because they would be killed, too," Ms Branco says. The family asked for permission to leave the country through the International Red Cross, but it was eight years before they were allowed to leave. "My mother had

decided that we had to go to Portugal, because otherwise we would be killed."

In East Timor, disappearances are commonplace. In the 17 years since Indonesia seized the territory, the East Timorese have lived under a regime of terror. Two hundred thousand people, one third of the population at the time of the annexation, have been murdered in massacres, induced famine and bombings. Amnesty Indonesia has catalogued what it describes as "growth and systematic violations of human rights." A worker for a Christian charity described East Timor as "the most frightening place I have ever been."

The family's eight-year wait to leave East Timor is not unusual. The only way out is under the auspices of the International Red Cross, which has a family reunion plan for those with relatives abroad. Although this plan is formally accepted, in practice it is extremely difficult to obtain permission to leave.

On November 12 last year, at a pro-independence demonstration in Dili, the Indonesian army opened fire on the crowd. At least 100 people were killed. The survivors were pursued by the soldiers into a cemetery and beaten up. Foreigners present included the British journalist Max Stahl, who filmed the terrible images of brutality which have since been shown around the world. Ms Branco's uncle, Francisco Miranda Branco, was arrested and charged with subversion for "being involved" in the demonstration. His trial opened in Dili last week, was adjourned and is due to continue shortly. The judges refused to allow Signor Branco's lawyers to defend him. In their place, he appointed a local lawyer.

The trials of two other East Timorese, Fernando de Araujo, aged 26, and Joao de Freitas Camara, aged 37, opened on Monday in Jakarta, the Indonesian capital. They are charged with subversion for involvement in a peaceful protest in Jakarta on November 19. Their lawyer, Abdul Rachman Hakim, who is head of the Indonesian Legal Aid Institute, says: "Very few people, or can I say no one, are acquitted if brought to trial under the subversion law. They are sentenced to life imprisonment, 18 years, or, at a minimum, six."

Amnesty International is very concerned about the trials. "The charges look as if they contravene the right to freedom of expression and association. Even if they did not, we believe political trials in Indonesia have persistently fallen below international standards of fairness," a spokeswoman said.

Ms Branco last saw her uncle in 1987, when the family left for Portugal. "We are really worried about the children and his wife because when they arrested him and put him in prison they cut off his wages and there is nothing coming into the house. He is the father of seven children, aged from two to 15. I feel sick with worry. I don't know how the children are going to live."

A year ago Ms Branco left Lisbon for London. Her mother and her two brothers remained in Portugal, where her mother works in a factory. Ms Branco is one of only six East Timorese known to be living in the United Kingdom. She lives with a Portuguese family, works in a clothing factory and studies English part-time.

"I believe we will go back to Timor," she says. "We know it is a difficult problem to solve. It's been 17 years now. What we want to ask the world is that it turns its eyes towards our country."

ICJ OBSERVER SLAMS TRIALS

Reuter, Sydney, Wilson da Silva, March 20 – An international observer to the trial in Indonesia of two East Timorese facing death sentences on subversion charges criticised the law on Friday, saying Jakarta was applying it for political reasons.

Australian lawyer Rodney Lewis, who arrived in Sydney on Thursday after attending one of the trials on behalf of the International Commission of Jurists, said East Timor was tense, the military on edge and he was constantly watched.

Indonesia's use of the subversion law was inappropriate considering the alleged offences, he said.

"Under this law, it's almost impossible not to commit an offence," Lewis said. "People have been put to death under this law...I'm not aware of anybody being acquitted."

Gregorio da Cunha Saldanha and Francisco Miranda Branco are being tried in the East Timor capital of Dili for subversion.

Lewis said: "On the day of the trial, I presented myself at the front gate of the courthouse and was met by about a dozen armed Indonesian military who made it clear I should not proceed. There were 20 to 30 military around the building."

Lewis, who also represented the London-based International Bar Association, the LawAsia Human Rights Committee and the Law Council of Australia, said he was primarily concerned that the accused were accorded their rights under Indonesian law.

"It's really for the court to decide if they are guilty or not of the charges," he said.

"But we want all of the parties — the judges, prosecutors, defence attorneys and the defendants themselves — to know that lawyers around the world are interested and concerned in this trial and its outcome," he said.

DA CAMARA DENIES CHARGES

UPI, Jakarta, Sukino Harisumarto, March 21 – An East Timorese dissident facing a possible death sentence for subversion denied the charges against him on Saturday

and said the East Timor issue could not be solved through an Indonesian court.

Joao Freitas da Camara, 37, who in an earlier trial session refused to be identified as an Indonesian citizen, insisted he was a Portuguese citizen and says his case related to the East Timor issue.

He said the East Timor problem is international and cited a 1976 United Nations' resolution which recognized Portugal as the administrative power of East Timor.

da Camara and his companion, Fernando de Araujo, 26, were charged in Jakarta central court with undermining the Indonesian government by staging a protest in Jakarta on Nov. 19 — one week after Indonesian troops opened fire on pro-independence demonstrators in East Timor killing at least 50 people.

The protest involved about 70 East Timorese youths who marched to the United Nations office as well as to the Japanese and Australian embassies in downtown Jakarta to protest the massacre in the East Timorese capital of Dili.

A total of 13 East Timorese have been detained in Jakarta and Dili in connection with the Nov. 12 shootings. Four of them have been charged with subversion, while nine others have been charged with other crimes.

LBH WINS REPRESENTATION RIGHTS

Reuter, Jakarta, March 22 — A team of lawyers barred for more than a week from an East Timor court will now be allowed to defend East Timorese in connection with an army massacre in the territory last November, the daily Kompas said on Sunday.

"There are no more problems. The team can now work," the newspaper quoted the head of the Supreme Court, Ali Said, as telling local reporters on Saturday.

Lawyers from the Legal Aid Institute, the country's leading human rights group, and the Indonesian Bar Association had been prevented by the East Timor court from defending two students on grounds they did not have permits to practice in the territory.

The students are charged with subversion for their alleged role in an anti-Indonesia protest in November.

Indonesia, whose 16-year-old rule over the former Portuguese colony is still not internationally recognised, plans to try a total of 13 East Timorese in connection with demonstrations before and after the massacre.

COURT'S JURISDICTION REJECTED

TAPOL report, 23 March 1992, based on Camara's 'eksepsi' or demurrer.

Joao Freitas da Camara told a Jakarta court trying him for subversion that he rejects the court's jurisdiction and will refuse to attend further hearings.

In a demurrer on 21 March, after the indictment was read out earlier in the week, Camara said Indonesia has no right to try him and his East Timorese colleagues. "My/our question is the question of East Timor which is an international question that cannot be resolved unilaterally by the Indonesian government through the courts."

He cited UN resolutions since 1975 upholding East Timor's self-determination, condemning the occupation of East Timor by the Indonesian army and calling on Indonesia to withdraw, recognising Portugal as the administering power and calling for a referendum in East Timor.

East Timorese cannot remain silent in the face of army brutality in East Timor. "We have the right to defend ourselves and everything we did was in reaction to what the armed forces (ABRI) did against our people. Every act of violence by ABRI in East Timor is the consequence of the army's occupation of East Timor which has been condemned by the UN since 1975. Our right to organise is protected under the Universal Declaration of Human Rights. Our purpose in organising was to defend our people by diplomatic means against ABRI's violence towards our people. It was not our aim to undermine the Indonesian state. We want Indonesia to resolve the East Timor question with justice and wisdom, and avoid a repetition of the Santa Cruz event on 12 November 1991.

"If Indonesia has a poor reputation in the world, this is because of its own actions, not because of any attempt on our part to undermine the state."

Camara ended his demurrer:

"1. I object to this action and I refuse to attend further hearings.

"2. I demand that my/our question be resolved through diplomatic channels under UN auspices.

"If I am forced to attend the trial, I am entitled to charge the Indonesian government with responsibility for all the human rights violations perpetrated against East Timor since the start of the occupation in 1975.

"I demand that those responsible for the 12 November event when hundreds were killed and wounded should be tried in open court. What we did was only in reaction to this."

Lawyers' demurrer

In another demurrer, lawyers from the Legal Aid Institute who are defending Freitas da Camara challenged the court's right to charge him under the anti-subversion act which is unconstitutional and un-

democratic. The lawyers asked the court to reject the indictment and throw out the case.

TIMOR TRIALS BREAKTHROUGH

Remark: The following press release was issued by the Legal Aid Foundation in Jakarta, members of which have been appointed as defense counsel for East Timorese on trial in Dili and Jakarta.

INDONESIAN LEGAL AID FOUNDATION

Press Release on the Second Session of the Trial of Francisco Miranda Branco in Dili District Court

March 23, 1992

On Monday, March 23 at 10:00 am, the second session of the trial of Francisco Miranda Branco began to hear the petition to dismiss (eksepsi) from local lawyer Ponco Atmono. But his reading of the petition was canceled by chief judge Pandapotan Sinaga, SH because the Indonesian Supreme Court had handed down a decision that the defense team of YLBHI-IKADIN could appear in Dili District Court. The appointment of Ponco Atmono as defense lawyer, which was against the wishes of the accused, was revoked. Thus, in the second session of the trial, lawyers from the YLBHI-IKADIN team (Luhut MP Pangaribuan, SH, LLM; Artidjo Alkostar, SH and Domi Yos Atok) accompanied the accused while the local lawyer did not appear.

The process and atmosphere of the trial was noted by the head of the defense team, Luhut Pangaribuan, as follows:

The guards at the front gate of the District Court were no longer in evidence. The gate was open and anyone could enter the courtyard. But to enter the courtroom itself, spectators had to register with uniformed officials; there were also men in civilian clothes. There was no reduction in the number of security personnel, but their methods of maintaining order began to be better and more humane.

The accused was likewise different from before. He was no longer handcuffed and he appeared in a suit.

About 10:00, the chief judge called the session to order; the prosecutor and the defense team were already in the courtroom. The chief judge asked the defense team if there was anything it wished to convey. But before that, the accused asked for time to read a letter, the essence of which was that he requested to be defended by Ponco Atmono. He then turned the letter over to the council of judges. The head of the defense team said that he wished to submit the letter from the family of the accused granting the defense team power of attorney. When the chief judge was asked if he still needed a letter from the accused himself

granting power of attorney, in addition to the oral statement made in the first session, he said it was not necessary.

After this, Judge Sinaga said that just in case the public did not know about the Supreme Court decision, he would have the following read out in court:

1) the letter that was sent to the YLBHI/IKADIN with a copy to, among others, the district court.

2) the letter that was sent directly to the district court.

The gist of both was that the YLBHI-IKADIN defense team should be allowed to practice in Dili District Court and that the appointment of Ponco Atmono was re-voked.

Next, Judge Sinaga explained that the charge-sheet had been read in the first session, and the defense team could listen to it, albeit in a passive fashion. The defense counsel had a right to get this charge-sheet to read and study. The head of the defense team said he valued Judge Sinaga's explanation, but begged to differ with him. He remained of the opinion that from the de jure standpoint, the charge-sheet had not been read, while in reality, the defense team had been in court when it was read out. This was a technical and procedural question, though, and in the interests of ensuring that the trial was "speedy, cheap and simple," the defense team, in the interests of the law, would accept that the charge-sheet had been read. The defense then asked for time until March 26 to convey its objections; the accused felt the same. The request was granted by Judge Sinaga.

Before the session finished, the defense asked for the chance to consult with the accused and also asked for copies of all documents (including the charge-sheet and the interrogation depositions). This was agreed to by the judge, who asked the prosecutor to turn them over.

The session finished about 11:00 and will continue on Thursday, March 28, with a consideration of the defense team's objections to the charge-sheet.

The Indonesian Legal Aid Foundation welcomes the decision of the Indonesian Supreme Court which ends the controversy in the Branco case.

The Foundation hopes that Bronco and the other defendants in the November 12 case will proceed according to the principle of due process, reflecting a system of justice that is open and fair.

Issued in Jakarta, March 23, 1992
Hendardi
Head of Public Relations

LAST 'SECRETS' TRIALS CONVICTION

Reuter, Jakarta, March 24 – An Indonesian court has jailed an East Timorese for three years for leaking classified

documents to Portugal, the official news agency Antara said on Tuesday.

Amarao de Araujo, 29, was found guilty of cooperating with a member of the Fretilin guerrilla movement fighting Indonesian rule and with another East Timorese to leak state secrets, it quoted judge Tanahboleng as saying.

The two other men were earlier jailed for five years each.

De Araujo asked his sister-in-law, an employee at local military headquarters, to steal the documents from her office, Tanahboleng told the court in the East Timor capital of Dili.

They included a transcript of a Portuguese radio interview with East Timor's governor and a report on a planned visit by a United Nations human right mission to the territory.

Antara did not say why the documents, sent to a Fretilin guerrilla leader in Australia, were considered secret.

FERNANDO ARAUJO'S FIRST COURT STATEMENT

On 23 March 1992, Fernando Araujo, on trial for subversion, delivered his demurrer in court. This is the opening statement allowed by court procedure, when the defendant can challenge the legal basis of the indictment and the trial. The defence plea comes later, after all the testimony has been heard and the prosecution presents his final summing-up and demand for sentence. The following is an unabridged translation of Araujo's demurrer:

DEMURRER BY DEFENDANT, FERNANDO ARAUJO, AT THE JAKARTA CENTRAL COURT 23 MARCH 1992

Respected judges, prosecutor, my own legal advisors, and all those present,

A. PRINCIPLES

I now stand before an Indonesian court to resolve the issue between me and the government of the Republic of Indonesia. People often proclaim the principle of 'Right or Wrong My Country,' but what I expect from this court is that those charged with upholding justice should direct their thinking along different lines than that of state citizen, namely the principle of 'Right is Right and Wrong is Wrong.'

As the question of East Timor is an international question, it is right and proper for it to be resolved by means of international law, not through the Indonesian code of law (KUHPI). All the political activities I engaged in and which I will continue to engage in during the coming days are based on international law as pronounced in resolutions of the United Nations calling on Indonesia to respect the principle of self-determination for the people of East Timor: the withdrawal of Indonesian troops from

East Timor and the UN's continued recognition of Portugal as the lawful administering power of East Timor.

The activities in which I have been engaged were not aimed at undermining the authority of the Indonesian government. Everything I did was for the sole purpose of demanding our right to freedom, the same freedom that is enjoyed by the Republic of Indonesia and other republics throughout the world. It is my hope that our right to independence will be respected just as others respect this country's independence and just as we too will respect its independence.

I was utterly amazed to read that the indictment accuses me of subversive. I was amazed because, considering what I have been struggling for, it is inappropriate to accuse me of subversion. After reading the indictment, many questions and feelings of exasperation went through my mind. The question which came to mind was whether those responsible for upholding the law in the Republic of Indonesia have had time to keep up with world developments or are just in thrall to the code of Indonesian laws and believe that all problems can be resolved by this code of laws. The facts are not like that. National problems can be resolved by the KUPHI, but international questions must be resolved by means of international law.

The panel of judges will know all about my political position from the indictment, the things I have struggled for, my aims and the basis for my way of thinking. I do not consider that I have done anything sinful or wrong by engaging in activities aimed at achieving independence for the people of East Timor. Indonesia is widely respected by people throughout the world because the very first paragraph of the Preamble of its 1945 Constitution reads: "Independence is the right of every nation and colonialism in the world must be eliminated because it is not in conformity with humanity and justice." If this is so, why am I being accused of subversion because I want a free East Timor? Mr Ali Alatas tells the world that the question of East Timor has not yet been resolved and special efforts are needed to find a resolution. Why does this government together with its legal experts not try to look for a democratic way to resolve the East Timor question? Why does the word democracy reverberate every single moment, on every occasion, yet find no realisation in practice? Why is it that people like me, who are trying to find a solution by peaceful means, are thrown into detention, isolated in prison and subjected to all kinds of intimidation? Why is it that people who struggle for their right to be free are imprisoned on the charge of subversion? Why is it that people who hold a demonstration to express their political aspirations are beaten up? Why is it that people who simply struggle for their right to independence are branded as GPK (gerakan pengacau keamanan, security disrupter gangs)? Why

is it that the CNRM (National Council for Maubere Resistance), the highest council of struggle of the East Timor people, a struggle known to and recognised by the United Nations – why is it that this organisation which is lawfully struggling for independence for the people of East Timor and recognised as such throughout the world, yet here in Indonesia and in the indictment, it is described as a clandestine organisation? This organisation existed before Indonesia launched its intervention against East Timor, it has preserved its existence up to this very day and its existence is recognised by the world, just as the United Nations has still not recognised East Timor's integration into the territory of Indonesia.

B. CITIZENSHIP

In conformity with United Nations resolutions which declare that de jure East Timor is still under Portugal administration, I am a Portuguese citizen. The fact that I hold an Indonesian identity card is the condition for me to be able to live in East Timor and to get an education in Indonesia. I have been forced to possess an Indonesian identity card because for 16 years, East Timor has been under the control of military forces and the people of East Timor have never been given the freedom to express their aspirations.

For the past 16 years, the people have been subjected to torture, beatings, imprisonment and other forms of intimidation. Here before the court of law and before this public arena, I declare that I am still a Portuguese citizen according to international law. When anyone asks me about the Indonesian identity card I hold, I say that up to this day, I am a coerced Indonesian citizen.

C. ARREST

On the morning of 24 November 1992 when my friends and I were about to go to church, my contracted house, No 10 Gang Taman Sari, Sasetan Road, Denpasar, was surrounded by officers of the Nusa Tenggara Police District (Polda Nusra) in Denpasar, together with persons whose identities I never knew, nor did I know where they came from. At 6.15am, when I was still in bed, two persons in civilian dress jumped on me through the window of my bedroom. As soon as I got up, I was ordered out and ushered from the bedroom into the sitting room by two persons. After all the occupants of the house were in the sitting room, these people went through all the rooms. After they had spent about five minutes going through the rooms, they summoned a colleague of mine, Clemente Soares, to witness a house search. When they re-entered the room, they showed Clemente Soares two grenades and two explosives and confiscated every single document and all my personal papers. Since none of those carrying out the search understood a word of Portuguese, every thing

written in the Portuguese language was taken away because they thought these were all documents. They even took all the books in the Portuguese language. The persons who made the arrest and conducted the search did not produce an arrest warrant or search warrant from the police. When we were in the sitting room, we were all threatened with being hand-cuffed and told that if anyone moved, we would be shot on the spot.

It was only after the search had been completed that they summoned the neighbourhood head and house owner to witness the house search. At the time, my colleagues and I argued with them: we acknowledged various things as being ours but said that the grenades and explosives did not belong to us, we had never seen them and had never ever contemplated possessing such things. This is slanderous. The officers wanted to ensnare us with the accusation that we kept illegal things in our home. All they would say during this argument was that it would be settled later in the office.

We were taken to the police headquarters in three separate vehicles, and we were separately interrogated at police headquarters. We denied that the grenades and explosives were ours.

We can conclude from the way things proceeded that, prior to our arrest, some officials had been planning to make things difficult for us. They tried to turn our problem into a criminal case. Moreover, the way in which the arrest took place did not conform with the regulations in force in the Republic of Indonesia.

D. INTERROGATION PROCESS

In Denpasar, I was interrogated by police officers and a number of civilians whom I was never able to identify right up to the time I was moved to Jakarta. During those first days, I was intimidated by the civilians who said that if they had been the ones to have taken me from my home they would have broken one of my legs; they often made other insulting remarks which were a violation of my basic human rights, and I was not treated as a political prisoner.

During the interrogations which went on for a week, I was not once asked whether or not I wanted to be accompanied by a legal adviser during the interrogation. It was only after a week that I was asked about this. I immediately replied that I had already been in detention for a week and I asked to be given the opportunity without delay to make contact with the chair of the League for the Defence of Human Rights (Lembaga Pembela Hak Azasi Manusia) in Jakarta, to ask him to find me a legal adviser or, if possible, for him to become my legal adviser. The officer replied that the person I wanted to contact was too far away and the interrogation had to continue without interruption. The officer never once allowed me to make contact with the lawyer even though I asked for this a number of times.

During the time I was in Denpasar, I was interrogated continually by two teams; one was a team of police officers, the other was a team of civilians whose identities I never discovered. I was brought face to face with these two teams continuously from 24 November 1991 right up to 22 December 1991, the day I left for Jakarta.

Nor did I get the chance to be accompanied by a lawyer during my time in Jakarta even though I had signed a power of attorney. When, during my interrogation, I asked to be accompanied by a lawyer, the interrogator usually made the excuse that the lawyer was not available and, in order for the interrogation to be speedily completed, the questioning must go ahead; the lawyer would be able to defend me in court. One of the interrogators said that in a subversion case, it was not necessary for a lawyer to be present during the interrogation. Right up to the end of the interrogation, I was never accompanied by a lawyer despite the fact that I had a lawfully designated lawyer. Several times, I was forced to sign Interrogation Reports (BAP) without first reading them. This happened because the interrogator was exhausted and because the document was too long.

The same thing happened in Polda Metro Jaya Detention Centre, where I was twice ordered to sign BAPs in my cell, on 26 and 27 February 1992. The official who brought me the BAPs said that the authorities did not want to accept the BAP in duplicate, so they had to write or copy it out, and I should sign it to ensure that the process would be quickly completed. What the official placed before me was already in book form and I was not given the chance to read it from behind bars.

E. IN DETENTION

a. In Denpasar

On the first night, the night of 24 November 1991, before being taken to a cell at Polda Nusra, I was ordered to take off my shirt and trousers which were taken away by an official, so I slept that night only in my pants. My clothes were returned to me the next morning when the interrogation began. All the contents of the pockets had been confiscated by the official. The money and wallet in my pockets were not returned to me until 21 December 1991, the day before I was transferred to Jakarta. During my detention in Denpasar, I was held in a cell located rather far away from the other cells, with a bathroom outside. Whenever I wanted to use the toilet, I had to wait for an official to come and open the door. Some officials did not want to open the door when I asked them.

During my time in Denpasar from 24 November to 22 December 1991, the officials refused to allow my friends to visit me in my cell even though they tried to do this by asking for permission through the formal channels.

I was forbidden to have writing utensils or books in my cell. At night, civilians often came to my cell to threaten me. During the time I spent in Denpasar, I was not treated like a political prisoner. When I was moved to Jakarta, I was handcuffed; the handcuff was not removed until I arrived at the investigation hall of Polda Metro Jaya.

b. In Jakarta

On 22 December 1991, I arrived in Polda Metro Jaya along with three friends who had also been arrested in Denpasar, and was taken to a cell there in the afternoon. My contact with friends already detained in the same cell was at all times restricted by the officials. For two weeks, we were not permitted to have religious services together.

In early January 1992, several friends came from Denpasar to visit me but none of them was allowed to see me.

Correspondence was usually held back by officials and has not yet been given to me.

On 26 February 1992, my cell at Polda Metro Jaya was searched by police officers; my pens and the notes I had written during my time there were taken away. This was very damaging because I lost all the notes I had taken about my case up to that time. I was not treated like a political prisoner.

At Polda Jaya, my meetings with my legal adviser were severely restricted, making it very difficult for the lawyers to understand my case thoroughly so as to be able to defend me to the best of their ability, as I would hope.

In the afternoon of 3 March 1992, I was moved to Salemba Prison and placed in an isolation cell where I am still being held to this day.

F. DENIAL

I reject everything that is written in the indictment because, based on the resolutions of the United Nations, I am still fully entitled to speak and undertake actions for the purpose of struggling for the independence of the people of East Timor. The question of East Timor cannot be resolved by the KUHPI.

Jakarta, 23 March 1992

The defendant, Fernando Araujo

May we stand by the principle: 'Right is Right and Wrong is Wrong.'

MORE TIMORESE ARRESTED

UPI, Jakarta, March 28 – An East Timor youth believed to be a supporter of the pro-independence Fretilin movement and wanted for allegedly organizing anti-Indonesia demonstrations has surrendered to security forces, the official news agency Antara reported Saturday.

The youth, identified as Jose Govea, 26, reportedly earlier instigated the harassment of East Timor University students who demonstrated against the recent voyage of

the Portuguese "peace ship" Lusitania Expresso.

East Timor Police Chief Col. Ishak Kodijat said Govea surrendered after his five alleged accomplices were detained earlier by security authorities.

However, Kodijat declined to identify the five other suspects and said authorities were continuing to pursue several people believed to be involved in underground political activities.

A recent attempt by Portuguese and other activists to sail to East Timor to lay wreaths on the graves of the shooting victims was foiled by Indonesian Navy ships that blocked the voyage of the protest ship Lusitania Expresso.

The planned visit by the protest vessel drew varying responses in East Timor, with student groups both opposing and backing the mission.

AMNESTY INTERNATIONAL ELECTRONIC URGENT ACTION

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UA 109/92: PRISONERS OF CONSCIENCE/UNFAIR TRIAL

1 April 1992

INDONESIA/EAST TIMOR:

Charged with subversion:

Fernando de Araujo
Joao Freitas da Camara
Agapito Cardoso

Charged under Articles 154 and 155 of Criminal Code:

Domingos Barreto
Virgilio da Silva Guterres

The trials of Fernando de Araujo and Joao Freitas da Camara began on 16 March 1992 and the trials of Agapito Cardoso, Domingos Barreto and Virgilio da Silva Guterres began on 17 March 1992. All of the trials are still in progress. Amnesty International is concerned that if convicted all five defendants will be prisoners of conscience. The five are East Timorese arrested in connection with the November 1991 Santa Cruz massacre. Amnesty International believes that they may be being charged and tried solely for protesting against and publicizing human rights violations in East Timor.

Amnesty International has repeatedly expressed concern that political trials in Indonesia and East Timor may fail to meet international standards of fairness. Amnesty International has written to the Government of Indonesia to request permission for

observers to visit the country to attend the trials of those charged in connection with the Santa Cruz massacre, but it has to date received no reply.

Fernando de Araujo and Joao Freitas da Camara are both charged under Indonesia's sweeping Anti-Subversion Law with undermining the Indonesian Government, which carries a maximum penalty of death. The accusations against Fernando de Araujo appear to contain no reference to acts involving the use or advocacy of violence or other recognizably criminal offences. Rather they allege that he appealed for news of the Santa Cruz killings to be conveyed to foreign embassies in Jakarta and to international organizations, including Amnesty International. The indictment against him states that these appeals were aimed at "obtaining the sympathy of the outside world for human rights violations that had taken place in East Timor." The allegations against Joao Freitas da Camara apparently refer primarily to his organization of a peaceful demonstration in Jakarta to protest against the Santa Cruz massacre.

Three others on trial in Jakarta, Agapito Cardoso, Domingos Barreto and Virgilio da Silva Guterres, are charged under Articles 154 and 155 of the Criminal Code with "expressing feelings of hostility, hatred or contempt toward the Indonesian Government." All three are reportedly accused of participating in the Jakarta demonstration and carrying banners which were "insulting [to] the Indonesian government".

BACKGROUND INFORMATION

About 100 people were killed and scores were wounded when Indonesian security forces opened fire for several minutes on a group of mourners at Santa Cruz cemetery in Dili, East Timor on 12 November 1991. Dozens of others were badly beaten during the incident. The victims, many of them school students and other young people, were among an estimated 3,000 people who had gone to the grave of Sebastiao (Gomes) Rangel, a young man killed on 28 October when Indonesian troops entered the parish church of Motael Dili, where he and about 20 other political activists had been hiding. At least 42 people, and possibly as many as 300, have subsequently been detained, and some have been reportedly tortured.

Since the massacre the government has expressed regret at the deaths and announced a number of follow-up measures. A National Commission of Inquiry was appointed to investigate the incident and published its findings at the end of December 1991. Amnesty International believes that the commission lacked the independence and technical competence required for an impartial and thorough investigation. In most important respects the Commission accepted the military version of events, even where the weight of available evidence clearly contradicted military accounts. In early 1992 President Suharto

ordered the formation of an Honorary Military Council to "discuss the necessary measures to be taken in regard to the incident." In late February 1992 the government announced that disciplinary measures had been taken against some soldiers and that eight soldiers would be court-martialled. However, little information about the court-martial proceedings has been made available. The government has continued to suggest that those who participated in the procession to Santa Cruz cemetery "provoked" the massacre.

RECOMMENDED ACTION:

Telegrams/telexes/faxes/express and airmail letters - expressing concern that the attempt to publicize human rights violations has been presented as constituting subversive activity; - stating that the charges against the five defendants appear to be in violation of their right to the peaceful expression of their political views; - urging the authorities to permit international observers to attend the trials of those arrested in connection with the Santa Cruz massacre; - calling on the government to release immediately and unconditionally all those detained solely for the peaceful expression of their political views;

APPEALS TO:

President Suharto

Presiden RI
Istana Negara Jalan Veteran
Telexes: 796 44283 BIGRA IA; 796 44469 DEPLU IA) Jakarta, Indonesia

Telegrams: President Suharto, Jakarta, Indonesia

Faxes: 011 62 21 36 0517, 011 62 21 36 7781, 011 62 21 36 7782

all via Ministry of Foreign Affairs

Minister of Justice:

Let. Ismail Saleh
Jalan Rasuna Said, Kav 6-7
Kuningan
Jakarta Selatan, Indonesia
Telexes: 796 44404 DITJENIM IA
Telegrams: Justice Minister, Jakarta, Indo.
Faxes: 011 62 21 32 1625

Attorney General:

Agung Singgih
Jaksa Agung, J1 Sultan Hasanuddin 1
Kebayoran Baru, Jakarta Selatan
Jakarta, Indonesia
Telegrams: Attorney General, Jakarta, Indonesia)
Telexes: 796 44404 DITJENIM IA
Faxes: 011 62 21 32 1625

COPIES OF YOUR APPEALS TO:

Minister of Foreign Affairs

Ali Alatas SH
Kementerian Luar Negeri Jalan Taman
Pejambon 6

Jakarta, Indonesia
Faxes: 011 62 21 36 7781; 011 62 21 36 7782; 011 62 21 360517

Yayasan Lembaga Bantuan Hukum
Indonesia

(Indonesian Legal Aid Foundation)
Jl. Diponegoro 74
Jakarta 10320, Indonesia
Jakarta Post (newspaper) PO Box 85
Jakarta 11001, Indonesia (Faxes: 011 62 21 549 2685)

Ambassador Abdul Rachman Ramly
Embassy of the Republic of Indonesia
2020 Massachusetts Ave NW
Washington DC 20036

PLEASE SEND APPEALS IMMEDIATELY. Check with the Colorado office between 9:00 am and 6:00 pm, Mountain Time, weekdays only, if sending appeals after May 13, 1992.

Telexes, telegrams, and faxes can be sent through a number of electronic communications systems reachable by PC, such as MCI Mail, Easylink, Peacenet, CompuServe, and Worldlink. You can find this information in the UA intro on your system or receive a copy from the UA office.

If you would like general information about AIUSA activities and membership, contact our national office at 322 8th Ave., NYC, NY 10001 (212) 807-8400.

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PRINCEN TO TESTIFY IN TRIAL OF EAST TIMORESE YOUNGSTER

Jakarta Post. 28 March 1992. Abridged

The government will present a noted human rights activist to testify in the trial of an East Timorese youth who has been charged with subversion in connection with anti-Indonesia demonstrations here in November.

"He will be tried, if we find any proof of his involvement in the anti-Indonesian demonstration by the East Timorese youths and students," chief of the Jakarta provincial prosecutor's office, B.T.P. Siregar said, referring to H.C.J. Princen.

Princen is an activist from the Jakarta-based Human Rights Institute and chairman of the Serikat Buruh Merdeka trade union.

The indictment of Joao Freitas da Camara said that the defendant receive Rp50,000 a month from Princen from March 1990 to January 1991. The defendant also got money from the Australian Council for Overseas Aid (Rp1m), the Darwin-based Fretlin Commission (Rp380,000 and US\$1,000), the English-based Catholic

Institute for International Affairs (250) and London-based Amnesty International (150).

Da Camara said when he testified in the trial of Domingus Bareto de Jesus, who is also charged with subversion (sic) that he used the money he received from ACFOA to fund the demonstration.

PORTUGAL BLASTS INDONESIA FOR SENTENCING OF TIMORESE

AFP. 31 March 1992. Abridged

Portugal on Monday sharply criticised Indonesia for the recent sentencing of three East Timorese found guilty of leaking state secrets to the Portuguese press. The prison sentences handed down last week was "a further manifestation of the illegal situation" prevailing in the former Portuguese territory, the foreign ministry said.

Portugal would continue to monitor closely the results of the trials of East Timorese underway in Jakarta and Dili and would denounce miscarriages of justice and offer whatever help possible to the defendants, the statement said. It called once again for self-determination for East Timor. Without self-determination, "there is no hope for a significant change in the intolerable human rights situation" prevailing in the territory, the foreign ministry statement said.

INDICTMENT OF VIRGILIO DA SILVA GUTERRES

From Tapol, Mar 31, 1992

The following is an abridged version of the prosecution's indictment of Virgilio da Silva Guterres, one of three East Timorese students on trial in Jakarta for charges under the Criminal Code. As far as we know, the indictments of Agapito Cardoso and Domingus Bareto de Jesus are more or less the same.

Here we have an example of the kind of charges being used to seek heavy punishment for those East Timorese students who are facing lesser charges than under the anti-subversion law. The UN Human Rights Commission consensus statement of 4 March 1992 urged the Indonesian government to "release without delay" those "not involved in violent activities." Copies of this indictment should be sent to governments; especially those which were party to that consensus should call for the immediate release of Virgilio da Silva Guterres.

Virgilio da Silva Guterres
Born in Baucau, East Timor on 8 December 1966. Male. Indonesian citizen. Living at Jalan Sumbersari IA/83 Malang, East Java.

Kampung Lia Olie, Vaila sub-district, Baucau district, East Timor. Religion,

Catholic. Occupation, Vth semester student at the Engineering Faculty of the Malang Institute of Technology.

THE CHARGE:

PRIMARY:

That the accused, VIRGILIO DA SILVA GUTERRES, on 19 November, between 10.30 hours and 12.00 hours or thereabouts, or at the very least during the month of November:

At the UN Representative Office in Jalan Thamrin, Jakarta, at the Japanese Embassy in Jalan Thamrin, Jakarta and at the Australian Embassy in Jalan Thamrin, Jakarta, or in other places in Central Jakarta, or at the very least in the region under the jurisdiction of the Central Jakarta District Court,

Together with and in collusion with friends numbering in all 70 persons, including the witnesses: 1. Joao Freitas da Camara; 2. Agapito Cardoso; 3. Jose Louis de Olivera; 4. Domingus de Jesus; and 5. Egas Jose Dias Quintas; or alone, did carry out actions or participate in actions in which his role was as stated below:

The said deeds constitute a crime of the following nature: He did expressed in public his feelings of hostility, hatred for or insult to the Government of the Republic of Indonesia, by:

On 13 November 1991 at around 15.30 hours, the accused together with his friends, Antonio Maher Lopez and Antonio de Araujo Soares, left by bus for Jakarta in order to stage a demonstration in Jakarta, having received or agreed to a call from Antonio de Araujo Soares who had received information from Joao Freitas da Camara in Jakarta;

Together with the above-mentioned friends, the accused arrived in Jakarta on 14 November 1991 and went to the home of witness Joao Freitas da Camara; he found that the witness was not at home but he saw a message stuck on the door saying: We have gone out, go straight to Hotel Borneo, Jalan Jaksa, Jakarta. Whereupon the accused and his friends went to Hotel Borneo and stayed at the hotel;

On 17 November 1991 at around 14.00 hours, at the home of the witness Joao Freitas da Camara, the accused attended a meeting with other witnesses [names as above] to discuss the drafting of a petition and the topics to be included in the petition, and also discussed a plan to hold a demonstration which would bear the petition, banners and posters.

On 18 November 1991, the accused attended a meeting at around 11.00 hours at Hotel Borneo which was chaired by Joao Freitas da Camara and attended by the witness Domingus de Jesus. The topics discussed were:

To postpone the demonstration from 18 November to 19 November 1991 at 10.30 hours outside the UN Office, the Japanese embassy and the Australian embassy, and to

summon representatives from the regions to come to the home of witness Joao Freitas da Camara at 16.00 hours.

At about 16.00 hours on 18 November, the accused attended a meeting at the home of witness Joao Freitas da Camara which was attended by Gregorio de Araujo, Egas Jose Dias, Agapito Cardoso, Domingus de Jesus and witness Jose Louis de Olivera, where the following topics were discussed:

A petition which had been drafted by Joao Freitas da Camara,

APPROVAL OF THE PETITION.

The accused proposed a section in the draft which became Point 6, which read:

“THE STRUGGLES OF THE NAMIBIAN PEOPLE AND THE PEOPLE OF WESTERN SAHARA WHO WANT TO ACHIEVE THEIR NATIONAL POLITICAL ASPIRATIONS ARE COMPARABLE TO THE MAUBERE STRUGGLE”

After the incorporation of Point 6, the accused approved the draft and signed the petition which was entitled:

“DECLARATION OF THE NATIONAL MOVEMENT OF EAST TIMORESE STUDENTS IN INDONESIA”.

At about 10.00 hours on 19 November 1991, the accused, together with witness Miguel do Santos, left Hotel Borneo on foot in the direction of the place of the demonstration on Jalan Thamrin, but the accused waited first in front of Sarinah Store, together with Miguel do Santos, so as not to attract the attention of the security forces.

At 10.30 on 19 November 1991, together with seventy friends among others the following witnesses: 1. Joao Freitas da Camara, 2. Miguel do Santos, 3. Antonio de Araujo Soares, 4. Antonio Maher Lopez, and 5. Jose Louis de Olivera, took part in a demonstration outside the UN Representative Office on Jalan Thamrin, Jakarta. At the said demonstration, the accused displayed a poster which read:

“WHERE ARE OUR MARTYRS? WE WANT THEM BURRIED ACCORDING TO OUR TRADITION” (English original)

The accused placed the poster on his head with his two hands, as he showed it to one or several persons outside the UN Representative Office.

The accused was then chosen by Joao Freitas da Camara to represent those participating in the demonstration and together with Joao Freitas da Camara [and others], he entered the premises of the UN Representative Office. The witness Joao Freitas da Camara then read out the petition in the Portuguese language which said among other things:

(Original in Portuguese, following by a translation into Indonesian:)

1. The Indonesian invasion of East Timor was a shameless violation of UN General Assembly Resolution No 3485/XXX, of

12 December 1975 and UN Security Council Resolution No. 384 of 22 December which upheld the absolute right of all people to self-determination and the attainment of independence in accordance with UN documents and Declarations as contained in Resolution 1514 (XV), 14 December 1960.

2. The similarity between Indonesia's invasion and occupation of East Timor and Iraq's invasion and occupation of Kuwait.

3. The Indonesian occupation of East Timor brings daily ever more sufferings for the Maubere people who are oppressed by deliberate, routine and systematic violations of the most fundamental human rights.

A copy of the said petition was then handed to a staff member of the UN Representative Office by the witness Joao Freitas da Camara.

Other banners and posters which were unfurled and displayed by the friends of the accused participating in the demonstration read:

1 poster, held up at the demonstration so that it could be read by the general public, said: “BETTER DEAD THAN INTEGRATION”

19 posters, held up at the demonstration so that they could be read by the general public, said: (Original in English)

1) Mr Alatas! The question is not development but invasion and self-determination.

2) We are the testimony of the Indonesian brutalities a long 16 years.

3) Integration is total extermination of our people.

After ending the demonstration at the UN Office, the accused and his friends continued their demonstration outside the Japanese embassy, and behaved in the same way as they had behaved outside the UN Representative Office, the witness Joao Freitas da Camara reading out the petition and handing a copy to someone on the staff of the Japanese embassy, whilst the accused and the other demonstrators held up the banners and posters mentioned above so that they could be read by the general public outside the Japanese embassy.

Thereafter, the demonstrators went to the Australian embassy and did the same there as they had done outside the UN Office and the Japanese embassy.

The demonstration and the reading out and handing over of the petition, displaying banners and unfurling posters which were displayed by the accused, and the demeanour of those participating in the afore-mentioned demonstration are an expression of animosity, hostility and hatred for the Indonesian Government.

Such actions of the accused are regulated and subject to punishment in Article 154 of

the Criminal Code (KUHP) jo, article 55, para (1) jo 64 para (1) KUHP.

SUBSIDIARY

That the accused, VIRGILIO DA SILVA GUTERRES, on Tuesday 19 November 1991, between 10.30 hours and 12.00 hours or thereabouts, or at the very least during the month of November 1991,

In public places on Jalan Thamrin, Jakarta, in front of the UN Representative Office, in front of the Japanese Embassy on Jalan Thamrin and in front of the Australian Embassy on Jalan Thamrin, or at the very least in the region under the jurisdiction of the Central Jakarta District Court,

Together with and in collusion with friends totalling altogether 70 persons, among them the witnesses: 1. Joao Freitas da Camara, 2. Agapito Cardoso, 3. Jose Louis de Olivera, 4. Domingus de Jesus, and 5. Egas Jose Dias Quintas, or alone, did undertake several deeds, in each of which his role was as set out below:

The said deeds being crimes which consist of the following: to disseminate, display or stick up, in public, writings or drawings which contain expressions of hostility, hatred or insult towards the Government of the Republic of Indonesia, in order that the contents shall be known or be better known by the public, which he did, among others in the following ways:

[From here on, the sequence of actions by the accused starting from his attendance at the meeting on 18 November and including the demonstration on 19 November 1991, are repeated in precisely the same wording, with all the slogans and quotations from the petition and mentioning the same persons as being involved. The subsidiary charge then completes the indictment:]

The deeds of the accused are regulated and subject to punishment as set out in Article 155 paragraph (1) KUHP jo Article 55 paragraph (1) 1st KUHP jo article 64 paragraph (1) KUHP.

4 March, 1992

Prosecutor: R. Soeroso Rachmad SH

U.N. HUMAN RIGHTS COMMISSION ADOPTS WEAK 'CONSENSUS' IN GENEVA

AMERICANS AND JAPANESE BLACKMAIL PORTUGUESE (ETNA)

Press release issued in Geneva by ETNA, the East Timor News Agency, 3 Mar 1992.

As the Commission on Human Rights is edging towards a close, Australian, Canadian, Japanese and US delegations are exerting what a Western diplomat considers "undue pressure" on Portugal to back down on key points in the European Community's draft resolution on East Timor.

This morning, in an unprecedented surprise move, the heads of delegations of the four countries mentioned requested a meeting with the head of the Portuguese delegation, in what is regarded as "unethical blackmailing of the Portuguese."

Jose Ramos-Horta, the Timorese Resistance spokesperson at the Commission, reacted angrily to the news and said in a comment to ETNA: "The Australians, Americans, Canadians and Japanese do not have any integrity or consistency in dealing with human rights. They do not want to take a position that might offend their client, which is Indonesia. Hence they choose to bully Portugal. It makes me feel like throwing up."

A Portuguese human rights activist said: "This amounts to an assault on Portuguese dignity, which we as Portuguese cannot tolerate. If the Portuguese delegation succumbs to this pressure, it will be very humiliating for Portugal."

At stake is a draft resolution sponsored by the 12 members of the European Community and now endorsed by 20 other countries, condemning the massacre of unarmed civilians by Indonesian forces in East Timor on November 12, 1991. According to one observer, if the current draft is put to the vote, it would have the support of a comfortable majority of the Commission's members. A decision on whether the Commission will vote on the EC draft resolution or adopt a so-called "consensus decision" will be made today.

'CONSENSUS' STATEMENT AT UNHRC

The following statement was read out by the chair of the UN Commission on Human Rights at its meeting 4 March 1992. This is a far cry from the draft resolution drafted by the European Community states which had the endorsement of 28 countries.

I have been asked to make the following statement announcing what has been agreed by consensus by the Commission on the situation of human rights in East Timor:

1. The Commission on Human Rights notes with serious concern the human rights situation in East Timor, and strongly deplores the violent incident in Dili, on 12 November 1991 which resulted in the loss of lives and injuries of a large number of civilians and in many unaccounted for.

2. The Commission welcomes the early action of the Indonesian Government in setting up a national commission of inquiry and the prompt response which its advance report elicited from the highest Indonesian authorities; expresses its hope that, as announced by the Indonesian Government further investigation into the action of the security personnel on November 12, 1991, and into the fate of those unaccounted for will clarify the remaining discrepancies, namely on the number of people killed and those missing.

3. The Commission is encouraged by the recent announcement by the Indonesian authorities of disciplinary measures and military court proceedings regarding some members of its Armed Forces and urges the Indonesian Government to bring to trial and punish all those found responsible. Furthermore, the Commission calls upon the Indonesian authorities to ensure that all civilians arrested on the occasion are treated humanely, that those brought to trial are assured of proper legal representation and fair trial and those not involved in violent activities are released without delay.

4. The Commission welcomes the appointment of Mr Amos Wako, as Personal Envoy of the Secretary General of the United Nations, to obtain clarifications on the tragic events of November 12, 1991 and the willingness of the Indonesian authorities to cooperate fully with him. The Commission encourages the Secretary General to continue his good offices for achieving a just, comprehensive and internationally acceptable settlement of the question of East Timor.

5. The Commission urges the Government of Indonesia to improve the human rights situation in East Timor; commends the report entitled "Visit by the Special Rapporteur to Indonesia and East Timor" of its Special Rapporteur on Torture following his visit at the invitation of the Indonesian Government; urges the Indonesian authorities to take the necessary steps to implement its recommendations

and looks forwards to a report thereon; calls on the Indonesian Government to facilitate access to East Timor for additional humanitarian organisations and for human rights organisations; and requests the Secretary General to continue to follow closely the human rights situation in East Timor and to keep the Commission informed at its 49th session.

6. This statement will be included verbatim in the report of the 48 session of the Commission.

AUSTRALIA'S IMAGE IRREPARABLY TARNISHED?

(ETNA)

Press Release was issued in Geneva by the East Timor News Agency, 5 March 1992.

After seven years of silence in the UN, last night's "Consensus Declaration on the Human Rights situation in East Timor" puts the East Timorese people back on the UN agenda after four weeks in which East Timor was one of the most visible and highly discussed issues at this 48th session of the Commission on Human Rights. This Consensus Declaration is much weaker in form and wording than the proposed resolution on East Timor which clearly had the support of a majority of member states. Why and how this resolution was undermined and ultimately pushed aside are questions concerning many at the Commission.

ETNA interviewed Russell Anderson, an Australian citizen and eyewitness to the massacre in Dili, who has been present and giving testimony at the Commission and who said: "The stand of the Australian delegation is no different to that of the Australian government in its recognition of Indonesia's annexation of East Timor and its complacency towards alleviating the human rights situation in that country. Mr Bill Barker of the delegation told me "Australia sticks up for human rights." Not when it comes to East Timor. During the time I have been at this Commission, the Australian delegation has not only lobbied actively against a resolution on East Timor, but at a crucial moment, Mr Bill Barker deliberately spread disinformation to mislead the negotiation process and effectively weaken the chances for a resolution. One thing is very clear to me. Neither the Australian government nor its delegation at the Commission can be relied upon to act in a true spirit of reconciliation and justice for the East Timorese people. I call upon the people of Australia to continue to pressure our government. Unless this happens, the Australian government will continue to support the genocidal process in East Timor."

Another Australian present during the Commission, Judy Gunson, told ETNA that "from my conversations with delegates, NGO's and prominent observers it is clear

that Australia's blatant actions in sabotaging the resolution on East Timor are widely viewed with concern and often, with disgust. It is well known within the Commission that because of its economic ties with Indonesia, Australia cannot act impartially on human rights issues in East Timor. After its behaviour at this session, I believe that there are many delegations here who no longer find Australia credible on human rights issues. Australia's image among human rights workers is seriously tarnished."

DEALS AT UNHRC (AP)

AP, Geneva, Clare Nullis, March 4 – The U.N. Human Rights Commission on Wednesday took no action against China despite appeals from the West, but renewed its criticism of Iran's Islamic regime.

After lengthy discussions, European nations agreed Wednesday not to press for a special investigation into reported Indonesian repression in East Timor.

The voting on countries deemed to have the worst human rights record was the most politically charged part of the 53-nation commission's annual six-week session.

Western attempts to place China under special investigation were defeated after lengthy procedural wrangling.

A mildly worded proposal that requested the U.N. Secretary-General to prepare a report on the situation in China was blocked by Third World countries that hold a majority of the commission's seats.

Instead, the commission adopted a proposal from Pakistan to take no action.

Portuguese delegate Ana Gomes, speaking for the European Community, earlier cited reports that torture and unfair imprisonment was on the increase in Tibet.

"This commission has to show victims that we care. We hope to bring some comfort to those throughout China and in Tibet who are struggling for human rights and fundamental freedoms," she said.

China's representative accused the West of trying to boost the Tibetan separatist movement by "fabricating human rights issues."

An EC-sponsored resolution criticizing Indonesia for "unjustifiable action ... that cost the life of many innocent and defenceless civilians of East Timor," was withdrawn after behind-the-scene talks.

Instead, it was replaced by a watered-down declaration that voiced concern at the situation and urged Jakarta to take action against army officials responsible for the November killings of funeral marchers in East Timor.

The United States, Australia and Japan were reportedly anxious not to offend Indonesia. Portugal led EC attempts to get the commission to condemn Jakarta, which annexed East Timor in 1975 after Portugal withdrew.

PORTUGAL AND INDONESIA'S JOINT TEXT AT UNHRC (PUBLICO)

Source: Publico, Lisbon. Date: 5 March 1992. This is a rough translation of a Portuguese-language news item.

In a monotonous tone of voice and amid general indifference, the chair of the UN Commission on Human Rights, Paul Solt, read out the text of the final statement on East Timor in which member states express their "serious concern" about the situation in the territory and deplore "the violent incident" in Santa Cruz which "resulted in the loss of lives and injuries and many unaccounted for."

Night had already fallen in Geneva at the end of a long day dominated by accusations of lying and confused negotiations. NGO representatives did not hide their disappointment at the final position reached. Martin Grange of Amnesty expressed his scepticism about the value of a simple declaration.

He thought however that it was unprecedented that Portugal had insisted upon and obtained Indonesia's agreement to sign a confidential letter to the UN Secretary-General, Boutros-Ghali that there should be a report about the human rights situation in East Timor which is scheduled to be presented to next year's session of the Human Rights Commission.

Adrien Zoller, who coordinates the work of NGOs in Geneva, declared with a sigh that this would be the best solution possible, in particular a signed undertaking from Indonesia. This veteran human rights campaigner was nevertheless alone in pouring cold water on the general enthusiasm among "lobbyists" when at 2.00pm (on that day) it was announced that a decision of the Commission would be read out. (In the UN, a decision has greater juridical validity than a declaration though it is inferior to a resolution.)

"Indonesia always springs surprises," said someone else. "It will only be when Solt bangs his gavel on the table and reads out the decision that I will really believe that it has been approved."

Peter Kooijmans, the Commission's Special Rapporteur on Torture, whose report this year devotes many pages to Indonesia's activities in East Timor, told Publico that this was "an excellent accord, without precedent, which has opened Indonesia to the mediation of the Human Rights Commission."

Diplomacy of lying

But at this very moment, manoeuvres among the delegates were begun by Australia diplomat Bill Barker and all the members of the Indonesian delegation. "Portugal negotiated on the basis of a declaration, not a decision. It cannot today come up with the idea of having a decision."

An Indonesian delegate went even further, telling Publico as well as various delegates that Portugal had surreptitiously substituted the word 'decision' for 'declaration' that very day. Such manoeuvres caused amusement among the European Community 'troika' (Portugal, the Netherlands and the UK). Kooijmans, who is also head of the Dutch delegation, said that "the negotiations had taken place in an atmosphere of good faith. The first thing was to negotiate the substance of the text, based on the text of the resolution proposed by The Twelve. Only later would we negotiate on the form."

Michael van Walt, representative of the NGO, Pax Christi, confirmed that the negotiations had proceeded on the basis of the principle that "what would be approved would be a decision."

Meanwhile, Adrien Zoller was busily circulating among the delegations providing details of the negotiations that had been under way since the previous Thursday referring to the final statement which would take the form of a decision. "I even had a meeting with the Indonesian delegation to explain the juridical difference between a declaration and a decision," said Zoller.

For some of those present, this diplomacy of lying was rapidly turning into a question of cash. A decision would entail the publication of a report and therefore involve the allocation of funding whereas a declaration would not have a binding effect. This argument raises doubts however because the final declaration presupposes the publication of one or more reports.

The question of East Timor was the subject of many testimonies at the Commission even as these intense, behind-the-scenes negotiations were under way. And it was only at 9.00pm that Paul Solt was able to read out the declaration.

In the end, western journalists who had testified about the happenings on 12 November and who had played a crucial role, along with the intense support of group after group for East Timor, were unable to believe that all the international indignation which had been aroused in response to the massacre could end with some vague words in a declaration. "Was this all?" they asked.

THE HUMAN RIGHTS OMISSION (GUARDIAN)

Editorial in The London Guardian, 9 March 1992

Two Asian Foreign Ministers breathed more easily this weekend after they had been let off the diplomatic hook in Geneva. China's Qian Qichen, now here in England, has a new argument to use against the critics of Chinese behaviour in Tibet. He can say: "Look, even the Human Rights Commission voted down a censure motion last week, refusing to interfere in China's internal

affairs," Beijing is so pleased that Premier Li Peng – not exactly spotless himself – has sent a message of thanks to those Third World countries which voted against the resolution. He should really thank Washington whose manoeuvres helped ensure its failure.

Indonesia's Foreign Minister, Ali Alatas, busily engaged around the world fending off condemnation of the East Timor massacre, will also feel pleased. After weeks of lone lobbying by former colonial power Portugal, its resolution was emasculated at Geneva and finally emerged as a "consensus declaration" – the weakest form in which the Human Rights Commission's views can be expressed. A team of heavy weight powers, the US, Australia, Japan – plus Britain as a member of the EC troika – all leant upon Portugal. The final declaration no longer even "condemns" the massacre; it only limply "deplores."

Other resolutions where Western interests are differently defined sped through the Commission more easily. Burma was condemned unanimously for its detention of Aung San Suu Kyi and other violations. Cuba was deserted by Russia as well as by half a dozen Latin American countries. Nor was there the slightest problem in censuring Iraq – the only resolution to attract significant publicity. Weighed in some moral balance, Cuba must come out better than China in matters of human rights. There are, to put it crudely, restrictions but no massacres. Yet it is evident that international circumstances powerfully alter cases and that China and Indonesia fit into an acceptable post-cold war balance of power while Cuba and Iraq are regarded as illegitimate. So the US urged in Geneva that the Tibet resolution should be "broadened" to include China proper. But this was less likely to be approved by Third World countries who hesitate to condemn Beijing openly.

Human rights observers have long been aware that the absence of pressure or co-sponsorship by the main Western powers usually determines the passage of a resolution in Geneva. The classic precedent was the 1989 session of the Human Rights Commission, when Baghdad was still indulged by the West and the US conspicuously refrained from co-sponsoring a resolution to condemn Iraqi chemical warfare against the Kurds. Campaigners have settled for what they can get. The declaration on East Timor does require Indonesia to accept visits to the territory by organisations such as Amnesty. Jakarta's good faith can now be put to the test. Two years of persistent pressure upon China has produced some results. Perhaps some Chinese dissidents should accept Deng Xiaoping's invitation last week to return – and put him to the test. But Mr Qian needs to hear a much sharper message in London today than was conveyed last week in Geneva. If Western diplomacy muffles its voice, how can it be heard a continent away?

AN ATROCITY UNCHALLENGED (LETTER TO THE GUARDIAN RE UNHRC)

The Guardian, 14 March. Letters column.

I agree with your editorial (March 9) highlighting the unacceptable procedures in the UN Human Rights Commission in Geneva.

I was in East Timor for three weeks before and after the November 12 massacre. Before the massacre, I met a young man who had been tortured three days before, saw desperate mothers who did not know if their missing children were just jailed or had "disappeared" for ever. It was before the massacre that I saw armed military even in the smallest villages making it impossible to approach people: they were too scared to be seen with foreigners and risk arrest.

Then, on November 12, Indonesian soldiers deliberately opened fire on a defenceless crowd, killing about 150 people and arresting many more. Not even the International Red Cross was allowed to visit wounded or prisoners until 12 days later.

It is hard to imagine a more clear-cut situation of human rights violations. I was sure the international community would not let this atrocity go unchallenged.

With this conviction I went to give testimony to the Human Rights Commission in Geneva. I was very wrong.

It is clear that it is not the objective judgment of human rights violations that decide which measurements should be taken. In the end it is political – and maybe more precisely economic – considerations of individual member states, which constitute the deciding factor. To me this is unacceptable.

Since the massacre it seems that the situation in East Timor has deteriorated. Sparse news trickles through about more arrests, torture, executions. Journalists are not allowed in. Lawyers are not allowed to attend the trials of East Timorese in Dili.

By its weak declaration the Human Rights Commission legitimises this horrific situation.

If the UN, and particularly a body like the Human Rights Commission, wants to be credible, a drastic revision of its structure seems imperative. Perhaps there should be a panel of independent experts who decide about the possible and necessary measurements to take in order to try to alleviate or avoid the suffering of victims of human rights violations. This would lead to a far more just and effective body.

I have no illusions that a change like this can take place overnight. It might take at least a decade to overcome the resistance such a change would encounter from powerful member states.

To speed up this process, it is necessary that all international Human Rights Organisations specifically direct their strategy towards this goal.

*Saskia Kouwenberg, 15 Pendrell Road,
London SE4*

UN GOES TO WATER ON TIMOR (GREEN LEFT ON UNHCR)

By Russell Anderson and Sally Low

GENEVA – Late in the evening of March 4, while many delegates were out of the room, the chairperson of the 48th session of the United Nations Commission on Human Rights read out an unsigned statement of “deep concern” over the human rights situation in East Timor.

The statement “deplores” the violence in East Timor’s capital, Dili, on November 12, but no blame is apportioned between the Indonesian armed forces who opened fire on an unarmed and peaceful demonstration and the demonstrators themselves.

For four weeks, East Timor had featured at commission proceedings: a welcome end to the last seven years of UN silence on this question. However, the “Consensus Declaration on the Human Rights situation in East Timor,” drafted jointly by the Indonesian and Portuguese delegations, was a bitter disappointment for those who had hoped the Dili massacre would motivate stronger action.

Saskia Kouwenberg, who was in Dili on November 12, told the commission of a country “in which people seemed to fear daily for their well being and lives.” In every town and hamlet, and even along otherwise deserted mountain roads, she said, the military presence was obvious. People not of Indonesian origin were too scared to be seen talking to her, but in private they repeatedly begged: “Please tell the world of our suffering. Send us help. Tell the United Nations they have to come and help us. We are desperate.”

Human rights activists also drew attention to abuses in Indonesia. Helmi Fausi spoke of the regime’s “security approach,” which “means that everybody is suspect and the security forces will use every means possible to suppress unrest, revolt and rebellion ... It is this approach that forms the basis of the gross human rights violations occurring in Indonesia: disappearance, extrajudicial killings, arbitrary arrests and large-scale torture.”

Spurred by international outrage over the massacre, Portugal had sponsored a resolution that: referred to the “unprovoked violence” of the Indonesian security forces on November 12; condemned the military’s unjustified actions that caused the death of innocent and defenceless citizens; expressed deep concern at reports of continuing human rights violations and referred to previous UN resolutions regarding East Timor.

All 12 members of the European Community were among the 30 countries that had endorsed the resolution, and it seemed a majority of commission members would have voted for it.

After the commission had been sitting for nearly three weeks, however, the Portuguese delegation suddenly, without consultation, agreed to try for a compromise with the Indonesians. The result was the much milder consensus statement.

Indonesia, along with delegates from Japan, Australia, Canada and the USA, had worked actively against the resolution and pushed for a statement which, in the hierarchy of UN measures, has far less significance than a resolution, explained Jose Ramos Horta, special representative of the National Council of Maubere [East Timorese] Resistance. It also meant no vote was recorded, which might have registered the widespread sentiment against Indonesia and pointed the finger at those who refuse to condemn them.

The statement praises the Indonesian government for setting up an internal inquiry into the massacre, for its stated intention to take disciplinary measures against some members of the armed forces and because UN representative Amos Wako was allowed to visit East Timor.

In fact, during Wako’s one-day visit to Dili in February, security forces blanketed the city, and a number of people suspected of planning demonstrations had been arrested in advance. As well as company from members of the official investigation team, Wako had a constant shadow in the form of Brigadier General Theo Safei, head of operational command for the Indonesian army. He was dressed in civilian clothes and happened to spend the night in the hotel room next to Wako’s.

Ramos Horta, who helped the Portuguese government draft the original resolution, unequivocally distanced himself from the final statement. In his view, Indonesia has been let off the hook and a major opportunity for East Timor lost. Portugal alone must accept responsibility for that.

Proposed military court proceedings against some members of the Indonesian armed forces are inadequate, he added. “If justice were to really be upheld, the least we could expect would be for Suharto to fire Benny Murdani, review the whole policy and begin to withdraw from East Timor. Anyone who believes that a military dictatorship such as exists in Indonesia will court-martial their own people is either dishonest and – like the western governments – wants to ‘believe,’ or is stupid.”

Embarrassed by the prospect of having to vote against or abstain on an EC-supported motion or weaken its record of strong support for the Indonesian dictatorship, the Australian government delegation actively opposed the resolution.

However, after a critical press statement by Ramos Horta led to some embarrassing questions directed at foreign affairs minister Gareth Evans, the Australians took a more behind-the-scenes role and allowed the Japanese delegation to do the public lobbying. Like Australia, Japan has strong

economic interests in Indonesia and is keen to maintain a stable conservative regime in this strategically located country of nearly 180 million people.

Bill Barker, head of the Australian delegation, spread disinformation to mislead the negotiators and block the resolution. It would, argued members of his team, only prove destructive and be a disservice to liberal civilians in Indonesia.

Other observers were also struck by this tenacious attempt to protect the Indonesian dictatorship. “From my conversations with delegates, NGOs [non-government organisations] and prominent observers, it is clear Australia’s blatant actions in sabotaging the resolution on East Timor are widely viewed with concern and, often, with disgust,” remarked Judy Gunson, another Australian who attended the commission.

Despite this diplomatic setback, Ramos Horta is optimistic about the eventual outcome. “Time is on our side. No matter what they think in Jakarta, Indonesia has lost the political battle for East Timor. It’s only a matter of a few more years before they have to make some kind of settlement like that in Eritrea.”

ANALYSIS OF EAST TIMOR IN UNHCR (RUSSELL ANDERSON)

A DECISION ON A DECLARATION OR A DECISION. NOT A RESOLUTION AND FAR AWAY FROM A REVOLUTION

16 March, 1992

48th Session: January 28 – March 5

After a silence of seven years, East Timor is back on the agenda of the Human Rights Commission. From the corridors of the Commission to behind closed doors, East Timor was one of the most discussed issues. The Tibet and East Timor lobby were the most experienced groups. From the beginning, an East Timor resolution was given a promising chance. However, on Wednesday 4th of March, a “consensus declaration” on East Timor was read out by the chairman supported by a co-signed letter of commitment by Indonesia and Portugal. Before going on to what this means, and the gains it will bring for the following year I will attempt to describe the process which led to the final declaration.

In the beginning of the 48th session, Portugal played a skillful and tactful role. As chair of the EC and UN recognized administrator of East Timor, Portugal wore two hats. The first weeks, Portugal followed a strategy to negotiate with the EC on a resolution text that would be formally submitted on behalf of the twelve EC countries. Portugal had the added weight that it was prepared to “go it alone” on a resolution. At a time when the “New European Community” is trying to consoli-

date, a division, especially coming from its chair would be embarrassing. During this period the East Timor lobby work pursued a course to invite countries to co-sponsor the resolution.

THE RESOLUTION

On Feb-25th, a resolution with the support of the twelve was tabled and a vote was scheduled for Mar-3rd. This resolution did not call for an international investigation into the Nov-12th massacre, but did show "grave concern at the unprovoked violence" and was "concerned" that this "incident" was not an aberration but "occurred in the context of a deteriorating human rights situation." The strongest feature of the text was "recalling" the past United Nations resolutions on East Timor particularly the 1982 resolution calling for self-determination and withdrawal of Indonesian troops. This resolution called for a comprehensive and internationally acceptable settlement on the question of East Timor, and "calls" for access to East Timor by international human rights organizations. An item to insure East Timor would be discussed in the Commission next year, was included.

A major strength of the resolution was the significant number (28) of co-sponsors and their diversity. There were six Latin American, two African and 20 European co-sponsors. Other countries joined later, bringing the total to 32. However only fourteen of these countries were members of the Commission and had voting power, the others countries were non-members with observer status.

It was said that "in this house of democracy," meaning the H.R. Commission, countries concerned with an issue are expected to be involved in the discussions/negotiations before any vote is tabled. Portugal was being accused by some countries, particularly Australia, of not having followed the correct procedure by tabling an undiscussed resolution. In a statement to the Commission Indonesia accused the EC of "not respecting the usual practice of prior contact or consultation." Portugal, already under pressure to enter into negotiations, immediately approached Indonesia and proposed the Indonesians to come up with a concrete counter proposal. Thus began the new stage of negotiations with Indonesia.

NEGOTIATIONS

It was at this stage that the East Timorese lobby group thought that the Portuguese delegation made some tactical errors. Instead of negotiating on the basis of the text of the tabled resolution, the Portuguese drafted a text that could be agreeable to by ALL parties, including Indonesia. The next six days of to-ing and fro-ing created extreme pressure from all sides. Four possibilities arose:

** A "Consensus Declaration."

** A "Decision" read out by the Chair.

** A vote on the E.C. resolution.

** A "No-Action" on the EC resolution.

A CONSENSUS DECLARATION – is an agreement by all members of the Commission and, without discussion, is read out by the Chair of the HRC. The consensus declaration is not given a file number in the records of the 48th Session and is not even recorded in the important section of the resolutions but in an unrecognized back section.

A "DECISION" – is also an agreement by all members and, without discussion, read out by the Chair. The decision statement however is binding because both/all parties agree to a commitment and the declaration is recorded in the report of the 48th Session.

THE TABLED "RESOLUTION" – is the above mentioned points and is voted on by the 53 member states. For the resolution to succeed it must receive a majority vote. As well as a yes or no vote, member countries have the possibility to abstain. A resolution is the most recognised goal within the Commission and is "legally binding." The wording of a resolution is always stronger because it is not a consensus agreement and has the advantage of creating discussion, from the floor of the Commission. It is also given a reference number and reported in the 48th Session.

A "NO-ACTION" – When a resolution goes to vote any member state can call for a "no-action" vote on the resolution. This is an effective way for countries to save face by avoiding having to vote on a resolution. This means that a country might agree generally with the resolution but disagree with certain paragraphs and therefore take a different stand when it comes to a no-action. If a no-action wins the vote the resolution is dumped and is not recorded in the Session.

The East Timor lobby agreed that Portugal should enter into negotiations but not on the terms of a declaration. Portugal was now in a difficult position because it was negotiating on behalf of the twelve and countries like UK, Germany and Holland were preferring a "declaration." Outside pressure from the US, Japan and Australia was also being applied. Japan helped Indonesia in the negotiation process and Australia helped Indonesia by taking an active lobby role and at a crucial last moment spread disinformation to confuse the negotiations.

Portugal, at an early stage of the negotiations with Indonesia, for what ever reason, did not consult with the experienced East Timor lobbyists or the NGO's who took a leading role in the East Timor lobby. Portugal's approach at this stage appeared to take on a colonialist mentality towards East Timor. This may not be true but could have been caused by extreme pressure and sometimes limited time to consult. With the possibilities of future "talks without pre-conditions" it is hoped that a certain amount

of fore-planning will alleviate any reoccurrence of this type.

All negotiations between countries were behind closed doors. It became an almost untouchable situation. All lobbying on the resolution was put on hold during the negotiations with Indonesia. NO ONE was sure what the final outcome would be. Some of the scenario's were; talks would break down at the last moment and the resolution would go to the vote; or an agreement would be reached on a declaration; or a decision declaration. The East Timor lobby preferred a vote on the resolution and the next best would be a "decision." While Portugal was leading towards a "decision" a lot was weighing on the wording of the text declaration.

On Mar-3rd the issue of East Timor, agreed by all members was postponed to Wednesday the 4th. The atmosphere was extremely tense.

The negotiations with Indonesia effects the lobby (on voting on the resolution) in such a way that countries do not enter into discussion because they are aware of the negotiation process. It had become unclear how countries would vote if it came to a "no-action." From speaking to people afterwards it would have been very close. The worst estimate given was 60% in favour of a no-action while most of the East Timor lobby were in favour of the confrontation and believed there was a chance of success.

MARCH 4TH

Without going into the last minute details: the issue of East Timor, on Mar-4th was postponed, but less than two hours later, to the surprise of many a "consensus declaration" was read out by the Chairman. Afterwards it was explained to me the reason why this happened; Portugal and Indonesia had agreed on a text and had co-signed a special letter of commitment. It was important it be read out as soon as possible in order to validate the declaration. Portugal firmly believed that the best result under the circumstances had been achieved.

After the Nov-12th massacre and the outcry seen by the international community, plus the strong East Timor lobby in the HRC, expectations were running high for a resolution in the Commission. Personally I felt the "consensus declaration" was a let down. However what has been achieved this year is unprecedented. Thanks to the perseverance of the East Timorese in their determination to be free from the illegal annexation of Indonesia.

Before I move on to the positive aspects of the declaration it would be appropriate to quote the International Committee of Jurists on their opening remarks on the intervention they made in the Commission concerning East Timor: "Each year, this agenda item affords the Commission the opportunity to shine the disinfecting light of international publicity on the gross violations of human rights. Each year, however, political

considerations seem to play as great a role in the Commission's decision-making as human suffering, which action by the international community might help to alleviate."

THE DECLARATION

Declarations by nature are weaker than a resolution but this declaration does have a strong text. There are some queries on important words, like "to continue to follow closely" would have had more meaning if stated "to continue to implement." Although worded differently than the resolution, all the basic elements are present in the "declaration";

- ** Para. 1 – The declaration after noting "with serious concern the human rights situation"... thus it is not an aberration, goes on and "strongly deplores the violent incident in Dili, on 12 Nov."
- ** Para. 2 – It "hopes" that the "fate of those unaccounted for will" be clarified, "namely on the number of people killed and those missing."
- ** Para. 3 – The Commission is encouraged by the "military court proceedings regarding some members of its Armed Forces "but urges" to bring to trial and punish all those found responsible." It urges" that all civilians "brought to trial are assured of proper legal representation and fair trial and that those not involved in violent activities are released without delay."
- ** Para. 4 – Unfortunately the word self-determination does not arise and there is no specific reference made to latter resolutions. However, the "Commission encourages the Secretary General to continue his good offices for achieving a just, comprehensive and internationally acceptable settlement" – and in this years HRC it has been agreed by ALL member countries, including Indonesia.
- ** **Para. 5 contains some of the stronger points:** "The Commission urges the Government of Indonesia to improve the human rights situation in East Timor." The Commission "urges the Indonesian authorities to" implement the recommendations of its Special Rapporteur, Mr Kooijmans, on Torture and "looks forward to a report." Therefore pointing to a financial commitment (see explanation below of financial commitment). "Requests the Secretary General to continue to follow closely the human rights situation in East Timor and to keep the Commission informed" in next years Session. I'm not sure of the exact method of informing the Commission, but if enough information reaches the desk of the Secretary General about continuing human rights abuses, then East Timor will be firmly on the agenda for next year. This also means a financial commitment (see below).

IS THE DECLARATION BINDING ?

It is hard to know what is "binding." From the past we can see that resolutions do not necessarily change events. If a resolution was passed by a small margin and Indonesia would have, of course, voted against, then Indonesia could have easily given the thumbs down and continued as per usual. The legal section of the UN and the Secretary of the HRC, have both said this declaration is "binding." **Some even argue that this declaration is more binding than a resolution because it is a consensus and more importantly it has the co-signed agreement with Indonesia, specifically relating to Paragraph 5. If Indonesia does not keep to its word it can be held accountable by all member states and co-sponsors. Especially the EC has a responsibility because it originally presented the resolution and in the end favoured this declaration.**

The Declaration has been recorded in the HRC, 48th Session, the report reference number is E/CN.4/1992/L.10/Add.12. and can be found under paragraph 58. Its interesting to note the tabled "Resolution" is also included in the same document, in paragraph 57. Also the annual meeting, held at the end of the HRC, has already put East Timor on next years Draft Provisional Agenda of the 49th Session – under "Report of the Secretary General – Item 12 N."

A financial commitment – means allocating money and initiating a bureaucratic process to deal with the above mentioned reports. This is another aspect of the declaration that binds the UN and Indonesia.

WHAT IS CLEAR?

The declaration has given a lot of room to move for all parties concerned. Indonesia's claim of victory is purely a media exercise to mobilize mass consciousness in their favour. Indonesia has basically agreed to an international settlement and the opening up of East Timor. Who's "victory" this declaration favours will depend on the coming year. A general strength of the declaration is that certain operative mechanisms have been put in place to allow new inroads. It is now the responsibility of NGO's, Solidarity groups, lawyers, individuals and of course the East Timorese organizations to use these mechanisms and confront Indonesia and test the wording of the declaration. These points are: Indonesia has been put on the spot concerning its "about 50" figure for the number of dead, on Nov-12th. Any evidence to prove this claim false has an opening under, Para. 2.

- ** At this very moment lawyers and judicial organisations will be backed up by the wording of the text when inquiring about proper legal representation and fair trials. Any discrepancies should be reported to the Secretary General.(Para. 3)

- ** Added weight will be given to the widely called for release of those not involved in violent activities. (Para. 3)

- ** Queries will be strengthened about the bringing to trial of ALL members of the Armed Forces concerning the Nov-12th massacre.(Para.3)

- ** Organizations have the right to make inquiries to governments about the steps being taken to find a "just, comprehensive and international acceptable settlement."(Para 4)

- ** Human rights groups and humanitarian organizations in the coming year should apply to visit East Timor – Every time there is evidence to prove Indonesia does not co-operate, then a report should go to the Secretary General for his intervention in the 49th Session. Any reports by human rights groups, who are allowed into the country, that find violations of human rights will contradict the Commission's request to Indonesia to improve the human rights situation. (Para.5)

- ** Particularly, considering Indonesia is asked to make a report on its implementation on the recommendations of the Special Rapporteur on Torture, any evidence of continuing violations should be presented to the Secretary General. (Para. 5)

It was said early on in the Commission that even if a resolution fails it will still be a victory for East Timor because it has been such an issue this year. During the HRC, Mr Jose Ramos Horta was discussing strategies for the next international meetings, concerning East Timor. This helped to put the HRC into the correct perspective – it is just another forum to raise the issue of East Timor. What is left after this forum is a thorn in the side of the Indonesian government. If the thorn is pushed properly it will add many new possibilities for this year and for the next Human Rights Commission.

U.S. SENATE HEARING AND OTHER WASHINGTON EVENTS

REPORT ON FEBRUARY 20 WASHINGTON DEMO

By *Richard Koch, ETAN/US.*

As Indonesian foreign minister Ali Alatas was speaking at the National Press Club on the 13th Floor of the National Press Building in Washington DC on February 20, a dozen demonstrators were on the street below. We picketed, leafleted, and chanted "Stop the Murder! Stop the Aid! Timorese deaths are US made" and "Stop the Killing! Stop the War! Indonesia out of East Timor!"

According to Amy Goodman, who was inside, we could be heard at the National Press Club; this may have been because we had a megaphone. I personally handed out some flyers to Indonesians as they entered the building. A couple of camera crews briefly took pictures of us and someone else made a brief sound recording, presumably for radio. A reporter from the Guardian stayed for a good part of the demonstration.

At one point the demonstration stopped as almost all the participants went up to the National Press Club in an attempt to speak to reporters at the press conference (this participant missed out on the fun because he was distracted talking to the reporter from the Guardian). They were not permitted to enter and police quickly arrived to tell them they had to leave, after which the demonstration resumed.

The demonstration lasted for close to three hours; we had hoped to catch people as they left the press conference, but people eventually had to leave. The demonstration was sponsored by The Basics (friends of the organizer, Russell Mokhiv) and the East Timor Action Network.

ALLAN NAIRN SENATE TESTIMONY

U.S. SENATE COMMITTEE ON FOREIGN RELATIONS HEARINGS ON "CRISIS IN EAST TIMOR AND UNITED STATES POLICY TOWARDS INDONESIA"

February 27, 1992

Testimony of Allan Nairn

Mr. Chairman, my name is Allan Nairn. Last November 12 while in East Timor on assignment for the *New Yorker* magazine, I witnessed and survived the massacre at the Santa Cruz cemetery.

What I saw was a cold blooded execution and the facts are very simple and very clear.

Indonesian soldiers marched up in massed formation and opened fire in unison into a peaceful, defenseless crowd. The next day the national commander of the Indonesian military praised the massacre and said that it was armed forces policy to shoot down defiant Timorese.

This massacre, Mr. Chairman, was only the latest mass atrocity in what has been one of the greatest genocides of the 20th Century. Two hundred thousand people, one third of the East Timorese, have been murdered by the Indonesian troops. They have been executed in school yards, machine-gunned in open fields, and snatched from their homes and dropped into the sea. Some have died while fleeing through the rocky hills pursued by planes and helicopters. Others have succumbed to starvation and disease while confined to prison camps and resettlement villages.

When I first visited East Timor in August of 1990, Timorese would furtively approach me almost whenever I went outside and ask me to get messages to the outside world. They would usually start by saying that the army would kill them if we were caught, for in East Timor, they explained, "it is prohibited to speak to foreigners." They would say "they killed my father," "my mother," "my brothers," "my wife," and run through the urgent litany of how the army had murdered their loved ones. People handed me notes and letters and pleaded that I tell their story to the UN Secretary General, the Parliament of Portugal, the Prime Minister of Australia or the Congress of the United States.

I have spent a dozen years covering armies and repressive regimes in places like Central America, Southern Africa and the Middle East, but I have never seen a place where the authorities have succeeded in making so many people so terrified. Downtown Dili is dotted with army torture houses and there are troops and plainclothes agents everywhere. In the country, police descend on any outsider who enters a village, and they keep track of who is in each hut at night. I spoke with Indonesian troops and intelligence men who confirmed that they had killed 200,000. Several thousand of these were Timorese who resisted Indonesia with arms after its army invaded there in 1975. But the vast majority were simply civilian Timorese who either lived in towns that the army had chosen to destroy, or who had expressed opposition to Indonesian army rule or were unlucky enough to be children of people who had.

When I returned to East Timor in October of this past year, the air of terror was more intense and the repression was greater still. The Indonesian army was sweeping through villages and towns rounding up Timorese who, the army suspected, might be preparing to talk to a UN-sponsored delegation that was due to arrive from the parliament of Portugal. The Indonesians were holding hundreds of

meetings across the country, warning that those who spoke to the delegation would be killed. Bishop Belo told me that the army was saying that it would find the families of Timorese who tried to speak or demonstrate and hunt them down and kill them "to the seventh generation." The Bishop said he thought that the army's threats were credible and that if the Timorese did try to speak out in public, the army would respond with massacres as soon as the delegation left.

As it happened, the delegation never arrived in East Timor, but the army staged a massacre anyway. Within days after the postponement of the visit was announced, the army stormed the seaside church of San Antonio de Motael. I arrived in Dili a few hours after the attack, and later spoke with numerous eyewitnesses. During the attack the soldiers seized a young man named Sebastiao Gomes. They executed him at point blank range with a pistol shot to the gut. Gomes was one of a number of young men who had sought sanctuary in the church. He had been hunted by the army during the pre-delegation sweeps. Gomes' funeral attracted a crowd of more than a thousand people. The Timorese were clearly shaken by this attack on their flagship church.

The two-week commemoration of Gomes' death took place on November 12. It began with the traditional morning mass at the Motael and continued with a procession to lay flowers on Gomes's grave.

It should be noted that the Catholic Church is the only Timorese institution. All others have been obliterated on orders of the army high command. There are no Timorese unions or press, peasant leagues, political parties, or student groups. Their leaders have been executed and their existence banned. Timorese have been jailed and tortured for reading newspapers from overseas or attempting to listen on short wave to Radio Australia or the BBC. Social organization can only take place under the army's control. Public speech and assembly are prohibited by army fiat. This means that the civic life of the East Timorese must be conducted underground.

Gomes's funeral was a breakthrough event because people turned out and dared to speak. Some held up their hands in the sign of the "V" and shouted "Viva East Timor." The commemorative procession on November 12 was even larger and more outspoken. As the mass broke up people assembled on the street. The army intelligence chief drove by. Along the route of march there were soldiers and police, who carefully eyed the passing Timorese. This time a number of people were carrying hand-lettered banners supporting the church and the cause of Timorese independence. The banners said things like "Indonesia, Why You Shoot Our Church?" One was a plea addressed to "President Bush." There were young men, young women, children in

Catholic school uniforms, and old people in traditional Timorese dress.

As the procession wound through Dili, many other people joined, they came from schools and offices and huts along the road. Sometimes young boys would break into a jog and older men would reign them in shouting "Disciplina!" "Disciplina!" People were chanting and giving the "V" sign and talking among themselves. (1) By the time it reached the cemetery the crowd had grown quite large. There were perhaps three thousand to five thousand people. Some filed in toward Sebastiao's grave, and many others remained outside, hemmed in on the street by cemetery walls. People were, at that point, standing around, talking excitedly among themselves, when, suddenly, someone noticed that one of the exit routes had been sealed off by an Indonesian troop truck. Then, looking to our right we saw, coming down the road, a long, slowly marching column of uniformed troops. They were dressed in dark brown, moving in disciplined formation, and they held M-16s before them as they marched. As the column kept advancing, seemingly without end, people gasped and began to shuffle back. I went with Amy Goodman of WBAI/Pacifica radio and stood on the corner between the soldiers and the Timorese. We thought that if the Indonesian force saw that foreigners were there, they would hold back and not attack the crowd.

But as we stood there watching as the soldiers marched into our face, the inconceivable thing began to happen. The soldiers rounded the corner, never breaking stride, raised their rifles and fired in unison into the crowd.

Timorese were backpedaling, gasping, trying to flee, but in seconds they were cut down by the hail of fire. People fell, stunned and shivering, bleeding in the road, and the Indonesian soldiers kept on shooting. I saw the soldiers aiming and shooting people in the back, leaping bodies to hunt down those who were still standing. They executed schoolgirls, young men, old Timorese, the street was wet with blood and the bodies were everywhere.

As the soldiers were doing this they were beating me and Amy; they took our cameras and our tape recorders and grabbed Amy by the hair and punched and kicked her in the face and in the stomach. When I put my body over her, they focused on my head.

They fractured my skull with the butts of their M-16s.

The soldiers put us on the pavement and trained the rifles at our heads. They were shouting "Politik! Politik!" We were shouting back, "America! America!" and I think that may have been the thing that saved us. They had taken my passport earlier but Amy showed them hers, and the soldiers seemed impressed when they realized that we were indeed from the States. We were, after all, citizens of the country that supplied them with M-16s. For what-

ever reason, the soldiers chose to let us live. We hopped a passing truck and got away. The soldiers were still firing as we left the scene, some five to ten minutes after the massacre began.

This was, purely and simply, a deliberate mass murder, a massacre of unarmed, defenseless people. There was no provocation, no stones were thrown, the crowd was quiet and shrinking back as the shooting began. There was no confrontation, no hot-head who got out of hand. This was not an ambiguous situation that somehow spiraled out of control. The soldiers simply marched up in a disciplined, controlled way and began to fire massively on the crowd.

It was quite evident from the way the soldiers behaved that they had marched up with orders to commit a massacre. They never issued a warning, they did not even pause or break their stride: they marched up and opened fire in unison. This action was not the result of their interaction with the crowd: the Timorese were just standing there or trying to get away. The soldiers opened fire as soon as their column turned the corner and got within a dozen yards of the Timorese.

After the Timorese had been gunned down the army sealed off the area. They turned away religious people who came to administer first aid. They let the Timorese bleed to death on the road.

It is clear, Mr. Chairman that what we witnessed was a deliberate act of state. The highest army officials have said as much. General Try Sutrisno, the chief of the Indonesian armed forces, said in a speech to graduates of the national defense institute, that Timorese like those who gathered outside the cemetery are "people who must be crushed." He said "delinquents like these agitators have to be shot and we will shoot them." He added, "come what may, let no one think they can ignore ABRI (the Indonesian armed forces). In the end they will have to be shot down." General Sutrisno was simply restating the policy which Jakarta has practiced in East Timor since 1975. It is the policy of President Suharto and the army command as a whole, and this massacre was simply an example we happened to see.

Because foreign witnesses were there, though, this time there was publicity, and resulting threats to cut Jakarta's aid.

Indonesia responded by issuing a report saying that the shooting was a "spontaneous reaction by soldiers...to protect themselves" and that it "clearly was not an act ordered by or reflecting the policy of the Government of the Armed Forces."

The Indonesian report, Mr. Chairman, is a very simple and damnable lie, and no government that praises it can be taken seriously. The only way that anyone can put any stock in this report is if they are willing to ignore the testimony of every known foreign and Timorese eyewitness, as well as

the policy statements of the Indonesian army chief. (2)

General Sutrisno added on December 9, that as soon as Indonesia's investigation of the massacre is completed "we will wipe out all separatist elements who have tainted the government's dignity." (Sutrisno has no legal basis to say that the Timorese are "separatist," since Indonesia's occupation is against the law and has been rejected by the world community. The UN Security Council has affirmed that the East Timorese have the right to self-determination. It carries on its books two Security Council resolutions quite similar to those passed against Iraq after its invasion of Kuwait. The resolutions, passed in 1975 and '76, call on Indonesia to "withdraw without delay.")

President Suharto, for his part, responded to the massacre by going out of his way to ridicule the East Timorese. He said that the killings in Dili were a "small thing," and said that when world leaders asked him about it "I showed them a map where East Timor is located, the tiny island called East Timor. That small thing caused everybody to make a fuss. And," he said, "they all laughed." When the official report on the massacre met still more foreign criticism, Suharto responded by replacing two mid-level generals. He, for example, replaced the commander of East Timor with a new general who promptly announced that his predecessor had been too "patient" and said that he would take an even harder line. He said "The (November) incident might reflect the people's aspirations, but it was a rebellion." He then said in an interview with an Indonesian news magazine that any Timorese engaged in anti-Indonesian activity would be "hunted down."

Suharto also ordered the prosecution of Timorese who were involved in the march, including some of those who survived the massacre. Some now face jail and penalties ranging up to death for the crime of subversion against the Indonesian state. In the wake of the massacre, the army stepped up repression. Since November 12 East Timor has been swept by a new wave of intensified army terror. Within the past two weeks I have received new, authoritative, information on the massacre and the recent period. It is now known that the massacre death toll was at least 146, with 90 people missing, 200 detained in the following weeks, and at least 70 seized in recent days. There have also been several credible reports of executions of Timorese who either witnessed the November 12 massacre or are thought to be critics of Indonesia. The army has also been mounting a program of harsh interrogation of clergy and people active in the Catholic Church. In particular the army has been persecuting Father Alberto Ricardo, the vicar general of the Dili diocese. Recently, while in Geneva to testify to the UN Human Rights Commission, I spoke to a member of the Indonesian delegation who said he knew of the interrogation of Father

Ricardo. He said that if in the end the army did not believe what the Father said, they would have to decide whether to expel him from Timor or put him in an army jail.

As we left Dili the army was sweeping through the streets, breaking into homes and rounding up Timorese. Timorese church people as we left were calling desperately for international help. They wanted the UN to send in a peacekeeping force to first, protect them from the Indonesian troops, and later oversee a transition to orderly self-determination, via a UN-supervised referendum. But for that to be possible, one leading churchman said, the United States would have to take action first. "America is the key," he said, because as Jakarta's military sponsor, it has the power that could make Indonesia obey the law.

This formulation, however, understates the US role. By continuing to provide arms shipments, training, and commercial arms sales to an army that massacres civilians, the US government is itself an accomplice to an unmistakable, heinous crime.

It is often said in Washington these days that the US only gives Indonesia \$1.8 million yearly in IMET military training aid. This, however, is completely misleading, and ignores extensive commercial military sales and deliveries of FMS arms. In 1990, the last year for which figures are available, the US delivered to Indonesia \$233,154,000 in FMS weapons, mainly 12 F-16s. In 1991, according to Pentagon sources, deliveries are expected to range between \$30 and \$45 million, many of them spare parts for US-supplied planes. In addition, there is now on the table a deal between Grumman and Indonesia for the \$500 million sale of four E-2C surveillance planes that can be used to spot targets on land and sea. The deal was approved by the US government as a foreign military sale, but it was postponed when Indonesia did not have the funds in hand. Likewise, Lockheed is now negotiating a sale of four C-130s, a \$130 million commercial sale to the Indonesian Air Force which has also received US approval but been put on hold until Indonesia raises the cash. In 1990 US government-approved commercial arms sales to Indonesia amounted to \$15,219,000. The Pentagon and CIA also share intelligence with Indonesia, and, from the US embassy in Jakarta, the US military attaches and the military group advise the Indonesian military on the use of US equipment and provide military instruction and advice. This is all in addition to direct US economic aid (which in 1990 stood at \$53.1 million), more than \$100 million yearly in US financing channeled through the Export-Import Bank (\$113.8 million in 1990) and the US contributions to the IGGI (Inter-Governmental Group on Indonesia), the international fund which this year will provide nearly \$5 billion in financing to the Indonesian regime.

One Pentagon official I spoke to said that it was his prediction that the Congress

would respond to the massacre merely by cutting the \$1.8 million in IMET aid. He said that this would be a way of making a public statement while at the same time avoiding unduly upsetting the Indonesians. He said that if the IMET aid were cut, Indonesia would understand. It would continue to take its US weapons deliveries. And, likewise, he said that US arms contractors would have no reason to complain.

Arms manufacturers I spoke to on this subject echoed the confidence of the Pentagon man. They did not think there was any danger that Congress would interrupt the weapons flow.

That decision will, of course, be made by you and your colleagues, Mr. Chairman. But if the Congress takes this course the significance will be clear. The US will be telling and showing Indonesia that they can stage a public massacre, watch deliberately as the wounded die, then kill witnesses and prosecute survivors, persecute priests, lie to the world — and have their generals declare that it is policy — and then be answered by fresh deliveries of American weaponry and money. This, Mr. Chairman, would be a crime, both in the legal and the moral sense. The US would be knowingly arming an illegal occupation by an army with a policy of killing those who speak. The US has done this from the beginning, since President Ford and Henry Kissinger met with Suharto in Jakarta a day and a half before the invasion of Dili. The US responded to the subsequent massacre by doubling Jakarta's military aid. The question now is whether the Congress will choose to stand up and enforce the law, or whether, in lieu of self-determination and free elections for East Timor, it will choose instead to support the continuation of mass murder with US arms.

THE PROSPECTS FOR CHANGE

This is the decisive moment for action on East Timor. If the United States cuts off aid and backs UN action for self-determination, vast numbers of East Timorese lives will be spared, and there will be a reasonable chance that the illegal occupation will come to a just and orderly end. But if you do not do this, then more Timorese will die, and the chance for a peaceful solution will probably be lost.

The massacre has, for the moment, brought the issue of East Timor onto the international stage. Governments that have, for years, been silent or complicit are now facing pressure from their publics, and, in some cases, their national media, to finally acknowledge the rights of the East Timorese.

In Japan, Canada and Western Europe, governments with close ties to the Suharto regime were compelled by the massacre and the ensuing public reaction to make gestures in protest of Jakarta's actions. Some governments then shamefully seized on the Indonesian official report and the transfer of the generals and used them as an opportunity for making the inaccurate claim

that the East Timor problem was being resolved.

Now Indonesia is saying that it may put some soldiers on trial, a move that cynical governments could then cite as evidence that Jakarta is somehow moving in the right direction.

The fact of the matter is, though, that reports, reshuffles and army trials, have little to do with the conditions of Timorese life. The agonizing realities lived daily by the East Timorese are in large part shaped by two fundamental things: first, the fact that they are occupied by the army of Indonesia, and second that they cannot choose their own way of life. Even if dozens of officers were thrown to the wolves and put on trial, the East Timorese would still be a captive nation. Even if Indonesia were somehow to allow a full international investigation, the Indonesian army would still be there, daily, running the lives of the East Timorese.

No government can claim to be serious about the well-being of the East Timorese unless it is willing to acknowledge and support their right to self-determination. How can governments presume to tell an illegal occupation army, that they will be satisfied if, say, it starts to kill and torture somewhat less? This kind of stance is especially grotesque when one is talking about Indonesia, a government which has already committed in East Timor a genocide of Cambodian proportions.

Yet though the stance on East Timor of many governments around the world is still one of doing the minimum required to appease public pressure, the fact of the matter is that that pressure now exists in a way it has not since the '75 invasion.

Even traditional backers of Jakarta like Japan and the Netherlands, are facing serious internal challenges to their Timor policies. In these and other influential countries there are strong factions in their parliaments and governments that are now, in the political wake of the November 12 massacre, pressing for insistence on Timor's rights. The result has been that support for Indonesia has had a tentative, unsteady quality, that stands in marked contrast to the situation that prevailed before November 12, when key nations got along with Jakarta by choosing to avert their eyes from its running occupation of East Timor.

The UN Human Rights Commission, for example, is now taking up a resolution that is bitterly opposed by Indonesia but is still garnering substantial support. The current draft of the resolution, originally offered by Portugal, calls on the Secretary General to monitor Timorese human rights on an ongoing basis, and also makes reference to the UN resolutions which call for self-determination, and notes that human rights violations have continued in East Timor since November 12. Amy Goodman and I testified to the Commission on February 13, and commented on a showing of the raw

video footage of the massacre. When we had arrived in Geneva a few days before, delegates had been saying that there was little chance for passage of a resolution on East Timor. Within a week, though, the situation had reversed, and now, with the cosponsorship of the European and Nordic groups as well as Hungary, Czechoslovakia, Chile, Angola, Cape Verde, Mozambique and Sao Tome, (plus support from other Latin American and African states) a Timor resolution is expected to pass — with the issue now being whether the draft will be watered down.

Though England and the Netherlands tried to weaken the resolution when it was discussed inside the European caucus, they have now signed onto it and it will be mainly up to the United States whether the resolution proceeds in its current form.

Passage of a strong resolution would be a setback for Indonesia in its efforts to prevent action within the UN system.

Present indications are, though, that Indonesia's task may not be easy, unless the US chooses to continue what has been its standing policy of lobbying on Jakarta's side. The UN Special Rapporteur on torture has just issued a report saying that in Indonesia and, particularly, East Timor, "torture is said to be practiced rather routinely." In addition, I have learned, Mr. Chairman, that advisers to the UN Secretary General are urging him to take up the question of self-determination for East Timor.

Portugal has already presented him with a proposal for negotiations which would include the East Timorese. Xanana Gusmao, the leader of the Timorese underground, has proposed talks without preconditions. And there are nations with Security Council seats that are now considering raising the Timor issue there.

In sum, the political elements needed for the UN to resolve the Timor question, are finally beginning to move into place. Portugal, the administering power, after years of lethargy, is finally beginning to take some serious action, and Japan and the key players in Europe are, for the very first time,

facing strong internal pressures to leaven their cynical support for Jakarta with some serious urging that it obey the law on the question of East Timor.

The situation is now such that self-determination for East Timor is within reach if Washington wants it to happen. If the US were to tell the Secretary General that it endorsed negotiations involving the East Timorese, there is little doubt that an orderly UN process leading to elections and self-determination could then be set in motion.

A majority of the US Senate (52 Senators), under the leadership of Senator Wallop, has already, in a joint letter to President Bush, endorsed self-determination for East Timor. If the Congress were now

simply to stand behind this position — and back it up by cutting off aid to Indonesia — then the way would be cleared for long-overdue UN action to finally end the illegal slaughter of the East Timorese.

With the UN telling it that it is time to obey the law, and the US for its part showing that it will no longer fund Jakarta's crimes, the Indonesian regime would have a very hard time resisting the pressure to get out of East Timor. Foreign aid provides a quarter of its government budget and Washington has long been its principal political sponsor and military source. As the Economist observed this January in an editorial on Timor: "Indonesia's foreign debt is \$57 billion, and servicing that consumes 30% of each year's export earnings; the government in Jakarta is in no position to thumb its nose at foreigners." The November 12 massacre has inflamed an internal political crisis, which has, by many accounts, shaken the Suharto regime.

The actions taken here in Washington in the coming months will go a long way toward determining how that crisis is resolved, especially with regard to East Timor. If the Congress chooses to continue this country's backing of Jakarta's crimes, then there is little doubt that many more Timorese will be consigned to torture and violent death. But if Congress decides to stand by the Senate's own expressed position and simply insists on compliance with international law, then — immediately — many Timorese will be spared, and, in the longer run get a chance at freedom.

Notes

1. Indonesia later said that, during the course of the march, a soldier was stabbed by a Timorese in front of the military district command base. I saw, from about a hundred feet away, a brief scuffle near the base, but it did not look to me at the time as if anyone had been stabbed. After most of the marchers had already passed and the last Timorese were passing by, a few soldiers came out and began to beat some marchers with sticks. I saw other marchers then come to their defense, throwing some stones at the soldiers and at nearby government buildings. The scuffle broke up very quickly — within about 45 seconds — and the marchers continued on their way. Likewise, although there were many soldiers and police who watched the encounter as I did, they did not join in or react in any way. Neither did the soldiers or the police who lined the remainder of the parade route. The march continued to the cemetery without incident, and the massacre happened more than a half hour later. After the massacre, Chris Wenner, the video cameraman who was inside the cemetery, was imprisoned by the police and held for more than six hours, during which time he talked frequently with his captors. He says he asked them

repeatedly why the army had staged the massacre, but that at no point did they say that any stabbing had taken place.

2. Amnesty International, Asia Watch and the International Commission of Jurists (ICJ) have all issued detailed studies rejecting the claims of the Indonesian report. Amnesty said it was "fatally flawed," and Asia Watch said it "cannot be accepted." The GAO has also issued a report, which, unfortunately, is riddled with inaccuracies. The authors failed to interview key foreign eyewitnesses, even though they were given their names and numbers. They also did not interview any Timorese eyewitnesses, as, when in Timor, they were under constant army escort. The principal GAO author told me, astonishingly enough, that she had not even read the Amnesty reports. She was also unfamiliar with General Sutrisno's speeches, and basic facts about East Timor and November 12. The report in large part consists of GAO restatements of Jakarta's discredited official report. It presents Indonesia's claims as fact, in the face of all available evidence. The GAO says for example, that there were two different marches, even though witnesses and the video show that there was only one. The GAO says, for example, that there were soldiers stationed at the cemetery, even though witnesses and the video show that this is not true. The GAO says, for example, that "Western sources could find no evidence to substantiate rumors of other shootings and killings" (after the November 12 massacre) — even though there were Western eyewitnesses who could have given them such evidence, if the GAO had bothered to call them up. The investigators, after prodding, agreed to interview Amy Goodman and me — and then wildly misreported what we said. There is no space here to list the report's many errors, but it is, to say the least, an unprofessional piece of work.

U.S. GOVERNMENT ASKS FOR \$2.3M TO TRAIN INDONESIAN ARMY

By Jorge A. Banales

UPI, Washington, March 6 — The U.S. government has requested \$2.3 million from Congress to train 180 Indonesian military and security officers to prevent the recurrence of similar incidents to the bloody Dili killings of November 12, a General Accounting Office report said.

The report, requested by members of the Senate and House of Representatives' foreign affairs committees, said there were no U.S.-trained Indonesian officers in senior-level positions in East Timor on Nov. 12, 1991, when troops fired on a crowd killing from 50 to over 100 people.

After the incident, however, "at least seven" U.S.-trained officials were placed in positions of responsibility for East Timor operations and on commissions established by Indonesian President Suharto to investigate the incident, the GAO, Congress's investigative unit, said.

Last November, the Senate and House of Representatives adopted concurrent resolutions condemning the shooting incident in the city of Dili, East Timor, and asking for a "reassessment" of funds allocated to Indonesia under the U.S. International Military Education and Training program.

Under IMET, the US provides funds for training foreign military personnel in professional military education, management and, through observer training, US military techniques and procedures.

"In fiscal 1991, Congress expanded IMET to train foreign civilian and military officials in defence resource management and the development of judicial systems and military codes of conduct, including observance of internationally recognised human rights."

GAO "found no IMET graduates among the 14 Indonesian army officers whom we identified in the East Timor command structure on the day of the shooting incident," the report said. These officers held ranks from major-general to lieutenant."

U.S. STATE DEPT. TIMOR TESTIMONY

Reuter, Washington, March 6 – The U.S. administration said on Friday that aid should be continued to Indonesia despite its army's killing and wounding of civilians on East Timor last November.

Deputy Assistant Secretary of State Kenneth Quinn told the Senate Foreign Relations Committee the Indonesian government was not responsible for the massacre, had handled it responsibly and remained a good U.S. friend.

"For all those reasons we would view Indonesia as being a worthy recipient of U.S. assistance," Quinn said.

He said a U.S. team found in a visit last month that 14 civilians were still being treated in hospital for wounds and 77 others had been released.

Quinn said the number killed in November remains unclear. He said U.S. officials thought at the time it was 75 to 100 but said an Indonesia investigation concluded 50 were killed.

Quinn urged continued U.S. aid after the committee's chairman, Democratic Senator Claiborne Pell criticised recent Indonesian actions on East Timor and asked, "Why should we give Indonesia a nickel?"

Pell said Indonesia has occupied East Timor since a 1975 invasion and acted since to keep it shut off from the rest of the world.

Pell said Indonesia had declared East Timor off-limits to foreign correspondents and said there were reports that it has tightened security, putting troops at the water's edge to keep anyone from landing.

But Quinn said the U.S. government believes Indonesian soldiers who fired on East Timorese were acting on their own in reaction to the stabbing of an army major.

He said the Indonesian government had acted responsibly since by conducting an investigation that led to the court martial of eight soldiers and disciplining of six others while investigation continues of five others.

Quinn said Indonesia has the largest Moslem population in the world, was helpful during the Gulf War and took effective action when terror acts were threatened against Americans.

He said cutoff of U.S. aid would take away U.S. influence in Indonesia and reinforce factions such as one within its government that Quinn said has tried to blame the November bloodshed on East Timorese anti-integrationists.

U.S. aid to Indonesia totals 59 million dollars this year and the administration wants 54.4 million dollars next year.

AP, Washington, David Briscoe, March 6 – A U.S. State Department official defended before Congress on Friday the Indonesian government's response to a military massacre in East Timor, saying President Suharto "did the right thing."

Kenneth Quinn, acting assistant secretary of state, repeated the U.S. condemnation of the Nov. 12 incident in which soldiers fired upon independence demonstrators, killing at least 50.

But Quinn praised Suharto for apologizing, relieving military commanders, forming a military council to discipline soldiers and ordering an accounting of people still missing since the massacre.

"No provocation could have warranted such a wanton military reaction," Quinn told a Senate Foreign Relations Committee hearing prompted by congressional concern over the massacre and reports of continuing abuses in the former Portuguese colony invaded and annexed by Indonesia 16 years ago.

But Quinn said Suharto, who was out of the country at the time of the massacre, called for a full report and assessment and then, "when confronted with a difficult issue, did the right thing."

Asked if he thought Suharto would have taken action without international pressure, Quinn said, "I don't think the decision was taken purely because of outside force." He outlined progress in East Timor under Indonesian rule, including dramatic increases in the number of schools, hospitals, churches and roads.

Quinn said U.S. officials visited East Timor last month and found no evidence to support assertions by human rights groups that other killings followed the massacre.

He said, however, that U.S. officials are concerned that those responsible for the massacre be brought to justice.

Quinn said U.S. officials would closely monitor the handling of military officers involved as well as the human rights situation in East Timor.

He also called upon Indonesia to allow journalists and human rights advocates into East Timor.

AFP, Washington, March 6 – Quinn also argued that Indonesia had done some good in East Timor, building schools, churches, hospitals and roads in the annexed state.

Last week, spokespersons for Amnesty International and Asia Watch said in a congressional hearing that the massacre was just the latest in a series of human rights abuses in East Timor — and that military abuses continued.

Quinn responded that U.S. officials had travelled to East Timor and found no evidence to support those assertions. But, he said, the United States hoped to see those responsible for the November 12 killings be brought to trial.

PORTUGAL CRITICIZES U.S.

Reuter, Lisbon, March 13 – Portugal has complained to Washington about remarks by a senior U.S. official defending Indonesian rule in East Timor, a Portuguese foreign ministry official said on Friday.

Kenneth Quinn, Deputy Assistant Secretary of State for East Asian Affairs, made a statement last week to the Senate foreign relations committee on East Timor, in which he criticised Jakarta for the massacre but said the State Department was "encouraged" by President Suharto's follow-up actions," including the disciplining of six senior officers.

Quinn also praised Jakarta for investing "over six times as much of its own economic development budget into East Timor as to any other province."

"In 1974, after four centuries of colonial rule, East Timor had 47 elementary schools...Now it has 574 elementary schools," he said. His appearance before the committee was broadcast on Portuguese television news programmes.

The foreign ministry official said Lisbon's Washington embassy had made a verbal complaint to the State Department.

SENATOR PELL ON TIMOR, AND RESPONSES

From East Timor Action Network / Rhode Island, March 18, 1992

Senator Claiborne Pell (D-RI), Chairman of the Senate Foreign Relations Committee, released two statements on East Timor, one dated March 13 and the other dated March 16, which members of East Timor Action Network/Rhode Island have called ambiguo-

ous. The first statement was to be delivered by an aide at a Brown University forum last Friday. However, the aide was unable to deliver the statement due to a sudden illness.

ETAN responded to each of the statements as they were released. The exchange follows.

FIRST STATEMENT BY SENATOR CLAIBORNE PELL ON EAST TIMOR

March 13, 1992

Last November, the Senate passed S. Con. Res. 77 calling for sanctions against Indonesia because of the massacre that occurred in East Timor.

In addition, the foreign aid appropriations bill that is pending in the Senate contains a provision requiring the Administration to certify that the International Military Education Training program will help to improve human rights in Indonesia before funds can be released for that program. That provision grew out of hearings held in the Senate Foreign Relations Committee under my chairmanship.

I continue to support these provisions, and I believe that the threat of sanctions has and will continue to influence Indonesia to do the right thing and punish the perpetrators of the massacre. Eight military personnel are currently subject to court martial proceedings, and I believe we should wait to see what happens in those proceedings before taking any action on sanctions. If we were to cut off military assistance in the middle of these trials, there would be no incentive for the Indonesian government to follow through. If nothing is done, despite American forbearance, we can then take the sanctions route.

I remain deeply committed to the support of the freedom and human right in East Timor, and I shall continue to do all that I can to see that justice is done in a land that has suffered so much.

EAST TIMOR ACTION NETWORK/RHODE ISLAND RESPONDS: MARCH 15, 1992

Dear Senator:

While we are grateful for your long time commitment to the cause of freedom and human rights in East Timor, we deeply lament your apparent shift in position on the question of the appropriate action to take in response to the November 12 massacre in Dili. What the East Timorese people most desperately need now is a U.S. leader like yourself who will boldly champion their cause even while the U.S. State Department, following a constant policy since the Indonesian invasion, seeks to crush it.

Since your March 13, 1992 statement on East Timor repeats the State Department position so clearly, we feel compelled to address a number of points on which we feel that incomplete information may have been provided:

1. While the serious threat of sanctions might indeed force Indonesia to "do the

right thing," it is clear that "punishing the perpetrators" is not "the right thing," especially the way "perpetrators" are being defined. The Dili massacre of 12 November 1991 was not an isolated incident. The genocidal situation in East Timor (where a quarter of a million people have died in 16 years) is a matter of policy, and will not be stopped by punishing a few fall guys. The men who replaced the two commanders are actually far worse than their predecessors. Regional Commander Brigadier-General Theo Syafei has said that he is "not as patient as Warouw," a man who the East Timorese held in relative regard.

The eight low level military men are being court marshaled as a way to diffuse mounting international pressure against Indonesia. The soldiers were put on trial early this month, in stark contrast to dozens of East Timorese who have been detained without trial since November merely for their presence at the massacre. Eight of these East Timorese now stand trial for subversion, which carries the death penalty.

2. The suggestion that the maintenance or increase in International Military Education Training (IMET) funds can in any way help to "improve the human rights situation in Indonesia" is more than false—it is insulting. The only way years of U.S. sponsored military education training has served to "professionalize" the Indonesian army is by training its soldiers in more systematic ways to kill people, as demonstrated so professionally last November.
 3. Based on the preposterousness of the suggestion that IMET has any possibility of "improving the human rights situation in Indonesia" (sic—East Timor is not in Indonesia according to the UN) we ask how the Administration proposes to "certify" that IMET will help before the funds are released.
 4. While it is true that certain high-profile Indonesians have expressed regret for the massacre, however tepidly, it must be understood that these expressions of regret have been extracted under the glare of the international spotlight. Others, such as Syafei (the man who replaced Warouw) and Commander-in-Chief Try Sutrisno have recently made statements such as "Agitators have to be shot and we will shoot them," and "I will hunt them down."
- Senator, time is of the essence. Indonesia and the State Department are eager to delay any congressional action as long as possible, hoping that the spotlight will soon wane. As serious as this situation is, there is only so much that a group of concerned citizens can do on their own time when they are up against the US State Department. Yet the momentum is building, not slowing.

The Brown students who went to Australia to attempt to sail to Dili assured the East Timorese expatriate community in Australia (many of whose relatives have been killed, disappeared, or are currently facing the death penalty) that with the support of the influential Senate Foreign Relations Committee chairman, Senator Pell, they may not have much longer to suffer, and their dreams of self-determination may soon be realized. Imagine their disappointment were they to learn they have lost their champion.

We urge you to carefully consider your position and to take strong action in cutting off all aid to Indonesia immediately. We can not afford to "wait and see."

SENATOR PELL'S OFFICE RESPONDS

March 16, 1992

Senator Claiborne Pell (D-RI) this morning said that, despite a published report to the contrary, his position on East Timor is firm and he definitely has not adopted the State Department's position. Pell rejected charges that he had reversed his position on East Timor.

"I proposed [legislation which condemned the November massacre]," Pell said, "with two objectives: first, to pressure directly Indonesia to prosecute those responsible for the massacre of innocent East Timorese on November 12th, and second, to bring the full weight of the international community's pressure on Indonesia forcing it to address the underlying cause of the conflict in East Timor."

"It is my view," Pell said, "that the United Nations sponsored referendum should be held to determine the wishes of the East Timorese." He added that he opposed the Department of State's decision "to accept Indonesia's incorporation of East Timor as an accomplished fact."

"I am working," he said, "to reverse that policy so that the voice of the East Timorese people can be heard. The massacre was not an isolated event as the Administration would have us believe, but the predictable result from an army of occupation."

Pell noted that Congress is now considering foreign aid legislation and that he supports legislation "which ensures that the Congress is notified before any dollar is spent on any project in Indonesia."

"Whether or not such legislation is passed," he said, "I expect to be fully consulted on how ever aid dollar is spent in Indonesia and before any commercial military sale is made. President Suharto characterized the massacre as a 'small matter' that had been 'exaggerated by Western countries and their press.' This matter is not small or exaggerated."

Pell also cited legislation he wrote, as part of the Foreign Relations Authorization Act for FY '92 and FY '93, which states the sense of the Congress that as a tenant of

American policy the President should work toward arriving at "an internationally acceptable solution which addresses the underlying causes of the conflict in East Timor."

The Senator also noted that he has urged the Indonesian Government to agree to a United Nations sponsored plebiscite in East Timor to determine the wishes of the East Timorese.

"Much more needs to be done," he said. "East Timor can too easily be forgotten by the press of world events. I intend to ensure that it is not forgotten and welcome the efforts and suggestions of everyone who shares that goal."

ETAN/RI RESPONDS

March 17, 1992

Dear Senator Pell:

We are encouraged by your most recent statements regarding East Timor. It is clear that you remain as committed as ever to East Timorese self-determination and the cessation of the human rights abuses in East Timor, and we thankfully applaud your dedication.

We believe your latest positions are right on the mark: the November massacre is not an isolated event in East Timor; the full weight of the international community must be brought to bear on Indonesia to address the underlying cause of the conflict in East Timor; and a UN referendum on East Timorese self-determination must be held.

The question is: how can these goals be achieved? It is our position that:

1. Any form of pressure which aims only at prosecuting "those responsible for the massacre" will not address the underlying cause of the conflict in East Timor—namely an illegal military occupation which the East Timorese resist.
2. Any legislation which merely requires a notification of foreign aid allocation to Indonesia or a consultation on commercial military sales will ultimately have no effect in preventing the disbursement of such aid or the sale of military hardware to Indonesia.

Indeed, much more needs to be done. We agree that serious pressure must be applied to force Indonesia to address problems in East Timor in a concrete manner. The most effective form of pressure the US congress can apply is the immediate suspension of all military aid and arms sales to Indonesia.

Again, we wish to stress that the East Timorese people are now looking to you, Senator Pell, as their main bastion of support. We look forward to working with you in your efforts to support the East Timorese people.

LAWYERS COMMITTEE ON HUMAN RIGHTS ON U.S. ARMS CUTOFF

IPS, Washington, March 19 – The U.S. government should upgrade the influence of human rights in its foreign and trade policies, according to an influential New York-based human rights organization.

In an 86-page report, the "Lawyers Committee on Human Rights" (LCHR) also called on Washington to encourage the World Bank and other multilateral development agencies to explore the relationship of economic development and the human rights performance of Third World governments.

And it called for the U.S. to actively pursue the inclusion of worker rights around the world on the agenda of the next round of international trade negotiations under the General Agreement On Tariffs and Trade (GATT).

The 86-page report is the product of several months of consultations by LCHR, other human rights groups, U.S. officials, and independent lawyer affiliated with the committee.

Congress should create the position of "under-secretary of state for human rights" to oversee and coordinate all state department activities involving human rights, LCHR said.

That would be a significant upgrade of the current position of assistant secretary of state for human rights. Under-secretaries of state report directly to the secretary of state.

The group also called for congress and the executive branch to conduct a "comprehensive reassessment of U.S. security aid policies and practices."

Such a process should focus especially on the rationale for continuing aid to cold-war allies that commit grave human rights violations, such as Indonesia, Morocco, Zaire, and Turkey, it said.

LETTER TO SENATOR CRANSTON (ETAN/LA)

Matthew Jardine
East Timor Action Network/L.A.
1062 Marco Place Venice, CA 90291
(310)3964624(H) (310)2066482(W)
30 March 1992

Jennifer Cano, Legislative Aide for Foreign Affairs
Senator Alan Cranston's Office Washington, D.C. Fax: (202)2248128

Dear Jennifer:

Thank you for speaking with me the other day regarding East Timor.

At this time, rather than provide you with the formal text of a draft piece of legislation as you proposed that we do, I would simply like to take this opportunity

to outline our position regarding East Timor and offer what we think needs to be done by Senator Cranston in order to facilitate the realization of human rights and selfdetermination in the former Portuguese colony.

You mentioned to me that Senator Cranston had helped to introduce legislation on 14 November 1991 calling for the elimination of IMET funds to Indonesia unless it could be shown that such funding helped improve the human rights situation in Indonesia. Would you kindly provide us with the number and actual text of this bill?

In any case given the nature of the legislation as described by you on the phone, the East Timor Action Network feels that such a resolution is totally inadequate both in terms of the spirit and actual content given the genocidal nature of Indonesia's 16 year illegal occupation of East Timor. As you well know Indonesia's very presence in East Timor is a complete violation of international law and human rights as defined by a variety of international declarations and covenants. Therefore, to speak of improving human rights in Indonesia (and, implicitly, in East Timor) without highlighting Indonesia's illegal presence in East Timor is, at the very least, insufficient.

We would like Senator Alan Cranston to introduce binding legislation that would do the following:

- 1) Eliminate all forms of military assistance to the Republic of Indonesia;
- 2) Eliminate all commercial arms sales to the Republic of Indonesia;
- 3) Eliminate both bilateral and multilateral economic assistance to the Republic of Indonesia.
- 4) Put an end to preferential duties received by Indonesia under the Generalized System of Preferences;
- 5) Such legislation will remain in effect until Indonesia allows for a legitimate act of self-determination to take place in East Timor.

We also ask that Senator Cranston sponsor resolutions that would call upon President Bush to have the United States sponsor resolutions in the UN Human Rights Commission and the Decolonization Committee as well as in the General Assembly and the Security Council regarding human rights and selfdetermination in East Timor.

While such proposals might at first seem rather harsh, given the dire situation in East Timor, they reflect the imperative for effective and immediate action to put sufficient pressure on Indonesia to engage in internationally supervised negotiations with Portugal* and with representatives of the East Timorese both within and outside of East Timor leading to a legitimate act of selfdetermination. Despite numerous United Nations resolutions calling for an Indonesian withdrawal and self determination for East

Timor, the Indonesians have refused to budge; they regard East Timor as an "internal affair".

Given the strong position taken by the U.S. Congress and President Bush regarding Iraq's invasion and occupation of Kuwait, there is certainly a precedent for the type of legislation that we are proposing and it would seem to be clearly in line with the President's public advocacy of the right of self-determination and human rights, in general.

If you would still like me to provide you with the text for a draft piece of legislation, please let me know. It is my hope that, based on the above proposal, that your office will be able to create such a draft.

At this time, I would like to reiterate our desire that Senator Cranston take a more public position regarding East Timor. We suggest that he write oped pieces for major newspapers such as the LA Times and the Washington Post calling for an end to US aid to Indonesia until human rights and self-determination are realized in East Timor.

Finally, I would like to remind you of the East Timor Action Network's desire to set up a meeting with Senator Cranston the next time he is in Los Angeles (late May, presumably). You had stated that you would contact the Senator's Los Angeles office which would, in turn, contact me to lay the groundwork for such a meeting. I hope that this can be done within the next few days.

Since 1975, over 200,000 East Timorese have died as a direct result of the invasion and occupation. Such an atrocity demands our highest attention. Given Senator Cranston's longtime dedication to human rights and, as a world federalist, to international law, I am confident that he will begin to take a more prominent and stronger position on this very important issue. Your help in this matter is greatly appreciated.

On behalf of the East Timor Action Network, please accept our most cordial regards.

For the East Timor Action Network of Los Angeles, Matthew Jardine

* Under international law, Portugal is still the administrative authority of East Timor.

WASHINGTON UPDATE (ARNOLD KOHEN)

By Arnold Kohen, April 3, 1992:

In the days and weeks following the December 26 release of the report of the Indonesia government-appointed Commission of Inquiry, some members of Congress issued letters and statements challenging the validity of the Commission's findings, expressing concern over ongoing human rights violations as well as suggestions that United States aid to Indonesia could be reduced or eliminated

entirely over Indonesian actions in East Timor.

(Further activity on the question of aid is expected in the weeks to come.) Despite sharp criticism of the report in Congress and by the Press, the U.S. State Department stuck to its initial characterization of the Commission report as "serious and responsible;" some sources close to the U.S. government insist that it was heavy pressure from American officials anxious to dampen criticism of Indonesia that brought about the minor concessions the Commission report made in the first place. In sum, official American reaction to the report is similar to that of Britain.

Indonesian Foreign Minister Ali Alatas travelled to Washington in February in an effort to defuse Congressional protests and press criticism over the massacre and Indonesian policies in East Timor, criticism that focused not only on continuing human rights abuses and other atrocities but also the fundamental fact of the illegal occupation of the territory.

While Alatas certainly received a sympathetic hearing at the State Department, his audience in Congress was far less receptive. A senior senator began one meeting by bluntly telling Alatas that after everything he had heard about East Timor over the past 15 years, the events of November 12 came as no surprise. The reaction to Alatas' message was no better amongst other Congressional activists on the Timor issue. Alatas was also questioned sharply on continuing abuses in East Timor; and on self-determination.

As for the media, it was rough going for Alatas in a February 20 press luncheon at the National Press Club. A good portion of the question period was taken up by the sharp exchanges with journalists Allan Nairn and Amy Goodman, the American witnesses to the Santa Cruz massacre who were badly beaten by Indonesian troops on November 12.

Others at this session raised questions about the long history of Indonesian atrocities in East Timor, the murder of five Australian television journalists by Indonesian troops in East Timor in 1975, the barring of several journalists from a press conference Alatas held in London in February, and the tight restrictions on foreign press reporting.

Other exchanges with the media went no better. As one senior editor for a major paper put it, "Why did he even bother?" Indeed, a Boston Globe editorial on February 21 sharply attacked the Indonesian damage control campaign, noting that there was "macabre irony" even in the location of Alatas' National Press Club briefing, situated as it was in a room dedicated to the First Amendment to the U.S. Constitution, which guarantees freedom of the press.

For its part, on February 29 the Washington Post reiterated its call for self-

determination in East Timor made in editorials on November 20 and December 9, and sharply refuted arguments made by Alatas during his visit.

The Senate Foreign Relations Committee held two hearings entitled "Crisis in East Timor and U.S. policy toward Indonesia," on February 27 and March 6 — the first devoted exclusively to the Timor issue to be held in that body. A stated goal of the hearings was to place the issue of self-determination for East Timor on Washington's political agenda.

Witnesses on February 27 included Allan Nairn; the Rt. Rev. Paul Moore Jr., former Episcopal (Anglican) Bishop of New York, who visited East Timor in late 1989 and who had warned in January 1991 in a letter published in the New York Times of the danger of a Tiananmen-style massacre in East Timor; Geoffrey Robinson of Amnesty International; and Sidney Jones of Asia Watch, who has visited East Timor in early February and came away shocked at the repressive atmosphere there.

Nairn strongly attacked the report of the Commission of Inquiry, while calling for a cut-off of all U.S. military aid and sales of military equipment to Jakarta. Both Nairn and Moore made a strong appeal for U.S. pressure to help bring about authentic self-determination for East Timor. Amnesty and Asia Watch supplied detailed reports on human rights violations in the territory and cast doubt on Indonesian claims.

On the morning of the February 27 hearing, perhaps not coincidentally, the Indonesian government announced that eight officers and enlisted men would be court-martialed.

On March 6, Deputy Assistant Secretary of State Kenneth Quinn testified. Contradicting numerous reports of Indonesian repression after November 12, he was supportive of most official Indonesian claims about recent events, and reiterated earlier U.S. statements in favor of continued U.S. military training to Jakarta. "It seems evident that continuing cooperative engagement, not retribution, best serves the human rights goals we all seek," Quinn claimed.

Regarding the political status of East Timor, the State Department representative broke no new ground. "We support the 1982 U.N. decision to promote an Indonesian-Portuguese dialogue under the auspices of the U.N. Secretary-General to resolve the East Timor issue."

At a further hearing on March 31 on unrelated matters, Senate Foreign Relations Committee Chairman Claiborne Pell asked several questions on East Timor of Assistant Secretary of State Richard Solomon. Although in previous testimony the State Department had taken pains to downplay the seriousness of the human rights situation in East Timor in the months after November 12, Solomon described it as "serious, if not explosive."

AUSTRALIAN P.M. GRAPPLES WITH INDONESIA

AUSTRALIAN GOV'T: "MACRO-ECONOMIC" CORRUPTION!

Radio Australia (Australian Broadcasting Corp.) March 9 92 11:00 UT

[Announcer]

The Australian Government says a leaked document about corruption among members of Indonesian President Suharto's family is not a statement of government policy.

A government spokesman emphasized the informal nature of the document, leaked from Australia's Foreign Affairs Dept. after its contents were reported by the Channel 9 television network.

Graham Dobell (sp?) reports from Canberra that the TV report says the document accused Indonesia's first family of large scale corruption:

[Graham Dobell]

Channel Nine said the document is a record of foreign affairs branch heads in October 1988. It quotes a senior Australian diplomat as saying that the corruption of the Suharto family had a macro-economic impact and was a restraint on the opening up of the Indonesian economy.

The diplomat said President Suharto would probably hang on as leader for as long as possible, partly to protect his family's interests.

The Foreign Affairs Office is quoted as saying that Australia should distance itself from the Suharto regime and look to the longer term relationship.

The diplomat quoted is Miles Cooper, then just returned from the number two job at Australia's embassy in Jakarta, and now the top man in the office of the Foreign Minister, Gareth Evans.

A government spokesman said the document was an account of an informal discussion, which should not be regarded as a statement of Australian policy.

The government would not comment on the contents of the paper or the comments by an individual officer.

OZ PRESS ON SUHARTO DOCUMENT LEAK

SUHARTO LEAK MAY STRAIN TIES

The Age, 10 March 1992 Byline: Mark Metherall, diplomatic correspondent, Canberra Comment: Full text

Australia's fragile relations with Indonesia were put under new strain last night with the leak of a secret Government document prepared in 1988 reportedly suggesting that Australia distance itself from President Suharto.

The document, according to a report on the Nine Network [TV], said that the corruption of the Suharto family had come to have 'macro-economic impact' on the Indonesian economy.

The timing of the leak has grave potential for relations between the two countries, already under acute tension over the protest ship *Lusitania Expresso*, which left Darwin for East Timor last night on a mission to lay wreaths at the graves of those killed in last November's Dili massacre – in the teeth of trenchant Indonesian resistance.

The leak rekindles the controversy over Australian reporting of the Suharto family's wealth. A 'Sydney Morning Herald' report in 1986 provoked swift retribution from Jakarta, including a ban of Australian tourists that took more than two years to thaw.

Last night's television report attributed the document to Mr Miles Kupa, the senior advisor to the Foreign minister, Senator Evans, and a former deputy ambassador to Jakarta.

A spokesman for the Department of Foreign Affairs and Trade refused to confirm or deny the report. Government sources said the document was the result of a meeting of officials in the Foreign Affairs Department did not reflect Government policy.

The report said that the document said that the corruption of the Suharto family was a restraint to the opening up of the economy in Indonesia.

The document also said that President Suharto would probably try to hang on to power for as long as possible. The President had resisted any temptations to stand down, one of the reasons being the need to protect his family's interests, the report said.

"We should distance ourselves from the Suharto regime and look to the longer-term relationship," the document said, according to the report.

The Federal Opposition last night seized on the disclosure – the latest in a spate of leaks about foreign relations – as "potentially very damaging to Australia's relations with Indonesia."

Mr Harold Crouch, a leading scholar on Indonesia at the Australian National University, said last night that while he would not be surprised if the latest report

provoked a furore in Jakarta, and row was quite likely to pass over very quickly.

Mr Crouch said that what was said in the document was "absolutely right." But these days, many in Jakarta's elite, including prominent figures in the military, such as the Defence Minister, General Benny Murdani, would agree with the analysis.

"It's quite possible it won't have that much impact," he said. The fact that it was an internal document, that it did not appear to highlight Mrs Suharto's wealth – which in 1986 was a prime cause of Indonesian outrage – and the growing unhappiness about the presidential family's riches, were all factors likely to temper Jakarta's response, Mr Crouch said.

The Opposition's spokesman on foreign affairs, Senator Hill, who is visiting Seoul, said in a statement last night that he would pursue the latest leak as part of the Senate committee inquiry into the management of the Department of Foreign Affairs and Trade.

Senator Hill said the Opposition had identified 48 leaks since the start of 1990. He said Senator Evans had played down the leaks, dismissing them as a fact of life.

"But he must not take decisive action to make sure there are proper procedures to stop this sort of damaging breach of security," he said.

ABC RADIO'S 'AM' INTERVIEW WITH DAVID JENKINS

10 March 1992 Abridged

AM: What's the significance of the timing of this leak, given that Mr Kupa is now adviser to the Foreign Minister Gareth Evans?

David Jenkins: Well it's not clear whether it's been leaked to embarrass the Indonesians or to embarrass the Australian government... so its is very hard to say what the motivation was. But one can't help but feel sorry for Mr Kupa because I think it's important that diplomats be able to express these opinions, and the danger is that if they see their opinions being leaked in this way then they may be more circumspect in the future.

AM: What's the likely impact of the document?

DJ: Well it depends how the Indonesians choose to respond to it. Last time of course there was a great furore in Jakarta because many of those loyal to the President expressed outrage that anyone could say such things, and some others in Indonesia feigned concern about the report in the Sydney Morning Herald because they wanted to highlight the very problems that we had addressed. I think after that episode people realised that Indonesia had probably overreacted and so I think that this time there will be an effort in Jakarta to throw a damp blanket over the whole story.

AM: Is what Mr Kupa was saying a fair assessment?

DJ: I don't think there's any doubt that that's been widely said in recent years and he was probably just reflecting things that he heard Indonesians say in Indonesia.

AM: Mr Kupa's assessment also apparently stated that Australia has been "too anxious to improve our relations with Indonesia." Is that true, in your mind?

DJ: There has been some of that, and of course Gareth Evans has come under some criticism for trying too hard to improve the relationship. I think it is important to improve the relationship, but the danger highlighted by Mr Kupa is that if you go too far down that track there may be a backlash when a... if a new regime comes to power.

OZ FOREIGN MINISTER EVANS IN PORTUGAL (KOMPAS)

Remark: Haryanto Gunadi (gunadi@sea601.sinet.sib.com) posted another article from Kompas, this one appearing in its March 19 edition on page 1. What follows is a fairly literal translation in full, the original Indonesian article, and one of the two wire stories in full on which Kompas based its story (sorry, AP version not seen here) along with rewriting by its own reporter ('bas' at the end of the Indonesian version).

John MacDougall (apakabar@igc.org)

AUSTRALIA STILL RECOGNIZES INDONESIAN SOVEREIGNTY OVER EAST TIMOR

Lisbon, Tuesday – Australia retained its attitude of recognizing Indonesian sovereignty over East Timor on Tuesday, March 17, nevertheless recognizing that the majority of the people on the island once colonized by Portugal possibly oppose the central government.

Australian Foreign Minister Gareth Evans said after meeting Portugal's Foreign Minister Joao de Deus Pinheiro that the two of them differed in opinion on the East Timor problem. Evans explained that the territory was an integral part of Indonesia, while on the contrary Pinheiro considered that the East Timorese people had to be given the right to self-determination.

East Timor was integrated into Indonesia in 1975. But the United Nations does not recognize East Timor as Indonesian territory and officially considers it administratively under the Portuguese government.

"We consider it no longer necessary to question the issue of (East Timor) sovereignty, like it or not. Portugal takes the opposite view. Sometimes we can only accept the existence of unpleasant facts (because of existence of differences)," said Evans in a tense meeting with the press.

According to Evans, Indonesia had improved human rights practices before the Dili incident occurred. Portugal and the East Timorese people have to recognize and agree that the island is governed by Indonesia.

Portugal Mistaken

Evans accused Portugal of applying a mistaken policy by continuing to arouse hopes among the East Timorese people that they should be independent. He also explained that Indonesian sovereignty constituted an accomplished fact which had to be accepted by the international community.

Evans admitted that possibly more than 200,000 East Timorese died as a result of war and famine since 1975. And since the Dili incident not long ago, in his view, possibly a majority of the East Timorese people oppose the central government.

"It can no longer be doubted that the incidents which peaked in the November 12 incident consolidated the opinions of the East Timorese people and feelings of hostility and resistance emerged toward the Indonesian government from the majority of the people. But in the long term I believe the situation will change after the Indonesian government provides sensitive and constructive responses," he said.

Also according to Evans, the East Timorese people were treated dishonorably during the 350 years of Portuguese colonization, and the Portuguese government should look in the mirror at its mistakes when criticizing the Indonesian government. Evans said that Portugal built no roads, schools, or hospitals. It also didn't develop East Timor's economy before it left the island.

Evans said as well it would be best to organize a sort of roundtable conference attended by all interested parties in Indonesia and in East Timor in order to find a way out, but still retaining the principle of Indonesian sovereignty over East Timor.

Desire to negotiate

Pinheiro again repeated the desire of his government to negotiate the East Timor problem with Indonesia which is being mediated by the United Nations. But he also explained that the East Timorese people should be given the right of self-determination. "We should hold discussions without preconditions, and the East Timorese people have to participate," he said.

In his view, these negotiations could discuss various degrees of East Timorese autonomy. "It will not be Portuguese who make the decision, but rather the East Timorese people themselves," he said.

Up till now Indonesia has taken the position it does not want to attend negotiations on the East Timor problem if an East Timorese delegation also attends on the grounds that the territory constitutes a province of the Republic of Indonesia. "If Israel and Palestine want to confer and negotiate on behalf of their respective posi-

tions, I don't understand why Indonesia does not want to accept this Portuguese proposal," he said.

Evans explained the attitude of his government in welcoming every form of reconciliation between Portugal and Indonesia. Nevertheless, the press conference was colored by complaints and considerable argumentation between Evans and journalists so that Evans said Portugal's continued hard line of respecting the right to self-determination of the East Timorese people in the end would instead harm the East Timorese people themselves.

"I am not convinced that Portugal's actions in making use of this issue in the international world will benefit the East Timorese people," he said. (Associated Press/Reuter/bas)

REUTER ACCOUNT:

Reuter, Lisbon, Robert Powell, March 17 – Australia defended its recognition of Indonesian rule in East Timor on Tuesday but admitted that a majority in the former Portuguese colony probably opposed rule by Jakarta.

Australian Foreign Minister Gareth Evans said after talks with Portuguese Foreign Minister Joao de Deus Pinheiro they had disagreed completely over whether East Timor should be regarded as an integral part of Indonesia or allowed self-determination.

Indonesia invaded East Timor in 1975 and annexed it the following year. The United Nations does not recognise Jakarta's rule and the territory is still officially under Portuguese administration.

"We see the sovereignty issue as effectively closed, whether you like it or not, whereas Portugal does not," Evans told a tense joint news conference in Lisbon.

"We do occasionally have to accept some harsh realities," he said, accusing Portugal of raising false hopes in East Timor by continuing to suggest that independence is possible.

"The way forward is not to chase a Will of the Wisp, not to chase an aspiration that can never be satisfied," Evans said, arguing that Indonesian rule was a fait accompli which the international community should accept.

Deus Pinheiro stonily remarked: "The way in which the case is understood by us is totally different from that of the government in Australia."

Outside the foreign ministry, a crowd of 50 chanting protestors invited Evans to "Jump through the window."

"Hands off Timor oil," said one poster, referring to an Australian-Indonesian agreement signed in January on exploiting the potentially oil-rich waters between Timor and Australia.

Evans acknowledged that up to 200,000 people may have died in fighting and famine since 1975.

He also conceded that since the killing of 50 to 180 pro-independence demonstrators by Indonesian troops in the East Timor capital Dili on November 12, most Timorese were probably opposed to rule from Jakarta.

"Unquestionably the events leading up to...the massacre of November consolidated, radicalised if you like, East Timorese opinion and created...a feeling of hostility resentment and resistance to the Indonesian government from a majority of people," he said.

"In the longer term however, I believe that situation is likely to change, providing the Indonesian government responds sensitively and constructively to the situation."

Evans said East Timor's people, estimated at 750,000, had been "disgracefully dealt with" by Portugal during 350 years of colonial rule and he said Lisbon should reflect on this when condemning Indonesia's performance in the territory.

He said Portugal failed to build roads, schools or hospitals and develop the economy of East Timor before withdrawing its colonial administration.

Evans said he favoured a round table conference of all interested parties in Indonesia and East Timor to work out a solution for the territory that recognised its special characteristics, within the context of Indonesian sovereignty.

Portugal has called for talks without pre-conditions between Portugal, Indonesia and representatives of East Timor, under the auspices of the United Nations, to discuss the territory's future.

AUSTRALIAN PM KEATING TO VISIT INDONESIA

Reuter, Canberra, March 18 – Australian Prime Minister Paul Keating will visit Indonesia and Papua New Guinea in April, his first overseas trip since taking office in December.

The visit to Indonesia will be the first by an Australian prime minister since 1983 when Keating's predecessor, Bob Hawke, went to Jakarta in his first year in office.

In his meeting with Indonesian President Suharto, Keating will discuss "the scope for establishing a firm basis for the long-term development of Australia-Indonesia relations both in the bilateral domain and as partners in the Asia-Pacific region."

Keating will visit Indonesia from April 21-24 and Papua New Guinea from April 24-26.

OZ PM TO VISIT INDONESIA

Radio Australia — International Report Jakarta — Ian MacIntosh March 19 1992 — 02:00 UTC

Studio Announcer: Paul Keating will next month become the first Australian Prime

Minister to visit Indonesia in almost a decade.

Despite the serious tensions which have threatened ties between Canberra and Jakarta in recent months, the statement announcing Mr Keating's visit said it would provide the chance for the Prime Minister and his host, President Suharto, to discuss the long-term development of bilateral ties. From Jakarta Ian MacIntosh reports on Indonesia's view of its forthcoming visitor:

Ian MacIntosh: If politicians gauge their impact by the amount of media coverage they attract then Paul Keating has been doing pretty well in Indonesia of late. There have been few days in the past month when the new P.M. hasn't rated at least a mention in the local press and on some occasions he's fared a good deal better: that "Royal Visit" speech which generated so much fuss; the Prime Ministerial arm around the British Monarch; and Mr Keating's exchanges of colourful pleasantries with both the gentle folk of Fleet Street and the Opposition in Canberra all rated column-inches here, as well as sometimes finding their way onto the printers of the official Antara news agency.

Given Indonesia's own colonial past and its continuing puzzlement over what makes its Australian neighbours tick, such stories were probably guaranteed a run.

But the P.M.'s February economic statement also attracted some attention, and more so his government's handling of recent contentious issues such as the voyage of the Portuguese protest ship, Lusitania Expresso, and the leak of an Australian diplomat's highly critical (if four year old) remarks on the business activities of members of President Suharto's family.

And yesterday there was Paul Keating again: Antara and several of Indonesia's leading newspapers reporting his renewed questioning, on St Patrick's Day, of Britain's war-time commitment to Australia and the future of the Union Jack on the national flag.

As a matter of course Indonesian newspapers tend to run a considerable amount of news from Australia, ranging from its achievements to its failures, and much of it emanating from the international news agencies; but since his December elevation to Australia's top political job assured him of more coverage here, Paul Keating has presented something of a dilemma for Indonesians. Ironically, they seem to know very little about the man they read has set his nation's course firmly in this region.

That lack of background on him, however, hasn't inhibited some Jakarta speculation that Bob Hawke's replacement in Canberra might help bring about an improvement in bilateral relations; which is certainly the hope of local officials arranging Mr Keating's itinerary, on whom the fact that Indonesia has been chosen as his first overseas destination will not be lost.

Diplomats on both sides have spoken of the need to develop more business-like future linkages between Canberra and Jakarta, ones they hope can be based on solid commercial, financial and trade arrangements, capable of weathering the storms which have periodically battered bilateral relations. And with long standing issues such as East Timor not likely to simply fade away it's no surprise that the Keating visit is expected to be business-like, rather than grand.

KEATING URGED TO RAISE RIGHTS ABUSES

Source: The Canberra Times. 25 March 1992. Unabridged. By Tom Connors.

Australia's leading aid agencies have urged the Prime Minister, Paul Keating, to raise the issue of continuing human rights abuses in East Timor on his visit to Indonesia.

The abuses were a major stumbling block in regional cooperation, said the chief executive of Community Aid Abroad, David Armstrong.

In Canberra yesterday, CAA and Freedom from Hunger representatives met the Minister for Foreign Affairs and Trade, Gareth Evans. Dr. Armstrong said they had been told Australia was locked into a close relationship with Indonesia because of the Timor Gap Treaty and strategy interests. Under the Treaty, which sanctions the joint Australian-Indonesian exploitation of the gas and oil resources of the Timor Sea, Australia recognises Indonesia's sovereignty over East Timor, one of the few countries to do so.

Senator Evans told the aid agencies that it was not possible to turn back the clock as far as relations with Indonesia were concerned. Dr. Armstrong said the time was ripe for talks on the future of East Timor and there was a growing recognition within Indonesia that the policy of integration was bankrupt and threatened regional stability. CAA was not calling for free determination (sic) for East Timor.

He said Indonesia was heavily dependent on foreign aid and aware of international opinion after the massacre in Dili.

Mr Keating had a unique opportunity to give international leadership to moves to resolve the East Timor problem once and for all, he said. The Prime Minister should call for talks under the auspices of the United Nations, call for the release of all prisoners, ensure the presence of Australian observers at the trials of East Timorese political prisoners and ask that all Indonesian military officers involved in the massacre be named.

Senator Evans believes the officers concerned will be named and that Western nations will cooperate to ensure all trials of the East Timorese are observed.

Dr. Armstrong said East Timor now was closed and the Indonesian Government said the ban could last up to four years.

KEATING: NO AID/HUMAN RIGHTS LINK

Australian Broadcasting Corporation Radio News, 6:00pm 30 March 1992

Questioned in parliament in the lead up to his visit to Indonesia next month, the Australian Prime Minister Mr Keating ruled out a linkage between Australian aid and Indonesia's human rights performance.

[Mr Keating]: "The fact is, Mr Speaker, it's not linked, it's not linked. And hasn't been linked and won't be during the visit."

Mr Keating told parliament that Australia had repeatedly made its position on human rights clear, a position again spelled out after the Dili massacre last November. Mr Keating then declared the Indonesian response to the killings serious and credible. He again pledged to raise human rights concerns while in Jakarta, but he also said he wanted to build closer ties in trade, commerce and culture.

OZ PM UNDER FIRE OVER TIMOR

Source: Herald-Sun. Date: 23 March 1992. Byline Shane Burke. Abridged.

The Prime Minister, Mr Keating, is expected to proceed with his visit to Indonesia next month despite criticism from within the ALP (Australian Labour Party). Mr Keating is scheduled to make his first overseas trip as Prime Minister to Indonesia from 21 April to 24 and to Papua New Guinea two days later.

The trip is viewed as a sign Australia accepted Indonesia's response to last year's Dili massacre.

But the move had prompted anger from the Victorian ALP which challenged Mr Keating to cancel his visit as a protest.

Mr Keating received a harsh welcome to the weekend ALP state conference, with a long-serving Labour MP attacking his stance on Indonesia.

The Upper House member for Boronia, Mr Jean McLean, criticised Mr Keating for not supporting the "peace boat" mission to East Timor.

Ms McLean, president of the state branch's foreign affairs policy committee, was among those on board the Portuguese ship.

The Lusitania Expresso was forced to abandon its voyage to lay wreaths at Dili cemetery.

The conference unanimously backed a motion claiming Indonesia was trying to cover up the extent of the massacre. Ms McLean said Mr Keating appeared only interested in winning new trade.

Mr Keating did not mention East Timor during his speech to the conference and was not available for comment later.

The motion backed by the ALP conference also called on the Federal Government to:

- Stop training Indonesian troops and the sale of arms to Indonesia.
- Demand a United Nations supervised withdrawal of Indonesian troops from East Timor.

INDONESIA AND AUSTRALIA

Radio Australia 3/30

Australia's Prime Minister, Paul Keating, has rejected any linking of aid to Indonesia to human rights in East Timor. Speaking in Parliament in Canberra, Keating also praised the response of the Indonesian government to the Nov shooting in which at least 50 East Timorese died. He was responding to questions from the opposition about his trip to Jakarta next month.

SEE ALSO THE SMH MARCH 31 ARTICLE "OZ PM SAYS JAKARTA AID WON'T BE TIED TO HUMAN RIGHTS" IN THE IGGI SECTION

CANADA BACKS AND FILLS

BLOOD-LETTING MARKS VISIT OF INDONESIA'S FOREIGN MINISTER (VANCOUVER SUN)

By Don Hauka, Vancouver Sun. February 25, 1992 P. A5

Li-lien Gibbons smeared blood on the door of the Indonesian consulate in Vancouver yesterday to mourn her dead step-brother. The 21-year-old University of B.C. student said the Indonesian army murdered step-brother Kamal Bamadhaj – and scores of other people during a massacre in East Timor last November. "I am here to mourn the death of my brother, and I will not forget how he died," Gibbons said after wiping blood on the carpet and door of the consulate in downtown Vancouver.

Gibbons said the blood was her own, and she poured it from 2 vials as she demonstrated with about a dozen members of the East Timor Alert Network, who are protesting a visit to Canada by Indonesian Foreign Minister Ali Alatas.

Gibbons said her step-brother, a citizen of New Zealand, was a student in Indonesian studies. He was interpreting for 2 U.S. journalists when he was shot during

the Nov. 12 massacre in Dili, the capitol of East Timor.

The Indonesian government has been accused of killing hundreds of thousands of people since it occupied the island state of East Timor in 1975.

Gibbons knocked on the door of the consulate but staff refused to answer. She then smeared a letter to the Indonesian foreign minister with blood and shoved it under the door.

Consulate staff had no comment when reached by phone. The Indonesian embassy in Ottawa also had no comment.

Burnaby M.P. Svend Robinson, who met Ali Alatas in Ottawa yesterday, said Canada is not doing enough to force Indonesia to respect human rights.

Indonesia is a major trading partner with Canada, which also provides Indonesia with millions of dollars in aid.

photo of blood being smeared on the door accompanied the article.

Page A10 of "The Province" Feb. 25, had a related story.

TIME TO TIGHTEN THE PURSE STRINGS ON AID

Globe and Mail, Toronto, 28 Feb. 1992. World View column by Jeff Sallot.

Despite reflecting most government assumptions ("province of East Timor" etc.) this column by one of The Globe's senior correspondents is probably the best analysis of the Canadian aid/human rights debate so far.

OTTAWA — Prime Minister Brian Mulroney's new policy on foreign aid — explicitly linking development assistance to a recipient's human-rights record — faces its first major test with Indonesia.

Indonesia's rulers have held quasi-democratic elections, and may actually be supported by a majority of their people. But the regime is accused by Amnesty International and other organizations that monitor human rights of condoning, if not actually encouraging, harsh treatment of those who seek independence for the province of East Timor. Indonesian soldiers massacred scores of East Timorese in November.

A month earlier, Mr. Mulroney had said that "Canada will not subsidize repression and the stifling of democracy" with its foreign aid dollars. He was not precise, but he suggested that Ottawa is willing to draw the line in some cases. It is now time to decide whether Indonesia should be one of those cases.

Indonesia's government, headed by former military strongman General Suharto, has had a lot of trouble with the people of East Timor, a former Portuguese colony that Indonesia annexed by force in 1976.

The Christian East Timorese are a religious and cultural minority in a Muslim country they never agreed to join. A small

band of guerrillas fights for independence in the countryside. The people have not had a chance to decide their future in a referendum on independence or unification.

Canadian policy on East Timor is fuzzy. Ottawa concedes that the Indonesian government exercises de facto sovereignty, but it has never accepted the annexation as legal.

The early years of Indonesia's occupation were brutal. But Western countries did not criticize the Indonesian regime openly because it was a bastion of anti-communism in an unstable region.

The world has changed, however, and governments in developing countries now need better credentials than anti-communism to win sympathy in Ottawa.

Even so, Canada and Indonesia have been improving their relations in recent years. Ottawa and Jakarta have worked together in recent years on such important issues as international maritime law and a peace settlement for Cambodia. Canadian-Indonesian trade is not enormous — about \$500 million annually — but it is growing.

Indonesia has been receiving about \$46-million a year in Canadian development assistance, and was to get another \$30 million when the latest trouble erupted in East Timor.

On Nov. 12, Indonesian troops fired on a large funeral procession for an East Timorese nationalist who had been murdered by a government agent. An Indonesian government inquiry says 50 people may have been killed 100 others are still "missing." Witnesses, including foreign journalists and TV crews, say it was a bloodbath.

The international outcry, including Ottawa's suspension of the extra \$30-million in aid, rattled the Suharto government. Its inquiry said soldiers acted on their own and went beyond their authority, and yesterday the government announced it has taken disciplinary action against six senior officers. Three have been fired, two have been taken off active duty and one has been suspended temporarily. The army chief said eight other soldiers will face court martial.

By contrast, four civilians who survived the massacre face subversion charges. If convicted they could be executed.

Indonesian Foreign Minister Ali Alatas was in Ottawa this week on a damage-control tour of world capitals. External Affairs Minister Barbara McDougall gave him a lecture on human rights and said Ottawa will not restore the aid money until there is evidence of improvement. MP Svend Robinson, the New Democratic Party human-rights spokesman, was even more blunt in a private session with the Indonesian emissary.

Mr. Alatas left saying he now has a better understanding of the "political culture" of Canada. But before his departure he may have made it easier for the Mulroney government to stand by the cuts; he said

Indonesia cannot accept "political strings" on the aid it receives.

Mr. Mulroney must be tempted to take Mr. Alatas at his word, draw the line, and say there are other places in the world where \$30-million would be more appreciated.

CANADA REVERSES ITS POSITION ON EAST TIMOR

By David Webster, *Catholic New Times* (Toronto, Canada), 29 March 1992.

Comment: a teaser on the front page reads: Anger officially cancelled — Last November, Canada was condemning human rights violations by Indonesia in East Timor. Suddenly it's back to business as usual.

GENEVA — With three acts in the past month, Canada has signalled the end to its short-lived commitment to human rights in Indonesian-occupied East Timor.

In November, the massacre of perhaps 200 unarmed Timorese at a memorial procession for a slain pro-independence activist (CNT Nov. 17) had prompted External Affairs Minister Barbara McDougall to issue Canada's first-ever condemnation of the brutal Indonesian occupation of the small, mainly Catholic territory of East Timor — an occupation that has claimed the lives of a third of the Timorese population.

"We condemn both the violation of human rights in this specific instance but also the ongoing situation for the people who live there," McDougall told the House of Commons. Canada even suspended \$30 million in planned bilateral aid to Indonesia, which last year ranked third among Canada's aid recipients.

The massacre shook Indonesia's international standing and galvanized world protest. For a short time, Canada was taking a leading role in speaking out for the human rights of the forgotten Timorese people.

Return to business as usual

But now Ottawa has signalled the return of "business as usual." In a one-day visit to Ottawa, Indonesian Foreign Minister Ali Alatas pleaded with McDougall to end sanctions and accept the report of the Indonesian commission of inquiry into the November massacre. The inquiry, which largely blames massacre victims for "provoking" soldiers to open fire on them, has been dismissed by Amnesty International as "fatally flawed and unacceptable."

Li-liene Gibbons of the Vancouver-based East Timor Alert Network, whose brother was the sole foreigner to die at the massacre, calls it a "whitewash." McDougall, however, welcomed the report and signalled that government-to-government aid to Indonesia would likely be restored soon.

In a second instance, Canadian diplomats at the United Nations Commission on Human Rights, meeting in Geneva in

February and March, joined efforts to water down a European Community resolution condemning Indonesia. "I can't give you a reaction right now," Canadian delegation head Anne Park said when asked if Canada would support the resolution. "But certainly it's an issue we're taking a lot of interest in and we'll be discussing it over the next few days within the Western group."

Canada's position

A week later, Anne Park gave a speech to the Human Rights Commission, accepting completely the Indonesian government line. "The interim report of the Indonesian commission of inquiry and the prompt response of the Indonesian government are very encouraging," she said in her speech to the Commission.

Canada's stand, echoing that of Australia and Japan, was key to preventing the European draft from reaching the floor. Instead, an almost meaningless statement of concern worked out in consultation with the Indonesian delegation was read out in a monotone by the Commission president.

Finally, External Affairs officials did all they could to get four Canadians off a "peace ship" that planned to sail from Portugal to East Timor to lay flowers at the site of the November massacre.

As the ship's passengers, 100 students from 21 countries, gathered in Australia to begin the last leg of the voyage to East Timor, a representative of the Canadian High Commission flew to Darwin to tell the Canadians on board they would not be given any protection by Canada if violence broke out.

Rejean Tessier's apologies for Indonesia prompted one of the peace crew, David Stewart of Halifax, to tell international reporters he was "ashamed to be Canadian."

The ship was turned back by Indonesian warships before it could enter East Timorese waters (waters, incidentally, that under United Nations law are under the jurisdiction of Portugal until East Timor is allowed its right to self-determination). Again, the attitudes of Western governments allowed Indonesia to do as it liked.

Continuing oppression

Meanwhile, news from East Timor has been cut off since journalists were banned from the territory earlier this year. But reports do still come out through church channels, describing an atmosphere of fear and a continuing crackdown that is the worst in the past ten years. Hundreds more Timorese have been gunned down since one massacre in November happened to draw some world attention. Subsequent killings, however, have garnered no attention. Indonesia has even been able to put survivors of the November massacre on trial for subversion. And Canada has lent its help to Indonesia once again.

This time, however, the voice of Canadians concerned about the rights of the East Timorese is much louder. Both oppo-

sition parties in Ottawa, the United Church of Canada, and a host of citizens' groups have called for an end to all Canadian economic, military and diplomatic support for Indonesia.

For more information on what is being done, contact the East Timor Alert Network, 104-2120 West 44th, Vancouver BC, V6M 2G2.

CANADIAN PEACE GROUP TIMOR LEAFLET

Text of a new leaflet from ACT for Disarmament, 736 Bathurst Street, Toronto, M5S 2R4, Canada.

EAST TIMOR: GENOCIDE IN THE NEW WORLD ORDER

PEACE ACTION 92

1. GENOCIDE AND THE NEW WORLD ORDER

The "Cold War" is over, but more than 20 local wars, mainly in the less developed countries of the "Third World" and the former East Bloc, are going on today. In per capita terms, the bloodiest of all these wars is being waged in the tiny southeast Asian territory of East Timor. Since Indonesia invaded East Timor in December 1975, over a third of the indigenous Timorese population — 250,000 people — have been killed by war, bombings of villages, famine, and mass executions, and gross and systematic violations of human rights.

This is genocide. For all the talk of a "New World Order," nothing has changed for the victims of the world's hidden wars.

2. EAST TIMOR: A FORGOTTEN WAR

East Timor, home to more than 30 indigenous peoples, came under the colonial rule of Portugal in 1520. More than five centuries of Portuguese rule, however, did little to change the village-based society of the Timorese peoples. In 1974, Portugal began to decolonize its overseas territories, including Angola, Mozambique, and East Timor. East Timor declared its independence on 28 November 1975.

Ten days later, neighbouring Indonesia invaded, with the permission of U.S. president Gerald Ford and Secretary of State Henry Kissinger. At the time, George Bush was director of the Central Intelligence Agency (CIA). The United Nations immediately condemned the invasion and called for the withdrawal of Indonesian troops.

Today, the war in East Timor is still going on. A third of the indigenous Timorese are dead. Mass killings, extra-judicial executions, "disappearances," rape, forced abortions and sterilizations, arbitrary arrests, torture and other massive violations of human rights go on to this day. Timorese religions, languages, culture and traditional ceremonies are banned. In the words of East Timor's Catholic Bishop, Carlos Ximenes

Belo, "We are dying as a people and as a nation."

3. CANADA'S SUPPORT FOR GENOCIDE

The Canadian government responded to the invasion of East Timor with an increase in aid to the Indonesian military regime. Canada abstained on UN resolutions calling for East Timor's right to self-determination to be respected, and since 1980 has voted against these resolutions.

The Canadian position on East Timor is to recognize "de facto" Indonesian rule. But Canada doesn't like to talk about the issue: According to Flora MacDonald, External Affairs Minister from 1979-80, government officials "never considered East Timor important enough" to tell her about it.

Until 1991, Indonesia was consistently near the top of the list of recipients of Canadian aid dollars. In 1991, its received \$45 million, second only to Bangladesh. More than 300 Canadian companies, led by Inco and Bata Shoes, operate in Indonesia, investing over \$1 billion in the Indonesian economy.

Canada has even sold weapons to Indonesia's ruling generals. Tens of millions of dollars in weapons export permits have been authorized. Supplies include Pratt and Whitney engines for Indonesia's counter-insurgency helicopters, ammunition used by Indonesian soldiers in the 1975 invasion, parts for British-supplied Rapier missiles and American-supplied weapons systems, and much more. Eight Canadian arms merchants have production facilities in Indonesia. The Canadian government sponsored a 1984 weapons show in the Indonesian capital, Jakarta, and has joined in PACEX military manoeuvres with Indonesia and other U.S. allies.

SEE ALSO AN ARTICLE IN THE IGGI SECTION: INDONESIAN AID DECLARATION A CHALLENGE TO CANADA'S POLICY

INDONESIA REJECTS DUTCH AID, IGGI

INDONESIA REJECTS AID FROM HOLLAND!

Reuter, Jakarta, Jonathan Thatcher, March 25 – Indonesia accused its former Dutch colonial rulers on Wednesday of using aid for intimidation and rejected any future assistance from The Hague.

Jakarta has for years been irritated by what it sees as Dutch interference in its domestic affairs, most recently when The Hague suspended aid after the Indonesian army fired into a crowd in East Timor last November, killing up to 180 people.

"Relations between the two nations have recently deteriorated sharply as a consequence of the reckless use of development assistance as an instrument of intimidation or as a tool threatening Indonesia," senior economics minister Radius Prawiro told a late night news conference.

Radius, accompanied by three other ministers, said he had asked the Netherlands to "terminate the disbursements of all ongoing development assistance in the form of loans as well as grants...(and) not to prepare new development assistance."

The amount of money involved is small, at just under two per cent of 4.75 billion dollars Indonesia is expected to receive in foreign aid in the year to March 31. Most of the aid comes from the World Bank, Asian Development Bank and Japan.

Indonesia also wants the Dutch to end their 24-year chairmanship of its annual international aid meeting and has asked the World Bank to take its place.

"The way they use development assistance really irritates us. All of a sudden they suspend aid (over East Timor) without informing us. We read it in the newspapers," Radius said.

A Dutch diplomat in Jakarta said the decision was not a great surprise but declined further comment.

Foreign Minister Ali Alatas denied that the move on aid marked the end of relations with The Hague.

DUTCH EFFECTIVELY LEAVE IGGI

Reuter, Jakarta, Jonathan Thatcher, March 26 – Indonesia's abrupt refusal to accept more Dutch aid is a political gesture warning foreigners to keep out of its domestic affairs that will have little impact on the economy.

On Wednesday evening, Indonesia told its former colonial rulers it wanted no more Dutch aid, accusing them of using it for intimidation.

Indonesia wants the Dutch to end their 24-year chairmanship of its annual international aid meeting and has asked the World Bank to take its place.

"I don't think it will have a great impact. The money can easily be replaced by the Japanese," leading private economist Kwik Kian Gie said.

Analysts said the final straw had been the Netherlands' threat to suspend aid because of an Indonesian army massacre in East Timor last November.

Though Canada and Denmark made similar threats after the killings, Indonesian officials said the Dutch had continually tried to link aid to human rights.

President Suharto had been furious that the Dutch were so quick to condemn Indonesia before it had had a chance to investigate the incident, the analysts said.

Suharto later risked the anger of the powerful military by sacking several senior officers for the killings.

"Suharto feels that what he has done (to punish those involved) has invited domestic criticism and still there is no understanding from them (the Dutch)," Kwik said.

"If it is limited to this it's not much more than an irritation," one Western economist said. "In terms of overall aid it's pretty small but when you're in the middle of a project it is a problem."

He said he could think of no major projects that would be affected.

"This has a positive impact because we're also forced in the longer term to question if we have to depend so heavily on foreign loans," Kwik said.

Local organisations were quick to back the government.

"The sovereignty of the nation is more important than economic assistance," said Chalid Mawardi, a leader of Indonesia's biggest Moslem group, the Nahdlatul Ulama.

A Dutch embassy spokeswoman said her government respected Indonesia's decision though regretted the wording of the letter from Jakarta.

In the letter, economics minister Radius referred to the "barbarous atrocities" committed by the Dutch in a bitter war of independence when the Netherlands tried to resume more than 300 years of colonial rule broken by World War Two.

The embassy spokeswoman said the aid decision would put about 250 Dutch aid workers out of a job in Indonesia.

In The Hague, Foreign Minister Hans van den Broek said the Netherlands could not be expected to make financial sacrifices to help a developing country that no longer valued them.

"We cannot be expected to sacrifice millions if Indonesia is not interested," Van den Broek said on Dutch radio.

In a letter to parliament delivered late on Wednesday night the ministry said the Netherlands respected Indonesia's decision and would meet its request not to call a meeting of its annual international aid body.

This would effectively terminate the Dutch chairmanship of the body.

"The government regrets in the strongest terms the wording and reproaches with which the Indonesian government decided to motivate its decision," the letter said.

The consequences of Indonesia's rejection of Dutch aid would be examined, the letter added.

INDONESIA SEEKS "NEW IGGI"

Forwarded from indonesians@janus:

PR Newswire, Jakarta, March 25 – The Government of Indonesia announced today it is rejecting developmental aid by the Netherlands and is asking the Netherlands to

terminate its chairmanship of the Intergovernmental Group on Indonesia (IGGI), an international consortium providing financial assistance to Indonesia.

At the same time, the Indonesian government is requesting the creation of a new lending consortium under the neutral leadership of the World Bank. In rejecting the role of the Netherlands as permanent chairman of the IGGI, Indonesia said it is reacting to growing pressure from Dutch government officials critical of domestic Indonesian policies who are threatening to impose increasingly stringent conditions on Dutch loans and other financial aid to the large Southeast Asia archipelago nation.

In a letter delivered today by the Indonesian government to the Dutch Prime Minister, Indonesia said it would accept no further financial aid from the Netherlands. As a consequence, Indonesia said, the Dutch chairmanship of the IGGI, in place since the lending group was established 24 years ago, would cease.

"We are confident that under the present circumstances prevailing in the Netherlands, the complete absence of development assistance from the Netherlands to Indonesia — and consequently the complete absence of the use of development assistance as an instrument of threat in our relations — will definitely lead to improved relations between our two nations and will prevent the Government of the Netherlands from being put repeatedly in an awkward position," said Radius Prawiro, Indonesia's senior economic minister in his country's formal letter to Dutch Prime Minister Ruud Lubbers.

Concurrently, in a separate move, the Indonesian government made a formal petition today to the World Bank to establish a new consortium of bilateral and multilateral lenders under the chairmanship of the Bank. In a letter to the World Bank president, Indonesian Finance Minister and World Bank Governor Dr. J.B. Sumarlin asked the Bank to establish a "Consultative Group" — an established Bank forum for disbursing funds to developing countries — to serve henceforth as the vehicle for reviewing Indonesia's financial needs.

The IGGI, comprising 13 OECD countries and six multilateral organizations, was established in 1968 under the permanent chairmanship of the Netherlands. Its function has been to conduct an annual review of Indonesia's development needs and to coordinate the annual allotment of grants and loans.

Last year, at the annual meeting of the IGGI at The Hague, IGGI members pledged a record \$4.75 billion in assistance to Indonesia. Funds from the IGGI are used by Indonesia primarily to undertake projects of infrastructure improvement but also to support the country's international balance of payments position.

Recently, the governments of the Netherlands and Canada announced the

suspension of further aid to Indonesia following an incident in the Indonesian province of East Timor which resulted in civilian deaths through intervention by the Indonesian military.

While other governments expressed satisfaction over the response by Indonesia in investigating the incident and imposing disciplinary measures, the Netherlands continued its criticism of Indonesian policy.

"Relations between Indonesia and the Netherlands have recently deteriorated sharply as a consequence of the reckless use of development assistance as an instrument of intimidation," said Mr. Prawiro in his letter to the Dutch Prime Minister. "As long as such an exaggerated eagerness to resort to the use of development assistance as a tool of intimidation continues, relations between our two nations will further erode more rapidly."

While taking a firm stand on future Dutch financial aid, Indonesia also acknowledged good relations between the countries in the past. "The Government of Indonesia greatly appreciates the assistance of all participants (of the IGGI), in particular the role of the Government of the Netherlands in convening and chairing the IGGI meetings for the last twenty-four years," stated Mr. Prawiro in his letter to Prime Minister Lubbers.

Minister Prawiro's letter also contained assurances that "Indonesia will continue to meet, fully and timely, all its financial obligations resulting from loans received from The Netherlands." Dutch financial assistance to Indonesia last year totaled \$91.3 million, representing just under two percent of total IGGI pledges.

CONTACT: Paul M. Matulic of Hill and Knowlton, 212-697-5600, for the government of Indonesia. *[Hill and Knowlton is a registered foreign agent of the government of Indonesia in the U.S.]*

NETHERLANDS-INDONESIA ROCKY ROAD

AP, The Hague, Jerome Socolovsky, March 26 – Tensions between the Netherlands and Indonesia over linking foreign aid to human rights escalated today as the Dutch halted all financial help for their former colony.

The announcement came a day after Indonesia said it would no longer accept aid from the Netherlands and accused the Dutch of trying to use financial help as a political weapon. The Netherlands has been giving Indonesia about \$220 million a year.

The dispute arose when the Netherlands temporarily cut off aid to Indonesia after government troops killed dozens of pro-independence demonstrators in the capital of its East Timor province in November.

The Dutch development aid minister, Jan Pronk, further angered the Indonesian government by proposing that the Netherlands

link its aid to Indonesia's human rights record.

The two nations' relations have been rocky since the Netherlands ended three centuries of rule over Indonesia in 1945. Aid disputes have strained relations several times as did Indonesia's abrogation of a union treaty in 1956 and its refusal to pay debts owed to the Netherlands.

The Netherlands said it would not convene this year's meeting of the Dutch-led consortium of Western donor countries that have been giving Jakarta close to \$5 billion yearly.

Indonesia had demanded that the Netherlands end its chairmanship of the consortium, which includes the United States and Japan.

The Dutch letter said the consequences of the aid halt on other consortium donors was "being reviewed."

EC DODGES RIFT FOR NOW (DPA)

DPA, Brussels, March 26 – The European Commission has promised to stay out of the bilateral quarrel over aid and human rights between Indonesia and the Netherlands, with officials shrugging off reports that the squabble could affect relations between Jakarta and other members of the European Community.

Commission officials underlined on Thursday that although the E.C. had often expressed concern over Indonesia's alleged violation of human rights in East Timor, Jakarta continued to receive E.C. aid.

"We have not taken a decision to suspend aid to Indonesia," an E.C. Commission official insisted. "This is a bilateral problem between Indonesia and the Netherlands."

In a statement issued last month, the 12 E.C. states warned Indonesia that they were keeping a close watch on the situation in East Timor.

INDONESIA DISBANDS \$4.75BN AID DONOR GROUP (FINANCIAL TIMES)

Financial Times. 27 March 1992. By William Keeling. Dateline: Jakarta.

The Indonesian government yesterday called in ambassadors from leading donor countries following its unilateral decision on Wednesday to dissolve the Inter-Governmental Group on Indonesia (IGGI), the forum through which aid is pledged.

Last year, \$4.75bn (2.74bn) was pledged through the IGGI, but Jakarta has disbanded it after accusing the Netherlands, which chairs the group, of political intimidation. The Netherlands is currently financing 175 projects in Indonesia involving about 250 foreign experts; all projects have to be terminated within a month. The decision is likely to disrupt work on aid-related projects

including education, family planning and development.

The Indonesian government said it was reviewing projects financed by the Netherlands. Some would be financed with aid from other donors or funds from the Indonesian government itself, and others would probably be postponed.

Mr Moerdiono, the state secretary, said relations between Indonesia and the Netherlands, the former colonial power, had "deteriorated sharply as a consequence of the reckless use of development assistance as... a tool for threatening Indonesia."

He said a letter rejecting new and continuing Dutch aid had been delivered to Mr Ruud Lubbers, the Dutch Prime Minister, although he stressed all debt repayments would be met.

He cited the Netherlands' review of future aid following the killing of civilians by security forces in East Timor last November, and Dutch criticism of the execution in 1990 of six prisoners accused of participating in the 1965 coup attempt, as examples of intimidation.

In its official response, the Dutch government said yesterday it was disappointed with the decision and "deeply regretted the words in which it was phrased."

Mr Moerdiono said that Japan and US, the two leading bilateral donors, had been informed of the decision, although western diplomats in Jakarta described the announcement as a complete surprise. They said the move raises questions over future aid from Canada, which pledged \$40 million last year but is also reviewing new aid following the East Timor shootings.

Indonesian government officials denied that similar action against Canada was planned.

Indonesia has a public and private international debt of about \$65bn and, with a debt service ratio approaching 30 per cent of export earnings, aid-flows are an important source of foreign exchange.

For the 1991/92 financial year (ending in April), the Netherlands had pledged \$91m, behind Japan (1.3bn), the US (\$113m) and France (\$111m). The World Bank pledged 1.6bn and the Asian Development Bank, Indonesia's main multilateral donors, \$1.1bn.

ALL AUSTRIAN AID SUSPENDED

Comment: Austria's decision to suspend all aid to Indonesia was announced on 26 March, the day after Indonesia cut its aid ties with Holland. Hence it is being reported as Austria's response to that decision. The way it is present by the Austrian government however suggests that the decision was already in the pipeline and its announcement immediately after Jakarta's bombshell may have been coincidental.

AFP report, 27 March 1992

Austria is suspending its technical assistance to Indonesia because of human rights violations, following the massacre in East Timor, according to Cooperation Minister, Peter Jankowitsch. He is quoted as saying: "No new bilateral programmes of technical aid by Austria will be set up and current projects will be suspended. The decision will be maintained for as long as there is no improvement."

It was also stated that a meeting of Austrian ambassadors scheduled to take place in Jakarta last August was cancelled for the same reason.

[Note: Austria is a member of the now-defunct Inter-Governmental Group on Indonesia. Its aid to Indonesia in 1990/91 was \$8.4 million. In 1991/92 its aid commitment was 100,000,000 Austrian schillings, about US\$8.5 million.]

TAPOL CALLS FOR BRITISH AID TO INDONESIA TO BE SUSPENDED

TAPOL today, 27 March 1992, sent the following letter to Mrs. Lynda Chalker, British Minister for Overseas Development Aid:

Dear Mrs. Chalker,

On Tuesday, 24 March, the Indonesian government announced that Indonesia has cancelled all aid ties with the Netherlands, that this year's meeting of IGGI has been cancelled and that Indonesia will no longer take part in IGGI, rendering it defunct. Indonesia has asked the World Bank to create a new forum to replace the IGGI, for the purposes of coordinating foreign economic assistance to Indonesia.

The Indonesian government accused the Dutch government of using intimidation and threats because it has linked aid to several human rights issues, most notably the 12 November massacre in Dili, East Timor last year. Jakarta is thereby attempting to turn universal concern for human rights on its head. There was nothing whatsoever in the Indonesian government's statement giving any guarantee about ending human rights abuses.

The Indonesian decision is a direct challenge to the policy clearly enunciated both by Her Majesty's Government and by the European Community to link aid to human rights conduct. This has now become a universally-accepted principle.

We therefore call upon the British Government to respond to the Indonesian announcement by:

1. Condemning the Indonesian Government for alleging that linkage between aid and human rights amounts to 'intimidation'.
2. Cancelling Britain's aid programmes to Indonesia in light of the fact that the Indonesian Government refuses to allow any linkage, in defiance of stated British Government policy. Such a decision is in any case long overdue in view not only of the 12 November massacre but of what has been happening in East Timor since the new military commander, Brig. Gen. Theo Syafei took over.
3. Instructing Britain's member of the Board of Directors of the World Bank to oppose the creation of any substitute for IGGI in light of the above. The World Bank should moreover refuse to sponsor any such forum in view of Indonesia's appalling record regarding the destruction of the rainforests and its ongoing failure to take effective action to protect the environment.

TAPOL would welcome an assurance from you that you will respond in the way we suggest.

Yours sincerely,
Carmel Budiardjo

INFIGHT'S ATTITUDE TOWARDS THE DECISION TO HALT ALL AID FROM THE NETHERLANDS

The following statement was issued in Jakarta by INFIGHT the Indonesian Front for the Defence of Human Rights, on 26 March 1992.

On 25 March 1992, the Indonesian government sent a letter to the Dutch Prime Minister Ruud Lubbers saying, among other things: 1) that the Netherlands should end the further disbursement of aid to Indonesia; 2) that it should plan no further aid projects and 3) that it should convene no more meetings of IGGI. The government has taken this decision because, according to official pronouncements, "this aid has been used as a way to intimidate or threaten Indonesia."

In response to this government announcement, INFIGHT, which has up to now called for aid to be linked to humanitarian issues (social, political and environmental) and not directed only at physical and economic objectives, wishes to draw attention to the following points:

1. The decision taken by the Netherlands, Canada and Denmark to suspend aid came in the wake of the Dili incident, against the background of a growing desire throughout the world for the implementation of basic human rights. The primary purpose therefore was the promotion of human rights, not just a question of economic assistance.
 2. The attitudes adopted by the Netherlands, Canada and Denmark were basically linked to one of the indices of human development published by the UNDP, namely that the success of development should also be measured in terms of achieving non-physical/economic objectives, such as the quality of democracy, the realisation of basic human rights, freedom of assembly and so on.
 3. Economic aid is basically supplementary to domestic funds for development. Hence, if such funds were sufficient, meaning that it were possible to rely on one's own resources, it would be correct to end economic assistance. This is because, as things now stand, the burden of debt repayment is borne by the common people whilst our natural resources are being exploited excessively. IGGI and the World Bank have for a some time been in favour of reducing aid because they consider the amount received by Indonesia as being far too high. So there is no need to link the ending of aid from the Netherlands to intimidation or threats.
 4. The attitude adopted by the government on the aid question in general and the question of Dutch aid in particular does not fully reflect the aspirations of the people. This is because when accepting aid in the past, there have never been any consultations with Parliament or the People's Consultative Assembly with regard to the amount, the character or the conditions of the aid although IGGI aid is intended to serve the interests of the people, not the interests of the regime in power, still less a regime that violates basic human rights.
 5. Some groups have indeed called for the dissolution of IGGI. Such a demand is prompted by a desire for aid to be linked to the realisation of basic human rights and the protection of the environment. These concerns will not disappear even though IGGI is dissolved, especially now that they have become global concerns. Even parliamentary circles in Japan are considering the possibility of linking aid with human rights and the environment.
- Hence, in light of the government's announcement made by Radius Prawiro, the Minister-Coordinator for Economic and Development Affairs, INFIGHT has taken the following position:
1. We regret the stand taken by the government in that, in its justification for halting Dutch aid, it makes no mention of

safeguarding the implementation of human rights in Indonesia, although the suspension of Dutch aid to Indonesia was linked to the question of human rights.

2. We hope that the government will be more active in dealing with the issue of human rights and will stop being over-sensitive to demands for the implementation of human rights, which have often been raised with Indonesia by several other countries.
3. We hope that the government will be more realistic in face of the growing desire from donor countries to link aid with human rights. A reactive attitude can only make it more difficult for Indonesia to reap the benefit from its foreign relations.
4. That the decision of the government to halt the disbursement of all aid from Holland to Indonesia should not be interpreted as meaning that the government can now do what it likes in the field of human rights.
5. Indonesia needs to clarify the substance of its nationalism which up to now has usually been expressed in terms of repudiating the demands made by other countries, at a time when world interchange is becoming increasingly transparent [transparan].

Signed by Taufik Ganda

COMMENTS ON NETHERLANDS-INDONESIA CLASH (MACDOUGAL)

by John MacDougal, Indonesia Publications, Mar 27, 1992

The following stories are abridged from indonesians@janus. It seems likely the current serious Indonesian clash with the Netherlands and call for IGGI in a new form was most immediately precipitated by the Dutch suspension of aid after the November 12 massacre in East Timor. However, Indonesian officialdom has also long been galled by the pre-IGGI meeting multi-day visits to Indonesia by Dutch development cooperation ministers. In recent years, Jan Pronk in particular has gone out of his way to meet with Indonesian opposition groups and figures during these consultative and project inspection tours. Liberal segments of the Indonesian press provided extensive domestic publicity to all concerned.

However, by challenging the entire rationale of linking development aid to human rights practices, Indonesian has placed itself at odds with the policies of many donor countries. Indirectly, it is now also at odds in varying degrees with the multilateral development banks and donors to which some of these countries appropriate development funds for Indonesia and many other countries.

With its chairmanship of the Non-Aligned Movement in place, Indonesia may, in effect, be contemplating a new North-South clash on linked aid. Aid has been linked in many countries' foreign policies not just to human rights practices, but to environmental policies and a host of other issues including simple adequate aid project performance.

Indonesia's recent actions therefore constitute one of its riskiest foreign policy gambits within memory.

It is now not inconceivable that some countries will soon seek to review their overall approach toward Indonesia, though customary policy inertia could make piecemeal, ad hoc responses the prevailing pattern.

DUTCH PM TO DISCUSS IGGI

AFP, The Hague, March 25 – Dutch Prime Minister Ruud Lubbers will hold an emergency meeting with two key ministers overnight Thursday to discuss the government's position after Indonesia announced its rejection of Dutch development aid, a spokesman said.

Lubbers was to discuss the situation with Foreign Minister Hans van den Broek and Development Cooperation Minister Jan Pronk, who currently chairs the Intergovernmental Group on Indonesia (IGGI), which gathers countries that donate money to Indonesia.

Jakarta has also demanded the dissolution of the IGGI. The IGGI is comprised of 14 Western countries and four international lending agencies. On June 12 last year, the group pledged 4.75 billion dollars to Indonesia for fiscal 1991/92. The Dutch share was 91.3 million dollars.

Shortly after the announcement of the Indonesian move, the opposition parties called on the Dutch Government to show determination and not waver in putting pressure on Jakarta on human rights.

The Hague threatened to cut off new assistance to Indonesia following the Indonesian army massacre of at least 50 unarmed civilians in Dili, East Timor, last November.

INDONESIA ASSERTS INDEPENDENCE

AFP, Jakarta, March 25 – “The way they (the Netherlands) are using the development assistance irritates us,” Prawiro said, citing some past examples where The Hague linked conditions to their aid.

One of the examples cited was the Netherlands' demand last year that unless Indonesia conduct a study to prove that the country's family planning program was not forced on the population, it would cut off assistance to the program.

But government sources said The Hague's threat to cut off new assistance to Indonesia following the Indonesian army massacre in Dili, East Timor, last

November, and its reactions to the executions of former Indonesian communists two years ago, were among the irritants.

The IGGI has pledged 4.75 billion dollars for fiscal 1991/92 ending March 31, with 91.3 million of it originating from the Netherlands.

The IGGI, set up 24 years ago, comprises 14 donor countries — Australia, Austria, Belgium, Britain, Canada, France, Germany, Italy, Japan, the Netherlands, New Zealand, Spain, Switzerland and the United States.

It also includes four international lending agencies: the World Bank, the International Monetary Fund, the Asian Development Bank (ADB) and the United Nations Development Program (UNDP).

To replace the IGGI, the Indonesian government asked the World Bank Wednesday to establish a forum of consultations between Indonesia and donor countries and institutions, Prawiro said.

Prawiro said that as The Hague had continued to use development assistance as a tool of intimidation, “the only remaining option to prevent further erosion of relations” was to “terminate completely” all development assistance from the Netherlands to Indonesia.

The minister said the decision was taken “a couple of days ago,” but had been under consideration for about four months.

AFP, Jakarta, Pascal Mallet, March 26 – Indonesia's surprise rejection of Dutch aid shows that Jakarta will forgo assistance if it comes with political strings attached and poses a diplomatic problem for the European Community (EC), diplomats here said Thursday.

“It is a warning to all Western countries hoping to follow the Dutch example, which in Indonesia's eyes ties aid to respect for human rights and the good management of tropical forests,” a Western diplomat said.

Coordinating Minister for Economic Affairs RADIUS Prawiro's declaration late Wednesday that Indonesia would do without further Dutch development aid had taken everyone by surprise, he said.

State Secretary Minister MURDIONO said Wednesday the “irritations” included threats to cut off aid after troops opened fire on civilians in November 1991 in the East Timorese capital Dili.

The government's move prompted cross-party support here. Ruling Golkar party legislator Marzuki Darusman said it should be a “lesson” for other countries, while another Golkar legislator, Ben Messakh, said “We do not want to be colonized for a second time, directly or indirectly.”

“By fanning nationalism at little cost to itself with this attack on the former Dutch colonisers, the Indonesian Government is trying to show supporters of democratisation that they can expect little support from abroad,” the Western diplomat said.

The Dutch Embassy here refused to comment, directing reporters to the statement of Foreign Minister Hans van den Broek that described both Indonesian decisions as “regrettable.”

One diplomat explained the move by saying “the presence of the Netherlands, which knows the country all too well, at the head of the IGGI had become a burden for the Indonesian Government.”

But, he added, the Indonesian Government is also “challenging all Westerners, governments and non-governmental organisations, who have tried to link aid to the regime's democratisation.”

After informing Japan and the United States of Indonesia's decision Wednesday afternoon, Prawiro called EC diplomats Thursday to ask for “support and understanding” from their countries, diplomats said.

“But this request threatens to cause major problems at the EC,” one European diplomat said, predicting it could widen rifts within the community.

“Indonesia has already urged European nations to dissociate themselves from Portugal, recognised by the U.N. as East Timor's administrative power, and now it is also asking Germany, Britain and France in particular to dissociate themselves from the Netherlands,” the official said.

AFP, The Hague, March 26 – The Dutch Government overnight Thursday described as “regrettable” Indonesia's decision to reject future Dutch development aid, Foreign Minister Hans van den Broek said. The minister was giving a brief rundown to journalists on a letter to be sent later Thursday morning to the Dutch Parliament by himself and Minister for Development Cooperation Jan Pronk, the current chairman of the Inter-Governmental Group on Indonesia (IGGI).

Dutch Prime Minister Ruud Lubbers called in the two ministers for an urgent meeting upon returning from Helsinki to draw up the Dutch response to the Indonesian move.

The Dutch news agency ANP, in a report confirmed to AFP by van den Broek's spokesman, said the government's letter expressed complete astonishment over the move, especially after talks here last month with visiting Indonesian Foreign Minister Ali Alatas that had been viewed here as constructive.

Jakarta had accused the Netherlands Wednesday of “the reckless use of development assistance as an instrument of intimidation or as a tool of threatening Indonesia,” notably where respect of human rights was concerned.

But the Dutch ministers said the talks with Alatas had shown a common will to continue the dialogue on differences concerning the link between development cooperation and respect for human rights.

The Dutch statement said the government respected Jakarta's decision but deplored the reasons given. It said it would not try to change the Indonesian decision.

ANP said van den Broek had talked on the telephone late Wednesday with Alatas and had the impression that Jakarta wanted to keep good relations with The Hague.

Pronk said the IGGI members were discussing the situation. Their next meeting is scheduled for June 30 and the Netherlands has no plans to call a meeting before then.

JAKARTA BELIEVES IT HAS TURNED THE TABLES ON CRITICAL DONORS (FT)

Remark: Forwarded from indonesians@janus. Source: The Financial Times, March 31, 1992.

WILLIAM KEELING EXAMINES THE INTERNATIONAL AND DOMESTIC IMPLICATIONS OF INDONESIA'S DECISION TO REJECT ALL DUTCH AID.

Indonesia's decision last week to reject all aid from the Netherlands, its former colonial master, and to disband the donor forum through which it was pledged Dollars 4.75bn in 1991, has turned the tables on the donors.

Many took the high moral ground after November's killing of protesters in Indonesian-annexed East Timor; now the donor country which went furthest in stressing the linkage between human rights and aid may be left high and dry.

Indonesian government officials described the decision as bilateral in nature. The official statement talked of 'centuries of inhuman colonial subjugation' and the 'barbarous atrocities carried out by the colonial forces during the war of independence' in the late 1940s. Mr Moerdiono, the state secretary and close adviser to President Suharto, cited Dutch criticism of the killings, after which The Hague began a review of future aid, as the latest example of intimidation.

The Dutch are among Indonesia's most vocal critics, second only to Portugal, which still claims authority over East Timor, the colonial territory which Jakarta forcibly annexed in 1976.

The Netherlands' position since 1968 of chairing the Inter-Governmental Group on Indonesia (IGGI), the now-disbanded donor forum, gave the country a leading role among donors. Indonesia has asked the World Bank to create and chair a consultative forum to replace the Inter-Governmental Group.

Jakarta denies that the decision will interfere with private trade, although many Dutch companies benefiting from the aid programme, totalling Dollars 93m last year, will be affected. Dutch companies bidding for public infrastructure projects may also

be vulnerable. Prominent Dutch business interests in Indonesia include the Anglo-Dutch conglomerates Shell and Unilever, and ABN bank.

In its official response, the Dutch government said that it respected Indonesia's decision but that it objected 'in the strongest terms' to Jakarta's 'wording and reproaches.'

Although many donors expressed their outrage at the killings in East Timor, last week's move is unlikely to grow into a wider confrontation. Most donors have followed Indonesia's lead in portraying the affair as bilateral.

EC diplomats said at the weekend that, since it was not the Netherlands which had cut off aid, the country was not asking its European Community partners to withdraw their own bilateral assistance to Indonesia. However, the Netherlands is likely to be supported on the East Timor issue by its Community partners, EC diplomats said.

The EC presidency, held by Portugal, said that what Jakarta described as intimidation by the Dutch 'is the general policy of the Community and its member-states.'

Where some dissent could be sown may be over Indonesia's request to the World Bank to form a new consultative group. Such a move might be viewed as undermining the Dutch and Community's stance on East Timor.

The World Bank, which pledged Dollars 1.6bn to Indonesia at the Inter-Governmental Group meeting last June, said it respected Jakarta's wish to establish a consultative forum and would be approaching donor governments.

A spokesman for Japan's foreign affairs ministry said that 'Japan will not change its mind in providing economic aid.' Japan pledged Dollars 1.3bn last year and is Indonesia's largest bilateral donor.

Western diplomats in Jakarta deny that they have broken ranks on the linkage between good governance and aid. They argue that since the East Timor massacre the authorities have moved significantly on human rights.

'The Indonesian government has gone far beyond what we would have expected them to do in criticising ABRI (the armed forces),' said one European diplomat. In February, six soldiers, including two generals, were found guilty for their role in the massacre, and eight others are being court-martialed. 'The Dutch were too confrontational,' said the diplomat.

Domestically, President Suharto's move against The Hague has been welcomed. In addition to appealing to latent nationalism, it has helped appease those in the military unhappy with the recent criticism of ABRI. The government's position has also given it more latitude to control any civil unrest before the general election in June.

Some diplomats also concede that Indonesia, the world's fourth most populous country with a gross domestic product

(GDP) of Dollars 107bn in 1990, is too important to isolate. European, American and Japanese companies compete for lucrative business; in the power sector alone contracts worth Dollars 6.4bn will be completed within the decade.

Indeed, the donors' main concern appears to be who will exploit the loss of Dutch influence. 'The Japanese will take up any shortfall in aid, despite their economic downturn. Europe will be the loser,' said one diplomat.

AID REFUSAL NOT 'CONNECTED' TO DILI (RRI)

Jakarta Radio Republik Indonesia Network in Indonesian 29 Mar 92

Foreign Minister Ali Alatas said the Indonesian Government's decision to reject economic aid from the Netherlands Government was not in any way connected with the 12 November Dili incident. The Indonesian Government had made a careful and mature consideration before making its decision to reject the Netherlands economic aid. In fact, the mature decision taken by Indonesia was a firm reaction to the numerous forms of pressure and untoward actions undertaken by the Netherlands Government.

This was clarified to newsmen in Dili yesterday by Foreign Minister Ali Alatas after handing over a list of development projects for East Timor province for the 1992-93 fiscal year. East Timor's development projects would cost more than 193,136 billion rupiah. The minister stressed that Indonesia as a sovereign state would reject any assistance from any country which tries to spread its influence through various forms of threats.

According to Minister Ali Alatas, Indonesia has constantly and highly respected human rights and the Netherlands' accusation that Indonesia has violated human rights is totally baseless.

INDONESIAN AID DECLARATION: A CHALLENGE TO CANADA'S POLICY (ETAN)

EAST TIMOR ALERT NETWORK URGES IMMEDIATE AID SUSPENSION

FOR IMMEDIATE NEWS RELEASE 29 MARCH 1992

Canada should suspend all its aid to Indonesia following Indonesia's refusal to accept aid tied to human rights, the East Timor Alert Network said today.

Indonesian Economic Affairs Minister RADIUS Prawiro last week announced his government would refuse to accept any further bilateral aid from the Netherlands

because the Dutch government was considering linking its aid to Indonesia to human rights considerations, especially in connection to East Timor. "The way they (the Netherlands) are using development assistance irritates us," Prawiro said.

"Indonesia is showing its true colours," said Elaine Brire, national co-ordinator of the Vancouver-based East Timor Alert Network. "Canada certainly can't give aid to a country that considers fundamental human rights an interference in its internal affairs."

The Network called on External Affairs Minister Barbara McDougall to follow the lead of Austria, which last Friday suspended aid to Indonesia to protest against massive human rights violations in Indonesian-occupied East Timor.

"The Indonesian declaration is a direct challenge to the Canadian policy of linking aid to human rights conduct," Ms Brire said. "If our policy is to mean anything, we must suspend all our aid to Indonesia immediately."

Canada's bilateral program of aid to Indonesia totalled \$46 million, making it Canada's third-largest among all countries in the world. Indonesia is heavily dependent on the \$4.7 billion in aid it receives annually from Western donors. Indonesia also is one of the world's major human rights violators, particularly in the territory of East Timor, which it invaded in 1975. Since that invasion, more than 200,000 people have died, Amnesty International estimates.

OZ PM SAYS JAKARTA AID WON'T BE TIED TO HUMAN RIGHTS (SMH)

Page three of the Sydney Morning Herald report on 31st March, 1992.

by : BERNARD LAGAN

Canberra : The Prime Minister ruled out yesterday tying Australian aid to Indonesia to an improvement on human rights in East Timor.

He also said that the issue of self-determination for the people of East Timor was "effectively closed".(sic)

Mr Keating is due to discuss human rights issues when he visits Indonesia next month (sic), but said yesterday that the issue of aid to Indonesia had not been linked to human rights before and it would not be now.

"Australia has not in the past made its aid policies conditional upon... human rights arrangements," he said in a reply to a question from the Leader of the Opposition, Dr Hewson.

"It's not linked, hasn't been linked and it won't be during the visit," Mr Keating said.

The Opposition said it agreed there should be no reduction in Indonesian aid.

But it claimed Mr Keating has failed to recognise that the Australian Government in the past had suspended aid to China, Fiji

and Burma after concerns over human rights issues.

Mr Keating has been under pressure from East Timorese independence activists in Australia and sections of his own party to take a stronger stance against Indonesia's policies in East Timor, following the East Timor massacre last November.

Troops opened fire on mourners at a funeral in the capital Dili, killing at least 50 people(sic) and prompting international condemnation.

On the question of self-determination for the people of East Timor, Mr Keating said that for many years it had been the policy of both the government and the opposition that the issue was effectively closed.

He said it was effectively closed by Indonesia's invasion and annexation of East Timor in the mid-1970s (sic).

Dr Hewson said later that Mr Keating had undermined an important tenet of Government foreign aid policy over recent years.

Mr Keating's contention that there were no aid-human rights links was not reflected in the policies of any Western nation in recent years.

"The Prime Minister has set a remarkable precedent for Australia's aid program which [the Foreign Minister, Senator Evans] will need to quickly correct," Dr Hewson said.

Last week, Indonesia said it no longer wanted aid from the Netherlands because it did not want Dutch aid that was tied to human rights issues.

Dr Hewson said that the government made clear in its 1991 Annual Aid Statement that there was a link between Australian overseas aid and human rights issues.

The statement, issued by the then Minister for Trade and Overseas Development, Dr Blewett, said: "... by broadening Australia's relationship with developing countries, aid can increase the opportunities for Australia to raise human rights issues."(sic)

ASSORTED ARTICLES IN CHRONOLOGICAL ORDER

MOZAMBIQUE GOV'T CONDEMNS TIMOR MASSACRE

[A little old item but might deserve to be put here.] Source: Mozambique Information Office News Review No. 213, 21 Nov. 1991

The Mozambican Government announced on 15 November, its condemnation of the massacre of at least 80 people by Indonesian troops at a cemetery in Dili, the capital of the former Portuguese colony of East Timor.

The Foreign Minister Pascoal Mocumbi declared that "our attitude is one of condemnation and indignation at the massacre of innocent people, nothing justifies this violence." He urged that "vigorous measures" be taken in order "to solve the problem if East Timor and respect the right of its people to self-determination."

Mozambique has persistently supported the struggle waged by guerrillas of "Fretilin," against the illegal annexation of the territory by Indonesia in December 1975.

In August of this year, the Mozambican authorities announced that they intended to establish diplomatic relations with Indonesia, but Dr. Mocumbi has insisted that this is no way alters Mozambique's position towards Timor.

KUALA LUMPUR SILENCES MEDIA OVER MALYSIAN DEATH (THAI NATION)

The Nation, Bangkok. 25 Feb 1992. By K. Guranathan. Dateline: Kuala Lumpur.

Comment: Once again this Thai newspaper publishes an excellent piece, now exposing the attitudes of two ASEAN neighbours.

Kamal Ahmad Bamadhaj was shot dead by the Indonesian army at a Christian cemetery in Dili. He was one of the 100-odd victims of the November 12 1991 East Timor Massacre. A week later, his body was flown to Kuala Lumpur where he was buried in a Muslim cemetery.

The curious thing was that, even though reporters from the local papers had covered the funeral service, nothing was mentioned in the media about the funeral. One paper even went as far as to quote an Indonesian general as saying that the mother of Kamal had requested that Kamal's body be flown to England for burial. This was despite the fact that a reporter from that paper had been present at Kamal's funeral in Kuala Lumpur the previous day.

To the relatives of Kamal, it was clear that there was an attempt to downplay the fact that Kamal Ahmad Bamadhaj had legitimate claims to Malaysian citizenship and that therefore Malaysians had a right to be informed on the circumstances that led to his death.

Although Kamal's mother is a New Zealander, his father is a Malaysian citizen. But except for pockets of relatives, friends and supporters, most Malaysians are unaware that a Malaysian was amongst those gunned down by the Indonesian military at the Santa Cruz cemetery in Dili.

According to sources, local papers have been ordered by the Home Ministry not to highlight this. The papers chose instead to only mention that Kamal was a New Zealand passport holder and then proceeded to report the reaction of the New Zealand government.

Kamal's Malaysian relatives and friends claim that by not giving any coverage to the death of this 20-year-old Malaysian who was a second year political science student at the University of New South Wales, Australia, the local papers had become an extension of the Malaysian Foreign Affairs Ministry.

It is certain that the Malaysian government would have been pressured to publicly recant over the East Timor Massacre had the circumstances that led to the death of Kamal been given its due coverage in the local media. To avoid this embarrassment, say Kamal's friends, the Malaysian government had chosen to censure all news on Kamal's Malaysian identity. The government's tight control over the mass media has made this task relatively easy.

The Malaysian government is very sensitive about its ongoing relationship with Indonesia. Indonesia is a very powerful neighbour with a history of past conflicts with Malaysia.

Within Asean, despite growing economic co-operation, the Indonesians have been one of the main stumbling blocks to Malaysian Prime Minister Dr. Mahatir Mohamad's attempt to create an Association of Southeast Asia Nations' (Asean) consensus for his vision of an East Asian Economic Caucus (EAEC). Some have observed that the Indonesians also resent the attempt by the Malaysians to project Mahatir as the foremost Malay intellectual politician in Asean and the Malay world.

But despite these differences both government see the continue need to maintain not only good economic relations but also a united front against accusations of the abuse of human rights raised by the liberal western democracies.

Although the track record of such abuse of human rights in Malaysia appears tame compared to the atrocities in Indonesia's Aceh, East Timor and Irian Jaya, the Malaysian government refuses to even comment on these abuses. Attempts by opposition MPs to raise the East Timor issue in Parliament were met by the stock answer that Malaysia does not want to interfere in the internal affairs of other countries.

Critics who have pointed out that this logic contradicts previous foreign policy stands on the question of South Africa, Palestine and the invasion of Kuwait by Iraq have been ignored.

Relatives, friends and supporters of Kamal Ahmad Bamadhaj, however, have refused to be quiet. Videos on the issue have been smuggled into the country by students and are being copied.

Video footage of the actual massacre at the Santa Cruz cemetery in Dili, taken by a courageous cameraman from Britain's Yorkshire television, together with footage from earlier interviews with East Timor activists and even Fretilin guerrilla leaders outline the Indonesian invasion in 1976 (sic)

and the 16-year war of attrition carried out by the East Timorese.

The video accounts the brutality of the Indonesian forces. An estimated 200,000 East Timorese have lost their lives and the video alleges that the extra-judicial killings, torture and detentions without trial continue unabated. The massacre at the Santa Cruz cemetery is seen as the latest example of the Indonesian army's genocide against the East Timorese.

Amnesty International has said that evidence at hand confirms reports that the killing appeared to be organised.

Included in that video are Australian TV interviews with Malaysian friends of Kamal Bamadhaj who knew him intimately in university. The impression they gave of Kamal was one of a person deeply concerned about the human rights violations in East Timor.

He had gone there to act as a translator for an Australian aid agency. Even though he was a Muslim, he had joined the 3,000 strong Christian procession commemorating the death of an East Timorese youth killed on October 28, when Indonesian troops entered the parish church of Motael, Dili, where he and others had been hiding. Little did Kamal know that the procession was taking him to his own violent death under a hail of bullets.

The impact of the video tapes and the commitment by Kamal's relatives, friends and supporters will ensure that despite the Malaysian government's attempt to downplay the issue, a sector of the Malaysian intelligentsia is being exposed to the atrocities committed by one of their closest neighbours.

MUNTZ SAYS SHOOTING 'PREMEDITATED, UNPROVOKED' (KYODO)

Tokyo, Feb 27, Kyodo —An Australian eyewitness to the November 12 mass shooting in East Timor told reporters in Tokyo Thursday that the incident was a "well-planned, premeditated and unprovoked" attack by Indonesian troops.

Showing some photos he took on the day of the incident, Bob Muntz, an official of Community Aid Abroad (CAA), an Australian non-governmental organization, described as purely "peaceful" the rally which some 2,000 people attended in commemoration of the death of a young Timorese.

Muntz, who is currently in Japan at the invitation of the Japan chapter of human rights group Amnesty International, also attended a seminar which was held earlier Thursday to brief parliamentarians on the incident.

Although the demonstrators held up signs and chanted slogans calling for East Timor's independence and citing lack of freedom and social justice, the action "cannot be described in any way as pro-

vocative or which could in any way justify the reprisals which (were) subsequently taken against them," he said.

"I am convinced through what I saw that this was a well-planned, premeditated and completely unprovoked" action by armed soldiers on a group of unarmed civilians, he said.

Muntz was in East Timor in November to talk with officials of other non-governmental organizations, principally the Catholic church, about the initiation of economic development projects which would assist economic and social development of the people of East Timor.

FOREIGN REPORTERS BANNED FROM EAST TIMOR (R. AUSTRALIA)

Radio Australia 2/27

Indonesia has banned foreign reporters from East Timor. A government spokesperson in Jakarta says accredited foreign correspondents based in Indonesia, as well as overseas journalists, will not be allowed to travel to the troubled province for the time being.

No reason was given for the decision, which came one day after the Suharto government denied access to Indonesian waters to a Portuguese protest ship.

R. Australia's Ian MacIntosh reports that a government spokesman said the processing of journalists' applications to visit East Timor was being postponed until further notice. Although he claimed this was not a ban, the effect is the same.

The decision also applies to Indonesians working for foreign news organizations and local reporters not already stationed in the province. Jakarta-based foreign correspondents had been travelling freely to East Timor without permits until last week when an American reporter was ordered to leave Dili because he did not have a pass.

Indonesia says the new restrictions do not apply to tourists.

JAKARTA POST. 28 FEBRUARY 1992. ABRIDGED.

The government has stopped giving recommendations for foreign journalists to visit East Timor, but an Information Ministry official yesterday declined to link the decision with the planned visit of a Portuguese ship.

"It's not a ban," said the official who asked not to be named, when asked to confirm complaints by a number of journalists that they have been told by the ministry they cannot go to East Timor "for the time being." The official declined to give the reason.

Many journalists visited East Timor following the fatal tragedy on Nov. 12. Their activities have come under close scrutiny after several entered Indonesia and visited East Timor on tourist visas.

The planned visit of the Portuguese ship, Lusitania, next month has revived interest in visiting East Timor among foreign journalists. A number of Jakarta-based journalists have said their applications to go to East Timor have been turned down by the Ministry. Others said they had been told not to go even though they did not make any formal request.

A correspondent for a Japanese newspaper said the government had turned down applications from six foreign journalists, including his, to visit East Timor, but none were told why. "I presume it has to do with the ship," another correspondent said.

House member Marzuki Darusman said yesterday restrictions on foreign journalists wanting to report on East Timor would hurt the government's openness policy. "I'm afraid the restrictions will give a negative impression to the outside world," he said.

JAKARTA DISMISSES OFFICERS OVER SHOOTINGS IN TIMOR (AWSJ)

Asian Wall Street Journal. Feb 28-29, 1992, Jakarta. By: Richard Borsuk

Indonesia has dismissed three senior military officers and moved to punish 11 other army men because of "mistakes" made when troops fired on demonstrators in East Timor on Nov. 12.

The unprecedented disciplinary actions were announced by Army Chief of Staff, Gen. Edi Sudrajat, who headed a military council appointed to look into what went wrong at that anti-government demonstration in Dili, East Timor's capital. The announcement didn't specify which three of six high-ranking officers getting punished had been dismissed, but other information in Thursday's army statement showed the cashiered officers held the rank of lieutenant colonel or higher.

The Dili incident sparked international condemnation of Indonesia and put back in focus questions about Indonesia's annexation of the former Portuguese territory in 1976. The shootings also raised questions about whether donor countries might reduce their aid to Jakarta due to unhappiness over the country's human-rights record. Political analysts said Thursday's announcement of the punishments is clearly another step by Indonesia to show the world it is dealing seriously with the incident.

Many foreign governments said they welcomed the results of a government investigation into the killings, which raised the estimated death toll to about 50 from the army's figure of 19. (Witnesses said they believed more than 100 people were killed.) But the governments also have wanted to see soldiers punished for what the report called "excessive shooting" and beating of demonstrators.

'CRITICAL MOVE'

The punishments come shortly before Indonesia is expected to put 13 demonstrators on trial in East Timor, four of them on subversion charges that could carry a death penalty. Diplomats have said that if Indonesia went ahead and punished demonstrators without punishing soldiers, the country's bid to restore credibility would be damaged.

"This was a critical move," a Jakarta-based foreign diplomat said of the army punishments. "Without something like this, Indonesia could still look pretty bad."

Key details of the punishments weren't immediately clear. Gen. Sudrajat said two generals and four colonels were punished for "mistakes and negligence," and that three of those six had been dismissed from the military — but he didn't specify which ones. Two of the other three were reassigned to desk jobs from operational posts and one is still awaiting reassignment.

Last December, President Suharto fired the two generals directly responsible for East Timor: military commander Brig. Gen. R.S. Warouw and his superior, regional commander Maj. Gen. Sintong Panjaitan. The two weren't dismissed from military service, though their future positions and status were left unclear. Military analysts said they assume the two well-regarded generals are the two persons reassigned to desk jobs. If that's the case, it would appear the two haven't been punished any more than they were last December, when they were removed from their posts. But, the analysts said, there wasn't any immediate way to be certain. Warouw and Sintong were reassigned.

The other four men receiving punishment were the deputy military commander in East Timor, the head of the province's military intelligence operation and two other high-ranking officers.

LACK OF FORESIGHT

Gen. Sudrajat said the commission concluded that the Nov. 12 incident should have been predicted and that the local command "didn't take appropriate measures" to prevent it.

Separate from the six officers already punished, another eight will be court-martialed, the army said. The names weren't released, but the statement identified them as four officers, three non-commissioned officers and a private. It also said five other soldiers remained under investigation.

While most foreign governments are likely to commend Thursday's announcement, it wasn't immediately clear what reaction there might be inside Indonesia's powerful military, which isn't used to receiving punishments. "This will play well with international donors," one Indonesian analyst said, "but will it play well with our soldiers?"

The announcement of punishments came at a time when several events are helping

keep attention on East Timor. Also on Thursday, a government spokesman confirmed that the province has been temporarily closed to foreign journalists and Indonesians who work for foreign media. The spokesman insisted there was "no ban at all," but said that foreign journalists wouldn't be able to work in East Timor for "just a short time." The closure is occurring while Foreign Minister Ali Alatas is in Europe talking with governments about the Timor situation.

Earlier this week, Jakarta authorities announced they would forbid entry to the Lusitania Expresso, a Portuguese ship on its way to East Timor with the aim of letting passengers lay wreaths there honoring those killed on Nov. 12. Officials have threatened to fire on the ship if it enters Indonesian territorial waters.

MOERDANI JUSTIFIES MASSACRE

UPI, Jakarta, March 2 — Indonesian Defense Minister Benny Murdani suggested Monday that those killed in the Dili shootings had provoked government troops.

Murdani told the Jakarta newspaper Kompas that during the ill-fated demonstration, protestors shouted, "Long live Xanana!" and "Long live Fretilin!" in reference to pro-independence guerrilla groups battling against Indonesian rule.

Murdani, a retired military commander who said he regretted the casualties, insisted that the government had not ordered the shootings of demonstrators, but added, "Certainly the government and the armed forces could not allow this (demonstration) to continue."

LETTER TO THE EDITOR OF THE AUSTRALIAN (WHITCHURCH & RIDER)

The following is a letter written in response to an editorial in the Australian which came down very favorably on Indonesia's response to the latest massacre. The paper, which has been supportive of Indonesia's position in the past, cut this to a few paragraphs. With some modification, it could be used in response to many such apologetic commentaries. Please feel free to use it or material from it.

Darwin, 2 March 92

We are appalled at the *Australian's* shameless apology for the Suharto regime's response to the Dili massacre in the editorial published (2 March 92).

The suggestion that the Indonesian government's decision to put a few soldiers on trial has little to do with international pressure is clearly wrong. No "groundswell of outrage" occurred within the Indonesian government. Nor is it true that the National

Commission of Inquiry's report was anything other than a whitewash.

Indonesia has been far more concerned with arresting East Timorese protesters than it has been with taking any action against the soldiers involved in the massacre. Dozens of East Timorese in Dili and Jakarta were rounded up after the massacre. Of those still detained, 8 even now stand charges of subversion, which carries the death penalty. Conducting the massacre was bad enough, killing people for surviving it is much worse. We can be sure that the eight soldiers charged will face a far lighter penalty.

Although such actors as the U.S. State Department have been urging Indonesia to take action against those involved in order to neutralize international criticism, Indonesia succeeded in resisting such pressure for four long months. Only last week did the Suharto regime relent and announce the decision to try the soldiers. It is unsurprising that Indonesia's Foreign Minister Ali Alatas, whose job is to smooth out foreign relations in delicate situations, should appear to express concern. Nevertheless, his tepid expressions of regret hardly constitute a "groundswell of outrage."

Far more characteristic was the speech of the Commander in Chief of the Armed Forces, Try Sutrisno, who bluntly stated that anyone who dares to "ignore the Indonesian army" will have "to be shot down, and we will shoot them." Army commanders continue to express such sentiments. According to TEMPO, Brigadier-General Theo Syaefi, who in a much lauded move replaced General Warouw, stated in late February that "if anyone mentions anti-integration, that's where I draw the line, and I will hunt them down."

The *Australian's* enthusiastic approval of Indonesia's own National Investigation Commission's report is crippled by its lack of accuracy on two salient points. Firstly, far from deviating from initial army death tolls, it merely reaffirmed them. On November 14th, General Try Sutrisno made the front page of the *International Herald Tribune* with his estimate that about 50 people were killed in the incident. Only later did the army revise the death toll downward to 19. The report, then, contained the illusion of contradiction the army line, while in reality supporting it.

Secondly, the weak criticisms of the soldier's actions in the report were overshadowed by the blame it placed on the mourners themselves. The marchers, the report said, had behaved in a "wild and unruly" manner, and had "ridiculed the security apparatus." If blaming the victims was not enough, the report sought to justify the massacre by insisting that a private had been wounded in a stabbing. Seven foreign witnesses agreed that "no physical provocation whatsoever" occurred. Despite pretenses to objectivity, the report, which Amnesty International has called "fatally

flawed," is truly nothing more than one more attempt to defuse mounting international pressure.

The *Australian* is correct in saying that for all who value "stability" in Southeast Asia the Indonesian response must indeed be "heartening." Indeed, the more successful Indonesia is in its efforts to lobby sympathetic foreign governments to ignore its continuing blatant violations of human rights, the more the regional status quo will be upheld. Yet for those who value "human rights" and "democracy," Indonesia's response can only be seen as the very worst of insults.

signed, Ian Whitchurch (Australia) and
Lorne Rider (America).
East Timor Peace Mission, Darwin

ATAURO ISLAND STARVATION

Reuter, Jakarta, March 3 – Famine has killed several people on the East Timorese island of Atauro, the Jakarta Post reported on Tuesday.

The newspaper quoted Atauro administrator Leonardo da Silva Magno as saying he expected a drought, which had damaged the island's rice and corn crops, to become worse in the coming months.

He said he did not know the exact number of people who had starved to death.

Farmer Maria Soares told the newspaper: "We have no corn or rice. We have had to eat the fruit of palm trees to survive." Another farmer said some residents of his village had died of starvation.

The 150 sq km (58 sq mile) island has a population of around 6,500 and lies north Dili, capital of Indonesian-ruled East Timor.

MURDANI VIEWS MAKING EAST TIMOR 'SPECIAL' REGION (JAKARTA POST)

THE JAKARTA POST in English 3 Mar 92

Jakarta (JP) – Minister of Defense and Security Affairs General (retired) L. B. Murdani has said that a thorough research is required before the government decides whether or nor to make East Timor a "special" region.

"Basically, there isn't any region which gets special treatment from the government, even though the name is 'special.' What the Government has given to the regions is special attention, and East Timor has got it," Murdani told students at the Catholic Institute of Philosophy in Maumere on Flores island, west of Timor, last weekend.

Murdani was quoted by KOMPAS as suggesting that East Timor improved its regional strength to enable it to compete with other regions in the country.

Indonesia has three so-called "special" regions: Jakarta, Yogyakarta, and Aceh. Jakarta receives the status as it is the capital

of the country, while the others get their title because of their historical background, as the kings in the areas had struggled against colonial government. They are not autonomous and the only special thing about them is that they obtained the status of provinces.

East Timor Bishop Carlos Belo last week called on the government to make the province an autonomous region.

In his lecture, Murdani also lashed out at some groups in East Timor who had likened human rights to the right to rebel against the country.

The government and the Armed Forces (ABRI) would not tolerate such ways of thinking, especially when this was followed by "brutal" actions as demonstrated during the Dili incident, Murdani said.

The minister was referring to the November 12 incident in which some 50 people were killed when troops clashed with demonstrators.

Murdani said that he regretted the incident which resulted in some people being killed, "but the government had never ordered the shooting against the youths, who were influenced by the wrong perception of human rights."

The minister said that he observed that Cardinal Giovanni, the envoy of Pope John Paul II who visited Dili after the bloody incident, also confused human rights with the right to secede.

TIMOR RALLY IN ADELAIDE

Greenleft News Mar 3, 1992

ACTION UPDATES

ADELAIDE – 150 people attended a spirited rally for East Timor here on February 22. Jorge Azevedo, representing the Timorese community, told the crowd that the "Timorese do not want the Australian government to continue to appease the fascists in Indonesia, but to take a peaceful stand on the side of East Timor." The Campaign For an Independent East Timor plans to hold a national conference over the Easter long weekend. For further information, ring (08) 371 0480 or 269 6252.

It seems that many young people here haven't heard that socialism is "dead." At Flinders University orientation February 24-26, the Adelaide branch of Resistance had a large, colourful stall displaying books and leaflets on issues ranging from the environment and East Timor solidarity to women's liberation. The stall and the enthusiastic approach of the Resistance team attracted many people, and 46 joined over the three days.

CANBERRA – The Environmental Youth Alliance organised a demonstration outside the Indonesian embassy on February 22 to protest against the destruction of Siberut island by logging.

IRIAN JAYA CLOSED AREAS

AFP, Jakarta, March 5 – Indonesia closed several areas in its easternmost province of Irian Jaya to foreign tourists, as separatists staged an attack elsewhere in the region.

Manurung, the head of the province's tourism office, said the Enaratoli, Obano, Mamberamo areas along the border with Papua New Guinea and the Jayawijaya mountain were declared off-limits for foreign tourists.

He did not give any reason for the closure but the province has been hit by separatist violence in recent years.

Special permits would be necessary to visit the areas, he said in the report late Wednesday. More than 13,000 tourists visited the province last year, he added.

In another report, Antara said members of the Free Papua Movement (OPM) Wednesday attacked a village in Merauke regency, south of the closed areas.

Antara quoted military spokesman Lieutenant-Colonel Siswanto as saying the armed forces had foiled the attack, thanks to the support of the villagers.

But before retreating the guerrillas had occupied a police station, robbed a village cooperative unit and burned a bridge.

INDONESIA DEFENDED

Forwarded from Indonesians@janus: Ottawa Citizen, March 5. By Martin Rudner.

Columnist John Hay's characterization of the government of Indonesia as "a thuggish machine guarded by generals and greased with graft" is unjustified and unfair.

Mr. Hay's remarks represent another example of the Citizen's campaign of editorial vitriol and vilification directed at Indonesia.

Criticism of Indonesia's deeds or misdeeds in East Timor may be warranted. But the Citizen's criticisms never go beyond strident innuendo, and offer no insight into the historical and political factors behind events there.

Coming from what was in 1965 the most impoverished country in the world, the policies of the present government have resulted in a substantial reduction in poverty in Indonesia, from over half that country's population to under 17 per cent — surely a remarkable achievement.

Indonesia was one of the first countries in the Third World to give major emphasis in its national development strategy to the pursuit of environmentally sustainable development. This has been done, it should be added, with significant Canadian development assistance.

What Mr. Hay calls "a very bad government" is, in fact, a popularly elected government. Indonesia maintains a multi-party system and holds regular elections. Communist and militant Islamic parties are proscribed, to be sure, as a consequence of

past traumas etched deeply into Indonesia's political pathology. If Indonesian democracy is still imperfect, at least its system of governance may be said to represent government by consent of the governed.

John Hay is right to call for a resumption of Canadian development co-operation with Indonesia, but not because human rights concerns are futile. Canada's human rights objectives can be accommodated within an aid program that strengthens the capacity of Indonesian institutions to plan and implement an agenda based on democratic development.

*It should be noted that columnist John Hay was writing a piece that advocated *restoring* Canadian aid to Indonesia, and was hardly an attack on the Indonesian government. Despite the column, The Ottawa Citizen has been one of a very small number of Canadian newspapers that has provided good coverage of East Timor and to a lesser degree of Indonesia. Since Nov. 12, they have printed the best Timor coverage of any newspaper in the country. Letters to the editor from international readers would be very helpful at this point in encouraging them not to knuckle under to readers like this:*

Letters Editor The Ottawa Citizen 1101 Baxter Rd., Box 5020 Ottawa, Ont. K2C 3M4 CANADA Fax 613-726-1198

—East Timor Alert Network, Toronto

REBUTTAL TO INDONESIA DEFENDED

sjuniper

Hays (1038) must either be kidding, or being paid by the US or Indonesian governments or their PR firms. By any and all impartial standards, "thuggish," in referral to the Suharto government, is an understatement. A brief history might be in order:

In 1955 Indonesia's flamboyant and charismatic leader Sukarno, who had eliminated the death penalty, was easily elected, even though the CIA funnelled over \$1 million to his rightwing opponent. He had subdued the local Communist Party in 1948 and was balancing them off against the army. However, while the US organized SEATO (the Southeast Asian Treaty organization), he convened an alternative conference proclaiming "neutralism" the best path for the underdeveloped world, ensuring him US enmity. A plane with the Chinese and Vietnamese delegations aboard disappeared mysteriously, several hand grenades were thrown at Sukarno, and a low-grade sex movie starring a Sukarno look-alike was circulated.

Then, with the US professing neutrality, a group of international mercenaries was transported from bases in the Philippines and Singapore, in a CIA program headed by Frank Wisner, to secret landings in Indonesia. 15 "sanitized" B-26's, backed up

by subs, conducted bombing, strafing, and supply missions early in 1958. International outcry when CIA pilot Allen Pope was captured after bombing churchgoers May 18, 1958, killing most of the congregation, coupled with a singular lack of 'rebel' success, caused the project to be relegated to the back burner.

During 1964 and 65 Robert Martens ("There's a lot of blood on my hands...") headed a joint CIA-State Department project, with the approval of Ambassador Marshall Green, to compile the names of "suspected Indonesian communist leaders." The resulting list of over 5,000 was given by Martens to Indonesian minister Adam Malik, who gave them to the military, whose General Suharto began exterminating them immediately. Then CIA station chief Joseph Lazarsky said, "We knew what they were doing...Suharto said, 'If you keep them alive you have to feed them.'" (Widely-reported, first by the States News Service's Kathy Kadane in the Spartanburg South Carolina Herald-Journal, May 19th, 1990.

The resulting Agency-engineered suppression of a feared communist uprising turned into a bloodbath for over a million (official CIA estimate: 250,000) "suspected communists or sympathizers." William "Colby told Kadane that this hit-list campaign was 'exactly' like the Phoenix Program he organized in Vietnam two years later and...bears a chilling resemblance to the killings that began in Chile in 1973." (The New Yorker, 02JY90, p.21)

General Suharto, who had collaborated with the Dutch colonialists and the Japanese, and long enjoyed American support, was installed. Government by gangsters and death squads continues to the present, and in 1975 he invaded the recently-freed Portuguese colony of East Timor with US acquiescence, where at least 100,000 were killed "to save them from a communist takeover."

AUSTRALIA TRAINS INDONESIA & PNG MILITARY (BULLETIN)

THE OTHER 'GREENS' OF OZ

The Bulletin, March 3. By Jim Beatson.

Remark: Full original version. A lesson here for the Government of the United States on IMET?

The products of Australia's military colleges are making their mark in Asia and the Pacific. People like Indonesia's General Tri Sutrisno, Papua New Guinea's disgraced former Deputy Prime Minister, Ted Diro, and Colonel Leo Nuia. Even Fiji' coup leader, General Rabuka, received some military training in Australia. They make a list so embarrassing that the Department's Public Information Director, Brigadier Adrian D'Hage, refuses to confirm they ever trained here.

General Sutrisno achieved infamy with his comments to officers at their graduation ceremony following the Santa Cruz massacre in East Timor, "delinquents like these agitators have to be shot and we will shoot them," while Colonel Leo Nuia, Papua New Guinea's former Bougainville Commander, was dismissed over revelations of the bodies of five Bougainville civilians being thrown to sharks from an Australian supplied army helicopter. Australia's military school alumni are not limited to one side. 'General' Sam Kaona, commander of the Bougainville Revolutionary Army and his North Bougainville BRA Commander, Joe Pius, currently in a PNG military jail at Rabaul, both trained at the Army's Portsea Staff College in Victoria. It was there Kaona learnt about explosives, a skill he used in blowing up power pylons to Bougainville's now defunct copper mine, a mine fifty per cent owned by Australia's CRA.

Typically overseas officers establish relationships here which they maintain after leaving. This has the effect of binding defence outlooks and maintaining overseas training programmes. Both Sutrisno and Diro have been "distinguished visitors" at the Australian Armed Forces Defence Academy (AFDA) in Canberra in recent years. Kaona claims he still receives intelligence from contacts he established while here.

Our military training is not so well regarded by those on the receiving end.

Colonel Robert Manlongab, an Army Commander in the Philippines, who trained in Australia, is now in charge of combating the New People's Army in North Luzon. According to Bishop Gabriel Garol, Chairman of the Philippines Ecumenical Movement for Justice and Peace, Manlongab "was responsible for blockading food and medical supplies last year leading to the deaths of 122 children, and burning civilian homes and granaries."

Bishop Garol, who toured Australia at Christmas, angrily complained of two other senior army officers trained in Australia. "General Magenbo needlessly killed and injured civilians while bulldozing squatters camps in Manilla. General Noble, a Unit Commander, terrorized tribal Filipino families to move from their traditional homes on Mindanao, Southern Philippines."

Bishop Garol explains his anger, "While in Australia they received training in management and modern military techniques. It had the effect of making them more confident and more ruthless." He says "My people want the Australian government to stop this training. Australia might be sincere in providing training but our experience shows the other side." Australia offers foreign military personnel access to three levels of military training: formal academic degree courses at AFDA; mid-career, six to twelve month courses for commissioned officers at Staff Colleges like the Army's Queenscliffe College in Victoria; and short practical

courses (usually lasting five/six weeks) for officers and non-commissioned officers at institutions like the Canungra Land Warfare Centre outside Brisbane where jungle warfare techniques, including counter insurgency, are taught.

At any one time, fifteen of the eighty students at the Staff Colleges are overseas military students. Currently four Indonesian officers are studying at the Staff Colleges, four Australian officers are studying in Indonesian military colleges and 23 Indonesians are on Combat Instruction Courses at Canungra. There are 99 PNG military personnel training here while 124 Filipinos and 133 Thais are expected to complete training here in 1991/2.

At the height of the Bougainville crises, in the first half of 1990, the Defence Department put a special \$13 million Military Aid Package together to train an extra 600 PNG troops.

Russell Rollason, Executive Director of the Australian Council for Overseas Aid, describes the training of overseas soldiers as a "programme which results in Australians training forces in control of civilian unrest which inevitably leads to violations of human rights. Australian trained officers have presided over the killing of innocent civilians and gross violations of human rights." He feels, "We must review our training methods or end them.

Debating ethical issues is not a part of the shorter non-academic courses. AFDA does offer units like Legal and Moral Problems of International Violence and Revolts and Counter-Insurgency in South East Asia in its Masters of Defence Studies, but only a tiny proportion of the total proportion of overseas students would study such courses.

Even then Hugh Smith, AFDA's Director, doubts their impact adding, "People who come here are primarily trained officers with existing loyalties. They are exposed to Australian traditions and values here. They may be influenced by these values. It is my feeling this is the best we can hope for." Smith does not lay much store by ability. "The best and the brightest are sent here. It seems to be the best and the brightest who take things into their own hands."

Would the non-academic training programmes benefit from courses on human rights? Graeme Cheeseman, a former Australian Army Major turned Senior Research Fellow at the Australian National University's Peace Research Centre in Canberra is not optimistic. "Such courses might cause individual angst, but overall such courses could end up being counter-productive."

Cheeseman suggests other teaching methods. "The military mindset is to get problems settled as quickly as possible. Yet in East Timor and Bougainville the way of dealing with their problems requires a practical knowledge of conflict resolution tech-

niques. Perhaps we should be teaching such techniques."

In 1990/1 Australia supplied \$90.9 millions in military aid in our region, with the largest sums going to countries who, like Papua New Guinea, are the subject of persistent complaints from human rights organisations.

A survey of countries which used its armed forces as an instrument of suppressing unrest revealed all but one of the 57 identified being in Third World countries, including Papua New Guinea, Indonesia and the Philippines.

Major rebellions are increasingly a feature of our region (East Timor, West Papua, North Sumatra, Bougainville, Luzon) which refuse to disappear despite the passage of time. Whatever the assurances from the recipients of our training programmes and military aid there is no certainty of their final outcome.

Cheeseman asks, "Will they be resolved in ways which will guarantee suspicion from new rulers and the local population unless there is a review of our military training programme?" end D'Hage refused to supply a full list of overseas students or just the Indonesian ones saying he would first have to get permission of the Indonesian embassy who in turn said they would have to get permission of individual officers, adding he expected they would refuse. The annual reports of the colleges don't provide lists.

OVERSEAS INDONESIAN ACTIVISTS — YOU CAN'T GO HOME!

Reuter, Jakarta, March 6 – Indonesians abroad who engage in activities against their country may now be barred from returning home, an immigration official said on Friday.

Parliament on Wednesday passed a new immigration bill after weeks of intense debate between legislators and justice ministry officials over whether the clause containing the ban went against human rights.

The new law, details of which will be announced later, needs final approval by President Suharto.

The ban was included in the bill by the military faction of parliament which argued that anyone who tainted Indonesia's image overseas deserved to be kept out.

Jakarta has been particularly angered in recent years by private Indonesian groups airing anti-government views in foreign countries.

The decision to keep any Indonesian out of his country would be made by a team from the interior and foreign ministries, the military, and intelligence and security agencies.

The law also upholds a controversial ban preventing around 17,000 Indonesians, including anti-government activists, from leaving the country.

Opponents of the law have called it a setback in the development of Indonesia's legal system, widely criticised as being out of date and unresponsive to the needs of the people.

"The legalisation of travel bans, especially on re-entry, is deplorable because it violates human rights," the Jakarta Post daily quoted an official of the Indonesian Bar Association as saying.

"Every citizen has the right to return," said Dachman Muzir of the small Democratic Party of Indonesia, the party which comes nearest to being a political opposition in Indonesia.

"Any legal action should be decided in a court of law," he added.

LETTER FROM XANANA GUSMAO (PUBLICO)

EAST TIMOR GUERRILLA LEADER INTERVIEWED

Lisbon PUBLICO in Portuguese 6 Mar 92 p 9. Article by Arnaud de la Tour Landorthe: "It Is Time for Solutions To Come From Outside." Abridged and translated from the original Portuguese by Billy Williams, East Timor News, Lisbon.

EAST TIMOR NEWS : SUBJECT MEMO N: 1 1992 (REF: SM 26)

"NEGOTIATIONS, BACKED BY A FIRM PLAN OF ACTION, WOULD ELIMINATE BLOODSHED"

Xanana Gusmao, in a written interview, has outlined his thinking two months after the Santa Cruz massacre: he speaks of his disappointment at how quickly the deaths in November have been glossed over; calls for fresh initiatives in the exterior and spells out the criteria for visits by delegations from abroad to be effective.

The interview, dated January 1992, shows that in spite of his isolation in the mountains of Timor, the resistance leader has kept very much abreast of current events in world politics. There is a strong vein of irony running through his observations as well as hurt and anger at world indifference to the suffering of the Timorese people. He expresses his determination to continue the struggle until his people achieve self-determination and rebuts the latest series of rumours that he will surrender, saying he will surrender only "to those who have fallen dead, so heroically." He also speaks of his hopes for the future and the problems to be confronted in an independent East Timor.

Editor's note: This is an abridged translation of the original document in Portuguese which runs to 14 typed pages and was written in response to 9 questions sent in mid-December by a French journalist working from Lisbon, Arnaud de la Tour Landorthe. As Xanana's responses are very

wide-ranging and at times return to the same theme in response to different questions, we have opted to list the questions at the beginning only and have occasionally changed the sequence where we felt it would help thematic organization. The headings were not in the original; editors clarifications are in square parentheses.

The original typewritten document was accompanied by a handwritten note from Xanana Gusmao, saying that at the time of writing he did not know of the new Portuguese proposals to UN Secretary-General Butros-Ghali.

QUESTIONS

- 1 The visit by the Portuguese parliamentary delegation (PPD) was "postponed." After Santa Cruz, do you still think it possible that this visit could take place satisfactorily? What would be the best form of international delegation?
- 2 The condemnations of the events of 12 November in Santa Cruz caused more talk about East Timor at international opinion level than 4 years of talks at the UN. Do you think that the UN is the best place to hold talks?
- 3 Jakarta says that Falintil does not represent anything. How many guerrillas are there really who are ready to fight against the Indonesian army?
- 4 Will there be FALINTIL military actions in the coming months?
- 5 You say that you can count on the support of the population which is +like the blood vessels in the circulatory system;. Is this support sufficient? What other type of support do you have, from outside countries or organizations, or in Indonesia itself?
- 6 You say that you are fighting for self-determination for East Timor. What would be your position if the vote was in favour of Portugal or of integration in Indonesia?
- 7 The Portuguese press has already said that Xanana Gusmao was ready to give himself up, for example during the PPD visit. You have denied this. But are there things to be negotiated, outside your struggle for self-determination?
- 8 You appear to be a military commander and at the same time a political leader. In the future, do you have political ambitions in an independent Timor? Regarding the military organization, are there any structures, outside the clandestine network, which could assume democratic power in East Timor?
- 9 Have you got the time (or the wish) to reflect on what type of society you would want for an independent Timor?

PPD VISIT ASSESSMENT - WE WON'T HAVE ANY ILLUSIONS ABOUT INTERNATIONAL DELEGATIONS

"I believe that we were all stupidly bound up with the agreements worked out in New York, perhaps even dangerously bound up.(...)

Portugal must make a decision; (...) it is time to put aside this hypothetically eternal +suspension of the visit; . (...)

When the UN Secretary-General in the last part of his second period of office placed the Sawaris under the power of the Moroccans, in subservience to the interests of the powerful;(...) when the US forgets its promises to the opposition to Sadam Hussein, and when it minimizes the SANTA CRUZ MASSACRE (...); when the EEC continues to be so incoherent in its resolutions on East Timor as to increase its trade with Indonesia; when others such as Japan, Australia and Canada content themselves with a simple increase from 19 to 50 of the number of Santa Cruz Dead, as if the fulcrum of the issue were the proving of how many died and not that they were killed; when Jakarta is thus enabled to continue to be so secure in its genocidal policy and in its systematic refusal to allow international or independent investigation, then I think you can understand that we will not have any further illusions about international delegations, after the sensational failure of the PPD.

(...) In East Timor an unbearable situation! [in the run up to the proposed PPD visit] The anguished statements made by Bishop Belo which, unfortunately, today are being repeated, were taken at face value. Incredible, he was speaking in Portuguese, and "Portuguesely" speaking I have to say that no one looked at what lay behind his words. Everybody knows, damn it, that Jakarta was filling the territory with fresh troops, was digging graves, making threats, trying to enter Motael [church], etc, etc..

I do not blame Portugal or the PPD; I blame myself for getting carried away by overly easy perspectives (...) for having disregarded the counsel of realpolitik and having followed paths apparently miraculous, but no less bloody for all that.

FUTURE DELEGATIONS

Realpolitik now suggests the following: a) no international delegation, however high level, has the least chance of breaking the Indonesian blockhouse over East Timor, as long as it remains fascinated with the dances of the butterfly of Bali folklore.

b) whatever delegation that comes, and all the more so if it is from the UN, must already have laid down an overall strategy, if it is to avoid being a pawn in the complicated chess game, played out with Ali Alatas as Kasparov, under the gaze of American, Japanese and European spectators. It is only thus, that we can believe that

whatever +visit; takes place, is marking a new phase in the handling of the question. Without a defined line of thought, it will not be possible to mobilize all the capacity for intervention (in so far as it exists), and even less will it be possible to make predictions beforehand about the situation, so as to be able to respond with appropriate measures to the abrupt mutations which are likely to arise.

c) whatever delegation, however international, must plan out practical measures which must be established beforehand (...) so as to avoid swinging after-effects .

INSIGNIFICANT RESULTS

[The massacre at] Santa Cruz disturbed international public opinion, there is no doubt about that, and was a nuisance to various governments in all parts!

(...) If the negotiation process had been part of a broader plan of action, Santa Cruz would have had the effect of pushing it onto a much higher plane, and stepping up the pace. Now, two months after 12 November, simply marking time is the order of the day; the commotion has lost its intensity. (...) We cannot provide a new Santa Cruz every month, the risks are enormous, the burden is far too heavy for such insignificant results, not to mention the desensitisation effect.

Only the readiness to find a solution can give relevance to the facts, to those images and sounds which, fortunately, were recorded by freelancers! Freelancers in the struggle of a small and defenceless People - a struggle of importance to themselves alone. Foreign freelancers, exposing themselves to death to try to decipher the secrets of resistance; this was their contribution to the ideals of Peace, Justice and Liberty, the same ideals for which we shed our blood and for which continue to give our lives! I pay here tribute to those journalists!

I would state the problem like this, my friend, if the televised images of a "simple" massacre caused so much talk about Timor, imagine what the effect of the PPD presence would have been!(...)

HEAR THE INTERESTED PARTIES

I think that, in principle the UN is the best forum in which to hold talks. Especially given the fact that the case of East Timor was put into the hands of the Secretary-General, to proceed with consultations between the interested parties. I believe that it was resolution 37/30 which definitively gave Portugal a role in the conflict, thus deepening the dualist concept of the problem: administering power and occupying power.

I say resolution 37/30, because it was the lack of definition of what constituted the interested parties which allowed the most convenient interpretation on the part of Perez de Cuellar and his second-in command [Rafeuddin Ahmed, who has since been removed by the new secretary-general], who, on numerous occasions, spoke of the

conflict as being +a dispute between Lisbon and Jakarta; .

There is nothing easier than resolving this kind of conflict: an agreement involving treaties of friendship - with a consulate in Dili so that prayers in Portuguese can be heard; of cooperation - to exchange tins of sardines for barrels of oil; and cultural agreements - so that the names of bishops and governors can be preserved on the streets of Dili; an outcome like that would be so pacific and so convenient for all the others as well as being +a solution (naturally) acceptable to the international community; .

(..) I do not know whether the new incumbent at the UN [Butros-Ghali] will advance some new idea or whether he will content himself with following in the footsteps of his predecessor, who from beginning to end was never more than an exemplary White House high official.

PRAGMATISM AND HYPOCRISY

Some people would like me to define a strategy, post-12 November. If Portugal with all the epithets of responsibility it called up, and which had the assent at the UN, the EP, the EC, the Council of Europe etc, etc... could not put together a strategy, how can I, here in the mountains of East Timor, constantly pursued by the occupying forces, lay out a strategy, even a minimally outlined line of thought?

(...) The disorder inside the home is not visible from the outside, but here inside we can understand the movements of those outside. The great prison has windows of dark glass so we can see the outside world. At least it allows us to see people passing by, with or without dossiers under their arm.

All that remains for us is to accept integration, and nothing else! I am convinced that there are many who are waiting for precisely this, so that they can sigh with relief and tell me I am a nice guy, who has all the attributes of pragmatism and realistic assessment. There would be those who, to placate their consciences, raised their voices, but who would disappear much more quickly than all the rhetoric weaved around the bloody walls of Santa Cruz (...) A process of negotiation, guided by a line of action with conviction and firmness, would eliminate the necessity of more bloodshed in East Timor! We have spilt and continue to spill our blood, because there does not exist a trace of a path to which we can connect our necessity of action. Sixteen years of resistance, into which we poured everything we had! Not enough? We know it is not enough. We put forward perspectives, formulated viabilities, sought paths, renewed suggestion - some grand, others executable, all without force to bring about change. (...) From within, from us ourselves, we only have our sweat to give.

I believe that no other Liberation Struggle has had such a spontaneous and extensive

resistance of all the People (...) or put to the test such a vital and intense heroism, which today still faces empty-handed such a powerful army as well as all the complicated world politics.

ACTION INSPIRED FROM OUTSIDE

At this point, action must be inspired from the outside and not from the inside. Exclusively on the inside we have already produced a consensus, thus validating the consensual arguments - this was the result of achievements gained from the inside. But, it is not the ultimate objective, because consensus does not in itself liberate, consensus will only activate. And we are waiting for activation from the outside to the inside. (...) Whether this comes from perspectives which have been mouldering in the old dossiers or from whatever other perspective which may have come up in response to the events of 12 November, what is required is that it should come from outside, because now is the time for action on the outside (...) That is the dialectic of internal/external correspondence, of action/reaction/action. (...)

This happens when there is a real interest, when conviction is secure and decision firm. And this has not happened only because the real suffering of my People has not really been measured.

NO SURRENDER

They go around saying that I am going to give myself up, but the problem was that I had not filled out the form to become a shanty town citizen. I will give myself up to those who fell dead with such heroism, rendering to them the MOST PROFOUND TRIBUTE! BRAVE YOUNG PEOPLE, brave generation of heroes! EAST TIMOR WILL BE VICTORIOUS!

RIGHT IS NOT ALWAYS IN THE BARREL OF A GUN

I do not believe that the liberation struggle has always to be by way of armed struggle, nor that military victories signify, in themselves alone, justice and right.

Since the beginning of the invasion on 7 December 1975, FALINTIL has been opposing it by force of arms and if, 16 year later, we have not driven out the occupying forces, it is because, on the one hand we have not received any outside assistance, and on the other, the US, Australia, Belgium, England, Sweden etc have been supplying, from afar, the occupying army with all kinds of military hardware along with considerable sums of money for its modernization. If Jakarta states that FALINTIL does not represent anything at all, we have to agree in so far as the use of force to acquire territory is the preserve of the strong, incontestable, and this constitutes the principle by which they have right on their side.

WE ARE NOT PLANNING ARMED ACTIONS

Our war is a war different in many respects from other wars of Liberation. Bounded by the sea, in half an island having a border with the enemy itself, without any supplies from the exterior, for 16 years now the efforts of the enemy have been bearing down on our little Army of Liberation, the glorious FALINTIL.

Against a giant country with a population of 160 million and with armed forces receiving monthly aid to the tune of \$500,000 from the US, a tiny Army of Liberation cannot 16 years on, continue to present the same combat capacity.

A few years back we were able to fight it out toe to toe against our adversaries. Today, our intention is that FALINTIL can still deter their plans of action as in previous years, and make the most of our capacities. Whatever army, is worth what it is worth, but cannot be cut off from supplies; without these any proving of its mettle as a combat force is impossible. And we always were against the mere propaganda which some people have been propounding. We continue to enter in combats, but today, we do not plan our actions with a view to imposing our will on the enemy, but merely to respond in the best manner to the occupant's operations.

INTERNAL RESOURCES

It must be difficult to imagine, over there in Europe, that a population, devastated by death, completely pinned down in a tiny territory, does not know the meaning of fear, is capable of drawing strength from its despair, to be defiant as it is dying, to renew its cunning and ponder motives, to moderate feelings and draw again on energies, to balance efforts and to contain hatred. We ourselves have reflected intensely on this tenacity. (...)

The blood which is lost from the body, revives the spirit of our struggle, and makes a soul perennial, a soul which knows how to choose its own name...Maubere!(...)

EXTERNAL SUPPORT

Whatever other support we have received from outside has been essentially in the nature of solidarity action, namely from solidarity groups.

With regard to countries as such, there has been support in the diplomatic field, chiefly in condemnation of Indonesia, in which the Lusophone countries have been the most outstanding.

Turning to Indonesia in particular: although we have been aware of a gradual growth of sympathy among the youth and pro-democracy forces, it is still too soon to say that this constitutes actual support, in broader sense of the term.

I WILL LAY DOWN ARMS, I DO NOT NURTURE ANY POLITICAL AMBITIONS

As long as the consultation process [on self-determination] is a credible one, supervised by the international community, I will accept the verdict of the people, whatever it may be, and lay down arms without hesitation. (...) I am a combatant for the Fatherland, the same as all the rest. The only difference being that I have accepted more responsibility.(...)

I think that there has been a certain exaggeration propaganda-wise along with a dose of mystification which has contributed to the creation of a distorted image [of Xanana as the uncontested military and political leader]. (...) I do not nurture any ambition for the future. (...) To tell the truth, I have only the ABC of politics and I intend to fail the course because it does not attract me.

In common with any other citizen, I will involve myself in politics in a general way and I try to avoid party straight-jackets.

I want to freely, truly freely, thrill to the scenery of my father land, in all its highways and byways and delight in all its hideaways; I want to breathe in the clouds of its sky of many shades and to intoxicate myself with the perennial fecundation of its rains. (...)

SOCIETY IN AN INDEPENDENT TIMOR

I, personally, also ask myself if so many sacrifices are really worthwhile when, out in the world (now in the so-called New Order) I am going to come into contact with insoluble problems such as foreign debt, and the eternal dependence of the 3rd world, more acute since the end of the cold war; all of which curtail democracies and liberties, sustain dictatorships who have been economically successful, and, on all sides, keep human rights hostage to social injustice itself.

A national flag and a government formed on the basis of a democratic constitution would only be the painful beginning of a distressing existence, an existence within a constant accumulation of contradictions, combining incomplete signs of liberty with incomparable neediness, the result of relations outside our control (...)

I have a fear of acculturation, and of the civilising manipulation of superior societies. I want to believe that, along with the necessities of material development, it is through our moral and spiritual resources, which indeed are what really make us a people, that our individuality can become an identity. (...) I do not wish for a society made up of various strata, nor a fatherland where some take delight in passing their leisure hours with the folklore as remembered by others...

Neither is it any advantage to us that we belong to the miserable +4th world; of underdevelopment, with the right to claim

pity. The relationships of capitalism impose their +natural order; and coopt diminishing expressions, like the anthropological term minorities, to make us more quiescent; that is how it works!

But I believe it is worthwhile to forge the will to reflect on these matters. (...) Others, with more wisdom, will develop these themes. As for myself, I only wish to give all that I still have of myself to pursue the Liberation of my People. Meanwhile, the struggle continues and I will go on fermenting the ideas which stem from the anxieties of my People, they who sustain with their sweat and their tears a type of society, generated by its own history, which it is so essential to preserve.

It is difficult certainly, but it is becoming more difficult all the time to be free. We continue to fight for our survival as a People, by war united and made uniquely strong”.

CNRM Headquarters, East Timor January 1992 Xanana Commander of FALINTIL

EYEWITNESSES WRITE TO THE LONDON TIMES

Letter to The Times, London, published on 7 March 1992

EAST TIMOR DEATHS

Sir, Mr Richard Alexander MP and Mr Patrick Nicholls MP (letter, February 17) attempt to discredit the foreign journalists who were present at the Dili shooting on November 12, 1991. They quote the “independent commission’s” finding that “a number of foreigners took an active part in the demonstration.”

We, two independent journalists, (one Dutch, one Australian) had indeed heard about the demonstration. Is there anything illegal about that? Of course, it was not easy to be informed about what was going on in that country because every East Timorese seen talking to a foreigner risked arrest, and not to be seen is hard in East Timor because (armed) military and police are present just about everywhere.

Several foreign journalists, including ourselves, were active on the demonstration: we moved from the front to the back and interviewed people. We call this normal behaviour for journalists. But to the best of our knowledge none of us were in any way involved in the preparation, nor did we carry banners during it.

Let us imagine, however, that some foreigners did actively so sympathise with the East Timorese. Should that be seen as an additional explanation for the military to shoot at a defenceless crowd?

Yours etc,
Saskia Kouwenberg, Russell Anderson
Jacob van Lennepkade 44, 1053
Amsterdam

LUSOPHONE SUMMIT ON TIMOR

Reuter, Sao Tome, March 9 – The presidents of Portugal's five former African colonies began a two-day summit in Sao Tome and Principe on Monday to forge closer cooperation as they move towards multi-party democracy.

"This is a special occasion for the five nations to find new dimensions and depth for cooperation," said Cape Verde President Marcarenhas Monteiro, opening the summit of Cape Verde, Sao Tome and Principe, Guinea-Bissau, Angola and Mozambique.

The leaders, who meet regularly once every two years, were due to discuss coordinating their approach to the EC and other major aid donors and proposals for Portugal to have observer status at future summits.

Lisbon pulled out of Africa in 1975 but has maintained strong cultural and economic links with the five nations.

It brokered a peace accord between the Angolan government and UNITA (National Union for the Total Independence of Angola) rebels last year.

Portugal is also taking part in peace talks between rebels and government in Mozambique.

Angola plans free elections in September, Mozambique will hold its first ever multi-party elections once a ceasefire is secured and Guinea-Bissau in West Africa plans free elections later this year.

Sao Tome and Cape Verde made the transition to full democracy in 1991, opposition parties winning power through free elections in both island states.

The five presidents condemned human rights abuses in another former Portuguese territory, East Timor, where 50 to 180 people were massacred by Indonesian troops last November 12.

Sao Tome's Miguel Trovoada said powerful Western states had "closed their eyes to the genocide practised by Indonesia."

SOARES: FEAR DICTATORSHIPS!

Reuter, Lisbon, March 9 – Portuguese President Mario Soares said in an interview published on Monday that Indonesia might use force against a Portuguese "peace boat" sailing to East Timor to protest at a massacre there by Indonesian troops.

"You must always fear dictatorships, which are governments that are apparently strong but really very weak. The weak are aggressive," he told the Lisbon daily *Publico*.

Soares said Portugal would have to take diplomatic and political action if Indonesia harmed the ship's passengers and crew. "We cannot invade Indonesia," he added.

The Socialist president criticised the United States and Australia for a lukewarm reaction to the massacre, accusing them of

putting "other interests before the rule of law."

"There are some big countries which have a very categorical position on human rights in some cases but not in others.

Unfortunately, this has been the case with the United States," he said.

TWO OF THE DILI VICTIMS TREATED IN GATOT SUBROTO HOSPITAL

Two people who were severely wounded in the Dili Massacre have been transferred from Dili to Jakarta for treatment. A BTT source discovered that the two were being treated at Gatot Subroto Hospital [the army hospital] when he went there to search for a friend who suffered an injury in the workplace.

The two transferred from Dili are Alexhandro de Oliveira and Pascual de Costa, who are both having legs treated for gunshot wounds. According to our source, the two are to be followed by four other wounded victims shortly to be transferred from Dili.

A CASE OF NERVES IN TIMOR?

AP, Darwin, Paul Alexander, March 11 – Portugal's TSF radio said it contacted an unidentified employee at the residence of East Timorese governor Mario Carrascalao who said residents were afraid to leave their homes because of tightened Indonesian security in preparation for the boat.

Troops surrounded the governor's palace, bishop's residence and high schools, he was quoted as saying.

The employee said soldiers carried out house-to-house searches and arrested several Timorese.

ANOTHER PEOPLE SUFFERING UNDER 'NATION OF MASTERS' (L.A. TIMES)

'FIGHTING COMMUNISM,' INDONESIA CREATES CONDITIONS EQUAL TO THE WORST TRAITS OF THE COLLAPSED MOVEMENT.

Los Angeles Times, Mar. 10, 1992, OpEd.

By JOANNA WESCHLER, who traveled to East Timor for *Asia Watch*, a division of *Human Rights Watch*, New York.

I grew up in Poland, but I did not expect anything in East Timor to remind me of that. I was wrong: From the first moments after landing, the place smacked of something eerily familiar.

Contrary to my other missions for Human Rights Watch, I was sent to East Timor not because of any expertise but

rather because I happen to speak Portuguese; until a bloody invasion by Indonesia in late 1975, East Timor was a Portuguese colony.

Last November, the capital city of Dili was the scene of a brutal massacre in which Indonesian troops fired on a peaceful pro-independence procession at the local cemetery. The official estimates put the number of dead at 50, but nearly twice that number are still missing. There were at least 90 seriously wounded, of whom some were still in the hospital more than two months later. More than 30 participants in the demonstration were arrested in the immediate aftermath and are awaiting trial, including some on charges of subversion, with a possible death sentence.

Massacres and political trials are nothing new in East Timor. Since 1975, between 100,000 and 200,000 people have died, either through executions or because of famine resulting from forced repatriation and the destruction of the local subsistence economy. For years, obtaining any information about East Timor was extremely difficult, because the area was closed not only to foreigners but to Indonesians as well; all communications with the outside world were strictly controlled.

The November massacre became news around the world precisely because a few Western tourists were in Dili that day, and more notably, because four Western reporters were on the scene. The reporters were fired upon, beaten and intimidated; a New Zealand photographer was shot and left to bleed to death and an American reporter sustained a fractured skull.

East Timor was officially "opened" three years ago, but not for the Timorese: All the opening means is that now you can travel into East Timor as a tourist from Indonesia.

Looking like tourists was not difficult, since Sidney Jones, the director of *Asia Watch*, and I were the only two Westerners on the flight. The moment we stepped off the plane, some young men sitting in front of the terminal snapped our pictures.

We had no illusions about our hotel, either: Everyone working there is believed to have an additional job with the security service. We were constantly asked questions about ourselves, or our plans for the next hours or our movements in the preceding hours; when one of us tried to use the phone in the lobby, three men appeared out of nowhere and positioned themselves within earshot.

Streets in Dili were almost always deserted even during the day; few people were about after dark. The military, however, was evident in large numbers virtually everywhere.

We took a bus trip to a town about five hours away from the capital. Passengers were standing in the aisles and overflowing out the doors. There was one empty seat, however, for almost the entire trip, next to an Indonesian army captain.

Talking to strangers turned out to be a dicey proposition. Most Timorese we came upon were reserved and not eager to talk at all. If someone did want to talk, our immediate thought was "a spy." Even worse, if the person was not a spy, but just being pleasant, then talking to us might prove harmful.

Because I spent most of my life in a communist country, checking to see if one is being followed, having phone conversations monitored or taking for granted that hotel employees are informers was nothing new to me.

There was something else in East Timor that seemed familiar, although at first I could not put my finger on it. Only upon my return, as I was reviewing my notes (which, for security reasons, I took in Polish, carefully avoiding any names) did I notice that referring to the Indonesians in East Timor I inadvertently used the expression Poles often used when referring to Germans during the Nazi occupation, one that can roughly be translated as "the nation of masters."

The Indonesians present in Timor are not just the military. Almost all civil servants above a certain level are non-Timorese, usually from Java. The two judges we spoke to in the court were from elsewhere; none of the three lawyers in East Timor is a local, and all teachers in a school we visited were Indonesian. All the better houses in Dili appear to be occupied by Indonesians. The local people live in overwhelming poverty, most of them in the villages in the interior, under the watchful eye of the troops.

An eyewitness to the November massacre, who saw soldiers kick a wounded man until he stopped moving, told us that when he protested, an officer answered that he should not care because all the soldiers were doing was fighting communists.

The East Timorese have already been living for several years under conditions like the worst characteristics of communism: omnipresent surveillance, lack of freedom of movement, constant fear of informers in every group and the absence of fundamental human rights.

Now that communism itself has collapsed in so many places, its distinctive ethos appears to persist mainly in the pervasive repressive techniques used by regimes that still claim to be fighting it.

"COLD BLOOD" BROADCAST IN JAPAN

Today, March 12, the Yorkshire's "Cold Blood" was broadcast in Japan by NHK's Satellite Channel 1 from 10:00 PM. The program was a slightly shortened version with full Japanese translation and furnished with comments by a Japanese narrator. The film itself was very good but the program as a whole had a fatal omission of reference to Japan's role in this tragedy. The narrator

mentioned the role of US and some European countries but said nothing about our own government which is in fact very important and certainly deserves to be criticized in this case.

MURDANI: E. TIMOR TRAGEDY NOT CAUSED BY ARMY (JAKARTA POST)

*Remark: Scanned article from FBIS.
JAKARTA POST in English 11 Mar 92 p 1*

[Excerpt] JAKARTA POST (JP) – Minister of Defense and Security L.B. Murdani says that the armed forces (ABRI) was not involved in the development of East Timor in the run up to the November 12 tragedy in Dili.

"The tragedy was not caused by ABRI, my brothers, but after things got out of hand it was ABRI, again, which was asked to settle the matter," Murdani said in response to a question posed at a hearing here yesterday with members of the DPR (House of Representatives). He was echoing a statement he made earlier this month.

Reiterating the statement he made when he spoke to leading economists on March 3, Murdani said sectional planning was to blame for the form of development that took in the former Portuguese colony which integrated into Indonesia in 1976.

Citing an example, he said one of the first civil servants sent to the predominantly Catholic province was an official from the Religious Affairs Ministry who was to serve as the provincial head for Islamic affairs.

"There is nothing wrong in that. But we could have done things better," he said. "Such a thing might create misperceptions."

"There are people who are quick to credit themselves in cases where development has been successfully carried out, but they are quick to seek the help of ABRI if things go wrong."

Ever since the Tanjung Priok incident, ABRI had been charged with opening fire on people, he said. The Tanjung Priok incident occurred in 1984 in Jakarta's port area when troops clashed with Moslem demonstrators.

"But what about the Tampomas ship disaster and the Bintaro (Jakarta) train accident which killed hundreds of people?" he asked. The Tampomas passenger ship went down near Masalembo island in Java Sea after it caught fire.

"However, ABRI understands this reality," he told members of Commission I which deals with security matters.

ABRI has sacked two of its generals following the November 12 tragedy, he said.

Citing another example, he said, East Timor province had been linked to the world through international telephone connections through the development program, but these facilities were being exploited by the

separatists to make contacts with their colleagues abroad.

Murdani asked DPR members to review his statement made in June 1988, when he made it clear that should the province be opened up, ABRI would not take any responsibility for the consequences.

He said there were people who took pride in the fact that they had financed East Timorese students to study in Jakarta.

"But they forget that for East Timorese, travelling to Jakarta alone would be a cultural shock," he said.

Murdani said the people in the province had only recently got their freedom and so they did not have the same historical references as their compatriots in other provinces.

Murdani also stressed the importance of integrated planning in developing the eastern most province of Irian Jaya. [passage omitted]

WAROUW TO BECOME PANGDAM JAYA?

From Aki Matsuno in Osaka, March 12

In Indonesia a rumor is spreading now that Brig. Gen. Warouw will be promoted to Pangdam Jaya, Commander of Metropolitan Command. This is very much unlikely but we need to closely watch developments of Suharto-military deals after the high-ranking military officers were so easily dismissed without any significant protest from the ABRI. The rumor that Sintong Panjaitan will go to study at Harvard, which Sintong himself has denied, is also interesting. It is possible that Suharto guaranteed these dismissed officers opportunities for promotion, possibly of a different field of work. Everything will become clear soon.

FURTHER DIPLOMACY TO FIGHT 'PROVOCATIONS' URGED (ANTARA)

ANTARA in English 13 Mar 92

Jakarta, March 12 (OANA-ANTARA) – Indonesia needs to step up its foreign diplomacy through the press, particularly in Europe, to fight Portuguese provocations against the country, a parliament member said here on Thursday.

Imron Rosady, chairman of the House Foreign Affairs Commission, said the need for intensified counterdiplomacy through the press was particularly urgent in the former Portuguese colonies.

Diplomacy may be carried out using economic allurements and at the same time intensive exploitation of the press, he said.

"Indonesia must be a subject in the current phase of information globalization," he added.

The legislator of the United Development Party (PPP) said it was important to

convince the world that the Indonesian nation could no longer be fooled or threatened by outsiders.

The Armed Forces faction in the House Commission supported the view.

Rear Admiral Hartono, who is the Vice Chairman of the Commission, said no foreign media had actively countered the Portuguese press coverage which have often been unproportional.

Due to the lack of balanced press coverage, stories from the Portuguese side have often been treated as the truth, he said.

He cited as an example the Portuguese lies and their failure to meet their promise to send a parliamentary delegation to East Timor which has led to the incident on November 12 last year and the recent provocation through the Lusitania Expresso.

To support his statement he referred to the Dili incident which had ignited strong protests from the Netherlands and Canada but which soon subsided after Indonesia took a variety of law enforcement measures.

Hartono said perhaps Indonesia should open radio broadcasting stations in the Netherlands, or spread printed information.

Another member of the House Commission, Anang Adenansi from the Functional Group faction believed that the counter-diplomacy should not only be carried out by the Ministry of Foreign Affairs but also by the Ministry of Information, Parliament (DPR) and other government bodies as well.

Indonesia must think of a possible other Portuguese provocative actions, he added.

Speaking on the domestic situation, Anang Adenansi said what was a concern at home now was no longer the integration, but the moral change of some East Timorese people who still had a historical relationship with the FRETILINS [Revolutionary Front for an Independent East Timor] abroad.

With regard to this he said they must be treated with orientation to the essential factors having the potential of creating new problems.

POWER GENERATING UNITS INAUGURATED IN EAST TIMOR (ANTARA)

Jakarta ANTARA in English 13 Mar 92

Dili, Mar 13 (OANA/ANTARA)-Junior Minister for National Development Planning concurrently Deputy Chairman of the National Development Planning Agency Professor Dr. B.S. Muljana on Thursday inaugurated 26 diesel-powered generating units in East Timor.

The 26 units have a total installed capacity of 1,010 kw set up in 26 villages spread throughout ten districts in East Timor.

With the operation of the 26 units, 102 of the 442 villages in East Timor were now receiving electricity, the junior minister said.

Because of the increase in the number of consumers in the ten districts, the electrification ratio in East Timor has now reached 11.26 per cent, he added.

The costs involved in the rural electrification of the ten districts of East Timor reached 5,041,638,000 rupiahs for the setting up of the power generating units, 9,711,718,000 rupiahs for the electricity network and 329,920,000 rupiahs for connections with the homes of 2,062 consumers, Dr. Muljana explained.

The junior minister went on to explain that the electrification program had to be carried out gradually due to current limitations on the government's side in exploiting available human and natural resources.

Electrification of the 26 villages would now to a great extent assist the rural population in these villages to develop their village potentials and in so doing would become main contributors to regional development, he stressed.

At the same occasion, the head of the rural electrification division of the PLN - State Electricity Company, Suharso, representing the PLN president director, said that by the end of Pelita V (fifth five-year development plan, 1989-1994) 131 of the 442 villages would receive electricity.

Throughout Indonesia, the PLN has conducted cooperation arrangements with 1,432 village cooperative units (KUDs) which has boosted the role of KUDs in the electricity field, particularly in speeding up the implementation of rural electrification, Suharso said.

CALTEX ACCORD

Reuter, Jakarta, March 13 - Indonesia said it reached agreement with its biggest oil producer, <Caltex Pacific Indonesia>, to extend a production sharing oil contract.

"We have reached an agreement with Caltex about the extending a contract with a 90-10 split," Indonesian Mines and Energy Minister Ginanjar Kartasasmita told reporters.

Under the present contract, agreed in 1983, Indonesia kept 88 pct of production and the remaining 12 pct goes to Caltex.

Caltex, jointly owned by Chevron Corp <CHV.N> and Texaco Inc <TX.N>, had said exploration activity could have stopped by 1996 if the pact was not extended beyond the contracted year 2001.

The Indonesian government, which is now drawing up the contract extending production sharing for another 20 years from 2001, has warned it may become a net oil importer before 2000 if no new reserves are found and consumption continues to grow.

Caltex operates Minas and Duri, the two largest oil fields in Indonesia, Asia's only OPEC member.

Caltex operates in 31,000 square km in central Sumatra, with proven oil reserves of around five billion barrels and potential reserves of two billion.

THE TIMOR TRAVESTY

(D. RAYBECK LECTURE OUTLINE)

By Douglas Raybeck, Anthropology Dept, Hamilton College, Clinton, NY.

This is the outline for a lecture that I have been updating and giving in this area (upstate NY near Utica). It takes about 30 minutes to deliver.

I. BACKGROUND

A. Southeast Asia

1. Colonial powers came for spices
2. Portuguese occupied Timor Island in 1566 because of sandalwood
 - a. hundreds of years of occupation led to no development, few roads, schools, etc
 - b. 80% of E Timor is Catholic as a result
3. Dutch took Indonesia from Portuguese but Port retained claim to half of an island, East Timor
4. in 1949 when Indon got independence, W. Timor became part of Indon.
5. approximately 600,000 people, most Catholic and familiar with Portuguese language and Tetum, one of 12 indigenous languages

B. Recent Change

1. 1974 coup in Portugal led to hopes the island would be independent
2. three parties are formed
 - a. FRETILIN (initially, ASDT) the most radical which called for independence and rejection of colonialism
 - b. UDT which favored federation with Portugal and
 - c. Apodeti which supported union with Indonesia
3. Fretilin and UDT, the most popular formed a short lived union in 1975
4. civil war broke out in August of 75

C. Indonesian Invasion

1. during much of 75, Fretilin virtually administered E Timor, but recognized Port sovereignty and asked Port to return to Dili and continue the process of decolonization
2. on 7 December 1975, Indonesia launched a full scale invasion of East Timor
3. the day before Gerald Ford and Henry Kissinger left DJakarta where they had agreed to the invasion
 - a. US weapons, and planes used in assault
 - b. Australia also signed off on it
4. Reasons for invasion
 - a. fear that its leftist government would set a bad example
 - b. fear that if E Timor succeeded other outlying islands would be emboldened
 - c. US concern to keep a strategic ally and source of oil content

i. also some worry about the possibility of Chinese influence

5. Indon thought they would get a swift victory but not so
6. Fretilin has reorganized and still conducts guerilla warfare under the leadership of Xanana Gusmao
7. in the interim 60,000 people killed by bombing and shootings; 140,000 died of starvation = 200,000 fatalities, 1/3 of population

D. UN Involvement

1. there have been five General Assembly votes condemning the invasion and calling for self-determination:
 - a. 1975, 1976, 1977, 1978, 1979
2. the US abstained from the first vote and voted against the remaining 4!!

II. CURRENTLY

A. Indonesian Occupation

1. despite resistance Indon troops have occupied island and control Dili and other centers for years
 - a. have established puppet gov't
2. Timorese may not travel abroad or inside their country, no right to assemble, most moved to resettlement villages,
3. Cultural extinction: all schools instructed to use Indonesian, indigenous or Portugals prohibited and strongly sanctioned
4. long list of atrocities attested to by Amnesty International

B. The Dili Tragedy this November

1. On November 12, 5000 East Timorese attended a memorial service at the Molael Church in Dili for Sebastian Gomes, one of two Timorese students killed by Indonesian security forces two weeks earlier. After the service, they marched 5 km to the Santa Cruz cemetery. 15 minutes after the funeral had ended, Indonesian soldiers came. They walked up and started shooting into the crowd. The shooting went on for a number of minutes. Between 60 and 115 people died. Even as the street was lined with bodies, the soldiers ran over them pursuing others, shooting them in the back. Kamal Bamadhaj, a 21 year-old Malaysian student studying in Australia was among those killed. This recent massacre only received media attention because two American journalists by chance witnessed the killings. Amy Goodman WBAI journalist and Allan Nairn, freelance journalist on assignment for The New Yorker.
2. Amy Goodman's eyewitness report: "When we got to the cemetery, again there were thousands of people. The Indonesian army converged in two places. I was with journalist Allan Nairn, and we thought, if we went to the front, where the army was coming, we could somehow try to prevent it, because

they would see Westerners documenting it, journalists, and I had my tape recorder and we had the camera. But when they came...they...that certainly was no protection. They beat me...and dragged me over ... and started slamming me with rifle butts...and kicks and punches. And Allan jumped on top of me, and they beat him very badly so we're going to the hospital now. But that was the least of what they did. They opened fire...on the people. And these were truly defenseless people. They had nothing but some banners ... and the commemorative cloth that they had for this young man, Sebastiao, and they just kept shooting. With us, they beat us into a corner and sitting on the ground, the only thing we could say was, "Please, we're from America," and they kept beating us and then they went with the guns towards us, and we just pleaded and said, "We're from America," and I kept thinking that the guns that were pointed on us, the M-16s, were also from America because the United States provides the weapons for the Indonesian army in East Timor. I turned around — tremendous amount of gunfire — and there were dozens of people lying in the streets. The cemetery had become the entire area, including the street. At that point, they pointed their guns at us, a truck came by, we got into it, we were able to take shelter somewhere, and there was one plane that left out of the country, and just before it left, we got to the airport, and we got on the plane and made our way through to Den Pasar and out of Indonesian territory to Guam and that's where we are right now."

3. These two and other eyewitnesses describe the following
 - a. three truckloads of military personnel
 - b. orderly military lines open charge the crowd and open fire without any warning at all!
 - c. nearly all victims were shot in the back while attempting to flee
4. there remain a large number of E Timorese taken prisoner
 - a. Amnesty reports evidence of torture and being held with due process
 - b. full number not known

C. Aftermath

1. Indon was threatened by Canada and Japan with withdrawal of aid if an investigation not forthcoming
2. US also asked for investigation but without threat of aid withdrawal
3. under intense international pressure the Indonesian gov't conducted a review of the shootings by the National Commission of Inquiry
 - a. report released December 26, 1991 and in part READS:

- 4.1. The 12 November 1991 incident in Dili was the climax of a series of demonstrations and incidents beforehand conducted by the anti-integration/GPK Fretilin group. [GPK — 'security disruptor gangs,' the initials used by the regime for the East Timorese resistance.] The GPK/Fretilin which has come under increasing pressure, has changed its method of operations from bush guerrilla operations to town guerrilla operations, misused the wisdom of development in East Timor based on love and welfare, and has taken advantage of the situation, conditions and instability of the younger generation by exerting influence on them to oppose integration, while at the same time drawing international attention to their existence.
2. The 12 November 1991 event/incident in Dili which resulted in a number of deaths and injuries clearly did not occur because of any command or policy of the Government or the Armed Forces, either at the centre or in the Province of East Timor. The 12 November 1991 incident in Dili was basically a regrettable mishap.
3. The demonstration on 12 November 1991 in Dili contained a provocation element which was planned in advance by the anti-integration/GPK Fretilin group; it was not an orderly procession intended to be peaceful, to honour the departed Sebastiao Gomes.
4. The demonstrators, the majority of whom were young, behaved savagely, emotionally and destructively, partly it is believed because of incitement by the anti-integration/GPK Fretilin group, and had been cultivated for quite a long time. Besides this, they deliberately unfurled the Fretilin and Falentil (sic) flag, the picture of Xanana, leader of the GPK/Fretilin, banners, and shouted anti-integration yells, insulting the security apparatus.
5. Some foreign citizens took an active part in the demonstration.
6. In a condition of rising tension which began with the stabbing of an officer and the injuring of a soldier, the provocative savagery of the masses, and opposition by the masses which the security forces deemed could endanger their weapons and their lives, there was a spontaneous reaction by servicemen who, without any command control, exercised self-defence and excessive shooting at the demonstrators, causing deaths and injuries. Along with this, a group of irregular members of the security forces outside the command structure also started shooting and maltreating, which led to yet more casualties.
7. In handling the rioting that occurred during the 12 November 1991 event/incident in Dili, although riot control units were there, the Commission saw nothing to show that the procedures/regulations for

handling a riot were implemented to the full. The actions of some members of the security apparatus exceeded what was proper, resulting in casualties, including deaths, and injuries from gunfire, stabbing and beating with blunt implements. Although the number of casualties up to now is 19 dead and 91 wounded, the Commission thinks it has strong enough reason to believe that the number of dead is around 50 and the number of wounded is more than 91.

5. Amnesty international reviewed report and evidence and concluded report was a whitewash a. strong evidence of officer involvement and 90 people are still missing
6. Japan's Foreign Ministry spokesman, Watanabe, immediately declared Japan's satisfaction with the review and pledged continued aid a. Japan is Indon's largest benefactor, 240 billion yen a year
7. US Reaction: The United States said on Thursday an Indonesian government commission appeared to have taken a "serious and responsible approach" in its inquiry into an alleged massacre in East Timor. A State Department spokesman said officials wanted to study a full text of the commission's report before commenting further on the Indonesian inquiry into the November 12 army shooting of mourners in the former Portuguese colony. "Based on the commission's press release on its preliminary report to (Indonesian) President Suharto, our initial reaction is that the commission appears to have taken a serious and responsible approach," the spokesman said. (Reuter,

D. The Latest

1. Converted ferry, the Lucitania Expresso, left Darwin, Australia Sun Mar 8
2. 120 international students and journalists – want to lay flowers at Santa Cruz cemetery in Dili
3. buzzed by three Indon planes on the first day
4. 8 warships waiting – Indon has barred foreign media
5. yesterday morning the ship was stopped by 3 frigates about 12-14 miles south of Timor and threatened with force if they didn't turn about
6. Lucitania is now some 28 miles out, hoping to hold a news conference

E. Discussion

1. the 120 students etc. risked lives to draw public attention
 - a. markedly unsuccessful
2. the problem with Timor and similar situations in Burma, Chile, Brazil, Ethiopia and elsewhere is invisibility
3. opposition of countries with trading interests is understandable but why is there no press coverage??

- a. a lazy or intimidated press is a great danger
- b. to offset this, the value of e-mail

TIMORESE GUERRILLA LEADER ESCAPES, SPOKESMAN SAYS

DARWIN, Australia, March 12, Reuter – Timorese guerrilla leader Jose da Costa has escaped after being reported captured by Indonesian forces in January, a spokesman for the Fretilin rebel movement said on Thursday.

Alfredo Ferreira said rebels had freed da Costa, the Fretilin second-in-command, while he was under guard in Lahane military hospital on the outskirts of East Timor's capital Dili.

"He had been under treatment in a military hospital, and using our network, he was freed and is now in the mountains," Ferreira said in the north Australian city of Darwin, 700 km (435 miles) from East Timor.

Indonesia has said da Costa admitted having helped organise demonstrations in East Timor last November which Jakarta claims provoked the massacre by troops of between 50 and 180 civilians.

Ferreira said his information, obtained through Fretilin's clandestine network, did not state when da Costa had escaped or how the rebels had breached security at the hospital.

Fretilin opposes Jakarta's rule of the former Portuguese colony, which it annexed in 1976. Indonesian sovereignty is not recognised by the United Nations and most Western countries.

DA COSTA ESCAPE DENIED

Reuter, Jakarta, March 17 – Indonesia denied reports that an East Timorese rebel leader, Jose da Costa, had escaped from military custody, Antara reported.

A spokesman for the Fretilin separatist movement of East Timor said in Australia last week that his comrades had freed da Costa from a military hospital.

Da Costa was a deputy to Fretilin chief Xanana Gusmao.

RUMORS ABOUT NOV. 12

From Aki Matsuno Mar 13, 1992

According to one source in West Timor, those who were shot dead were not only East Timorese youth, but also some West Timorese pupils who were studying in Dili. According to the source, some children from Kefa (Kefamenanu?) also took part in the November 12 demonstration.

Another source in West Timor says that around November 12 last year hundreds of people were killed in Oecussi. This is a news but has yet to be confirmed.

THE LUSITANIA REMINDS WORLD OF EAST TIMOR (THAI NATION EDITORIAL)

Editorial in *The Nation*, Bangkok, 14 March 1992.

The Portuguese peace ship, the Lusitania Expresso, returned to Darwin yesterday after being turned back by Indonesian gunboats while trying to sail to East Timor. Despite the failure of the 120 passengers to reach the East Timor capital of Dili, where they hoped to lay flowers at the graves of pro-independence demonstrators killed by Indonesian troops last November 12, during a peaceful protest march, an important fact remains. The actual purpose of the Lusitania voyage had been achieved, much to the consternation of the Indonesian authorities.

The protestors from 21 countries succeeded in reminding the international community if the gross human rights abuses that have occurred in East Timor, and the forceful annexation of the island by the Jakarta government in July 1976.

Dislodge Fretilin

In December 1975, Indonesian naval commandos swept into East Timor to dislodge the Revolutionary Front for an Independent East Timor (Fretilin) to prevent them from being the dominant force on the island. This was a clear renege on a promise made a year earlier between the then Indonesian Foreign Minister Adam Malik and Fretilin Foreign Minister Ramos Horta. Malik assured Horta in his visit to Jakarta that Indonesia would adhere to the principle of self-determination for all peoples with "different attitudes" in East Timor. East Timor was made a province of Indonesia on July 17, 1976, and the Fretilin till today continues waging a war of resistance. Since the annexation, Indonesia has been fighting an annual battle in the United Nations to prevent a debate on its rule over the island and to force it to hold a referendum on self-determination.

The sadder side to the whole East Timor debacle is its effect on the lives of the ordinary East Timorese. According to Australian anthropologist Pat Thatcher from Melbourne's Monash University, an estimated 200,000 East Timorese have died from the fighting, disease and famine since Indonesia's invasion of the island in 1975. This, said the anthropologist, amounts to one-third of the population of East Timor.

World attention was again turned to East Timor last year, when on November 12 in the capital Dili, between 75 and 200 people were estimated to have been killed at the Santa Cruz cemetery when Indonesian troops opened fire on a demonstration calling for the independence of East Timor. The New York-based human rights group Asia Watch in a report said the atmosphere of fear and terror was worse than any time since the 1975 invasion.

Owing to international pressure and donor countries turning on the screws, the Indonesian armed forces (Abri) acknowledged that some of its officers were at fault. Eight army officers are to be court-martialed. Three others have been sacked, two relieved of their command and a sixth suspended. But let us not be fooled; whatever the punishment meted out to the officers cannot replace the innocent lives lost under a hail of Abri bullets last November.

The flotilla of at least eight warships assembled to turn back the *Lusitania* was clearly a show of force by Indonesia as it far exceeded what was actually needed to stop the aging civilian vessel. This again clearly shows the extent to which Abri will go in order to thwart any civilian opposition or challenge to their authority. The message is clear: no civilian challenge to Indonesia's military control of East Timor will be tolerated.

Late last week, the Indonesian government offered to use its position as future chairman of the Non-Aligned Movement to mediate between India and Pakistan over Kashmir. On Thursday, Jakarta warned Burma that its treatment of minority Muslims threatened stability in the region. These are good gestures and fine words. The question is, will these states — Pakistan, India and Burma — take Indonesia seriously, with the issue of East Timor hanging over its head.

Hands still tainted

Both the Kashmir and Burmese Muslim minority issues involve the discussion of human rights abuses and we see no way how Indonesia can initiate any international action on them at the Non-Aligned Movement summit in September, if Jakarta's hands remain tainted with the blood of innocent East Timorese. That the Indonesian government has repented over the November 12 incident is indeed doubtful, considering the fact that lawyers from the Legal Aid Bureau have been barred from defending 12 East Timorese who have been charged by Abri for masterminding the anti-Indonesian demonstration.

Time is indeed running out for Indonesia if it wants to play a major international role as leader of the Non-Aligned Movement. Unless Jakarta opens its eyes to the problems caused by its annexation of East Timor, there will be more demonstrations, and the level of violence used by Abri will demean the Indonesian leadership in the Non-Aligned Movement and in the Muslim world.

SUTRISNO ON 'MEASURES' DUE TO DILI INCIDENT

(ANTARA)

ANTARA in English 18 Mar 92

Jakarta, Mar 18 (OANA-ANTARA) — Chief of the Indonesian Armed Forces

(ABRI) General Try Sutrisno said here on Tuesday that the measures taken against a number of ABRI members in connection with the November 12 incident were not intended to find out mistakes, but to account for responsibility. "The Armed Forces take the measures to account for every responsibility of the task and duties they carry on their shoulder," the Armed Forces chief told the House's Security and Defence Affairs Commission here on Tuesday.

During the hearing which was chaired by Ipek Asmasubrata, Gen. Try said that the Armed Forces would not be irritated and upset by the incident even though it had left ABRI holding the bag.

As a fighting soldier, ABRI is aware of the challenges and risks of its tasks, the general said adding: "Therefore, we should not blame each other."

A commission member, Andi Cela Nurdin, has previously requested the Armed Forces commander to reconsider the punishment that had been given to a number of ABRI members because their actions during the November 12 incident in Dili, capital of East Timor, were not deliberate ones.

Try Sutrisno explained further that as a country which held the laws to its high esteem, Indonesia would always address any emerging problems with the existing laws, and that ABRI members who were given sanctions in connection with the incident would be given a chance to defend themselves in court.

He said that the Armed Forces should take the essence of the result of the Military Honorary council's (DKM) examination for their own improvement.

The incident has given valuable lessons on the need to increase sensitiveness and responsiveness of the government's apparatuses against all sociopolitical, cultural, and economic problems, the Armed Forces chief said.

SOCIALIST INTERNATIONAL ON TIMOR

Reuter, Madrid, March 14 — World socialist leaders on Saturday endorsed former French premier Pierre Mauroy as the new president of the Socialist International (SI).

He will replace former German chancellor Willy Brandt Brandt, president of SI since 1976., who confirmed his retirement at a news conference following a two-day presidium in Madrid.

In separate statements issued after the meeting, the SI called on Indonesia to withdraw its military forces from East Timor and backed the work of the reformist Convention for a Democratic South Africa, which began work last year.

TIMORESE PARTY LOYALTIES PERSIST (ANTARA)

Remark: Scanned article from FBIS. "Antara English." The old Timorese parties like Apodeti, UDT, and Fretilin may not legally function in East Timor. Only PDI, PPP, and the de facto government party Golkar may exist. This is in line with an Indonesian national law governing the political parties and Golkar.

In actual fact, old party loyalties persist, especially for the many Apodeti supporters given regional government sinecures. Many local bureaucrats also are pro-Fretilin, as indicated by the trials on official documents smuggled out of East Timor to places like Portugal and Australia. Lt. Col. Prabowo also sought to organize old Apodeti loyalists during an assignment in East Timor, a role which earned him the enmity of Governor Carrascalao, one of the relatively few former UDT leaders in senior regional government positions. It is a favorite ploy of Carrascalao's Timorese rivals to refer his harboring pro-Fretilin persons on his staff.

The old Timorese party loyalties are not so significant for the Timorese young generation save that many regard armed resistance leader Xanana Gusmao as a national hero. The clandestine resistance, which consists disproportionately of Fretilin loyalists, does operate extensively among educated Timorese youth who are by and large non-party nationalist in outlook. — John MacDougall

COMMANDER DESCRIBES EAST TIMOR POLITICAL LIFE

Jakarta ANTARA in English 9 Mar 92

Dili, Mar 9 (OANA/ANTARA) — East Timor's Military Operation Executive Commander Brigadier General Theo Syafei said East Timor's political life is still coloured with the old political party system so it has become everybody's responsibility to improve the people's political mindedness.

The commander made the remark in a written message read out by his deputy Colonel (Infantry) Duniya to the 19th anniversary of the Indonesian Democracy Party (PDI) held here over the weekend.

The development of the political field in this region must be tailored to the omission of the old party system and the growth of a political culture, which has been accepted by the Indonesian nation, the message suggested.

Theo Syafei appealed PDI as a socio-political organization to have the capacity to improve the quality and concurrently cultivate national stability, which is the basic capital for development. The one-star general rated the security of East Timor as gaining in stability and under control and as such enabling the people to lead a peaceful life.

The Armed Forces in its efforts to improve the people's living standard in this Indonesia's youngest province have launched territorial operations and for the last three years have managed to provide positive impacts to the local people's existence, he said.

The message voiced the expectation that the PDI in conformity with its portion would act parallelly [as received] with the Armed Forces' activities by integrating themselves with the local people's life in the effort to overcome troubles and constraints being faced at.

East Timor Governor Mario Viegas Carrascalao in a written message read out by Sociopolitical Directorate Head J. Manurung hoped that PDI would have the ability to enhance the Indonesian democratic image in the people's social life, especially so in the face of the forthcoming 1992 elections.

The PDI's commemoration was also attended by PDI General Chairman Suryadi and thousands of the party's supporters hail from the 13 districts of the province.

ALATAS: FOREIGN POLICY TO BE MORE ASSERTIVE (J. POST)

THE JAKARTA POST 13 Mar 92 p 12

[Excerpts] JAKARTA (JP)-Indonesia will become more assertive in its foreign policy as power shifts in the world following the end of the Cold War, says Foreign Minister Ali Alatas.

"The cycle has now returned and many countries, especially members of the Non-aligned Movement, are turning their attention to Indonesia in search of a leadership," Alatas said referring to global political changes in a DPR (House of Representatives) hearing Wednesday.

Powerful countries are now aware that Indonesia has been right all along when they suddenly find themselves in a world with no power blocs.

"Don't look at the word 'non-aligned', it is a bad name which I myself don't like. It is a negation... non-aligned, so what? But many countries forget what happened on the other side (of the coin), there had been substantial cooperation in the field of politics, economics, and also culture."

Alatas reminded the members that as one of the founders of the Non-aligned Movement, Indonesia has since 1955 adopted the non-aligned policy, when it hosted the African-Asian conference in Bandung.

NEW SOLIDARITY COALITION SET UP IN PORTUGAL

TAPOL report, 16 March 1992

Nearly one hundred organisations – church groups, peace organisations, youth and student groups, trade unions, regional

coalitions and many more – have come together in Portugal to coordinate solidarity activities for East Timor. Since the Santa Cruz massacre, there has been a groundswell of activity throughout the country; many initiatives unknown in Portugal's history have been taken.

The decision to work closely together was taken at a Convention for East Timor in Lisbon on 14 and 15 March 1992, attended by more than 150 representatives from 96 organisations. Among those who addressed the Convention was Jos Ramos-Horta, external spokesperson of the East Timor resistance, Roger Clark, jurist and expert on self-determination and Dipa Ramelau, an Indonesian human rights activist from Jakarta, the first Indonesian to visit Portugal coming direct from the country, to take part in a solidarity action for East Timor.

Actions agreed in principle include a boycott on all Indonesian goods imported into Portugal, a sustained protest action against Shell for its decision to exploit East Timor oil reserves under the terms of the Timor Gap Treaty, and a Live Aid programme for East Timor.

Many speakers on the platform and from the floor criticised Portugal's diplomacy for failing to take timely action. For instance, the government had failed to lodge a formal protest against Indonesia for blocking entry into Timor waters to the Portuguese vessel, Lusitania Express.

The closing session on Sunday afternoon was particularly lively as many of those who had taken part in the Peace Mission for Timor aboard the Lusitania Express came to the meeting place straight from the airport, having just returned from Darwin.

EAST TIMOR EVENT AT UNIV. OF DELAWARE

On the 18th of March, from 7 pm till 8:30 pm, the Portuguese community is organizing a meeting on East Timor at the Newark campus of the University of Delaware (Willard Hall, room 006). The event will feature Allan Nairn and Amy Goodman, the original video of the massacre, and the interventions of one political science and one mass media professor.

For more info (or to arrange a sleep-over) contact: Nuno Crato (302)454-7850
ncrato@brahms.udel.edu

OFFICIAL CLAIMS E. TIMOR FOOD SHORTAGES EASED (ANTARA)

Jakarta ANTARA in English 18 Mar 92

Dili, Mar 18 (OANA-ANTARA) – Food scarcity problem which used to be haunting East Timor in the last seven years has been prevailing no more as the result of the increasing welfare and better economic growth in the province.

Between 1976 and 1984, several areas in the 27th province of Indonesia were known to always suffer from food scarcity problem, Head of the East Timor Agriculture Office Dady Ganda Sukaryo said here Wednesday.

However, in line with the increasing usage of new farming technology and the availability of reliable irrigation network, the problem could be phased out since 1985.

He also said the success in eliminating food scarcity was also thanks to the better security maintenance in the province which formerly was a Portuguese colony.

According to Sukaryo, East Timor's rice production totaled 56,688 tons, corn 90,277 tons, and beans 5,863 tons last year.

Rice supply from other provinces decreased as well from 22,358 tons in 1989 to 10,000 tons in 1991.

Corn since 1989 has no longer been supplied from other province, Sukaryo said.

INDONESIA: A SYSTEM BUILT ON CORRUPTION (GREEN LEFT)

LBH HUMAN RIGHTS REPORT

*Max Lane, Green Left Weekly, Issue 48.
March 18, 1992*

The leak last week of an Australian government document on corruption involving the family of Indonesian President Suharto tells only a small part of the story. A 300-page report on the human rights situation in Indonesia, released last month by the Jakarta Legal Aid Foundation, documents widespread exploitation and oppression. The report was compiled by 11 organisations involved in human rights activism, as well as Setia Kawan, the first attempt at a free trade union in Indonesia, and women's, consumers and community health organisations. MAX LANE reports.

The Legal Aid Foundation report looks not only at rights such as freedom of speech and assembly, but also at the socioeconomic conditions of workers, peasants and fishermen.

It outlines new measures to control the election process, to be staged once again in June. In the middle of 1991, it was announced that all candidates would have to undergo screening (called penelitian khusus [special research] or LITSUS) to check whether they had any involvement in the Communist Party of Indonesia before 1965 and its so-called attempted coup. The screening also checks the extent to which any candidate might be influenced by Marxist-Leninist teachings.

Carrying out the screening is the Body for Coordination for National Stability and Security (BAKORSTANAS), which is dominated by the military. All candidates for provincial, district level and national parliaments must subject themselves to interviews.

According to the report, screening had also taken place in the past, but was a bit of a formality, with candidates from the three permitted political parties simply filling in a form.

INTERVIEWS

This time, candidates are required to be interviewed by military officers, and the questions are also getting broader. They are asked which political figures they admire, what their views are on a range of issues and their attitudes to the various pro-democracy and anti-Suharto groups.

The report also lists critical responses from elite figures, many of them chafing at having to turn up at BAKORSTANAS headquarters for an interview. Several candidates failed their screening, especially in the provinces. Some of the reasons included: "insufficient intellectual calibre," "unable to show school certificates" and, of course, "argued in the interview."

The government party, GOLKAR, was able to filter its candidates itself. According to the report, its final list of candidates has to be vetted by the chair of the Board of Supervisors – Suharto.

As a result, a number of outspoken supporters of political liberalisation, mainly army officers, were removed from the GOLKAR list. These included a police colonel and a general who is the current speaker of the parliament. The latter had introduced liberalising measures, such as insisting that ministers answer parliamentarians' questions in person and not through the mail. A number of prominent intellectuals were also removed.

The report also canvassed political trials in Aceh, North Sumatra and Lampung, South Sumatra.

It noted the harassment and interrogation of human rights activists Indro Cahyono and Haji Princen, outspoken supporters of the rights of East Timorese students to demonstrate in Jakarta after the Dili massacre. It also listed the banning of poetry readings by Rendra and of critical theatre performances, and police raids on pro-democracy meetings in people's private homes.

The report said that 26 publications had been banned over the previous year, including Japanese academic Yoshihara Kunia's *Ersatz Capitalism in Southeast Asia*, a book on the Islamic nationalist movement in the 1920s, a newsletter and a pro-Islamic booklet on the Gulf War.

WORKERS AND DEMOCRACY

The report gives special attention to workers. It explains:

"Because the capitalists cannot be relied upon to struggle to uphold democracy and human rights and to weaken the stranglehold of the state, we must rely upon other social groups such as workers and those people being pushed off their land to widen the scope for this struggle. Strikes and demonstrations by workers over the last

few years have opened up more opportunities."

The number of strikes increased 300% during 1990 and even more in 1991. According to the minister for labour, there were 61 workers' demonstrations in 1990. In the first few months of 1991 alone, his department had recorded 79 demonstrations.

Strikes have taken place in almost all major industrial centres and have involved 10-12,000 workers at any one time. Many have taken place in Tangerang and Bekasi, the new big industrial suburbs outside Jakarta. Most strikes have demanded payment of the minimum wage.

In Tangerang, the official union recorded 19 strikes between December 1990 and May 1991, involving more than 20,000 workers. In Central Java, official figures record 432 strikes in 1989, 443 in 1990 and 456 in 1991. In 1991 this resulted in 288 sackings.

There have also been two attempts to establish non-government unions: the Serikat Buruh Merdeka Setia Kawan (Solidarity Free Trade Union) and the Transportation Trade Union, based on taxi drivers. Both are still small and struggling. Neither has legal recognition. According to a 1987 ministerial directive, a workers' organisation can receive legal recognition only if it has branches in 20 provinces, with 100 sub-branches at district level and union chapters operating in 1000 factories!

STARVATION WAGES

The official minimum wage in Jakarta is Rp2100 (A\$1.30) per day. Even according to the official trade union and the American Asian Free Labor Institute, this is only 31% of what is officially considered the minimum for physical survival (known as the KFM: kebutuhan fisik minimum – minimum physical needs). Another measure used in official statistics is the KHM (kebutuhan hidup minimum – minimum life needs). The officially sanctioned figure for one month is Rp145,118, or Rp4837 per day if a worker worked seven days a week!

The inadequacy of the amount was drawn out even more by the report when it listed the real costs of living for a woman worker with a child during one month. These came to a total of Rp268,900, almost twice the official KHM figure, even without anything for things like cosmetics, money to send home to family in the village, newspapers, books, cinema, visits to the doctor or prescription medicines.

Many of the items on the KFM basket are also out of date. For example, it provides an amount for footwear based on a worker needing only thongs, and for bedding only a piece of woven bamboo.

Yet many workers are not paid even the official minimum wage, let alone the KFM or KHM. The report quotes the official government union as saying that, of the 1200 factories operating in Tangerang, only

30-40% pay the minimum wage. The Bekasi branch of the union gives similar figures.

The minimum wage is lower outside Jakarta because of the lower costs of living. But, again, workers are not paid that minimum. Rubber plantation workers in the mountains are paid Rp1250 per day, 35% below the minimum wage. Women tea leaf pickers, for back-breaking work, are paid Rp50 per kg. Working a very long hours, they can collect 20 kg on a good day, earning only Rp1000.

Employees in the big state-owned shipping company earn between 20,000 and 70,000 rupiah a month. The wage of the director is Rp7 million, 350-100 times greater – not including extras.

Many workers are not paid at all, or have their pay delayed indefinitely. According to the government-backed union, the Indonesian National Shipowners Association owes dock workers Rp2.8 billion in unpaid wages – almost A\$2 million.

Other abuses documented in the report include child labour on very long shifts. One light globe factory worked children in shifts from 7 a.m. until 6 p.m.; they were paid only Rp450 a day. The lighting, for detailed work, was very poor, and many children had their eyesight damaged. In another factory, young girls were kept working without any pay for up to three years. Some were tortured and left paralysed.

A big company in East Java was discovered locking its workers in the workplace. Women workers in the ABC battery factory were worked 12 hours a day but paid for only eight hours, and even then at a rate below the official level.

WOMEN WORKERS

Women workers usually suffer the worst wages, hours and conditions. They often also suffer other forms of abuse and maltreatment.

Women are usually automatically fired if they become pregnant, usually without bonus or other assistance. They are sometimes obliged to stay in factory "hostels," which are run with an iron hand. This ensures they will work overtime whenever it is required, and allows the company to control the women's social life.

The report cites examples of appalling conditions in the hostels. One run by a textile company provided no electricity, only a single kerosene lamp. For 75 workers there were 25 rooms, two water pumps and one toilet. The bath area was partitioned off by a torn piece of plastic.

Some factories have insisted that new women workers be examined to check that they are still virgins. The examination is usually carried out by medically unqualified male staff. Women are often also threatened with sacking, fines or other punishment if they refuse sex with supervisory staff.

According to the report, in one cigarette factory in East Java, women who fall pregnant after being forced to have intercourse

with supervisory staff are lotteried off to other male employees as wives.

MORE OFFICERS REPLACED AFTER DILI INCIDENT

Scanned from FBIS. Hong Kong AFP

By Pascal Mallet

Jakarta, March 19 (AFP) – Last November's massacre in East Timor continues to make waves with the replacement of three top Indonesian military intelligence officers, reliable sources said Thursday.

The generals, whose transfers were recently announced as part of routine job rotations, had been in charge of overseas and domestic intelligence and certain special operations of the Badan Intelijen Strategis (BAIS), the sources said.

BAIS is under the command of Indonesia's military chief General Try Sutrisno.

Indonesian troops opened fired last November 12 on pro-independence East Timorese demonstrators in Dili, leaving some 50 dead and another 90 missing, according to an official investigation.

Other sources believe the death toll could have exceeded 100.

The replaced generals were reproached for failing to advise Jakarta of the risks of an "international plot against Indonesia" mounted by exiled members of the East Timorese independence movement Fretilin in Portugal and Australia, the sources said.

They were also blamed for failing to transmit sufficient information to the regional and local military commands responsible for East Timor, they added.

A military council probing the Army's conduct in the Dili shooting has already criticised loopholes in Army information gathering in the East Timorese capital.

In reports last month, it said the demonstrations which led to the shooting "could have been avoided" as there were enough "signs and indication" that they would take place.

The transfers of the three brigadier generals "would of course be presented as harmless and normal and the Army will invoke organizational reasons," one source said.

"But it is very unusual to shuffle almost half of the service's department directors at the same time," the source said.

"It is not forbidden to renew the three-year mandate of a BAIS director when it expires, as was the case for at least one of them (the three generals). It is significant that it had not been offered to those concerned," he said.

Sources also pointed to the fact that one of the generals' successors was already director of another department in military intelligence.

The sanctions against the three BAIS generals, though not officially announced as

such, were not the first involving Indonesian military officers deemed responsible for the Dili massacre.

Following the findings of a military panel, Army chief General Eddy Sudrajat decreed that eight servicemen would be court martialed, three discharged from the Army and three others transferred to non-command postings.

The U.N. Commission on Human Rights published a declaration last month calling on Jakarta to respect human rights in East Timor, while at the same time lauding steps taken to punish those responsible for the Dili shooting.

INTEL BIGSHOTS IN TROUBLE (AGE)

The Age 20 March 1992. AFP, Jakarta

Three top officers of the Indonesian military's special intelligence service were replaced following the Dili massacre in East Timor, reliable sources said today.

The three officers of the Badan Intelijen Strategis (BAIS) who were transferred to other postings, were army brigadier-generals who headed the external and internal affairs intelligence departments and certain special operations within the service.

BAIS is under the direct command of military chief General Try Sutrisno.

"Their transfers would, of course, be presented as anodyne and normal and the armed forces would invoke organisational reasons, but it is very unusual to shuffle almost half of the service's department directors at the same time," one source said.

According to the sources, the three officers were blamed for failing to anticipate the risks of unrest in East Timor.

ALATAS ON SOUTH AFRICA

Reuter, Jakarta, March 20 – Indonesia reacted cautiously to South Africa's reform referendum, saying Jakarta needed to be sure the result meant racial discrimination would be abandoned completely.

Foreign Minister Ali Alatas said on Thursday that it was unclear whether President F.W. de Klerk's victory in this week's referendum would end the day-to-day practice of apartheid.

Diplomats said Indonesia was reacting cautiously because it was due to take over chairmanship of the Non-Aligned Movement at a Jakarta summit in September.

"What Indonesia says will reflect the movement's stand to some extent, and it must take into account Nelson Mandela's views," said a diplomat from one non-aligned country.

The diplomat said a meeting of non-aligned foreign ministers in Bali from May 12 to 15 will have had time to observe political developments in South Africa since

the referendum before taking a stand on the issue.

INDONESIA'S WIDE DIPLOMATIC HORIZONS (IPS)

IPS, Singapore, March 20 – Analysts have pointed to Jakarta's recent assertive and high-profile foreign policy, beginning with its move to restore its influence in the Non-Aligned Movement (NAM) by gaining its chairmanship in 1991 and the diplomatic opening up to China and Vietnam.

Jakarta was also active in the Cambodia peace negotiations successfully concluded late last year. In the Association of South-East Asian Nations (ASEAN), Indonesia's pre-eminence is more or less tacitly recognized.

Analysts see Indonesia's attempts to expand its foreign-policy swath as a continuation of efforts dating back to the late 1980s to make Indonesia a regional power in keeping with its size, resources and strategic location.

This theme has been echoed by the Indonesian media. Urged the Jakarta Post: "Indonesia should act as the prime manager of a regional order."

Preoccupied for much of the 1970s with domestic problems, President Suharto, one of the founders of NAM, took part in the Yugoslav summit in 1989 after an absence of 15 years.

He followed this up with a visit to the then Soviet Union in what analysts then saw as a campaign to lock Jakarta's chairmanship of the NAM. Suharto had realized shrewdly that normalizing relations with Moscow would look good to the organization's dominant pro-Soviet majority.

But North-South issues, ranging from the environment, human rights and development, have given new life to Indonesia's ambitions.

"(Indonesia) is determined to forge consensus on the economic challenges facing the Third World. This would necessarily entail taking up prickly North-South issues — the unresolved issues of our time," Foreign Minister Ali Alatas told NAM leaders recently.

Suharto favors close cooperation with the North on these issues and is irritated by Malaysian Prime Minister Mahathir Mohamad's combative stance.

But mindful of the sensibilities of its neighbors, Jakarta has preferred to work within and through ASEAN.

MILITARY: TIMOR REMAINS "OPEN" AND "INSIDE"

Reuter, Jakarta, Jonathan Thatcher, March 21 – Indonesia's military has promised not to seal off the troubled territory of East Timor but says it wants time for the former Portuguese colony to recover from

the shock of last November's army massacre.

"There's not the slightest intention by ABRI (the military) to close East Timor," Air Vice-Marshal Teddy Rusdi, assistant to the commander-in-chief for policy and planning, told foreign reporters on Friday night.

Some officials have suggested that East Timor, opened up only three years ago, be closed off again so the government can get on with trying to integrate the rebellious province into the rest of Indonesia.

"I would say have a cooling-off period, give them (East Timorese) a break," said Rusdi.

Foreign journalists have recently been barred from the territory.

Rusdi said the restrictions were "only temporary until we are able to consolidate everything there" to overcome the shock of the November massacre.

Pointing to the collapse of the Soviet Union and Yugoslavia, Rusdi warned Indonesia's disparate ethnic and religious groups not to expect to be allowed to go their own way.

"We are trying to keep this country intact...we can't afford to have a different system in our system...we are not going to give a special privilege to anyone, because we are talking about a society of 180 million people," Rusdi said.

Asked why the military came down so hard on any signs of disturbance, especially in its outlying provinces, Rusdi said the range from sophisticated urban society to stone-age culture meant the government's approach had to be different.

"Democracy...is a national effort. But how you implement it in Jakarta and how you implement it in Jayapura (the capital of Indonesia's most backward province Irian Jaya) is something different," he said.

Political analysts say Jakarta, well aware of the ease with which the diverse country could split up, is unlikely to soften its stand against any internal threats to central rule.

DEPUTATION TO MEET NEW ZEALAND F.M.

TAPOL Report, 22 March 1992

A deputation composed of East Timor solidarity groups in Wellington and Auckland, the Council of Trade Unions, the aid agency CORSO, the Catholic Commission of Justice, Peace and Development, the UN Association, and a relative of Kamal Bamadhaj, the New Zealander who was killed in the Santa Cruz massacre, will meet Don McKinnon, New Zealand's Minister for External Affairs and Trade on 31 March 1992, in relation to the human rights situation in East Timor.

The meeting follows an earlier meeting with Hugo Judd, head of the Southeast Asian desk at the Ministry of External Relations and Trade.

In a letter to many organisations around the world appealing for support, the organisations said that successive New Zealand governments have tried to ignore the plight of the East Timorese, "partly because of the importance of our trade with Indonesia. It is to our shame that we have put the needs of trade before the issue of human rights, even though sufficient information has been available through a wide variety of sources, including the United Nations, to categorically refute the Indonesian version of events in the territory.

"New Zealand supported the use of force against Iraq's invasion of Kuwait, a far less brutal act than Indonesia's against East Timor.... And how is it we can so quickly forget that over 40,000 East Timorese paid with their lives for their support of Allied forces fighting the Japanese in World War II?"

The deputation will call on the New Zealand Government to:

- Support the Portuguese initiative for peace talks under UN supervision involving Portugal, Indonesia and East Timorese representatives.
- Support an independent UN enquiry into the 12 November massacre.
- Demand an independent enquiry into the death of New Zealand citizen, Kamal Bamadhaj at the hands of Indonesian troops.
- Support a UN-held referendum in East Timor to determine the country's future.
- Align New Zealand with the official UN position that since no appropriate decolonising process has occurred, we recognise Portugal as the administering power in East Timor.
- End the Mutual Aid Programme whereby New Zealand trains Indonesian military personnel.

Organisations wishing to support this deputation should send messages of support to: Colin Iles, East Timor Independence Centre, PO Box 11069, Wellington, New Zealand. Fax no: (04) 499 3505.

ALATAS: IN PRINCIPLE, WE AGREE TO TRIPARTITE TALKS (KOMPAS)

Kompas. 19 March 1992. Abridged.

Indonesian in principle agrees with Portugal's proposal to restart the tripartite talks between the UN Secretary-General, Portugal and Indonesia, provided that it is clear what Portugal's intentions are with such talks and what Portugal means with there being East Timorese representatives present at the talks. This statement by Alatas is in response to the proposal of Portugal's foreign minister, Joao de Deus Pinheiro made recently to the UN Secretary-General, following the 12 November Dili incident, that talks should restart and that

representatives of East Timor should be involved. Portugal also proposed that the level of the talks should be raised from that of UN heads of mission to foreign minister level.

Alatas said that Indonesia in principle has no objection, provided it is clear what will be discussed and provided Portugal states explicitly who they mean by East Timorese representatives. This is important because, for Indonesia, the vast majority of the people of East Timor who live in East Timor have already chosen integration with Indonesia.

However, it is recognised that a small number of East Timorese who are living in Portugal do not agree with integration. "So, the point is, what representatives will be involved. If it is representatives from the majority, then Indonesia will of course agree, but if it is those representing the minority, then Indonesia will definitely disagree."

Alatas said that after explaining this position to UN Sec. Gen. Boutros-Ghali, the latter has said he will discuss this before making his own proposal. Alatas hopes there will be a wise move from Boutros Ghali.

After explaining that the talks had stalled as a result of the cancellation of the Portuguese parliamentary visit to East Timor, Alatas said that the 12 November Dili incident had been a setback in reaching an internationally-acceptable settlement of the East Timor issue.

ALATAS: HOLD PEACE TALKS WITHOUT TIMORESE

Reuter, Jakarta, March 24 – Indonesia is willing to hold fresh talks with Portugal on troubled East Timor but rejects Lisbon's suggestion that East Timorese be included, Foreign Minister Ali Alatas has said.

"If (Portugal) still wants a dialogue the format should be the same as we have done in the past...Indonesia and Portugal talks under the auspices of the United Nations," Alatas told the weekly news magazine *Tempo*.

Portuguese Foreign Minister Joao de Deus Pinheiro, in a separate interview with the magazine, said the two sides should talk and suggested East Timorese be included.

Alatas said there could be no talks if Portugal insisted on East Timorese participation.

"I want to ask which East Timorese are they going to include. The silent majority who support the integration with Indonesia or a few Fretilin (guerrilla) members who are anti-integration?" Alatas said.

Jakarta says the East Timorese have already opted overwhelmingly for Indonesian rule and refuses to hold a referendum, which Portugal demands.

"There are two options: We continue to solve the problem or keep it this way," Alatas said.

INGI HUMAN RIGHTS MEMO

Remark: This is the human rights section of the aide memoire of the annual INGI (International NGO Forum on Indonesia) released Thursday, March 24, in Tokyo. INGI is a large association of major Indonesian and non-Indonesian non-governmental organizations. It is the leading organization of its kind.

V. SPECIFIC HUMAN RIGHTS ISSUES

The Immigration Law

INGI deplors the provisions of the new draft immigration law under which Indonesians who "tarnish the good name of Indonesia" or "endanger national security" are prevented from leaving or returning to Indonesia. This law is in clear violation of internationally-recognized rights, including the right of all citizens to enter leave their own country and the right to freedom of expression. INGI is also concerned that use of this law against Indonesians studying or working abroad, including in many IGGI countries, may effectively render them stateless. It urges the IGGI countries to raise concerns about this (draft) bill. [Poster – the bill has now been passed by the DPR.] East Timor

INGI deplors the killing of many unarmed civilians in Santa Cruz on 12 November 1991. INGI recognises that this tragedy and the human rights violations that occurred before and since are rooted in a fundamental difference of views between the Indonesian Government on the one hand, and a significant proportion of the people of East Timor and the international community on the other. The dispute centers in Indonesia's incorporation of East Timor, which the Indonesian Government considers to have taken place following a valid act of self-determination. The validity of that act is disputed by many East Timorese and many governments who consider that East Timor was forcibly annexed. This political difference of views is at the heart of the dissent, social frustration and violence that have marred recent events in East Timor.

INGI is convinced that the difference mentioned above must be resolved by open dialogue towards a just, peaceful and permanent settlement.

INGI urges that project development funding by the Indonesian Government in East Timor should enable the East Timorese people to manage their own lives. In INGI's view, any viable form of sustainable development must enable people to manage their own lives in an atmosphere of tranquillity. Sustainable development cannot take place when human rights are not upheld.

In light of various studies that have been undertaken inside Indonesia and abroad, the following actions are among the most important that need to be taken:

- ending the coercive actions and policies of the government;
- ensuring that measures taken to maintain public security should be in accordance with the law and respect for human rights;
- affirming the role of local institutions, especially the East Timorese church;
- in response to the Indonesianisation programme undertaken by the government, allowing the East Timorese people the opportunity to develop their cultural identity;
- hastening the pace of decentralization of power to the local government;
- protecting and restoring the land rights of East Timorese, if necessary by halting planned and spontaneous migration to East Timor;
- abolishing all forms of monopoly and increasing East Timorese control over their own economy;
- increasing the role of NGOs in East Timor so that they may assist in the sustainable development of East Timor.

Aceh

INGI recognizes that the scale of human rights violations in Aceh has declined since last year, but it remains concerned about several aspects of the Aceh situation. These include the continued practice of unacknowledged detention and shooting of suspected "security disturbers"; the many unresolved cases of disappearances; and the inability of NGOs to monitor the forced and voluntary return of Acehese refugees from Malaysia.

INGI urges the Indonesian Government to permit access by NGOs to the returned refugees. Given the difficult situation of widows and orphans of victims of the conflict, INGI urges the Indonesian Government to guarantee a livelihood for families of victims, so that feelings of vengeance are not instilled in a new generation.

INGI is also concerned about the acute environmental degradation in Aceh. To address this problem, the people of Aceh need full access to information and freedom to express their concerns. The donor countries and the Indonesian should ensure that multinational and Indonesian corporations reverse the process of environmental destruction in Aceh.

Criminal Procedure Law

On the tenth anniversary of the Criminal Procedure Code (KUHAP), INGI remains concerned about the continuing failure of the Indonesian Government to respect the rights guaranteed to suspects and defendants, including the right of families to be informed of a suspect's whereabouts and the reasons for arrest; the right of a suspect to have a lawyer present during interrogation; and the right to counsel of one's own choice, which falls short of internationally recognized

human rights standards. INGI notes that failure to respect these rights, particularly with respect to people detained under the Anti-Subversion Law, has led to many unresolved cases of disappearances in Aceh and East Timor (including those still missing after the November 12 tragedy); torture during interrogation; and long periods of incommunicado detention. In response to these abuses, INGI urges the Indonesian Government to implement the recommendations made by Prof. Peter Kooijmans in his report to the Commission on Human Rights, to make all possible efforts to find the disappeared in Aceh and East Timor, and to respect the right of East Timorese defendants in Jakarta and Dili to counsel of their own choosing. INGI urges the Indonesian Government to release all those who are not involved in violent activities.

Koto Panjang Dam

The proposed Koto Panjang Dam in the provinces of Riau and West Sumatra will be primarily financed by the Japanese Overseas Economic Cooperation Fund (OECF). The 114 megawatt dam would flood ten villages in an area of approximately 3000 dwellings. Natural forests providing elephant habitat and a tenth-century Buddhist temple would be inundated. Although the dam is projected to cost US\$400 million, the compensation offered to the people affected by the project is quite low.

INGI believes that alternative ways to meet the objectives of the proposed dam have not been given sufficient consideration. An adequate Environmental Impact Assessment (EIA) to evaluate alternatives should be conducted in consultation with affected communities. INGI recommends that the Indonesian Government suspend the project and that the Japanese Government without financing until alternatives that are more ecologically and socially appropriate can be given due consideration. [Poster – The Japanese government has now suspended funding for the Koto Panjang dam.]

AIDS

INGI expresses its deep concern at the rapid expansion of the AIDS virus in South-East Asia, and appeals to the Indonesian Government to scale up its AIDS Prevention Extension Programme, which should not be directed only at the so-called "high risk groups," but to the entire population. INGI recommends close coordination with the NGO community and affirms that the fundamental rights of HIV-infected persons should be protected, in order to prevent stigmatisation.

COMPUTER NETWORKS HELP ORGANIZE EAST TIMOR MOVEMENT

by Charles Scheiner (IGC:CSCHAINER), for PeaceNet's "NetNews," March 25, 92.

Last November 12, Indonesian troops opened fire on a peaceful demonstration in East Timor, shooting down over 140 people. Unlike similar killings which have taken 200,000 lives since Indonesia invaded the tiny Pacific island in 1975, this was witnessed by foreign journalists. Around the globe, leading news items told of Indonesia's repression and cover-up. Worldwide protest caused several countries to suspend aid to Indonesia, and it seemed that the long nightmare of the Timorese people might be nearing an end.

But here in the United States, we were as ignorant as ever. One spot on CBS News, a few newspaper editorials, and the story was over. Americans didn't learn of the killings and arrests after the massacre, about non-violent Timorese activists being tried for capital crimes. You didn't hear about parliamentary hearings around the world, about the peace boat carrying 150 international students which was repelled by the Indonesian military, about U.S. Congressional resolutions condemning Indonesia's occupation. You don't know that the U.S. is Indonesia's largest weapons supplier, and that our State Department now proposes to increase U.S. military training.

Unless, of course, you use PeaceNet. Since before the massacre, the conferences REG.INDONESIA (sponsored by Task Force Indonesia and Indonesia Publications, on-line as igc:apakabar) and reg.easttimor (sponsored by TAPOL, gn:tapol) have carried background materials, international news and wire service articles, government reports, analyses from human rights groups, alerts from activist groups, and first-hand commentary from people directly involved. More recently, the Bitnet mailing list SEASIA-L (available in the conference BITL.SEASIA-L) has added debate and outreach to a wider audience.

Shortly after the massacre, I received email from Canada's East Timor Alert Network (web:etan), encouraging a response in the United States. At the same time, Richard Koch (igc:rkoch) put out an InterNet call for a U.S.-based grassroots network. We circulated messages through PeaceNet and other networks, a lot of people responded, and the East Timor Action Network/U.S. was born. ETAN/US now includes over 200 people (both on-and off-line), has five local groups, and has organized two demonstrations each in New York, Los Angeles, and Washington. We have supported public meetings around the country (one at Brown University on March 13 drew 1000 people), and are

bringing grassroots pressure on the U.S. government.

The electronic news flow continues unabated, and ETAN/US is organizing it into printed form. Since November 12 there are ten 50-page volumes including over 2,000 articles; monthly issues are mailed to subscribers in six countries. The original material remains available on-line in reg.indonesia and its archive.

At the annual East Timor solidarity meeting in Geneva in February, more than half the people were electronically connected (on five APC nodes), and we are continuing to organize over the nets. I used PeaceNet to stay current during the meeting, and gained several converts.

Although Indonesia has once again closed East Timor to foreign journalists, and although the U.S. mainstream media has sealed it from the American people, PeaceNet and related networks are keeping the information moving and the organizing spreading. Check it out!

LETTER TO JERRY BROWN

To: 75300.3105@compuserve.com (Jerry Brown)

SUBJECT: Divestment of Indonesian Investments

26 March 1992

Dear Mr Jerry Brown:

I am writing you today because I have been told that your family is invested in Indonesia. Although I strongly support you official positions on almost every topic, I cannot in good conscience support your candidacy for the presidency or vote for you if I know that you or your campaign is supported by investments or is connected in any way to the violently oppressive regime in Indonesia.

The recent massacre of 200 unarmed civilians in East Timor (late 1991) is only one in a never ending series of atrocities committed by a genocidal regime held up by U.S. military aid and business investment. The 1975 Indonesian invasion of the former Portuguese colony resulted in 200,000 deaths — approximately one third of the indigenous population — over the next seven years, as war and famine ravaged the territory.

Prior to that, an Indonesian invasion force perverted the self-determination process for West Papua, now called Irian Jaya, where the Indonesian transmigration program usurps the agricultural land of the indigenous population leaving them to die of malnutrition. U.S. Military aid buys fighter planes and supplies military operations to raze villages in West Papua to secure the resources for exploitation by multinational business interests.

You have been extremely effective in calling for the divestment of other candidates from corrupt and conflicting business investments. I now ask you to consider

what your family's investments support in Indonesia, and call for you to divest in Indonesia and educate the public on the horrors of this genocidal regime.

Lisabeth Ryder
3233 Kelton Avenue
Los Angeles CA 90034
Ryder@anthro.sscnet.ucla.edu

EAST TIMOR IN A STATE OF TERROR (TAPOL)

The following article is the lead story in TAPOL Bulletin No 110, April 1992, which will be printed next week. We circulate it in advance to draw attention to the present terrifying situation inside East Timor.

While President Suharto in Jakarta and Foreign Minister Ali Alatas around the world have been engaged in 'damage limitation' to convince governments that the Santa Cruz massacre was a 'regrettable incident,' the situation in East Timor has deteriorated. A reign of terror has eclipsed the occupied island. In particular the role of the hawkish Brig. General Theo Syafei, the new commander in Dili, shows how 'law and order' is now being implemented in East Timor.

Brig. General Theo Syafei has made it a matter of prestige and a personal crusade to maintain 'law and order' in East Timor. Ever since becoming KOLAKOPS (the special operational command) commander, he has repeatedly made it clear that he will not pursue the soft approach of his predecessor. General Theo, an old Timor hand, has put the clock back to the late seventies and early eighties, when military rule was virtually absolute. The 'opening up' of the last three years is now on the way out; every measure taken by General Theo reinforces this.

The new 'old' approach

Brig. Gen. Theo Syafei was among the invasion troops in December 1975 and has spent nine years on active duty in East Timor. This includes the bloodiest period from 1975 to 1980.

From the moment he was appointed commander in January, General Theo Syafei has made it clear that he is in charge. The press has published one warlike statement after another from the new commander, who makes no secret of his belligerent approach. Here are some examples:

On the Santa Cruz killings:

.....Thus, as I have said, if something similar to the 12 November event were to happen under my leadership, the number of victims would probably be higher. [*Editor*, 14 March 1992]

On running East Timor:

Excerpts from an interview in *Kompas*, 17 March 1992:

Q.: You have served in East Timor for nine years. What are the issues in Timorese society? Why do incidents occur so often?

TS: The crux of the matter is that in many cases we have not been decisive enough and have lacked consistency. Besides there are still factors which make East Timor unstable. We need to be more consistent.

Q: It seems that every time a foreign official pays a visit, demonstrations occur. Can you explain that?

TS: We have to remember: East Timor belongs to us. Why do we have to receive all those foreign officials? Someone who has donated a 4km water-pipe is received with more honours than our own Inspector-General. Their kind of aid is not comparable to the efforts poured in by our Republic.

Q: Why then do demonstrations still occur?

TS: It's like this. We thought that by showing love to the people, it would work both ways, but it didn't turn out like that on that day. [the day of Santa Cruz bloodbath, TAPOL] Our love was taken as being a sign of indecision and weakness. In the villages our programme functions wells and is accepted. But in the city where things have been 'polluted,' it was interpreted as indecision, an attitude of wait-and-see. Moreover, there is fertile soil for agitation and propaganda with an estimated 8,000 people unemployed in Dili.

Q: About people's attitudes, what happens if they adopt an anti-Indonesia stance?

TS: That is impossible. This is the territory of the Republic of Indonesia.

Q: So what attitude will ABRI (the armed forces) take?

TS: I'll say to my troops: win over the people. The people are obliged to follow. If not, please flee to the bush. Conditions in Dili must be made not favourable [original English] for them. If they use public transport, they have to feel this is not a Fretilin bus. The cinema is not a Fretilin owned cinema. We will create such a situation.

Q: If they flee to the bush, then what?

TS: Please, please let them go to the bush. If they go to the bush, they become GPK [security disruptor gangs].

Q: In the post 12 November period, it seems the security approach has been stepped up?

TS: I'm only restoring ABRI standards. Demonstrations don't exist according to Indonesian law.

Tough words backed by tough measures

Syafei's tough language has been backed by tough measures. East Timor, a little more relaxed in the period of 'opening up,' has now moved in the opposite direction, comparable to the early years after the invasion.

Neither the visit of Amos Wako, the special UN envoy, nor the high-profile

journey of the Peace Mission by the Lusitania Expresso led to demonstrations in Dili. The reason is clear: General Theo Syafei left nothing to chance in his determination to forestall any disturbance. By using massive force and a huge military presence, he 'passed the test with flying colours.' From crack of dawn on the day of Wako's arrival, row upon row of troops were spread across the fields and in between the trees surrounding Comoro airport. The troops were stationed there from five in the morning and remained in place even in during a heavy downpour, to await the arrival of Wako. During Wako's brief visit, General Syafei personally inspected the town throughout the day. In the afternoon, drenched by the rain, he watched a local football match between two kampungs, to make sure it was only a football match. He spent the night in the room next to Wako's in Hotel Mahkota.

Combat readiness for the Peace Boat

The measures taken to meet the Lusitania Expresso were even more ferocious. General Theo created a special task force [Satgasus, Satuan Tugas Khusus] of 1500 people which was kept in a state of combat readiness for all eventualities. Things were placed on a war footing so as to enhance the dominant role of the military. Weeks before the Lusitania Expresso was anywhere near the waters of Timor, Syafei started arresting people in Dili, including the village-head of Santa Cruz, Jacobus dos Santos, who was accused of preparing a welcome for the Peace Mission.

The Peace Mission was portrayed by ABRI as a political provocation. Several layers of 'defence' were set up. The first was the outer cordon in the Timor waters, consisting of a destroyer, corvettes, frigates and landing craft backed up by planes and helicopters. In case some passengers managed to get ashore, a second line of defence was formed. The six police subdistricts from Liquica, west of Dili, to Viqueque on the south coast, were charged with taking care of the 'unwanted guests.' The infamous pagar betis method was employed, a 'fence of legs' of people stretching along the coast for more than three hundred miles from Liquica to Viqueque, to stop the aliens from landing. In case the second line of defence proved unable to prevent foreigners from entering Dili, there was another line consisting of military and police forces, who were combat-ready to receive them in Dili.

Meanwhile, people in Dili were prevented from going to the beaches to look out for the boat. Anti-riot units were on patrol in Dili from mid-February, creating an atmosphere of fear and tension.

Theo Syafei's overhaul

In the brief period since becoming Kolakops commander, Syafei has conducted a major overhaul of the structure. Although continuing the territorial operation of the two former commanders, Sintong Panjaitan

and Rudy Warouw, the thrust of Operasi Morris Diak [Operation Good Life] under Theo Syafei has taken a different direction. Previously, the hearts-and-minds strategy of Morris Diak was implemented partly through persuasion. Theo Syafei is now openly critical of his predecessor. Asked how his strategy differed from Brig. Gen. Warouw's, he said:

"The position and policy of ABRI never change. Our mission is to bring stability in East Timor. In a technical sense our approaches are different. Pak Warouw had his love and caring approach. But as I see it, because of a different culture, his approach came to be seen as indecision. Some regard the soft approach as a weakness. I only want to stress the importance of restoring ABRI's credibility and to make sure that softness is by no means weakness. This is the position I want to put across. And indeed, this position has been accepted by many." [Suara Pembaruan, 4.III.92]

Syafei's approach is fully backed by ABRI headquarters in Jakarta. For Dili alone the Morris Diak territorial operation has been allotted 2.3 billion rupiahs (more than one million US dollars). This amounts to 88 million rupiahs for each of the 26 neighbourhoods in Dili. The objective is to drive the 'anti-integrationists' into an impossible position. A special territorial battalion, Battalion 'Red Bear'/641 from West Kalimantan, has been assigned for the job in Dili. It will stay for one year, with units in every one of the 26 neighbourhoods. The former scheme of classifying villages as green [relatively safe], orange [so-so] and red [security-threatening] zones still applies. On average, 30 soldiers have been stationed in each neighbourhood in addition to the existing structures of military subdistrict, police subdistrict and para-military forces. As Timorese in Dili whisper: "Before, they were everywhere in the streets, now they have entered our bedrooms."

Under Warouw, there was still a grey area of people not openly expressing anti-integration feelings. But Theo Syafei will only tolerate people being 'with us or against us.' There can be no 'floating mass,' People must either accept Indonesian domination or join the guerrillas. In El Salvador and the Philippines, the hearts-and-minds strategy came to be known as low intensity conflict, this term has not been applied to Indonesia's military strategy in East Timor. General Theo Syafei's strategy resembles this type of conflict, so it is now possible to speak about a low intensity conflict in East Timor. All the ingredients are there: separating the guerrillas from the population, focusing on control of the population, combining military duties with civic duties and using all kinds of intelligence operations.

Streamlining intelligence

The use of intelligence has always been excessive in East Timor. Each wing, the air force, the navy, the police and the army, have their own intelligence. In the army KOLAKOPS had its own intelligence unit, the territorial commands from Korem, Kodim down to Koramil, the military sub-district command, all had their own intelligence. Moreover there was a combined, intelligence task force 86, a special intelligence unit for sector C (Dili) and each battalion also had its own intelligence. The two national intelligence agencies BAKIN and BAIS were also represented in East Timor. On top of that, the prosecution service had its own intelligence unit. In the last few years, the different intelligence units have competed with each other. As a result of using Timorese informers, quality fell because of misinformation and half-truths. Special intelligence units consisting of East Timorese were established, Satgas Elang [Hawk Task Force] and the Railakan unit.

Syafei soon recognised that the situation was chaotic. The military now admit that intelligence units often overacted. The 28 October incident at Motael church, the prologue of the 12 November tragedy, is cited as an example of this, when fighting took place between Satgas Elang personnel and Timorese youth and two people died, including Sebastiao Gomes. Syafei has decided to disband the different intelligence units and establish a coordinating body to centralise everything.

Nobody talks about 'opening up' East Timor any more; the slender margins of the last three years have disappeared. It is back to the grim reality of absolute military rule in East Timor. Brig.-General Theo Syafei, the archetype of a hard-liner, clearly enjoys his new job. He wants to be known as a tough guy and his reign of terror is rampaging all over East Timor.

Terror confirmed by visitors

People who have visited East Timor since Santa Cruz, confirm that brutality is a daily occurrence, with an atmosphere of fear and the military displaying their arrogance. The US journalist Peter Goodman, a freelancer based in Jakarta, visited East Timor in February and was told to leave because he did not possess a travel permit. He went to East Timor for the visit of Amos Wako and had told the authorities of his journalistic intentions. He has given a graphic account of the situation in Dili:

"Dili is dominated by fear, the streets devoid of activity throughout much of the day. On one recent morning, virtually everyone had a quick look about to see who else might be in the area before saying so much as good morning to a foreigner.

"At least 10,000 Indonesian troops remain in East Timor and Dili has the air of a city under siege.

"On a steamy morning earlier this month, 500 soldiers in 20 lorries stood in formation

in a field in central Dili. All carried full packs and M16 assault rifles slung over their shoulders. Their commander addressed them loudly while he stood beneath a flagpole, the red-and-white of Indonesia lifted by a gentle breeze. Most East Timorese walking by did not even dare look.

"While none of the dozen or so soldiers at ease on the sides of the field cared to say where the men were going, several East Timorese said troops have been entering villages frequently of late.

"They go from house to house, warning people not to make trouble,' said an elderly East Timorese as he sat beneath an enormous banyan tree on the edge of the crumbling broadwalk that fronts the harbour. 'The soldiers come and beat people up. Many are taken away for questioning and often disappear. The military has killed many in the last few months.' " [Daily Telegraph, 28.II.1992]

Reports by Indonesian journalists confirm Goodman's description, although their accounts, for obvious reasons, are more indirect. The reporting in the Indonesian press about the implementation of Syafei's policies is revealing enough to describe the atmosphere of terror in East Timor.

Another foreigner who was recently banned from Indonesia is Sidney Jones, the Executive Director of Asia Watch, the US-based human rights organisation. She visited East Timor in February as a tourist and spent four days there. From the moment she and her colleague arrived in Dili, they were photographed and followed. The surveillance ended only when they left Jakarta airport. Sidney Jones is an experienced East Timor researcher and her testimony is worth quoting:

"I was skeptical of accounts of post-massacre killings before going to East Timor. I am much more inclined to believe them now. In a place where the only checks on the military are a relatively powerless governor and a beleaguered Catholic church, where fear prevented many witnesses from giving testimony to the National Commission of Inquiry and still prevents ordinary conversations on the street, I began to understand why we weren't getting proof." [Testimony by Asia Watch before the US Senate Foreign Relations Committee, 27.II.1992].

Life in East Timor under Indonesian occupation has always been wretched but under the hawkish Brig. Gen. Theo Syafei, the situation is ten times worse. ...

ANOTHER JOURNALIST DEPORTED

Source: *The Australian*. 26 March 1992. This is the whole of a seven line brief.

JOURNO DEPORTED

An Australian journalist has been deported from East Timor for photographing

military installations and working while on a tourist visa, the *Jakarta Post* reported today.

TOURISTS NOW BANNED IN TIMOR?

Reuter, Sydney, March 26 – Indonesia deported an Australian journalist from troubled East Timor last week.

Journalist Dennis Schultz was deported on Saturday after spending four days in East Timor working on a story, editor Lyndall Crisp of Australia's *The Bulletin* magazine said.

The *Jakarta Post* reported this week that Schultz had entered East Timor as a tourist and been caught taking photographs of military installations, Radio Australia said on Thursday.

On Sunday two Australian tourists travelling through Indonesia were prevented from entering East Timor, one of the tourists said by telephone from his home in the northern Australian city of Darwin.

Film projectionist Martin Day, 28, said he and a friend were pulled off a bus by Indonesian troops who said they needed travel permits to enter East Timor.

Foreign journalists have been barred from the territory.

UK AEROSPACE FIRMS PLAN SALES DRIVE IN INDONESIA

Source: *The Engineer*. Date: 26 March, 1992. Unabridged.

Britain's aerospace companies are trying to forge close links with Indonesia's growing aerospace industry by organising the first British technology showcase there in October. But the move could run into opposition from some British politicians who have called for controls on military exports and contacts with Indonesia because of its repression of independence campaigners in East Timor.

Indonesia has been targeted for a sales campaign by British firms because it has one of the region's most advanced and ambitious aerospace industries built on a large domestic market.

Local aerospace firms will be invited to a week of lectures and seminars, backed by presentations and displays from Britain's leading aerospace companies.

Rolls Royce and British Aerospace already have extensive agreements in Indonesia and will be at the forefront of the British sales push. Dowty, GEC-Avionics and Ricardo Aerospace also expect to be involved.

The event is being coordinated by the Society of British Aerospace Companies (SBAC) which wants to raise the profile of the UK industry in this rapidly-growing market.

October looks the most likely date for the symposium. The venue will probably be Bandung, home of Indonesia's state-owned aerospace company, IPTN.

British Aerospace already has an agreement to work with IPTN towards joint production of the Hawk fighter.

Over 300 key executives attended a similar SBAC symposium in China in 1980.

SYAFEI: E. TIMOR SITUATION NOW VERY CALM (RRI)

Jakarta Radio Republik Indonesia Network in Indonesian 28 Mar 92

Having held three-hour talks with Brigadier General Theo Syafei, commander of the East Timor Operations Command, in Dili last night, Foreign Minister Ali Alatas said he had been briefed by the commander on the province's security situation. During the talks, Alatas also asked the commander to brief him about development programs in East Timor and people's participation in such programs.

Brig. Gen. Theo Syafei said the situation in East Timor is now very calm and people have regained their enthusiasm to work and develop their province. The commander added that Dili and its surroundings are now very safe, even safer than Jakarta or New York, where people often die of violent crimes.

U. NSW SEMINAR: LEGAL ASPECTS OF THE EAST TIMOR CONFLICT (BRIAN BRUNTON)

Mar 28, 1992 by Brian.Brunton @f204.n900.z90.pegasus.oz.au

A seminar was held at the University of New South Wales, Faculty of Law, 20-21 March 1992 to discuss the implications in international and domestic law of the East Timor conflict. Four papers were presented: self-determination; human rights, the strength of Portugal's case against Australia before the ICJ, and the implications for third parties (oil companies) should Australia lose.

Briefly the conclusions were that as a matter of substance it is doubtful that Indonesia can claim that East Timor has validly self-determined, as there does not appear to have been compliance with the rules of international law that govern the exercise of free choice. However Portugal's case against Australia has a number of procedural difficulties: 1. it is said that Portugal does not have the status to bring a complaint before the ICJ either in its own right or on behalf of the people of East Timor (previous decisions of the ICJ against Liberia and Ethiopia over Namibia are cited as authority) 2. it is said that Portugal has slept on its rights (laches) and has waited

too long to bring the action, and that East Timor is now part of Indonesia because of historical consolidation 3. it is said that it would be unjust to hear the case against Australia, because an important party is not present before the court, that is Indonesia.

In short the main strengths of the Australian defence are threshold and procedural matters. On the issue of human rights Australia's intervention at the UN Human Rights Commission on behalf of Indonesia was noted. Australia obtained the dilution of a strongly worded EC resolution, ensuring that any mention of Indonesia's human rights record, or East Timor's right to self-determination were removed. On the issue of the rights of the oil companies should Australia lose, it is most likely that Australia would use domestic legislation to ensure that the multinationals maintain their rights in zone A of the Timor Gap.

Copies of the papers are available from the Continuous Legal Education Office, Faculty of Law, UNSW, Box 1, P.O. Kensington, NSW 2033, Australia, \$A 48

PORTUGUESE FOREIGN MINISTER PINHEIRO INTERVIEWED ON TALKS (TEMPO)

Tempo, 28 March 1992. Unabridged.

Minister Pinheiro was interviewed by Dewi Anggraeni, the Tempo correspondent based in Australia, who travelled to Lisbon for the interview. *[She was the only Indonesian correspondent to sail with the Lusitania Expresso in its attempt to reach Dili earlier this month.]*

Tempo: What does Portugal now want to do to resolve the question of East Timor?

DP: The only way is to have very serious negotiations. Or call it a dialogue. It must take place under UN auspices and, by whatever means, must include participation of representatives of the people of East Timor. What I have in mind are negotiations without pre-conditions, the results of which would be acceptable to both sides without exception. [The words 'kedua pihak', meaning 'both sides', are used, but the words 'tanpa terkecuali', meaning 'without exception', suggests that what Pinheiro actually said was 'all parties without exception'.]

Tempo: Won't it be difficult for Indonesia to accept your condition about the participation of East Timorese?

DP: If Arabs and Israelis can sit at the same table and talk, I feel certain that it is possible for us to sit at the same table with East Timorese participating.

Tempo: What efforts have you made before beginning the dialogue which you propose?

DP: I have sent a letter to the UN Secretary-General, Boutros Boutros-Ghali. I underlined in the letter that Portugal is ready to begin negotiating.

Tempo: Is this the official position of the Portugal government or just an act of diplomacy by the Portuguese Foreign Minister?

DP: We now have a firmly-established government which will remain in power until 1996. I myself and other senior officials are agreed on this step. We have a number of alternatives. Portugal could make use of its strong position in the European Community. We could exert pressure and ask the other member-states to impose sanctions against Indonesia.

Tempo: Do you think it will be as easy as that for Portugal to exert pressure on Indonesia?

DP: Yes, but Portugal does not yet want to take that path. We prefer to call on Indonesia to negotiate. Now, it is up to Indonesia, whether they want to or not.

Tempo: So, you will use Portugal's position as (current) president of the European Community to exert pressure on Indonesia?

DP: We always make a distinction between Portugal's position as a member-state and as president of the EC. Apart from that, if we take the path of going through the EC, Portugal as president will first have to secure the full support of the member-states or achieve consensus. At the present time, the majority of member-states support Portugal, so it would be possible for us to achieve consensus by getting the support of all the member-states.

Tempo: So it seems that Portugal will use all means to put pressure on Indonesia?

DP: We will only do that if we believe that efforts to reach a solution by negotiations, as we have proposed, come to a dead-end.

Tempo: You mentioned just now the question of representatives of the people of East Timor. Who do you mean by that? The majority of East Timorese who support Indonesia or the minority who oppose integration?

DP: All sides connected with the question need to participate. They must all be able to express their opinions. Not only those who oppose integration but also those who favour integration. Some people may have another alternative. Up to now, there have been only two camps: total integration or independence. In my opinion, besides those choices, there are millions of others.

Tempo: Could you mention one?

DP: I don't know at present what they might but another alternative may very well be proposed and who knows, it may be acceptable to all.

Tempo: Would one be that Portugal returns to East Timor?

DP: Portugal has no claim to East Timor. We have no desire to return there. Portugal's aim is only to see the process of decolonisation being properly implemented.

Tempo: Some observers believe that this is just for domestic political purposes in Portugal, to win greater public support for the Portuguese government.

DP: You are now here and you can see for yourself the strength of feeling among the people of Portugal for East Timor. They are very sensitive about the issue. In fact, my proposal for dialogue is not popular. Politically speaking, the Portuguese people would probably prefer the Portuguese government to use stronger means. But it is because we are serious that we have taken the path of dialogue.

Tempo: When the civil war broke out, Portugal left. Now, 17 years later, why does Portugal all of a sudden want to do something about East Timor?

DP: Yes, it's true that on the one hand, Portugal was responsible for a grave error at that time. We acted wrongly and behaved very badly. But that cannot be used as justification for the wrong things which Indonesia did. For instance, there were many killings when the civil war broke out.

This is why I don't want to talk about the past. We should look to the future and bury the past. That's why I will be very disappointed indeed if Indonesia rejects our proposal which I consider to be very constructive.

Tempo: Don't you realise that Indonesia has developed East Timor? From being a region with a per capita income of US\$40 under Portuguese colonialism it now has a per capita income of \$360.

DP: If things there are so wonderful, why is the Indonesian government so afraid of holding a referendum? In my opinion, it is not possible to make such comparisons. That is not the essence of the problem.

ALI ALATAS INTERVIEWED (TEMPO)

Tempo, 28 March 1992. Unabridged.

Ali Alatas was interviewed by four Tempo journalists, A. Margana, Yopie Hidayat, Sandra Hamid and Fikri Jufri.

Tempo: Foreign Minister Pinheiro is reported to have proposed a dialogue to resolve the question of East Timor.

AA: Foreign Minister Pinheiro speaks as if there has never been any dialogue. Since 1983, dialogue has been going on continuously. This dialogue took place between our permanent representatives at the UN, directly under the auspices of the UN Secretary-General.

Tempo: Is there no formula that is acceptable to Portugal?

AA: The same thing always happens. When we are just about to adopt a formula agreeable to both sides and to the UN, Portugal suddenly withdraws (its support). Sorry to say, but that has been our experience.

Tempo: Can you give examples?

AA: In 1987. A Memorandum of Understanding had already been drawn up, acceptable to the three sides, for a UN mission to go to East Timor. The intention was for the UN mission to observe the general election and speak directly to the East Timorese. Without any explanation, Portugal withdrew at the last moment. Then, last September it had been agreed that a Portuguese parliamentary mission would visit East Timor. Only because of a journalist - whose participation in the visit we rejected - they cancelled the results of two years of negotiations. The agreement reached had clearly said that the Indonesian government could refuse journalists whom they did not want.

Tempo: Is Portugal deliberately doing this?

AA: I believe Foreign Minister Pinheiro genuinely wants to find a solution, but it seems that there are those who make him change at the last moment. It's strange, isn't it, that the mission failed just because of a journalist?

Tempo: So do you think there are internal differences of opinion?

AA: Without wanting to interfere in Portugal's internal affairs, I can ask that, because, after reaching agreement, they change their minds.

Tempo: So who is it who changes things?

AA: I don't want to point the finger at anyone but the President, for instance, can have a different opinion and he has power. Parliament also may have a different opinion.

Tempo: After these unpleasant experiences, is Indonesia reluctant to accept Pinheiro's call to resume negotiations?

AA: Minister Pinheiro in his interview with Tempo invites us to look to the future. He also expresses his willingness to start a dialogue without pre-conditions. Yet, the difficulty is that although nothing has yet started, he already places a condition, that representatives of the East Timorese people must participate.

Tempo: Is there no possibility for that?

AA: My first question is, the representatives of which East Timorese? Is it the hundreds of thousands who make up the silent majority, or Fretilin and the people who oppose integration? How many of them are there? Let's say several hundred. Who do we want to listen to, the silent hundreds of thousands who support Indonesia or a handful of vocal people? It is

clear for Indonesia that this vocal handful just represent their own political interests, not the majority of East Timor.

Tempo: So?

AA: If they want to have a dialogue, the formula should be the same as before.

Tempo: What if Portugal wants to have negotiations at a higher level, say, at the Foreign Minister level. Would you go?

AA: Yes, I would go, as long as the formula consists of three sides, Indonesia and Portugal, under the auspices of the UN.

Tempo: If they persist in wanting representatives of the East Timorese to participate?

AA: Then there will be no dialogue.

Tempo: Some people believe that it's best to leave things as they are. Officially, East Timor is in any case an Indonesian province.

AA: Yes indeed, there are two possibilities, resolve the question or leave things as they are. But I don't want to go on being disturbed by this. If we take the second course, we will always have to explain it, whenever Indonesian diplomats appear on international forums. Such occasions should really be used to discuss other things. East Timor will be like a pebble in the shoe, not a major issue but causing a nuisance. It would be a great pity if, because of this question, Indonesia is not able to play a greater role in the world.

Tempo: Following the Dili incident, how does the world evaluate Indonesia on the question of East Timor?

AA: Indeed, as a result of that event, international attention was aroused, especially regarding human rights and the question of self-determination for the people of East Timor. But this is not to say that there has been a drastic change in attitudes, particularly among governments.

Tempo: If a vote were taken at the UN, would Indonesia's position be weaker than before?

AA: I am convinced it won't be any weaker than in 1982. In fact, I think it will be stronger.

Tempo: Minister Pinheiro thinks that Indonesia is afraid to have a referendum.

AA: The question is, not whether we are afraid or not. For us, the question of decolonisation has been resolved. Indonesia provided the opportunity, even invited Portugal to resolve it together. But they didn't respond. Portugal left East Timor in August 1975. In November of that year, our Foreign Minister, Adam Malik, asked Portugal to return in order to take control of things or, at the very least, to end the unrest in East Timor. But they did nothing. So it's nothing to do with being afraid or not, it's a question of our standing as a state. Even so, I'm quite convinced that if there were a

referendum, the majority of the East Timorese would support Indonesia.

Tempo: At present trials of the trouble-makers are under way in Dili and Jakarta. They are being charged with subversion and the maximum penalty is death. Could this have an influence when you are trying to mobilise world opinion on our side?

AA: Herein lies a dilemma and a difference of opinion. For Indonesia, East Timor has been integrated and the East Timorese are Indonesian citizens. It is clear that, according to our national laws, they have been engaged in separatist endeavours and there are laws to deal with that.

Tempo: But abroad?

AA: Abroad, there are some who hold the view that East Timor is not recognised officially as part of Indonesian territory. In their view, demonstrations are regarded as peaceful political actions. According to them, no measures should be taken towards people who do this.

BELO SEEKS EXTENSION PERMIT FOR MISSIONAIRES

Source: AFP. Date: 27 March 1992. Abridged slightly.

East Timorese Bishop Filipe Ximenes Belo visited the immigration office here Thursday to seek extension permits for 68 missionaries in the former Portuguese colony, press reports said here Friday. But he said immigration chief Roni Sinuraya told him the required recommendation from the Indonesian Bishops Conference (KWI) had not been received.

The diocese unilaterally annexed by Indonesia in 1976 is still under the direct auspices of the Vatican, not under the KWI like other dioceses in Indonesia.

But the Merdeka daily quoted Sinuraya as saying that a new rule required all foreign missionaries to have KWI approval prior to their application for the renewal of their permits to stay. Previously, only Belo's request was required, without going through the KWI.

The Merdeka paper quoted Sinuraya as saying the missionaries would have to leave if they fail to get the recommendations. "But in respect of their profession, they will not be deported as illegal tourists," he said.

Sinuraya said the 68 missionaries of both sexes included 19 Filipinos, 15 Italians, 12 Spaniards and eight Portuguese, with the rest coming from Belgium, India, Mexico, Czechoslovakia and Dominica in the West Indies.

Belo told another daily, the Kompas, that "to improve the situation in Dili, all parties should engage in dialogue, and for that reason too, we are seeing the director-general of immigration."

PDI ENDORSES TRY SUTRISNO FOR V-P

Reuter, Jakarta, March 30 - The Democratic Party (PDI), one of Indonesia's three political parties, will back armed forces commander Try Sutrisno for the vice presidency.

"PDI considers it necessary that the vice presidency should be held by the armed forces...and the right person is the commander-in-chief," PDI Secretary General Nico Daryanto was quoted as saying in West Kalimantan province.

Diplomats said the 56-year-old Try, a protege of President Suharto, appeared to have spoilt his chances after an army massacre of civilians in East Timor last November.

Try, just eight months away from retirement, insisted only 19 people were killed. A commission appointed by Suharto said 50 died.

PDI Secretary General Daryanto declined to name his party's candidate for president.

GOVERNMENT SHUTS DOWN 'PORTUGUESE SCHOOL' IN DILI (JAKARTA POST)

Jakarta Post 30 March 1992 Dateline: Dili. Storytype: news item slightly abridged

The gov't and the local Catholic diocese have at last agreed to shut down Estanator [sic: Externato], the only school refusing to use an Indonesian curriculum, after long and delicate negotiations.

The school in the former Portuguese colony uses a self-designed curriculum, in defiance of Indonesian laws that require all schools to follow the national curriculum.

The announcement of the school's closure by the East Timor education and culture office broke the government's long silence concerning the existence of the school, which has remained open for the 16 years that East Timor has been under Indonesian sovereignty.

The head of the East Timor education and culture office, R Tri Wartanta, said that the decision to shut down the school was made at a meeting last Friday between him and bishop Carlos Philippe Ximenes Belo, without any pressure from either side. Under the agreement, the closure will be effective as of the beginning of April, following the end of the current academic year.

Estanator accommodates over 300 students at both elementary and secondary levels. The 'Portuguese school', as Dili townspeople refer to it, offers courses in Portuguese, teaching Indonesian as a second language, and gives only minimal instruction on Pancasila, the state ideology.

The school has become somewhat notorious among townspeople and officials alike, following reports that many of its students were involved in the Nov 12 demonstration that led to a deadly clash between the protesters and troops, leaving about 50 people dead.

The school is located near the Santa Cruz cemetery where the tragic incident took place.

A source at Estanator [sic] told the Jakarta Post on Saturday that the students would be transferred to other schools, both private and state run.

The closure plan has received support from local military field commander Brig Gen Theo Syafei and from the chairman of the Legislative Council (DPRD), Guilherme Dos Santos.

"I was surprised when I learned there was a Portuguese school," Theo said, recalling the time he first came to East Timor.

Theo said he had told officials from the local education and culture office not to hesitate to close down the school. The general, known for his no-nonsense manner, proposed that the transfer of students from Estanator should be the responsibility of their parents.

INDONESIA TAKES HARD LINE ON EAST TIMOR (GUARDIAN NEWSWEEKLY)

For the Guardian Newsweekly (U.S.) by Charles Scheiner, March 30, 1992

The worldwide outcry over Indonesia's brutal occupation of East Timor has been rekindled, due to public reaction to the massacre of more than 140 peaceful mourners at the Santa Cruz cemetery in Dili by Indonesian troops last November 12. Although some governments which reacted sharply have begun to relent, international pressure continues.

Indonesia invaded the former Portuguese colony in 1975, a few weeks after the tiny half-island between Indonesia and Australia became independent under the leadership of Fretilin — the Front for an Independent East Timor. In the late 1970's, military repression and massive relocation killed 200,000 Timorese people, one-third of the population.

Indonesia's occupation and genocide has been criticized by numerous General Assembly resolutions, and the UN still recognizes Portugal as the responsible power, but the world community has never taken serious action. Fretilin and other resistance movements, led by Xanana Gusmao, continue to struggle for independence, which is supported by the overwhelming majority of the East Timorese people, especially those who have grown up under Indonesian rule.

On March 26, Indonesia informed the Netherlands (its former colonial ruler) that it

would no longer accept economic aid, objecting to "the reckless use of development assistance as an instrument of intimidation." Dutch aid, about \$91 million annually, had been curtailed in protest of the massacre, as had that from Canada and Denmark.

Indonesia also demanded the dissolution of the 24-year-old Intergovernmental Group on Indonesia (IGGI), headed by the Netherlands, which supplies the bulk of Jakarta's foreign aid, about \$4.75 billion for 1992.

Although Austria suspended its \$8.5 million aid the next day, Indonesia expects major aid suppliers not to be concerned about human rights. Most IGGI funding comes from Japan (\$1.3 billion), the World Bank (\$1.6 billion), and the Asian Development Bank (\$1.1 billion), with about \$112 million each from the U.S. and France. The U.S. also provides about \$60 million in military aid and training per year, and U.S. companies sell hundreds of million of dollars worth of weapons.

RENEWED REPRESSION

Indonesian authorities are cracking down on the people of East Timor. All foreign journalists are again banned from the territory. The hard-line military commander for East Timor, Brig. Gen. Theo Syafei, appointed after the slaughter, justified the increased repression: "I'm only restoring ABRI (Indonesian armed forces) standards.

Demonstrations don't exist according to Indonesian law." With widespread troop deployments and massive arrests, Syafei successfully suppressed expression during two recent high-visibility events — the visit of a U.N. envoy and the approach of an international peace boat.

The increased repression follows a failed effort to downplay the massacre, which Suharto called "a small matter, exaggerated by Western countries and their press." He wanted to persuade foreign governments that his policy of declaring integration and opening up East Timor over the last few years was working. Jakarta transferred and dismissed some military officers responsible for the "mistake," conducted two high-profile investigations, and is putting some officers on trial. Post-massacre killings and arrests of hundreds of Timorese did not get the same visibility.

Foreign Minister Ali Alatas visited dozens of capitols on damage control, having some success in Canada and Japan, but mixed results elsewhere. At the National Press Club, he had an impromptu debate with New Yorker correspondent Allan Nairn, a massacre eyewitness. When Alatas falsely accused Nairn of concealing his journalistic identity, Nairn retorted "So your troops only fractured my skull because they thought I was a tourist."

U.N. HUMAN RIGHTS COMMISSION SIDESTEPS TIMOR

At the U.N. Human Rights Commission in Geneva, Portugal persuaded the European Community and North America to co-sponsor a resolution mildly critical of Indonesia, and testimony by several massacre eyewitnesses made the sentiments real. At the last minute, after intensive lobbying by Indonesia, Australia, the U.S. and Japan, the resolution was replaced by a "consensus declaration" "strongly deploring the violent incident in Dili" but "welcoming the early action of the Indonesian government in setting up a national commission of inquiry..." (whose report was called "fatally flawed" by Amnesty International). The UNHRC "urges the Indonesian government to improve the human rights situation" and allow access by U.N. officials and human rights organizations. Although such a declaration is the weakest possible action by the UNHRC, it puts East Timor on next year's agenda. Jose Ramos Horta, spokesman for the National Council of Maubere Resistance (an umbrella of East Timorese groups) remains optimistic: "Time is on our side. No matter what they think in Jakarta, Indonesia has lost the political battle for East Timor. It's only a matter of a few more years before they have to make some kind of settlement."

As the Commission met, the twelfth annual Consultation of East Timor Solidarity Groups included representatives from fourteen countries, including two Timorese and, for the first time, a member of the opposition from within Indonesia. The Consultation emphasized U.N.-supervised peace talks without preconditions, and support for Timorese political prisoners.

ARRESTS AND TRIALS

More than 60 Timorese were arrested after the November 12 massacre and a peaceful protest in Jakarta November 19. Four alleged organizers of these events — Francisco Miranda Branco and Gregorio da Cunha Saldanha in Dili, and Fernando Araujo and Joao Freitas da Camara in Jakarta — are being tried for "subversion," with a maximum penalty of death. Other Timorese could get seven years for "inciting hatred" against the Indonesian government. Three men recently convicted of "leaking classified documents" (newspaper articles and U.N. reports) received 3-5 years in prison.

Another 24 arrested in Dili without charges will be "educated to become sound Indonesians," according to the East Timor police chief. Although they admitted under interrogation and probable torture that "they had been influenced by agitation from separatists," their court-appointed attorney said that they could not be returned to society if separatism still dominated their thinking. Their forced indoctrination will last at least three months.

The court appointed the same lawyer to "represent" the four facing "subversion," but they requested defense by the Indonesian Legal Aid Foundation, which was barred at the start of the trials, but later allowed into court. Foreign journalists and legal observers are still excluded. On March 19 and 20, worldwide demonstrations against the trials included actions in New York, Washington, Los Angeles, and Providence.

The defendants deny the court's jurisdiction. In his opening statement March 23, Araujo declared "Here before the court of law and before this public arena, I declare that I am still a Portuguese citizen according to international law. When anyone asks me about the Indonesian identity card I hold, I say that up to this day, I am a coerced Indonesian citizen."

Da Camara refuses to participate: "If I am forced to attend the trial, I am entitled to charge the Indonesian government with responsibility for all the human rights violations perpetrated against East Timor since the start of the occupation in 1975. I demand that those responsible for the 12 November event when hundreds were killed and wounded should be tried in open court."

THE PEACE BOAT

A Portuguese student group chartered the Lusitania Expresso, a car ferry, and sailed it to Darwin, Australia, where it picked up 120 students and journalists from 21 countries.

They intended to place flowers at the Santa Cruz cemetery to commemorate the victims of the massacre. As Portuguese President Mario Soares put it, "Dictatorships are afraid of flowers and of unarmed and peaceful young people when they want to protest." Following escalating series harassment and threats, three Indonesian warships (with guns at the ready) and two helicopters intercepted the ferry 14 miles from East Timor. Told "You are now in Indonesian territory. Turn back or force will be used," the ferry returned to Australia.

Brown University student Lorne Rider, one of five Americans aboard, was disappointed by the lack of U.S. media interest in a story "writ as large as the Gulf War" in Portugal. "We were informed by CBS and NBC: no blood, no story. It's a sadistic paradox. Sinking the boat, a scenario which some Indonesian hard-liners publicly advocated, would have guaranteed us a flash of US media attention. But unlike a quarter of a million East Timorese who have died in the past 16 years, we are not martyrs, and none of us ever intended to be."

Indonesia's state-controlled press used the "failed provocative sailing" to manipulate public opinion. Pointing out that the students were supported by the Lisbon government and national oil company, Jakarta Radio quoted Syafei saying that "Portugal's credibility ... has plummeted

after the Lusitania Expresso was easily turned back by the Indonesian Armed Forces."

WASHINGTON EVASION

Just after the massacre, Congress was a hotbed of resolutions and "Dear Colleague" letters, but no legislation has been introduced this year. The Senate Foreign Relations Committee, chaired by Claiborne Pell, held a hearing on East Timor on February 27, after a report by the Congressional General Accounting Office accepted the Indonesian cover-up and endorsed a Pentagon request to increase U.S. military training for Indonesia from \$1.9 to \$2.3 million because no U.S.-trained officers were directly responsible for the massacre. At the hearing, Allan Nairn described "a cold blooded execution.

Indonesian soldiers marched up in massed formation and opened fire in unison into a peaceful, defenseless crowd. The next day the national commander of the Indonesian military praised the massacre and said that it was armed forces policy to shoot down defiant Timorese." Asia Watch and Amnesty International echoed Nairn that "This is the decisive moment for action on East Timor. If the United States cuts off aid and backs UN action for self-determination, vast numbers of East Timorese lives will be spared, and there will be a reasonable chance that the illegal occupation will come to a just and orderly end. But if you do not do this, then more Timorese will die, and the chance for a peaceful solution will probably be lost."

The following week, Deputy Assistant Secretary of State Kenneth Quinn told Pell's Committee that Suharto "did the right thing" with the official whitewash and discipline of military officers. "We would view Indonesia as being a worthy recipient of U.S. assistance," Quinn concluded. Pell wants a "solution which addresses the underlying causes of conflict in East Timor," including a U.N.-sponsored plebiscite, but will not take action until after the trials. "Much more needs to be done," he said. "East Timor can too easily be forgotten by the press of world events."

The Indonesian military regime, in power since 1965, faces a major turning point. As chair of the Non-Aligned Movement, Jakarta hopes that renewed repression and cover-up, escalating chauvinism, and defiance of aid donors, can overcome global revulsion at ongoing genocide. As John MacDougall of Task Force Indonesia sees it: "Indonesia's recent actions (on IGGI) constitute one of its riskiest foreign policy gambits within memory. It is now not inconceivable that some countries will soon seek to review their overall approach toward Indonesia, though customary policy inertia could make piecemeal, ad hoc responses the prevailing pattern."

SIDE BAR: ETAN/U.S.

The East Timor Action Network / U.S. was formed in the wake of the Santa Cruz massacre. ETAN/US now includes over 200 people, has five local groups, and has organized two demonstrations each in New York, Los Angeles, Providence and Washington. They have supported conferences around the country, including one on March 13 at Brown University that drew 1000 people, and a New York City public meeting is planned for May 12. Legislative alerts, compilations of news (100 pages per month from computer networks) and other materials are available. Contact ETAN/US at PO Box 1182, White Plains, NY 10602.

INDONESIA'S REIGN OF TERROR (DENNIS SCHULTZ IN THE BULLETIN)

Source. *The Bulletin, Australia. Date: 7 April 1992. Byline: Dennis Schultz. Unabridged.*

Despite strict security, Dennis Schultz recently visited the scene of last year's Dili massacre and was given evidence of new atrocities. But Indonesian authorities were waiting to grab the crucial film - and deport him.

The young Indonesian intelligence officer boasted "We know who you are. We know you have been here before and we know what you have written about us."

They did indeed know about my previous excursion to Dili and the subsequent *Bulletin* article (Dec. 17 1991) revealing the location of the mass graves of those killed at the Santa Cruz massacre on November 12 and afterwards. Since then foreign journalists have been banned in East Timor and, as they searched my bags with clinical efficiency, I didn't need to be told I was in serious trouble.

They were polite and professional. "You have been observed photographing a military vessel," the officer said, throwing down a snapshot of me taken an hour before by someone at the dockside.

WARSHIPS

"We will confiscate any pictures you have taken that could violate Indonesian security." I told him I thought the rusty bucket with guns steaming out of Dili Harbour was a floating World War II relic. He didn't laugh. We both knew it was one of the warships that forced the untimely return to Darwin of the Lusitania Expresso, the Portuguese peace ship.

I had not anticipated this shakedown. If I had, I would have taken the film still in my Nikon and hidden it, along with the other — more important — roll slipped to me by a courageous young East Timorese student.

I had come to Dili the hard way. For the past month, Europeans had been selectively refused entry to the East Timorese capital

and turned back at their Indonesian airport of embarkation. I waited until the Lusitania episode was over, then made my way overland by bus from the West Timorese capital of Kupang. I had come to investigate claims that the Indonesian military was systematically moving large numbers of East Timorese out of the capital and into detention camps.

There had been no military roadblocks when I left East Timor by this road in December, shortly after the massacre. But now travelling was restricted. Written permission, or a *surat* was required from the army before you could travel in the province. A tourist *surat* took me through three army roadblocks and some close scrutiny. I was also aware of the plainclothes policeman sitting next to me in the crowded bus, the butt of his .38 Special bulging from his polo shirt.

The bus arrived in Dili just after dusk. The East Timorese dare not move around after dark because of the unofficial curfew, the only movement coming from Javanese and other immigrants brought to Timor under Indonesia's infamous Trans-immigrasi Programme. Everybody is aware of the danger in going out on the streets that are under army control. Last week, a Timorese teacher found a plastic bag at the roadside containing the bodies of two young people who did not make it home before dark.

SOLIDARITY

Still, things have relaxed since the Lusitania episode. The peace ship was taken seriously by the Indonesian army administration and the population at large. The generals expected demonstrations of support by anti-integration nationalists, while the East Timorese looked on the exercise as an expression of solidarity from abroad. "We look to people from other countries for help," one East Timorese youth said, "because we know in our hearts that without them there can be no hope for us. The Indonesians are trying to wipe us out one by one."

During my only night in Dili, a situation only a few kilometres away highlighted the young man's fears. At around 3am an estimated 80 members of the Indonesian army's crack red beret unit surrounded a house in suburban Bairro Pite and arrested the four teenagers sleeping inside. The crime of Jose Montero, Estanislaou Costa, Gil Montero and Jose Jalucho was to have been present at the illegal demonstration at Santa Cruz cemetery on November 12 last year, when the Indonesian army allegedly killed more than 200 East Timorese. As the youngsters were dragged from the house, eye witnesses said the beatings had already begun.

MEETING CAESAR

We swung into a quiet suburban street where a young man stood laughing as he played with a group of children. After an introduction by the driver in Portuguese, we

exchanged greetings. His English was excellent in a country where communication is often impossible, and he showed a maturity well beyond his years. Caesar asked why I wanted to go to Santa Cruz. "To lay the wreath the people on the Lusitania Expresso were unable to," I replied.

A big smile crept across his face. I told him I was an Australian journalist and he began speaking freely about the peace ship. "We were so happy about the Portuguese Lusitania. It gave us great hope that there was someone who had not abandoned us... someone who would help us and put pressure on the Indonesians. So we decided to have a demonstration of support when they landed."

But wouldn't that have almost certainly created a situation not unlike the disastrous demonstration that led to the Santa Cruz massacre? "No," Caesar said naively. "The Indonesians would not have dared to attack us with so many foreigners watching."

But in the end the Lusitania brought only disillusionment. "We had many banners painted and we had plans for the demonstration in place when we heard that they had been turned back," the teenager said. "We were so sad. My father began crying when he heard the news on the radio. He said we would never be free. Then we all began crying."

As part of their preparations to deal with the Portuguese peace ship, the Indonesian military had begun a systematic removal of young East Timorese students and activists whom they suspected would continue to embarrass them internationally. "They have taken so many people," Caesar said, "that everyone knows some people who have been taken. They arrest them and take them without any belongings to two towns in the southern Same district, Betano and Viqueque."

The Indonesians call these towns "strategic villages", a concept conceived by the United States in Vietnam. But the

East Timorese call them *campo de concentracao* (concentration camps). "After they go, we do not know what happens to them or if they will ever be back," Caesar said. "The Indonesians do not want the East Timorese in Dili."

At the Santa Cruz cemetery, Caesar said he and the driver would return for me in 15 minutes. It was too dangerous to wait. I passed the headstones to place a wreath on one grave in remembrance of those killed in November.

When the taxi returned for me, Caesar's face was dark. "I am going to give you something but if the Indonesians know it comes from me, they will kill me. You understand? Please look forward when we talk. Now take this and hide it until you get back to Darwin. It will show Australian people what our life is like with the Indonesians."

FILM CANISTER

I looked down at a roll of exposed film, with a note packed into the canister. "These are pictures we have taken, along with a coded letter," Caesar said. "Pictures of people after their release from the military. People with their ears cut off. People who have been burned and beaten all over their body. People with slashes across their faces. Pictures to show to Australian people." I took the canister, removed a new roll from my bag and put Caesar's film into the Fuji box, sticking down the lid so that it would appear a new, unused box of slides.

"Keep us in your heart when you return to your country," he said as the car stopped. As requested I did not turn round to say goodbye.

My usually good contacts in Dili were not forthcoming because of the fear gripping the city. I tried one last avenue to corroborate Caesar's charges. I tried to speak to Governor Mario Carrascalao, the outspoken East Timorese civil head of state, a man locked in battle with diabetes — and the Indonesian military.

SUSPECTED

But first one must make an appointment with one of his functionaries, an East Timorese suspected by some to be a collaborator with the Indonesians. He remembered me from my previous visit. However, he said an appointment was impossible. His manner was cold and unwelcoming but I thought nothing of it, deciding instead to leave my hotel and go to the airport before anyone else recognised me.

It was at the New Resende Hotel that the youthful Indonesian intelligence officer stopped me.

"You will come with me, Mr Schultz," he snapped. "You will be searched and interrogated by intelligence and immigration officials."

I cannot remember being angrier with myself. I knew exactly who had betrayed me. Now they would get the films. They opened all my boxes — and confiscated Caesar's film. They could not read the letter written in English but they would, no doubt, give it to someone who could.

They said I must go to the airport and leave Dili without delay. They followed me and stood by until I was on board. But as I looked out the window, my thoughts remained with Caesar. Surely the film and the letter could not be traced to him? But I checked into a Kupang hotel and immediately phoned Caesar to warn him.

"Caesar, the Indonesians detained me and found your film. They took the film and your letter...do you understand? I'm sorry, Caesar, I'm so sorry. You must be very careful."

"I understand, Dennis... yes, I understand," he said. A pause.

"Dennis... I love you."