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The material is grouped by subject, with articles under each category in approximately chronological order. It is also available on IBM-compatible diskette, in either WinWord 2 or ASCII format.

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UN HUMAN RIGHTS SEMINAR IN JAKARTA

MRAP'S LETTER TO ANTOINE BLANCA

English translation: Agir pour Timor

MRAP
Mouvement contre le Racisme et pour
l'Amitié entre les Peuples
89 rue Oberkampf
75543 Paris Cedex 11
January 12 1993

Mr. Antoine Blanca
Deputy General Secretary
Human Rights Centre
United Nations Office in Geneva
1211 Geneva 10

Dear Mr. Deputy Secretary General,

We are very surprised of the acceptance of Jakarta's candidacy to the holding of the Asia-Pacific Human Rights Conference on January 26, 27 and 28.

This event is all the more choking as the Human Rights Commission in March 1992 and the Subcommission in August 1992 renewed their condemnation of the Indonesian policy in East Timor.

Can one imagine a "Middle East" session held in Baghdad? A "Far East" session held in Peking?

We do hope that, if the conference is indeed held at that date and in that place it will have a care for reiterating the condemnations and injunctions addressed to the Indonesian government by a great number of NGOs (among which our movement, since we regularly grant an accreditation to Mr. Jose Ramos Horta, outside representative of the East Timorese resistance).

Sincerely yours, etc.

Mouloud Aounit
General Secretary of MRAP (signed)
Jean-Jacques Kirkyatcharian
Member of the Presidency of MRAP
(signed)

UN HUMAN RIGHTS WORKSHOP

AFP, Jakarta, Jan 21 - The United Nations Centre for Human Rights, in cooperation with the Indonesian government, is to hold a three-day regional workshop on human rights here, a foreign ministry official said Thursday.

"Senior officials and representatives of non-governmental organisations from 31 member countries will attend the workshop, which is to be opened by President

Suharto," the foreign ministry's Director of Political Affairs Wiryono told journalists.

Antoine Blanca, UN under secretary general for human rights, is to give an introductory speech, Wiryono said.

He said the workshop was previously scheduled for December 1991, but was cancelled because of the November 1991 Dili massacre.

Indonesia has been the target of renewed criticism on human rights since November 12 when Indonesian troops opened fire on East Timorese demonstrators in Dili, the capital city of the former Portuguese colony, killing at least 50 civilians, according to an official figure.

Eyewitnesses said the death toll could be at least 115.

Wiryono said the workshop would discuss regional arrangements for the promotion and protection of human rights.

The first workshop in the series was held in Manila in 1990.

COMMENT BY TAPOL

January 22, 1993

All NGOs are urged to condemn this meeting, perhaps through letters to the press condemning the UN for agreeing to go ahead with this Workshop.

It can also be pointed out that Asian governments have stalled on plans to hold a regional preparatory meeting for the World Conference on Human Rights in June this year. The chief reason is evidently that they would be required to give unrestricted access to NGOs in such a gathering, whereas this Jakarta Workshop is being held under different rules, making it possible for Jakarta to select the NGOs which may attend and presumably the conditions of their attendance. Why AI and not Asia Watch for example? (We have heard that the Geneva-based SOS-Torture will also attend.) Will AI, if it does attend, have full and unfettered access to activists in Jakarta? Will its representative be allowed to visit East Timor and Aceh?

Carmel, TAPOL

Excerpts from UPI report from Jakarta on 21 January 1993

Indonesia has reportedly made some improvements in its human rights record but the head of the Jakarta-based Legal Aid Foundation, Abdul Hakin Garuda Nusantara, said last month that state security measures were still heavy handed. "The use of the security approach has scared people," he said.

Wiryono said Amnesty International would be represented at the workshop but Asia Watch was not invited. He did not elaborate.

AMNESTY TO ATTEND HUMAN RIGHTS WORKSHOP

Amnesty International - external release - issued as weekly update ASA 21/WU/01/93

January 27, 1993

Indonesia: Amnesty International representative attends UN Human Rights Workshop, requests visa extension.

An Amnesty International representative, Dr. Geoffrey Robinson, will be in Indonesia between 25 & 29 January to attend a UN seminar on human rights. This is the first time Amnesty International has been officially permitted to enter Indonesia for more than 15 years. AI welcomes this occasion and hopes that the visit will provide opportunities for Dr. Robinson to obtain first hand information about the human rights situation in Indonesia & East Timor.

During his stay, Amnesty International's delegate hopes to meet government officials responsible for drafting new human rights legislation and those involved in the preparation of Indonesia's new Criminal Code.

The delegate also hopes to obtain information about the planned national human rights commission, and to discuss the mandate and principles of such a body with government officials. Dr. Robinson will seek information about official investigations into reports of human rights violations in the Aceh region and about those reported to have "disappeared" in Aceh & East Timor.

Amnesty International regrets that the five day visa issued by the Indonesian authorities may restrict opportunities for its delegate to gain further knowledge of human rights matters and has requested an extension of Dr. Robinson's visa. The organization has since learned that the trial of East Timorese resistance leader Xanana Gusmão is scheduled to open in February 1993 in Dili. In the light of this development, the organization today reiterated its request for a visa extension, to enable Dr. Robinson to attend Xanana Gusmão's trial.

Since his capture on 20 November 1992 the treatment of Xanana Gusmão has already caused serious concern, heightening fears that his trial may fall short of international standards of fairness. Xanana Gusmão was held in incommunicado detention for 17 days before International Committee of the Red Cross delegates were permitted to see him. Available evidence suggests that he may have been physically and psychologically ill-treated during this period.

Independent lawyers from the Indonesian Legal Aid Institute (LBH) have not been permitted to visit Xanana Gusmão, and in January he wrote a letter stating that he did

not wish to be represented by LBH lawyers in court. Amnesty International is concerned that this letter may have been written under duress. Relatives, who have power of attorney for Xanana Gusmão, have urged the authorities to permit LBH lawyers to visit him in detention to discuss his case in private.

Amnesty International considers that the presence of international observers at the trial of Xanana Gusmão would provide a concrete demonstration of the government's commitment to upholding international standards of fairness.

DIPLOMATIC VICTORY

AFP, Jakarta, Jan 25 - The opening Tuesday in Jakarta of a United Nations' seminar on human rights is a diplomatic victory for the government of President Suharto, a Western diplomat said.

The three-day regional seminar, to which 30 countries have been invited, will consider the human rights situation in the Asia-Pacific region, according to a release from the UN press centre in Jakarta.

Delegates will also discuss agenda items for the world conference on human rights, to be held in Vienna, Austria from June 14-25.

The regional seminar was originally scheduled to be held in Jakarta in December 1991. It was postponed at the time due to the death of dozens of pro-independence demonstrators in Dili, the capital of the former Portuguese colony of East Timor, at the hands of the Indonesian army on November 12, 1991.

"In the circumstances, the mere fact that the regional seminar, the second since the one held in Manila in 1990, is finally taking place in Jakarta, is an undoubted victory for Indonesian diplomacy," the diplomat said.

The meeting will give Indonesia, which assumed the presidency of the Non-Aligned Movement at its summit in Jakarta last September, the chance to defend its position that individual human rights in third-world countries should be balanced against the rights of the community as a whole.

A document published by the Indonesian foreign affairs department in July 1992 - "East Timor: Building for the future" - justifies the 1976 annexation of East Timor, an act which has never been recognised by the United Nations.

It affirms that Indonesia - a member of the UN commission on human rights since 1991 - "accepts and recognizes the universal validity of basic human rights and fundamental freedoms.

"But international cooperation pre-supposes as a basic condition, respect for the sovereignty of states and the national identity of peoples," it continues, mention-

ing Indonesia's refusal to accept the attachment of human rights conditions to Western financial aid.

The document says "the obligations of individuals towards society and the state" should be "equal" to individual human rights, claiming that without this balance the rights of the community as a whole would be denied, which could lead to instability and anarchy, especially in developing countries.

The Indonesian army, which plays a crucial role in the new order established by President Suharto in 1966-67, guarantees the country's political stability, according to the report.

Army methods elsewhere than in Timor are the subject of criticism occasionally published in Indonesia, despite strict official censorship.

In recent weeks the army has been accused of systematic strike-busting in Jakarta's industrial suburbs, and involvement in the nomination of a bishop to the synod of a Protestant church in the Batak region of northern Sumatra.

The local council of ulemas, Moslem scholars, recently protested against the apparent impunity with which soldiers engaged in numerous atrocities in a campaign against Moslem rebel forces in the northern Sumatran province of Aceh.

On January 22, Indonesian Defence Minister Benny Murdani acknowledged the growing importance of international opinion in the matter of human rights.

For the first time in 15 years, a representative from human rights group Amnesty International was officially authorised to enter Indonesia to attend the United Nations seminar as an observer.

HUMAN RIGHTS 'MACHINERY'

AFP, Jakarta, Jan 28 - Thirty-one Asia-Pacific countries ended a three-day workshop here Thursday, saying a step by step strategy should be adopted to establish a regional mechanism to promote and protect human rights.

"A step by step strategy should be adopted in establishing regional machinery for the promotion and protection of human rights," Chairman Wiryono Sastrohanjojo said, reading the group's concluding remarks on the second Asia-Pacific workshop on human rights.

"A first step could be the setting up of sub-regional machinery for human rights information dissemination," Wiryono said.

The Association of Southeast Asian Nations (ASEAN) secretary general is currently preparing a study on the formation of

a new body under the six-nation group which a well-informed Singaporean source said could provide the sub-regional machinery.

Senior officials of the ASEAN - which groups Brunei, Indonesia, the Philippines, Malaysia, Singapore and Thailand - discussed the creation of a future ASEAN commission on human rights in mid-January when they met in Singapore, the source said.

The report should be ready sometime around July for the next ASEAN foreign ministers meeting, the source added.

The next step could be "for example" to establish "an Asia Forum which could enhance regional exchange of ideas and experiences aimed at promoting human rights activities," Wiryono said.

'ASIA' CLOSES RANKS

Reuter, Jakarta, Moses Manoharan, Jan 28 - Developing Asia closed ranks against a critical West ahead of a world conference on human rights, insisting on Thursday that the right to economic development was as important as civil liberties.

"The West takes the view that development is not a right but the result of your efforts. We think economic development facilitates civil and political rights," Wiryono Sastrohandjojo, Indonesia's top Foreign Ministry official, told Reuters.

Wiryono, who is helping conduct a three-day UN workshop on human rights ending on Thursday, said a country had to have political stability before achieving economic development.

But he said he did not want a confrontation with the West at the world conference in June.

Asia's economically most powerful country, Japan, may not join the common platform.

"We believe that there are certain fundamental rights that are respected by all countries regardless of culture, politics," said Yutaka Yoshizawa, director of the human rights division of the Japanese foreign ministry.

"Human rights should not be sacrificed for development," he said.

Indonesia, chairman of the 108-member Non-Aligned Movement, which hopes to present a common Third World front at the world conference, believes developing countries should not be judged by Western principles of the individual but on the basis of their own cultural traditions and values.

The concern is built around efforts by donor countries to tie aid to the human rights records of recipients such as Indonesia, which lost some aid when its troops fired into a crowd of mourners in East Timor in 1991.

Jakarta says 50 people were killed and 66 were missing in the incident, but witnesses put the toll as high as 180.

China, heavily criticised in 1989 when it used tanks and troops to crush pro-democracy protests by students in Beijing's Tienanmen Square, will add its considerable weight to those who say stability precedes development.

It does not expect national issues like the violence in Tienanmen Square to be raised at the world conference, said its delegate to the workshop, Fan Guanxiang.

Tienanmen "has nothing to do with human rights," Fan, former permanent representative to the United Nations in Geneva, told Reuters.

Islamic countries also will present their religious views on human rights at the world conference, according to Mohammad Ali Mottaghi-Nejad, deputy director of Iran's human rights, social and international affairs department.

Nejad said the West should be prevented from imposing its own version of human rights on Moslem countries, where religious laws sanction flogging for adulterers and lay down strict norms for women's modesty.

'IMPLEMENTING' HUMAN RIGHTS

IPS, Jakarta, Jan 28 - Asia-Pacific policy-makers say that while human rights principles are universal, the application of these vary from country to country.

Headed by officials of host country Indonesia, Asian participants in the three-day workshop on human rights for the Asia-Pacific region this week argued that the implementation of human rights vary because of different cultures and levels of economic progress.

"The fundamental question is not confined to human rights protection," said Indonesian President Suharto in his opening speech at the workshop. He said what is needed is "to actively create the conducive conditions to the growth and evolution of humanity."

The meeting, held in Jakarta Jan. 26-28, was intended to be a preparatory meeting for the World Conference on Human Rights to be held in Vienna in June. It aimed to pinpoint the region's human rights issues and establish a consensus to set up an Asia-Pacific body on human rights.

At the conference, UN Undersecretary General for Human Rights Antoine Blanca criticized Asia-Pacific as being the only region without a specific human rights treaty and some form of region-wide human rights mechanisms.

"In all corners of the earth we are witnessing unprecedented assertions of entitlement to fundamental human rights, he said. "These calls cannot be ignored."

The New York-based group, Human Rights Watch, an umbrella organization for five regional bodies, said in its 1992 annual report that Asian governments showed increasing sensitivity to charges of human rights abuse, reacting by establishing official human rights bodies throughout the region.

But these moves "appeared to be more an effort to fend off international criticism than a genuine attempt to ameliorate abuses," the report said.

Last year, human rights questions in Asia included mistreatment of Chinese political prisoners and atrocities committed by Burmese military authorities against national minorities.

In countries such as Sri Lanka and India, which are battling separatist insurgencies, state-sponsored suppression of freedom has been justified on grounds of national security, say activists.

Indonesia itself has come under heavy criticism because of its policy in the former Portuguese territory of East Timor, where Indonesian troops opened fire on demonstrators in 1991, killing as much as 100 people and wounding many others.

But Asia-Pacific governments have had difficulties reaching an agreement on a human rights program even among themselves. A preparatory meeting for the Vienna conference scheduled last October in Bangkok was postponed because of widely divergent views on the agenda to be discussed.

What countries like Singapore, Indonesia and Malaysia have agreed on is that they cannot support current international human rights programs because traditional definitions of human rights do not represent Asian culture and values.

They say while Western definitions of human rights emphasize individual choice and civil liberties, Eastern cultures traditionally put more value on community rights, discipline and respect for elders.

During his speech at the meeting, Suharto said "every country upholds the lofty ideals of human rights."

But he hit richer nations for applying "economic pressures on developing countries," which in effect "violate the basic tenets of the international human rights code."

Although Suharto called for closer cooperation with developed Western countries, he said the full implementation of human rights in developing countries depends much on economic progress.

In many Asian countries "the fundamental questions are not confined to human

rights protection," he said. They also have to deal with "poverty, ignorance and backwardness."

Suharto, who is also the chairperson of the Non-Aligned Movement (NAM), said human rights protection "is very much influenced by the living standards in each country" and cited the "complex tasks to alleviate poverty, ignorance and backwardness."

Hassan Wirajuda, Indonesia's representative to the UN mission in Geneva, added that the implementation of human rights must be integrated into the development process. He said many countries in the region have had success in development programs that led to more democracy and better protection of human rights.

Wirajuda also said the UN monitoring mechanisms concentrate on the protection rather than the promotion of human rights, he said. Such mechanisms "emphasize condemnation and sanctions," while neglecting the "activity-related advisory services and technical cooperation."

AMNESTY INTERNATIONAL SPEAKS OUT IN JAKARTA

Reuter, Jakarta, Moses Manoharan, Jan 28 - Amnesty International, back in Indonesia after a 15-year ban, said on Thursday there had been little improvement in the country's human rights record, with continued reports of political executions and torture.

"The situation is still serious and very bad from the human rights point of view," Geoffrey Robinson, head of the Asia-Pacific region for the London-based human rights organisation, told Reuters.

He said Amnesty was concerned about the treatment of political detainees in the former Portuguese colony of East Timor and in Aceh, northern Sumatra, which has a long history of rebellion against central government.

Robinson said reports of extra-judicial executions, torture, disappearance of political opponents and arbitrary arrests were still much in evidence.

"But I'm not saying these things happen every day," he added.

Robinson, who is in Indonesia to attend a UN workshop on human rights in the Asia-Pacific region, is appealing for an extension of a five-day visa so that he can attend the trial of East Timorese rebel chief Xanana Gusmão.

Military sources say the trial will open in the first week of February in Dili, capital of East Timor, which was invaded by Indonesia in 1975 after the departure of the Portuguese and annexed a year later.

Indonesian Foreign Minister Ali Alatas has promised to keep the trial open and Western diplomats say the European Community will have representatives present throughout the hearing.

Xanana, captured in a house near Dili last November, headed the separatist Fretilin guerrilla movement since the early years of Jakarta's rule of East Timor.

The military says his trial will prove its willingness to listen to human rights concerns.

Indonesia, which had banned Amnesty from the country complaining of unfair reporting, has repeatedly denied charges of mass human rights abuses but says the rights of its people must be considered in terms of its own culture and the need for political stability.

Robinson said he had noted signs of government attempts to improve its human rights record in the prosecution of three senior military officers after troops fired into a crowd gathered at a Dili cemetery 14 months ago to mourn a separatist sympathiser.

But he deplored the light sentences handed down to soldiers found guilty of the violence, in which up to 180 people were killed according to witnesses. Jakarta says 50 people died and 66 went missing.

The soldiers involved in the shootings were jailed for less than two years.

Robinson praised the government for holding the UN workshop, for its increased willingness to discuss human rights and for the media's moves in publishing reports on those discussions.

"These positive developments are encouraging," he added.

But he said he feared the response of the military and the police to any new uprising.

"It is an institutionalised way of dealing with dissent," Robinson said of the security forces' traditional reaction to political opposition.

"And nothing is being done to stop it," he added. "It is a problem of the impunity the security forces enjoy."

AMNESTY SAYS RI HUMAN RIGHTS STILL POOR

Jakarta Post 27 January 1993

Abridged, and taking only the part of the article reporting the interview of Geoffrey Robinson.

This is a front-page interview of Amnesty International's Geoffrey Robinson, alongside the lead article which reported President Suharto's statement at the Asia-Pacific Human Rights Workshop.

The London-based Amnesty International believes that human rights

conditions in Indonesia remain unsatisfactory despite improvements in certain respects. Dr. Geoffrey Robinson, AI's head of research for Indonesia, the Philippines and PNG said the organisation remained unhappy despite what it called a continuing pattern of unlawful killings, disappearances and torture. He cited East Timor and Aceh as areas where violations were still widespread.

He agreed there were encouraging developments and cited the expanding discourse on human rights in the mass media as an example. "It wasn't so long ago that you could hardly say the words 'human rights' without being accused of causing trouble."

Robinson disagrees with the view that human rights violations in Indonesia are a case of "a few rotten apples" involving certain individuals although he feels the existing situation does not reflect a deliberate government policy.

He believes that human rights abuses in Indonesia are institutionalised, saying that violations "happen consistently in certain kinds of situations." Regarding East Timor, he said the situation is still bad, with many people having been arrested following the capture of Xanana Gusmão. Robinson also pointed out the many restrictions imposed on international organisations in East Timor.

ROBINSON WANTS TO ATTEND XANANA TRIAL

Reuter, 28 January 1993 Byline: Moses Manoharan Abridged

Reuters, Jakarta, reports an interview with Geoffrey Robinson, AI researcher in Jakarta for the UN Asia-Pacific Human Rights Workshop. (Some points repeat the remarks carried in the previous Jakarta Post article.)

Robinson, said Reuters, is appealing for an extension of a five-day visa so that he can attend the trial of the East Timorese rebel chief Xanana Gusmão. Military sources say the trial will open in the first week of February.

Foreign Minister Ali Alatas has promised to keep the trial open and Western diplomats say the European community will have representatives present throughout the hearing.

The military says the trial will prove its willingness to listen to human rights concerns. (!)

Robinson praised the government for holding the UN workshop, for its increased willingness to discuss human rights and for the media's moves in publishing reports on these discussions. "These positive developments are encouraging," he said. But he said he feared the response of the military and the police to any new uprising.

"It is an institutionalised way of dealing with dissent," Robinson said of the security forces' traditional reaction to political opposition. "And nothing is being done to stop it," he added. "It is a problem of the impunity the security forces enjoy."

XANANA GOES TO TRIAL

JOSE XANANA GUSMÃO REJECTS OFFER OF LBH TEAM OF LAWYERS

Media Indonesia. Original language: Indonesian. 5 January 1993. Byline: Apparently Benay Harman (text partly illegible). Unabridged.

Some of the text in our faxed copy is marginally legible.

Clarifying remarks placed in brackets [-]. This seems a very suspicious exchange. YLBHI was not allowed to meet Xanana, and all communication was mediated through the police including translations between Portuguese and English. The translation of YLBHI's written communication to Xanana could have been easily manipulated. His reply might not have reflected his full wishes given his own effective communication to his captors only in Portuguese and occasionally in Tetum and a very little English, with no workable Indonesian. Having likely heard information on the Dili trials of East Timorese youths in which LBH and Ikadin turned in remarkable defense performances in accord with the defendants' wishes, it seems unlikely that the alleged rejection of LBH lawyers by Xanana could have been made in ignorance.

Moreover, the wholesale rejection beginning with the interrogation process, when defendants most need and seldom get their defense lawyers present, is most suspect, as it seems to legitimize the deliberate bar by the Army and Police on defense lawyers being present during this period when Xanana was manipulated in a television "interview" and through forged surrender leaflets.

Kompas' Jan. 5 version of this story also contains these statements.

"Xanana did not mention the reason for rejection of YLBHI legal aid. Xanana also did not mention if he had a legal advisor or not." It also indicates just one (salah seorang) family member, also unnamed by Kompas, asked LBH to represent Xanana.

– John

Thanks to John MacDougall for the useful comment. It only remains for me to say that this report contradicts the AFP report that Xanana's letter to the LBH was dated 20 December. Juxtaposed with the RTP interview three days later, this raised the question of why Xanana had told RTP only that he had received an offer from the LBH. We sought confirmation from the LBH about the date of the letter but received no reply to our query.

– Carmel

(Jakarta) East Timor security disrupter boss Jose Alexandre Xanana Gusmão, 46, now detained in Police Headquarters, has rejected a team of Indonesian Legal Aid Institute Foundation (YLBHI) lawyers to accompany him during the interrogation process.

YLBHI Management Board Chairman Abdul Hakim Garuda Nusantara told Kompas and Media in Jakarta yesterday that his organization had received a letter of reply from Xanana Gusmão which rejected YLBHI lawyers accompanying him throughout the process from interrogation to trial. The letter was dated December 30, 1992 and was received by YLBHI yesterday, January 4.

"I am very thankful for your readiness to defend me in this process, but I wish to inform you the information that I do not need your organization's aid," said Xanana Gusmão in his letter which was sent to YLBHI through Colonel (Police) Drs. Ahwil Lathan [also seen as Lutan]. The letter consisted of two pages, one written in Portuguese and one more in Indonesian [a translation].

Abdul Hakim said that on December 17, 1992 his team wished to meet with Xanana in accord with the power of attorney received from one of the suspect's family. But Ahwil Lathan did not provide permission, giving the reason that the suspect had already appointed another lawyer to accompany Xanana [as written]. It was not mentioned who the lawyer intended was.

Abdul Hakim and his team then wrote a letter to Xanana through Ahwil Lathan..

"We inform you that our organization has been given the power of attorney by your family to meet and to accompany you throughout the interrogation process. Indonesian law allows you, as a suspect, to be accompanied by legal advisors of your own free choice." That was part of the YLBHI letter to Xanana. This letter was written in Indonesian.

Jose Alexandre Xanana Gusmão was arrested November 20, 1992 in an intelligence operation carried out by a special ABRI unit in a residence in Lahane Barat Village, West

Dili. He is the Fretilin security disrupter boss and brains behind the blood November 12, 1991 incident. Some of those arrested due to involvement in that incident were proved to have built an underground network with Xanana, were charged with subversion, and are now in prison. They were defended by a team of lawyers from YLBHI and Ikadin [Indonesian Advocates League].

Will Xanana be charged with subversion? It is said the government will not charge him with any articles in the Anti-Subversion Law. According to Abdul Hakim, this represents a recognition by the government that the Anti-Subversion Law is no longer relevant in the current Indonesian context.

"This is a precedent that for similar cases the government will not apply the Anti-Subversion law," said Abdul Hakim. Nonetheless, in his view, the government should be consistent. Otherwise, legal uncertainty will arise causing an atmosphere of chaos among the public.

Compared to the Aceh and Irian Jaya security disrupters, said Abdul Hakim, what Xanana did is not different in principle. From that aspect, Xanana should have been charged with the same articles since his activities were the same.

Still, the government's view represents a good start since it has till now applied the Anti-Subversion Law. Now it recognizes that law as no longer relevant. "This is also a precedent for similar cases in the future that the Anti-Subversion Law will not be brought to bear," said Abdul Hakim.

XANANA LETTER TO THE LBH A FORGERY

Publico, Lisbon, 12 January 1993

Summarised.

The item is published under the heading, "Xanana's trial in February"

A contradiction has come to light between the date of the alleged rejection by Xanana of an offer of legal assistance by the Indonesian legal aid institute and a statement made later by the captured resistance leader to Rui Araujo, of the Portuguese TV company, RTP.

The handwritten letter in which Xanana rejected the LBH's offer which was delivered to the LBH by Colonel Ahwil Lathan, is dated 20 December, according to a report of the French news agency, AFP. But in an interview with RTP, broadcast in Portugal on 26 December and recorded in Jakarta by Rui Araujo on 23 December [the day on which he left Indonesia], Xanana said he had not yet taken a decision (regarding the LBH's offer). This statement was made

three days after the letter to the LBH was allegedly written.

Publico also reported that, according to Francisco Lopes da Cruz, Xanana's trial will not start till some time in February as the interrogation reports have not yet been sent to the Public Prosecutor. The trial will take place in Dili.

The mother of Fretilin leader Abilio Araujo, Rufina da Conceicao Araujo, 78 years, has been released after spending more than a month and a half in detention. Five nephews of Abilio Araujo who were also arrested in the wake of Xanana's capture are still being held incommunicado, according to Lopes da Cruz.

FEBRUARY TRIAL FOR XANANA?

AFP, Jakarta, Jan 14 - The trial of the captured leader of East Timor's pro-independence movement, Xanana Gusmão, is expected to begin in February. Attorney General Singgih said here Thursday.

"About the end of January, the investigation will be completed and only around February will the case be brought to court in Dili," the capital of East Timor, Singgih told journalists after meeting Indonesian President Suharto at the palace.

Singgih reiterated that Gusmão, 45, would be tried in Dili on the criminal charges of plotting against the state and trying to undermine its authority, rebellion and illegal possession of firearms.

The offences carry a maximum penalty of a life sentence, lawyers said.

Singgih said the trial of Gusmão, the leader of the armed wing of the Revolutionary Front for an Independent East Timor (Fretilin) who is currently believed to be in detention at the police headquarters here, would be open to the public.

Indonesian troops arrested Gusmão during a raid on a house in the west of Dili in November.

Fretilin has been fighting against the Indonesian presence in the former Portuguese colony ever since its troops invaded in 1975.

Reuter reported that the Attorney General said Xanana Gusmão would stand trial on charges that carry the death penalty. The AP report contradicts this, and is probably correct. Carmel

SINGGIH: FEBRUARY TRIAL

OANA/ANTARA (English service), Jan 14 - Xanana Gusmão (47), the leader of the Security Disturbing Movement (GPK) in East Timor who was captured in November last year, will be tried in February on charges of attempting an attack against the

government, separatism and illegally possessing firearms.

The file of his interrogation is expected to finish this month for immediate submission to the court, Attorney General Singgih said here on Thursday after reporting the process of Xanana's examination to President Suharto.

The attorney general said that Xanana would be tried in an open session so that everyone including non-blacklisted foreigners might come to witness the trial process.

Xanana's court sessions will be held in Dili, East Timor.

Singgih said that Xanana could face a maximum death penalty due to several charges against him but of course the decision is fully in the hands of the public court in Dili.

Xanana was captured undefiantly on November 20 in Lahane, Dili, by KOPASSUS (Army Special Unit) members. All the 21 KOPASSUS members involved in the operation have been awarded rank promotion.

Attorney General Singgih said that Xanana would be accompanied by a lawyer during the court sessions.

SUMARSONO: JANUARY TRIAL

OANA/ANTARA (English service), Jan 14 - The file of the case of the leader of the Security Disturbing Movement (GPK) in East Timor, Xanana Gusmão, who was captured last November, will be submitted soon to the prosecution office, police spokesman Brigadier General Sumarsono said here on Thursday.

So far more than 30 witnesses have been heard in connection with the criminal case of the GPK leader, he said.

Most probably it will be before the end of the month, he said adding that the commander of the police has already asked for the submission of the file before the end of January.

Brig. Gen. Sumarsono said that Xanana had refused to be accompanied by a lawyer during the interrogation.

Sumarsono said he believed that the government would seek efforts to make him willing to be accompanied by a lawyer in the court.

He said that Xanana's case is handled in coordination with the related offices so that it is unlikely that there will be a to-and-fro process.

XANANA'S FAMILY CONTACTS THE LBH

Jan 20, 1993 by Tapol

Xanana's wife Emilia Gusmão and her two children Nito and Zenilda have written to Abdul Hakim Garuda Nusantara of the Indonesian Legal Aid Foundation (LBH) to ask the LBH to visit Xanana and give him every assistance. While stating that the Indonesians have no right to try Xanana, the letter, dated 19th January 1993, says that if he is to be tried he must have full and free counsel. The letter does not explicitly appoint any lawyers from the LBH to represent Xanana but asks that lawyers make themselves available if Xanana indicates that he wants them to represent him. This is the first time Xanana's family in Melbourne have made this request.

Xanana's family will be writing to several governments, including those of Australia and the US, to ask them to support this application and to make representations to the Indonesian government to treat Xanana fairly and humanely.

LAWYERS ASSESS XANANA INDICTMENT

Forum Keadilan weekly, 21 January 1993. Summarised

If Prof. Muladi's arguments are correct, it means that even though the charge under Emergency Law No 12, 1951 is a subsidiary, not a primary, charge, Xanana can still be sentenced to death. Observers have suggested that using the Emergency Law as the basis for a subsidiary charge means that it is unlikely to be used to bring the ultimate penalty of death. Prof. Muladi argues basically that the authorities can achieve the same results but more elegantly by avoiding the much-maligned anti-subversion law.

This article by Tony Hasyim is an attempt to assess the reasoning behind the decision not to try Xanana Gusmão under the Anti-Subversion Law. He will be charged under three articles of the Criminal Code, 106, 108 and 110, and additionally under Emergency Now No 12, 1951 on the Possession of Firearms.

Although various officials have said that there is nothing special about the Xanana trial, the fact is that it is special. All similar cases in which there was a threat to state security, such as the Tanjung Priok and Lampung cases, Aceh Merdeka and OPM cases, have been tried under the anti-subversion law.

The armed forces were not prepared to explain why, saying this was a matter for the law enforcement agencies. Public

Prosecutor Singgih said that Xanana is categorised as an ordinary criminal.

Abdul Hakim G. Nusantara said the Xanana case would set a good precedent for other 'GPK' cases because it will mean that Aceh and other such cases will now have to be tried under similar articles of the Criminal Code. This is, said Hakim, recognition by the government that the anti-subversion law is out-of-date. "This is a good moment for the government to repeal that law," he said.

But a senior law professor at Diponegoro University, Semarang, Prof. Dr. Muladi, believes that Xanana should be tried under the anti-subversion law in conjunction with articles of the Criminal Code. "He was clearly trying to overthrow the legal government." It is true, he said, that many lawyers do not agree to this law being used but until it is repealed, it would be better for it to be applied in the case of Xanana.

He did not agree that the Xanana case could set a precedent for other cases because the government has different reasons for the way it treats each case. It may be that the Xanana case is being linked to the fact that the East Timor question has not yet been resolved at the UN. If this is the case, then it is a matter of government strategy.

Articles under the Criminal Code, the Anti-Subversion Law and Emergency Law no 12, 1951 all make possible similar sanctions. The accused can be sentenced to death or to life imprisonment. But juridically speaking, the results would be sounder. "This means that we would not be accused of using catch-all articles that are constantly being criticised by foreigners," said Prof. Muladi.

XANANA'S TRIAL TO START FEBRUARY 5

(AP, 27 Jan, Dili) The trial of East Timorese leader Xanana, charged with undermining the Indonesian government will start Feb. 5, the district court of Dili said on Wednesday.

East Timor police chief Col. Nugroho Djajusman said 130 police officers would be assigned to ensure security during the trial of Xanana, 46, who led Fretilin (sic).

Nugroho said the precaution was needed to prevent any attempt by Xanana's sympathisers to disturb court proceedings.

The government has also said Xanana is facing charges of illegal possession of firearms. It says he led a pro-independence demonstration in Dili in Nov. 1991.

Xanana has rejected an offer from a legal aid foundation to defend him at his trial. Officials of the foundation (LBH) have complained that the authorities did not allow them to meet with Xanana who sent

his rejection to the foundation by mail. (sic: the letter was hand-delivered by the police) Police have appointed a lawyer to defend Xanana.

RAMOS-HORTA COMMENTS

For more detail on Horta's charges of escalating repression, and the press and Indonesian commentary, see the "Events in East Timor" section of this document compilation.

AFP, Jakarta, Jan 28 - With the trial of East Timor guerrilla leader Xanana Gusmão just days away, a spokesman for his banned independence movement says fighting in the former Portuguese colony since his capture has left at least 70 Indonesian troops dead.

Jose Ramos-Horta, special representative of the National Council of the East Timorese Resistance Movement at the United Nations, told a media conference in Sydney on Thursday that the resistance had escalated its attacks since Gusmão's capture in November.

But none of its fighters had surrendered, despite Indonesian claims that 1,100 had surrendered, he said.

His announcement came as a source at the prosecutor's office in the East Timorese capital of Dili said Gusmão, the leader of the armed wing of the Revolutionary Front for an Independent East Timor (Fretilin), would be tried at the beginning of next month.

"The definite date is February 1," the source told AFP, adding that the two prosecutors for the trial, Supardi and Ketut Suara, were currently in Jakarta to prepare for the trial.

Indonesian troops arrested Gusmão on November 20, during a raid on a house in west Dili.

Gusmão is currently believed to be held at the police headquarters here.

Attorney General Singgih earlier said that Gusmão, 45, will be tried in Dili on charges which could include plotting against the state and trying to undermine its authority, rebellion and illegal possession of firearms.

A representative for the human rights watchdog Amnesty International, Geoffrey Robinson, who is currently in Jakarta for a regional human rights seminar, has asked for his visa to be extended so that he might attend the trial.

The Indonesian authorities have so far failed to reply to Robinson's request.

Ramos-Horta said a Dili taxi driver, a member of the resistance, had led Indonesian security forces to Gusmão after being brutally tortured.

"He was captured, toenails extracted, legs broken, electric shock, and then finally he succumbed to the torture and told

Indonesian authorities where Xanana was hiding," he said.

At the same time, Ramos-Horta also named the new rebel leader as Ma'huno Bulerek Karathayano, 43, a close aide to Gusmão for the past decade and a resistance fighter for 17 years.

Ramos-Horta said the most reliable information available suggested 20,000 Indonesian troops were engaged in "search and destroy" operations across most of the territory.

Four Indonesian officers were said to have been among the 70 casualties.

The East Timorese Resistance Movement also released a list of 51 people who allegedly have disappeared or been arrested or tortured since Gusmão's capture.

Ramos-Horta, who is due to address the United Nations Human Rights Commission on the matter in Geneva next month, said the 70 Indonesians had been confirmed dead from five clashes in November and December.

Indonesia had suffered "significant" casualties in 16 other incidents since December where accurate figures were not available, he said.

Ramos-Horta said the resistance had intensified the fighting to show the Indonesian government that Gusmão's arrest did not end the movement, and he repeated his previous claims that Gusmão had been tortured since his capture.

Indonesia annexed East Timor in 1976 after intervening in a civil war months after the Portuguese colonial administration withdrew. The UN still considers Lisbon the legitimate administrator of East Timor.

EARLIER TRIAL DATE

BBC, Jan 29.

Remark: If our readers are confused, well all I can say is so, are we. Official sources now say Xanana's trial will commence on 1 February. - Tapol

A BBC monitored report quotes Antara news agency from Dili as saying Xanana will go on trial Monday, 1 February. It names Hieronymous Godang as the presiding-judge.

A spokesman for the Dili court refused to disclose the charges, adding that the judge was studying the papers.

Radio Australia reported that Xanana's wife, Emilia, in Melbourne has asked the Australian government to ensure that her husband is defended by independent lawyers. She said her husband does not speak Indonesian and had no chance of a fair trial if his defence lawyer was appointed by the prosecution (or, we may add, by the court, which is probably the case).

According to Suara Pembaruan, also quoting Antara, the court-room has been expanded to allow more people to witness the proceedings. It adds that Xanana will be charged with criminal (i.e. not subversion) offences.

Meanwhile, according to AP on 28 January, datelined Dili, police are checking vehicles entering Dili as part of tightened security for the upcoming trial of Xanana. AP also reports the trial will commence 1 February.

Amnesty International's Geoffrey Robinson said Wednesday according to AP, AI was asking to be allowed to have representatives present at the trial. (He has in fact asked for his own 5-day visa to be extended to allow him to go to Dili for the purpose. To refuse that would show the government's real intent towards AI which has just enjoyed a brief respite from Jakarta's close-door policy towards it.)

Several Portuguese media groups have contacted TAPOL today, 29 January, seeking confirmation of reports from sources in Dili that the trial of Xanana has already begun. One source said the trial began on Thursday 29 Jan, another that it began on Friday 29 Jan.

We have no way of checking these reports independently with anyone in Dili and as far as we know, no-one in Jakarta knows about this either.

Although we realise that Jakarta has created some considerable confusion about the start of the Xanana trial, we find it difficult to believe that, having announced that the trial would commence on Monday, 1 Feb., the authorities would go ahead a couple of days earlier.

The only conceivable reason why the authorities might want to start the proceedings without outsiders being present is to get through the sensitive question of legal representation, then be able to 'start' on Monday with this matter already 'resolved,' with no-one understanding whether and if so how, they got Xanana to accept a lawyer foisted on him by the court.

However, foreign journalists and diplomats in Jakarta are known to be anxious to attend the trial. All utterances by the authorities have stressed that the trial will be 'open to the public,' as indeed all political trials are. If journalists and diplomats were to arrive in Dili on Monday only to discover that one or two hearings had already taken place, the consequences for Jakarta would be very damaging. Hence, we feel that the Dili-sourced news is almost certainly inaccurate. It may be that there is a high level of activity in and around the courthouse, related to security measures, and this has been mis-interpreted as being

the start of the trial. Nevertheless, we are still trying to check the reports. - TAPOL

We have been informed that nine (yes, nine) Portuguese journalists, including Rui Araujo from TV-RTP, João Gabriel from SIC-TV and Adelino Gomes of Publico, left Lisbon today for Indonesia to attend the opening of Xanana's trial on Monday, having been given permission by Jakarta to go to Dili for the occasion.

Meanwhile, Geoffrey Robinson had to leave Jakarta today, having failed to convince the authorities to extend his visa so that he could attend the trial.

These developments suggest certain assessments by Jakarta of what will happen at the trial. The event now being so close at hand, our own feeling is not to speculate on anything - better just wait and see. - TAPOL

DETAILS OF CHARGES

Kyodo News Service Jan. 29, Unabridged Comment regarding the trial another source informs me that a Timorese in Dili contacted on Jan. 29 by telephone stated that the local newspaper has reported the trial is to start on Feb. 1. The source said Xanana was transported to Dili on Thursday night. The atmosphere in Dili was calm, and given the heavy security arrangements, the source did not expect trouble. (Jean Inglis)

(Jakarta) "The chief state prosecutor in East Timor confirmed Friday that captured rebel leader Xanana Gusmão will be indicted on charges that could bring the death penalty in a trial which starts Monday, the official Antara news agency reported.

Samen Purbas was quoted as saying in the East Timorese capital of Dili that there are two charges leveled against Xanana in a 40page indictment.

The first charge includes revolt against the government and being a rebel leader, while the second involves possession of firearms without permission, Purba said.

He said the maximum sentence for the first charge against Xanana is the death penalty, while the second carries 15 years to life imprisonment.

Xanana will speak in Portuguese during trial, Purba said.

He said the prosecutor's office will bring 30 witnesses to the court, but whether they will all be allowed to give testimony depends on the presiding judges.

Xanana, who led the independence movement Fretilin, eluded the Indonesian military in East Timor since Jakarta annexed the former Portuguese colony in 1976 until he was captured last November.

Jakarta has accused Fretilin of provoking a demonstration on November 12, 1991, during which Indonesian troops shot dead scores of East Timorese.

ANTARA: FEB. 1 FOR XANANA

Antara, Dili, Jan 28 - After several days of uncertainty, an official confirmed here Thursday that the trial of Jose Alexandre "Xanana" Gusmão, leader of the East Timor FRETILIN (Revolutionary Front for an Independent East Timor) security disturbing movement (GPK), will start on February 1.

"The Chairman of Dili District Court Hieronymus Godang will head a panel of judges to try the former FRETILIN leader on February 1," said spokesman of the Dili District Court, Hizbullah. The date confirmation is in line with an official letter issued by the Dili court chairman who is currently attending an upgrading course in Malang, East Java, since last January 25.

Hizbullah pointed out that soon after the Dili prosecutor's office presented Xanana's dossier last January 25, the Dili District Court contacted Hieronymus in Malang.

Hieronymus then made a letter about the panel of judges and the date for the trial of Xanana. The panel of judges include Pandapotan Sinaga and A.B. Rajah.

He refused to disclose what criminal charges would be given to Xanana. "We're waiting for our chairman Hieronymus," he said, adding that the judges are now studying Xanana's dossier.

Hizbullah expressed the hope that the trial of Xanana would proceed smoothly. The Dili court, he said, had discussed security matters for the trial with the local police chief. East Timor, formerly a colony of Portugal for over 400 years, integrated with Indonesia in 1976. Xanana was captured on Nov. 20 in Dili after leading FRETILIN for almost 14 years.

TAPOL PRE-TRIAL ROUND-UP

By TAPOL from Several sources, abridged, Jan 30.

Portugal has today, 30 January, protested against the trial of East Timor resistance leader, Xanana Gusmão, due to open on Monday, Portuguese RDP radio reported. In a note issued by the Foreign Ministry, the government said Gusmão's trial by the Indonesian authorities would be a "sinister farce aimed at persuading world opinion that the violent annexation of East Timor is a fait accompli."

In Portugal's view, besides being illegitimate, the trial will be carried out in circumstances lacking minimum guarantees of

impartiality and objectivity, the statement said.

According to AP from Dili on 30 January, the authorities have set up roadblocks and assigned more than a hundred police officers for the trial. The trial has been marred by charges that Gusmão is not receiving proper legal representation to defend himself against charges of undermining the government and illegally possessing firearms. The government says he led a pro-independence demonstration in November 1991.

AP also reported local politicians as criticising the extra security measures. Chair of the local assembly Antonio Freitas Parada said: "It seems the government is treating this trial as something special, despite pronouncements that it was an ordinary one."

Police chief Col. Nugroho Djajusman said roadblocks outside Dili and the closure of the street in front of the court during security rehearsals were necessary to stop Gusmão's supporters from disturbing the proceedings.

Samen Purba, head of the Dili prosecution office, said the charge of undermining the government could bring a penalty of 20 years, whilst possessing illegal firearms carries a maximum sentence of death.

Police have appointed a lawyer to defend Gusmão. The governor of East Timor, Abilio Soares, also rejected a plea by Gusmão's wife that he be defended by an Australian lawyer. He said Gusmão "must be defended by an Indonesian lawyer as he is an Indonesian citizen."

The court room which normally accommodates 20 has been expanded for the trial to accommodate 40 people.

Meanwhile, according to UPI, datelined Jakarta, the prosecution will present 30 witnesses. The charge of fomenting revolution could bring the death penalty as could the charge of possessing illegal firearms.

East Timor's chief prosecutor, Samen Purba, said the trial would be long because Xanana would speak in Portuguese which must be translated into Indonesian.

PLEA FOR GUSMÃO; INDONS USED TORTURE - FAMILY

The Age (Melbourne), February 2, 1993

By Margaret Cook

The family of the East Timorese resistance leader, Xanana Gusmão, believe he was tortured before an appearance on Indonesian television, during which he called on his people to end their guerrilla war and accept Indonesia's takeover of East Timor.

Mr. Gusmão's wife, Emilia, his son, Nito, 22, and daughter, Zenilde, 17, demonstrated

outside the Indonesian consulate in South Melbourne yesterday with about 30 members of Melbourne's East Timorese community.

The protest coincided with the first day of Mr. Gusmão's trial in Indonesia. He is charged with several offences, including plotting against the state and trying to undermine its authority, and faces life imprisonment if he is found guilty.

A member of the Fretilin independence movement, Mr. Abel Guterres, said Mr. Gusmão's family and the local East Timorese community had no doubt that he had been forced to make the statement on television.

Mrs. Gusmão, who is in poor health, does not speak to the media. But her son, a student, said through an interpreter yesterday that he had not seen his father for 17 years.

"We've been in Australia for three years but before then my father was fighting in the bush (in East Timor) and the family was always watched," he said. "As a son, as a human being, it's very upsetting when something happens to your father, but we're not defeated. This has only made us more determined to carry on the struggle."

Another member of Fretilin, Mr. Francisco Pang, described the outcome of the trial as a foregone conclusion, saying Mr. Gusmão had not been allowed to appoint his own lawyer and would be found guilty. Mr. Pang said that during his television appearance Mr. Gusmão had seemed to be feeling pain on the left side of his body, which suggested that he had been tortured.

Mr. Pang criticised the Australian Government, saying that it had not done enough to help the East Timorese.

A spokesman for the Minister for Foreign Affairs, Senator Evans, rejected the claims, saying the Government had spoken out on human rights issues in Indonesia.

"The minister has also made a statement that Mr. Gusmão should be accorded due process under Indonesian law," the spokesman said.

The Indonesian embassy in Canberra did not return telephone calls from 'The Age.'

FOREIGN JOURNALISTS CAN'T ATTEND TRIAL?

TAPOL has been informed that foreign journalists based in Jakarta are having difficulty obtaining permits to visit Dili in order to attend the trial of Xanana Gusmão which opens there on 1 February.

The BBC's Adam Brooks will not be able to file reports because his accreditation is now apparently under review and he has

not been able to obtain permission to go to Dili for the trial.

Although AP is filing stories from Dili, these are thought to be the work of the agency's stringer, Jacob Herin, an Indonesian who often files reports for The Jakarta Post.

It is difficult to assess this in the light of Jakarta's apparently generous gesture to Portuguese journalists, nine of whom left Lisbon on Friday to attend the trial. It would appear that Jakarta wants to have a strong impact on Portuguese domestic opinion and on Indonesian domestic opinion, while keeping out other international press monitors.

JAKARTA SAYS NO TO AMNESTY OVER TRIAL

The Age 1st February 1993

(Reuter Jakarta) Indonesia has turned down Amnesty International request to attend the trial of an East Timor guerrilla leader, the Antara newsagency said today.

"Amnesty International request to attend the trial of Mr. Xanana Gusmão as an observer goes too far," it said, quoting the Governor of East Timor, Mr. Abilio Soares, as saying yesterday.

"Indonesia is a sovereign country," Mr. Soares said, adding that it did not need such observers.

The trial of Mr. Gusmão, leader of East Timor's independence movement FRETILIN, is to open tomorrow in Dili, capital of the former Portuguese colony which Indonesia invaded in 1975 and annexed the following year.

Mr. Jeffrey Robinson, a representative of London based Amnesty who has been in Jakarta for the past week for an Asia Pacific Human Rights workshop sponsored by the United Nations, had applied for a visa extension and a permit to sit in at a trial.

He was the first Amnesty official allowed into Indonesia in 15 years. His 5-day visa expired on Friday.

Mr. Soares, responding to a request by Mr. Gusmão's former wife, now in Australia, for the defendant to have an international lawyer said the case was a domestic matter.

"This is not an international. This is strictly domestic. What does an (international lawyer) have to with this?" he was quoted by Antara as saying.

Portugal has protested strongly to Indonesia against the trial of Xanana Gusmão, calling it a sinister farce which would be neither impartial nor objective.

ABC RADIO: XANANA'S UPCOMING "TRIAL"

The following is a transcript of ABC AM program broadcast in Sydney on the 1st February 1993. (...) not clear.

PRESENTER: The East Timor's independence leader Xanana Gusmão goes on trial today in Dili. It's just over 2 months since Indonesian forces captured Mr. Gusmão in Dili marking what Jakarta calls a major setback for those who continue to oppose the rule more than 17 years after Indonesia's invasion. Correspondent Ian MacIntosh who hasn't been allowed into East Timor for the past 12 months reports this morning from Dili.

IAN MACINTOSH: (begins with church music) The haunting sounds of an outdoor mass been celebrated in the grounds of Motael Church on Dili's waterfront early last night underscored the outwardly tranquil mood in Dili on eve of Xanana Gusmão's trial.

The streets were quite, the traffic light, and despite recent reports of road blocks out of town there were no obvious signs of any security drag net.

At the Dili district court house which officials reckon would hold about 40 people with a similar number undercover outside the small (...) party of soldiers were reading the building for its biggest event in many years. And whilst locals speculated about where the defendant Jose Alexandre Gusmão or Xanana might be staying overnight scores of visiting Indonesian and foreign reporters including 4 or a party of 6 expected from East Timor's formal colonial master Portugal tried to come to grips with the provisions of the Indonesian criminal code and procedures under which the case against Mr. Gusmão will proceed.

Presence of many journalists after the province (sic) was off limits for 12 months to most foreign reporters (...) an important aspect of Indonesia's putting the pro-independence leader on trial. Mid overseas criticism of its treatment of Mr. Gusmão and calls for his release Jakarta wants the world to see the man who kept his troops at bay for well over a decade been put through the judicial hoops in accordance with its civil laws, and it hopes the trial process could mark a turning point in the trouble history of East Timor one which according to Jakarta's prescription might see the virtual end of opposition to its rule here.

Australian will join selected local residents when the 40-page charge sheet against Xanana Gusmão is read out. It wasn't clear last night whether international legal observers would also be in the audience today for the opening of the case nor is clear

how many separate charges the three-member court approved defence team could be preparing answers to or whether as some speculation (....) the trial might be a short one.

PRESENTER: The trial of Xanana Gusmão will inevitably lead to another judicial assessment of Indonesian justice itself. The International Commission of Jurists has taken an active interest in the case. And Michael O'Regan asked the Secretary General of the ICJ Adamer Jenn what action his organisation has taken in the case of XG.

Adaner Jenn: The ICJ has intervened on behalf of Gusmão with the international authorities. A couple of weeks ago I received a reply from the international authorities informing us that Mr. Gusmão has been treated correctly since his arrest and that he will be brought before the court for trial.

MICHAEL O'REGAN: Are there certain international standards that you'll be looking for to convince both yourself and the Commission that this trial is been conducted in a bona fide way?

ADAMER JENN: Well, certainly because a person who is deprived of his freedom shall benefit from certain guarantees so as to be able to defend himself against unjustified arrests or detention and to recover his freedom. And that is one of the reason when a case like this one is open before court we used to send observers so that these guarantees which are the right to be informed of the reason for arrest, the right to be brought promptly before a Judge and to be tried within a reasonable time or to be released and all these will be checked by our observer. Although his there, he has also to consider the whole the issue of for instance what is important the right to effective remedy and that this means for instance in the case of Gusmão we will try to identify whether he is right and freedom are violated and if he will have effective remedy before the competent judicial authority.

M. O'REGAN: If the Indonesian authorities try XG on simply domestic criminal charges within a domestic criminal jurisdiction in Indonesian does it reduce in anyway the international significance of the ICJ?

A. JENN: Not all, our main task will be in attending such a trial to consider whether the person has an access to a different lawyer. To assess also that he is fairly tried and publicly also because as you know the Article 4 in paragraph 1 of the Covenant on Civil and Political Rights and enumerates certain rights that all justice worthy of that man is in duty bound to be respected as anyone has the right to a fair and public

hearing by a competent independent and impartial trial.

M. O'REGAN: If the trial of XG does not meet the ICJ standards what specific actions can your organisation take in protest?

A. JENN: Well, the first action we'll have to make is the issue of a press release to inform the public opinion about the whereabouts of this trial, and the second action we'll do is as you know, the UN Human Rights Commission is starting it's session on February 3rd in Geneva for a period of six weeks and we will certainly raise the issue before that body at that time it will be discuss the issue relating to access of justice and definitely we will call for a better and official UN inquiry in Indonesia as we did last year after the Dili massacre.

ANTARA: TRIAL STARTS; XANANA PLEADS 'GUILTY'

Antara is the semi-official Indonesian press agency.

Antara, Dili, Feb. 1 - East Timor's Fretilin (Revolutionary Front for an Independent East Timor) Security Disturbing Movement (GPK) leader Jose Alexandre Xanana Gusmão said that he understood and accepted the charges read by prosecutor I Ketut Swara in the first day of his trial here on Monday. Around 100 people attended the trial in the main room of the Dili District Court in addition to several others outside the building.

The opening session of Xanana's trial lasted less than 10 hours, mostly taken up with the reading of the charges against him.

Yes, I understand and accept it, he said when presiding judge Hieronymus Godang asked him whether you have read and understood the charges which have already been translated into the Portuguese language.

Xanana, 46, was charged under the criminal laws for organizing attacks against the government, plotting a rebellion and illegally holding firearms. The first charge carries a maximum penalty of life sentence while the second death sentence.

Judge Hieronymus Godang was accompanied by two other judges namely Pandapotan Sinaga and Ab Radjah while Xanana was defended by a Jakarta-based lawyer Sudjono who previously had also dealt with some East Timorese cases.

Xanana who always claimed that he did not understand Indonesian language was captured in Dili last November in an operation by the local military. Authorities also said that he was responsible for the November 12, 1991 Dili incident in which about 50 was killed and 90 injured.

During the session Xanana reportedly said that his nationality was Indonesian which observers said reflected his recognition of the Jakarta authority over East Timor.

East Timor, formerly a Portuguese colony for over 400 years, officially joined Indonesia as its 27th province in 1976 after a self-determination process a year earlier as reflected in the Balibo Declaration.

The trial, which is opened to public, is also covered by Portuguese journalists representing SIC (Cultural Information Services of the Third World News Agency), DAILY newspaper, Radio Renascenca and PUBLICO DAILY, although Jakarta has no diplomatic relations with Lisbon.

The session is to resume on Wednesday while the whole trial may last for more than a month.

UPI REPORT ON DAY ONE

UPI, Dili, Feb. 1 - East Timorese rebel leader Xanana Gusmão went on trial Monday under tight security, charged with revolt and facing a possible death sentence if convicted.

In a 40-page indictment, state prosecutor I Ketut Suwara charged Xanana, a self-educated 46-year-old writer and journalist, with illegal possession of firearms - charges that carry a possible death sentence on conviction.

Xanana, wearing a long white shirt and green trousers, admitted he led the East Timorese Fretilin guerrilla movement.

He was captured Nov. 20 after eluding a military manhunt for 16 years. Military authorities said Xanana's arrest may have broken the back of the Fretilin.

East Timor was a Portuguese colony for more than 400 years before Lisbon ended its colonial rule in 1976. Indonesia annexed the territory in 1976 in a bloody campaign and declared it Indonesia's 27th province in defiance of UN resolutions stating the East Timorese people should choose their own future.

The United Nations has not recognized Indonesia's sovereignty.

Indonesia rejected a request by Xanana's wife, Emilia Gusmão, who currently lives in Australia with their two children, that Xanana be assisted by international lawyers, saying he would have Indonesian lawyers led by Jakarta-based defense lawyer Sudjono.

REUTER REPORT ON DAY ONE

Reuter, Dili, Menuk Suwondo, Feb. 1 - The trial of East Timor rebel leader Xanana Gusmão opened under heavy security on Monday in the local capital Dili.

Looking calm and waving to journalists, the bearded guerrilla fighter was led by po-

lice into the small courtroom while hundreds of soldiers and onlookers crowded outside where the proceedings were broadcast over loudspeakers.

"He led people to take up arms against the government of Indonesia in an effort to set up an independent state in East Timor," prosecutor Ketut Suwara said.

The opening session lasted less than two hours, mostly taken up with reading the charges against Xanana who has led the Fretilin guerrillas for nearly all the 17 years of their revolt against the Indonesian military.

The long list of charges against the 45-year-old rebel leader included ordering attacks on Indonesian military installations, robbing villages and cooperating with exiled rebels and foreign journalists to get international recognition for his cause.

A charge carrying the death penalty – illegal possession of firearms – was listed only as a subsidiary charge.

"He is unlikely to get the maximum because it's only a subsidiary charge," a diplomat attending the trial said.

Xanana is being tried under criminal rather than the more serious subversion laws and diplomats said they doubted he would be executed if found guilty.

He was captured in November in Dili shortly after the first anniversary of an army massacre in the former Portuguese colony when up to 180 people died.

Jakarta accuses his movement of mas-terminating the events that led to the massacre.

Indonesian troops invaded East Timor at the end of 1975 shortly after the Portuguese pulled out after three centuries of colonial rule.

It annexed the territory the following year, a move still not recognised by the United Nations.

When asked his nationality in court, Xanana, to the surprise of some observers, said "Indonesian" in apparent recognition of the Jakarta authority he has been fighting against for so long.

Asked his profession, he replied "GPK," the Indonesian acronym for trouble-maker and official code for a rebel against Jakarta.

Portugal, which wants the East Timorese to be allowed to decide for themselves who rules Timor, has protested strongly against the trial calling it a "sinister farce" which would be neither impartial nor objective.

Security was tight with roadblocks leading to the courthouse and a large number of troops deployed within a 100-metre radius.

The charges were prepared in Portuguese for Xanana, who also needed interpreters from Indonesian which he says he does not understand.

Among the crowd, reactions to his trial were mixed.

"I'd rather he died," Carlos, a pro-Indonesian, told Reuters.

"We lost somebody but we'll get used to it," said one despondent East Timorese who was opposed to Jakarta's rule and preferred not to be identified.

Xanana is being defended by a Jakarta-based lawyer, Sudjono, who recently defended some East Timorese students in Jakarta.

"I'm optimistic...because I'm a professional lawyer and I have dealt with East Timorese cases before," he told Reuters.

In the courtroom were seven of Xanana's family, including his parents and one sister who said she had hardly seen him for 17 years while he hid in the rugged hills of East Timor conducting the increasingly futile battle against Indonesian troops.

The local military commander, Theo Syafei, was also in court but the army says it has no influence over the proceedings.

Indonesia has also allowed in six journalists from Portugal, although Jakarta has no diplomatic relations with Lisbon because of the East Timor issue.

The trial will resume on Wednesday. A senior local official said it could last about two months.

UPI: NO DEATH PENALTY

UPI, Dili, Feb. 1 - East Timorese rebel leader Xanana Gusmão went on trial Monday as the government announced it would seek his imprisonment for life rather than his execution.

Portugal, which relinquished its own colonial control of East Timor nearly 20 years ago, said in a statement in Lisbon that Indonesia's right to try Xanana was not recognized under international law.

Several other individuals and groups also protested the conditions of Xanana's trial, demanding he be tried in his native Portuguese language and be allowed his own choice of a defense lawyer.

"The process has already violated some United Nations standards on fair trials," said Jose Cabral, Lisbon representative for Amnesty International, which was denied permission to attend the trial.

"The defendant was not permitted to name his own lawyer," Cabral said. "The lawyer was appointed by the Indonesian authorities."

The rebel leader requested a defense lawyer who spoke Portuguese, Amnesty International said, but the lawyer appointed by Jakarta speaks only the Indonesian "Bahasa" language and English.

"The trial should be carried out in the mother tongue of the defendant, in this case

Portuguese or the Timorese dialect," Cabral said. "As far as we know, Gusmão will speak in Portuguese, and 'Bahasa' will be used in the rest of the trial.

"If that is the case, a translator must be offered and must be appointed and trusted by the defendant, but as far as we know the translator was appointed by Jakarta," Cabral said.

The government rejected a request by Xanana's wife, Emilia Gusmão, who lives in Australia with their two children, that Xanana be assisted by international lawyers.

Xanana's father, Manuel, told Portuguese radio TSF the case had been turned into "a show trial."

The trial, conducted in the East Timor capital Dili under Indonesian law, was adjourned until Wednesday. Xanana's Indonesian lawyer had asked for a five-day adjournment to study the charges more closely.

The Portuguese Foreign Ministry in a statement criticized Jakarta for "falling back on its arbitrary anti-subversion law, which the Indonesian government told the United Nations Human Rights Commission it would revoke."

It said Indonesia had "no judicial, political or moral authority" to try Xanana.

A spokesman for the East Timor resistance movement in Lisbon, Ramos Horta, said he welcomed, but was not surprised by, Indonesia's decision to seek life imprisonment rather than a death sentence.

Portuguese Foreign Minister Jose Durão Barroso said last week that Portugal had won assurances from Indonesia through UN Secretary-General Boutros Boutros-Ghali that Xanana would be given a fair trial.

XANANA'S NATIONALITY

TAPOL comment, Feb. 1, 1993

When asked at the commencement of the trial hearing in Dili today what nationality he was, Xanana answered, "Indonesian." No doubt, in subsequent hearings, his position and perhaps his reason for taking this stand will become clear. For us as a solidarity group, this has come as a shock and caused great disappointment. But how much more difficult it will be for the people of East Timor to understand his position. It is not possible for us to make any further comment at the moment as we need time to adjust to this news.

JUDICIAL 'PROGRESS'

RRI, Feb. 1 - The lawyers representing Xanana Gusmão, captured East Timor GPK (Security Disturbance Movement) leader, said the trial for Xanana reflects a progress

in judicial process in Indonesia. Lawyer Sudjono and Associates, appointed by Xanana to defend him in the court trial, said this to newsmen after the first session of the Dili District Court which began at 0900 and ended at 1035 local time today.

AUSTRALIAN ABC RADIO

ABC Radio News (5pm) and ABC Radio Current Affairs program 'PM,' (6pm) [Australia], 1 Feb. 93

Paraphrased from notes.

Ian MacIntosh, the ABC's correspondent in Indonesia, reported from Dili today that the trial of Xanana Gusmão has begun.

Xanana appeared pale but in good condition. He smiled and waved to photographers as he was led across a small garden from a holding cell into the "small sweltering" courtroom.

After a panel of three judges headed by Hieronymus Godang had established his identity, the chief prosecutor of the Dili District Court spent 90 minutes reading a forty page document detailing the charges against Xanana. He is charged with five separate offences under Indonesia's criminal code dealing with rebellion, conspiracy and engaging in separatist acts. The maximum penalty for these charges is between twenty years and life imprisonment. There was also a subsidiary charge of breaching a 1951 regulation relating to firearms possession. MacIntosh said that reporters had not been able to discover details of this regulation but he said he thought it may have been an emergency regulation. This charge carries a maximum penalty of death, but legal observers regarded it as unlikely that the prosecution would seek a death sentence.

Xanana was given a Portuguese translation of the allegations to read and answered questions through a Portuguese speaking interpreter. Unlike some of the Timorese tried in the wake of the November 1991 Santa Cruz massacre, Xanana said in court that he was an Indonesian citizen. When asked for his occupation he said "GPK" [Gerakan Pengacau Keamanan, Security Disrupters Movement - the official Indonesian term for the resistance]. The presiding judge wrote down "unemployed or GPK."

About one hundred people were allowed into the Dili courtroom. Security was tight, but not the tightest MacIntosh had seen in Dili. Two large Alsatian guard dogs were among the security guards.

About two dozen Indonesian and foreign journalists were present but only two diplomatic representatives, one from the US embassy and the other from the Australian

embassy. Xanana's parents were also among the observers, as were three of his sisters.

The trial was adjourned until Wednesday morning, when Xanana's defence counsel will present his 'eksepsi' or initial defence. MacIntosh had a brief talk with the defence counsel, whose name he did not mention. The lawyer, who MacIntosh described as an "urbane chap," stressed that he thought he was "the right man for the job." He also said that contrary to some reports that he had simply been chosen by the court, he had met with Xanana several times in recent weeks and felt he was fairly representing him. He said he would do his best to get the minimum sentence on each of the charges.

The trial is expected to last for at least two months.

2000 GATHER AT COURT OF DAY ONE OF GUSMÃO TRIAL

The Australian 2nd February 1993

Remark: The story comes with a picture of Xanana Gusmão been escorted to the courtroom by 4 Indonesian commandos and one uniformed officer.

Dili, East Timor, AFP: The trial of East Timor independence leader Jose Alexandre Gusmão, who faces charges of rebellion, conspiracy and trying to set up a separate State (sic) in the former Portuguese colony, began here yesterday.

Mr. Gusmão was registered in the 40-page indictment as an Indonesian national with "leader of a security disturbance movement" as his profession.

"With such charges, the defendant faces a maximum penalty of life sentence," his court-appointed legal adviser, Mr. Sudjono, said after the trial was adjourned.

Gusmão, leader of the Revolutionary Front for an Independent East Timor (Fretilin) had turned down an offer from Indonesian lawyers of the Legal Aid Institute to defend him.

The trial was adjourned until tomorrow after the charges were read by the prosecutor, Mr. I. Ketut Suara, who said Gusmão, 46, was also accused of possessing illegal arms.

Outside the court about 2000 East Timorese listened to the proceedings, which were broadcast by loudspeaker.

Clad in white shirt and dark trousers, he sat passively as the prosecution read its case against him. Smiling slightly, he had waved to a group of photographers from his detention room before entering the court.

The prosecution said Gusmão had been involved in a separatist movement since July 1976 (sic).

Also in attendance at the trial were Gusmão's parents, Manuel and Antonia, and

his sister Guilhermina, with four other family members.

The trial was open to the public, but limited to 98 people who had to register their names with the military. Most of the attendants were journalists, diplomatic observers and government officials.

Indonesia has refused permission for an observer from Amnesty International and a journalist from the Portuguese news agency LUSA.

The court provided two interpreters for Gusmão, who speaks Portuguese.

The defendant was also accompanied by Father Amandus Mbere.

Before the trial, Gusmão had been able to see few visitors apart from a few Indonesian journalists, and on one occasion a representative of the International Committee of the Red Cross and a Portuguese journalist.

INDONESIAN PRESS ROUND-UP, FEB. 2.

The following round-up of news about the first hearing in the trial of former resistance leader, Xanana Gusmão, comes from Kompas and Jakarta Post of 2 February:

According to Kompas, the indictment is based on a cumulative series of charges, the first being that he waged attacks on the government [makar] as specified under Article 106 of the Criminal Code, and waged rebellion [memberontak] as specified under Article 108, para 2. Other subsidiary accusations are listed, followed by a second charge, under Emergency Law No 12/Drt/1951 of being in illegal possession of firearms. [According to various reports, only the latter includes the possibility of the death penalty.]

The indictment described his occupation as being 'GPK' ('security-disruptor gang') and said he was engaged in trying to separate East Timor from Indonesia and setting up a separate state from 17 July 1976 up to the time of his arrest on 20 November 1992.

The indictment lists persons with whom he carried out these activities, Jose da Costa, Antonio Campos, Antonio Soares da Silva and Henrique Belmiro, all of whom will be called as witnesses. Other colleagues, Mauhuno, David Alex, Matan Ruak, Lere Malai, Vera Lafaek, Samba and Constancio Pinto have not yet been arrested.

From 1976 till 1978, as a Fretilin fighter, he held meetings to resist Indonesian army attacks. In 1980, he took over the leadership of Fretilin from Nicolau Lobato who had died. The indictment mentions an attack on the TV installation in East Dili on 10 June 1980. The attack led by Maukalo was aimed at seizing control of the installation. Two

members of the mobile police brigade were killed in the attack and three others were seriously wounded.

The indictment cites meetings held to organise and consolidate Fretilin forces, to attack the armed forces, villages, to burn people's houses and rob them, all of which come under the charge of waging anti-government activity [makar]. He also organised clandestine groups such as RENETIL, Fitun, OJETIL and CRNJT. Furthermore, he set up a network for communication with the outside world through Fernando de Araujo in Denpasar and Vasco in Darwin. He appointed Ramos Horta as the representative of the CNRM in Australia; the network also had links with Abilio de Araujo in Portugal, João Carrascalao and Ramos Horta in Australia and Mari Alkatiri in Lisbon.

Xanana made hardly any comment after hearing the indictment, except to say that he had no objections.

Jakarta Post said the accused showed no emotion as he heard the charges. He was assisted by two local Portuguese-speaking interpreters. Xanana told the judges that he was an Indonesian citizen.

The prosecutor accused him among others of organising an anti-government demonstration in Dili in November 1991 when a team (sic) of UN human rights representatives was visiting. He was assisted by Mau Hudo, who will also stand trial, and Constancio Pinto who is now at large. [This is the only report we have seen which says that Mau Hudo, arrested in January 1992, will be tried. Pinto is now in Portugal.]

Kompas also carries a profile of the defence lawyer, Maduranese Sudjono who graduated from Airlangga University, East Java in 1974. He has two assistants and a consultant named Dr. Loebby Loeqman, jurist who teaches at the University of Indonesia. He is a member of the Indonesian Bar Association IKADIN and has been a member of the American Bar Association since 1987, as well as being a member of the International Bar Association and the Asia-Pacific Lawyers Association.

Asked whether he had written to the accused, he said,

"No, I met him at Police Headquarters in Jakarta. I met him four times." Asked whether he had been appointed by the government to assist Xanana, he said:

"No, Xanana appointed me himself, in a letter dated 26 January 1993." Asked whether he was familiar with East Timor cases, he said:

"I assisted Agapito Cardoso who was tried in Jakarta for taking part in the (19 Nov. 1991) demonstration. He got a lighter sentence than the others." [According to our own records, Cardoso was defended by the LBH. The LBH organised joint teams with

IKADIN for these trials. We do not have the names of the lawyers who assisted Cardoso.]

Asked whether he accompanied Xanana when he was under interrogation, Sudjono said:

"He didn't want to be accompanied by anyone. He only want help during the trial. But I was able to meet him." Asked why he had been so evasive towards journalists, Sudjono said he wanted to avoid the impression that he was seeking popularity.

Asked whether others might join his team he said that it was up to the defendant.

Asked why he needed only two days to prepare his demurrer, whereas the court had offered him a week, he said:

"I am a professional, don't worry about that. I master the material. As the American Bar Association, the International Bar Association and the Asia-Pacific Lawyers Association, I am an expert in criminal law and labour law."

Asked why the Xanana case was not being heard under the Anti-Subversion Law, he said this was nothing special. The limits included in the Criminal Code are clearly defined. Maybe there is a new way of thinking. Using the Criminal Code is a sign of progress.

"What kind of progress?"

"Progress in the way of thinking. This is something positive for us all. If you ask me why the anti-subversion law was used previously but not now, I have to say that I have no idea."

DON'T USE GUSMÃO TRIAL TO WHITEWASH TIMOR SHOOTINGS

The Nation (Bangkok English daily) editorial, Feb. 3, 1993

Remark: This highly cosmopolitan daily reported on the start of Xanana's trial picking up Reuter and subsequently this editorial appeared. This daily also showed a great interest in the human rights seminar held in Jakarta in February.

-- Aki

The trial of captured Fretilin rebel leader Xanana Gusmão which began on Monday continues today. The Indonesian authorities have accused Gusmão of being the mastermind of the anti-Jakarta demonstration in East Timor's capital of Dili on Nov. 12, 1991, where the armed forces fired upon the protesters, killing as many as 180 of them, according to some observers.

The Indonesian government however refuted this figure, initially maintaining that only 19 had died. In late December 1991, Jakarta set up a commission to look into the

number that were killed and went missing and ascertained that the death toll was "up to 50," which 90 reported missing and the number of wounded "exceeding 91." Unofficial estimates put the death toll well over 100, with many of the victims dying of beatings or other abuse suffered after the shootings. To this day, no one knows what happened to the missing, or to the bodies of those killed. Only 19 graves were officially found.

Design or accident?

Whether by design or accident, Gusmão's trial comes two days after Jakarta played host to a United Nations-sponsored human rights workshop, in preparation for the UN World Conference on Human Rights scheduled to be held in Vienna from June 14-25.

Indonesia's President Suharto, speaking at the opening of the workshop, said donor countries often put pressure on aid recipients over human rights. Suharto argued that individual countries had the right to tackle human rights issues in their own way, and told the delegates that a guarantee of human rights in developing countries cannot be compared with the situation in developed countries, "since at the same time [developing countries] had to create a fair and prosperous society, not only for one person but for the whole society." After the Dili massacre, Indonesia refused aid from the Netherlands early last year, after the Dutch government criticized the shootings.

Before we go any further, it should be pointed out that equality in the administration of justice, based on the perception that human rights are universal and not amenable to any hierarchical classification, is the cornerstone of UN endeavours to promote justice.

The London-based human rights group Amnesty International came up with some alarming information late December confirming 60 arrests at the one year anniversary of the Dili massacre. This clearly shows that the crackdown in East Timor by the Indonesian armed forces has not stopped and we, like the rest of the civilized world, are seriously concerned about the safety and welfare of the East Timorese people.

There is a distinct possibility that the trial of Xanana Gusmão might be used by the Indonesian government to try to atone for their atrocities in the Dili massacre. Already the signs are there.

Though the 45-year-old rebel has a long list of charges against him - from attacking Indonesian military installations to cooperating with exiled rebels and foreign journalists to get international recognition for his

cause – the charge carrying the death penalty (illegal possession of firearms) was listed only as a subsidiary charge. Under a subsidiary charge, in accordance with Indonesian law, it is unlikely that Gusmão will get the maximum death penalty.

The fact that the Indonesian government fulfilled its promise of giving Gusmão a free, fair and open trial is a real step forward, and should be recognized as such. However, Gusmão's trial should not be used to cover up the fact that there has been no real accounting for the deaths and disappearances that took place on November 12, 1991.

Lost struggle in the jungles

Another disturbing piece of news is that after Gusmão's arrest, Indonesian authorities said that more than 1,100 of his former supporters had surrendered. This is indeed baffling, for the Indonesian government, early last year maintained that Fretilin numbers had dwindled to less than 100, waging a lost struggle in East Timor jungles. We can't help but deduce that many East Timorese have been arrested, and in failing to levy proper charges against them, the Indonesian authorities have classified these people as Fretilin members.

Clearly, the more the Indonesian armed forces use harsh methods to crush opposition to Jakarta, the more hatred will be generated. Instead of being virtually obsessed with fighting the resistance movement, Jakarta should make efforts to economically "empower" the East Timorese, who now feel that their beloved island is being "Javanized" with all the jobs going to outsiders who have taken advantage of development pouring into the area.

Indonesia, being the leader of the Non-Aligned Movement, can ill-afford to drag its international image through the mud any longer over East Timor. Its present pariah-like status over human rights is clearly an impediment to Jakarta playing a pivotal role in the region in the post-Cold War world.

Comment: Just beside this editorial, there is a big explanatory article about the Xanana trial and East Timor. And at the end of this article, there is an announcement of a meeting for journalists on East Timor as follows.

Today at 8 pm, a group of journalists and human rights activists will be discussing East Timor at the Foreign Correspondents Club, in Dusit Thani Hotel. Burma specialist Bertil Lintner will act as moderator.

AMNESTY INTERNATIONAL REBUKED

Antara, Dili, Feb. 2 - Members of the Amnesty International are not given permit to witness the court trial of Fretilin (Revolutionary Front for an Independent East Timor) leader Xanana Gusmão because their visit to Indonesia was to attend a workshop on human rights, said Suteja Kartawijaya, spokesman of the Foreign Ministry, here on Monday.

They requested to attend the Xanana trial only after arriving in Jakarta, whereas their visas issued by the Indonesian Embassy in London were valid only from January 25 to 29 during which the Jakarta workshop on human rights was held, he explained.

Asked by newsmen how to submit a new request to the RI (Republic of Indonesia) Embassy in London to attend the Xanana trial which might take a long time, Suteja said that it was possible. The normal procedure has to be followed, namely sending application to the RI Embassy in London.

As a matter of fact, the court trial was quite open to public, as evident from the presence of both national and international press representatives, even four from the Portuguese press.

It is also attended by embassy staff members of friendly nations, like the first secretary of the U.S. Embassy, Stephen Kelly, and staff of the Australian Embassy Neil Mules, said Suteja.

XANANA TRIAL REPORT FROM ETAN/CANADA

Toronto, February 1, 1993

East Timor resistance leader Xanana Gusmão has gone on trial in Dili, the capital of East Timor. The Indonesian government has accused him of "rebellion," a criminal charge, rather than the usual charge of subversion. He has also been charged with possessing illegal firearms. Both criminal charges, however, carry a possible death penalty.

The trial opened on Feb. 1, with Xanana being represented by a court-appointed Indonesian lawyer.

Xanana, leader of the Timorese resistance movement CNRM, was arrested in Dili on November 20, along with several members of his family and close associates. Amnesty International and other human rights monitors believe he and others have been tortured while in military custody. There are also reports that female members of the group have been raped by their captors.

Lawyers with the Jakarta-based Indonesian Legal Aid Institute (LBH) who offered to defend Xanana were denied the

right to meet with him. LBH lawyers defended a group of young non-violent Timorese who were charged with subversion earlier this year, arguing that Indonesian sovereignty does not apply in East Timor. The United Nations does not recognize Indonesia's 1975 invasion of East Timor, and repeated UN resolutions have called for East Timor to be allowed the right to self-determination.

Groups and individuals from around the world have called on Indonesian government to release Xanana, a non-Indonesian citizen who is recognized throughout East Timor and around the world as the voice of the Timorese people. In Canada, Liberal human rights critic Beryl Gaffney has made the same call in the House of Commons, while other members of the all-party Parliamentarians for East Timor have written letters demanding he be set free.

The Indonesian Front for the defence of Human Rights (Infight) wrote in a statement released on the eve of the trial that "there is no justification for a court of law to try Xanana, especially since the trial is being staged in order to reinforce Indonesia's claim to the territory of East Timor.... It is only by conforming with the Universal Declaration of Human Rights formulated by the United Nations that Indonesia will become a nation that properly conforms with basic human rights and avoids the tarnished reputation which it has won for itself up to the present."

In the weeks leading up to the trial, the Indonesian military tried to enlist Xanana as a weapon in its propaganda campaign. A letter purporting to be from Xanana that calls on guerrillas to surrender has been circulated in East Timor. Experts have dubbed it "a crude forgery." Xanana was interviewed after his arrest by a Portuguese journalist, but the interview was conducted in the presence of the military and edited to remove statements that revealed the level of coercion.

Shocked by the international outcry, the Indonesian government is trying to downplay the trial of Xanana as "nothing special." Security measures around the tiny Dili courthouse, however, tell a different story. Police chief Col. Nugroho Djajusman said roadblocks outside Dili and the closure of the street in front of the court were necessary to stop Xanana's supporters from disturbing the proceedings.

Amnesty International has been banned from sending an observer to the trial, but nine Portuguese journalists have been allowed to attend.

In Japan, the Free East Timor! coalition declared that "Putting Xanana Gusmão behind bars serves no purpose whatsoever. Maltreating Xanana Gusmão, the symbol of

the resistance movement, will bring the Indonesian authorities no closer to solving their problems, but rather will fan the flames of resistance among the people of East Timor."

Army steps up "worst ever" intimidation

Armed Forces Commander Gen. Theo Syafei has raised the intensity of "Operasi Tuntas" (Operation Thoroughness, or Operation 'Once and for All') to as fever pitch, declaring that all villages in East Timor will soon be painted "merupati" (red-and-white, the colours of the Indonesian flag).

A source in the East Timorese Catholic Church reports that the level of repression is higher even than during the mass killings of the late 1970s. "Numerous people have been arrested and a significant number have been forced to betray others after being tortured. The reality is far worse than observers can see on the surface... Many people who are released look like zombies... the lines to the prisons are tremendous... the beatings and tortures are out of this world. There has never been anything like it."

In a new tactic, soldiers have begun rounding up Timorese villagers and forcing them to drink blood and swear oaths of allegiance to Indonesia, according to reports published in the London Observer. The oath-takings are an attempt to mimic traditional Timorese ceremonies.

Meanwhile, at least two clandestine youth organizations have been forced to "dissolve" themselves. Both Fitun ("star" in Tetun, the major Timorese language) and the Organization of Young East Timorese Catholic Students were involved in organizing the Nov. 12, 1991 demonstration that was ended by a barrage of gunfire from Indonesian soldiers (at least 250 unarmed Timorese were killed, in full view of Western journalists and TV crews). The "dissolutions," accompanied by oaths of loyalty to the Indonesian regime, haven't stopped youth groups from issuing appeals from underground.

Recent reports in the Indonesian press, which have been uncritically picked up by Western wire services, say that over a thousand guerrillas – 1,147 at last count – have "surrendered." The numbers contradict repeated statements by Gen. Syafei in 1992 that the number of guerrillas is now under 300. What has happened, solidarity groups say, is well over 1,000 arrests, and continued torture, despite promises of amnesty for those who surrender.

Resistance still fighting

The capture of CNRM leader Xanana Gusmão has failed to break the East Timorese resistance guerrillas. Armed clashes continue under the leadership of

Mau Huno, Xanana's number two.

According to the latest smuggled report, 78 Indonesian soldiers were killed in six clashes between Nov. 27 and Dec. 23.

Armed forces commander Gen. Try Sutrisno in December repeated his belief that the resistance is "total nonsense and their forces will be easily smashed."

The level of fighting is higher than it has been in several years, according to CNRM overseas representative Jose Ramos Horta. "There has been an intensification," he said.

Ramos Horta, whose position was confirmed by Mau Huno in December, added that more encounters had taken place in January since the report was received.

Indonesian military spokesman quickly denied the report.

Portugal, Indonesia agree to talk again

The Foreign Ministers of Indonesia and Portugal met under the auspices of United Nations Secretary General Boutros Ghali on Dec. 17. The talks, held under the authority of a 1982 resolution on East Timor, were resuming for the first time since October 1991. The resolution also calls for the inclusion of representatives of the East Timorese themselves.

Portuguese Foreign Minister Jose Manuel Durão Barroso said the talks were "very frank, very long, but there was no progress."

Indonesian Foreign Minister Ali Alatas refused to budge on his insistence that East Timor is Indonesia's 27th province, but agreed to come to another meeting in Rome in April. But even that has come under attack from hardliners. Brig.-Gen. Theo Syafei, Indonesian armed forces commander in East Timor, demanded that talks with Portugal be broken off while the army completes "Operation Once- and-for-all."

Talking human rights

International human rights policy is the latest battleground for the Indonesian government. President Suharto, who will be re-elected unopposed in March, hosted a UN human rights seminar in January and used the opportunity to reject the concepts of the Universal Declaration of Human Rights. National sovereignty and the obligations of individuals to the state should be "equal" to individual freedoms, Indonesian participants stressed.

Hosting the conference was considered a diplomatic coup for Indonesia, which has joined with other Asian dictatorships to oppose "Western values." However, the government's record was attacked during the meeting by members of several different Indonesian human rights organizations.

Meanwhile, the annual UN Commission on Human Rights opened in Geneva on Feb. 1. Indonesia is expected to be called on the

carpet for failing to meet its commitments under a compromise resolution it agreed to last year, which called for improved human rights conditions in East Timor and for access to be granted for groups like Amnesty International.

Canada was one of the countries that lobbied against a strong resolution on East Timor last year. This year, Canadian ambassador Anne Park will chair the Western group at the commission.

ETAN will be sending Timorese refugee Abé Barreto Soares to the 1993 hearings.

Action alerts now available

Due to popular demand, the East Timor Alert Network has begun issuing periodic action alerts on East Timor for those supporters who can help by writing letters in urgent situations. The alerts are modelled on Amnesty International's system.

Supporters can get action alerts in three ways: by electronic mail; by fax; or by mail. Get in touch if you want to be on the list: ETAN/Toronto, PO Box 562, Station P, Toronto, M5S 2T1, (416) 531-5850, Email etantor@web.apc.org.

HORTA: XANANA TRIAL A FARCE

CNRM (NATIONAL COUNCIL OF MAUBERE RESISTANCE) MEDIA RELEASE

1 February 1993

East Timor international spokesperson Jose Ramos Horta, has denounced the farcical trial of resistance leader Xanana Gusmão, which began today 1st February.

Speaking in Sydney prior to his departure to attend the forthcoming United Nations Human Rights Commission meeting in Geneva, Horta said:

Indonesia persists with its grotesque efforts aimed at deceiving the International Community to accept the illegal annexation of East Timor, this time attempting to use Xanana for its deceitful propaganda.

Horta referred to the many recent authoritative statements from international jurists and other observers, condemning Indonesia's latest violations of Human Rights in East Timor, including Xanana's own case. Horta stressed the illegality of the trial, which Indonesia is in no way entitled to conduct given the status of East Timor under its illegal military occupation.

He also pointed to the recent statement by INFIGHT, the Indonesian Front for the Defence of Human Rights, which states that even if Indonesia were entitled,

the trial in any case would be flawed, bearing in mind that the Indonesian judiciary

does not function properly, but operates under the control of the executive.

Other concerns raised by Horta as well as many commentators include the fact that Xanana has been kept in isolation since his capture, unable to choose his defence and obviously tortured. It is also evident that many of his family and close associates have been under great pressure, including arrests, torture and killing.

Anxious to cultivate an image of fairness, the government claims the trial to be open, while large numbers of security personnel have been deployed in Dili, effectively preventing members of the East Timor public from attending. Only selected diplomats and chosen media representatives have been allowed to travel to Dili to attend today's session.

The refusal of the Indonesian government to extend the five day visa granted to Amnesty International's Dr. G. Robertson – in Jakarta to attend a UN-sponsored Human Rights workshop – to allow him to observe the Dili proceedings, clearly illustrates the true nature of the trial.

Commenting on Amnesty's request, the Indonesian 'governor' of East Timor said that "no such international observers were welcome, as they would be violating Indonesia's sovereignty." This plus previous absurd and ignorant comments by the 'governor' are further illustrations of the current crude and tragic farce which is under way in Dili.

HORTA REBUKED BY PARADA

Antara, Dili, Feb. 2 - Chief of the East Timor Legislative Assembly (DPRD) Antonio Freitas Parada deplored here Tuesday foreigners trying to make a fuss over Xanana's nationality and his ongoing trial at the Dili district court. "People like Ramos Horta have no rights to comment on the trial of the former East Timor Fretilin Security Disturbing Movement (GPK)," he told ANTARA in an apparent rebuke to those expressing doubt whether Xanana really claimed that he was Indonesian.

Xanana, who led Fretilin against the government for the last 17 years, is now on trial with charges which include ordering attacks on the Indonesian military installations, robbing villages, cooperating with exiled rebels and illegal possession of firearms.

Commenting on Horta, who claimed himself to be the spokesman of the East Timor people, Parada said, "He is a man with no clear nationality. He serves anyone providing him with money."

Jose Alexandre "Xanana" Gusmão in the first session of his trial Monday said that his nationality was Indonesian which observers said reflected his recognition of

Jakarta authority over East Timor, formerly a Portuguese colony.

Parada said, "It was Xanana himself who told the panel of judges that he was Indonesian. No one forced him to say so."

He said the trial was open to the public and the authorities had nothing to hide.

"This is apparent in the decision to let seven Portuguese journalists to cover the trial despite the absence of Jakarta-Lisbon diplomatic relations," he said.

Parada also said that he was ready for interviews with the seven journalists who represented the print and electronic media in Portugal.

Xanana was captured in November last year in Dili in an operation by the local military. The prosecutor in his trial which observers said might last for more than a month said that he was also responsible for the November 22, 1991 Dili incident. The incident killed about 51 and injured 90.

ABC XANANA TRIAL REPORT, DAY ONE

Australian Broadcasting, 1 Feb. 93

The ABC's Ian Macintosh based in Jakarta, filed a report from Dili on BBC Newshour at 1pm on 1 February 1993. He reported that there were about a hundred people in the court-room at the opening session of Xanana Gusmão's trial. His mother, father and sisters (not clear which sisters) were among a number of East Timorese in the public gallery. But most of those present appeared to be journalists, Indonesian and foreign. There were a large number of people outside who were able to follow the proceedings over loud-speakers.

The first session consisted only of the submission of the indictment, a 40-page document read out by the prosecutor in Indonesian; Xanana was supplied with a Portuguese translation.

Macintosh said that there were three main charges relating to rebellion and taking part in anti-government activity which, according to him, have a maximum penalty of 20 years or life. He also mentioned a subsidiary charge relating to the illegal possession of firearms for which the maximum penalty is death. [According to another source, Xanana was also charged with attacking military installations and contacting foreigners, including the media, in furtherance of his cause. Clarity on the charges must await a more precise account. Only then can we know which articles of the Criminal Code are being used and what is the maximum penalty for each.]

According to Macintosh, Xanana is being defended by a team of three Indonesian lawyers (no names given). The person

leading the team told the press he had met Xanana at police headquarters in Jakarta during a visit to handle another case. In all, he said, he had met Xanana three times, during the course of which Xanana had agreed to appoint him to handle his defence.

[The BBC's Adam Brooks was unable to file anything having been prevented from going to Dili because of some undisclosed problem about his accreditation. Earlier reports that other foreign journalists in Jakarta were having difficulties going to Dili appear not to be true.]

DAY TWO: LAWYER WANTS CHARGES DROPPED

AFP, Dili, Feb. 3 - The defense for East Timor independence leader Xanana Gusmão told his trial Wednesday it had no jurisdiction over him, demanding they drop all charges against him, and release him.

"The conclusion is that this court has no authority to try this defendant," Gusmão's court-appointed legal advisor Sudjono told the court on the trial's second day.

Indonesia seized the former Portuguese colony of East Timor in 1976, a move still unrecognised by the United Nations.

In his reply to the prosecution, Sudjono relied heavily on UN refusal, so far, to acknowledge Indonesia's claim to East Timor.

"My argument is de facto East Timor is part of Indonesia, but de jure, it is not yet. The United Nations is still questioning this problem."

Gusmão, 46, leader of the Revolutionary Front for an Independent East Timor (FRETILIN), told reporters as he entered the courtroom, "You must attend the process until the end."

He faces life in prison if found guilty at the end of the proceedings, which could take months. The trial, which opened Monday but was then adjourned till Wednesday, will resume again Friday.

The trial was open to the public, but limited to 98 people who had to register their names with the military. Those admitted to the trial were required to leave identification with security officers and have their belongings examined by X-ray machine.

Seven Portuguese journalists were allowed to cover the proceedings, including one from the national agency LUSA, who had been banned Monday. They said they had been given 10-day visas.

Some 100 policemen and soldiers, several with guard dogs, patrolled the streets, where several hundred people waited outside the courtyard.

The prosecution kicked off the trial Monday with 40 pages of accusations

against Gusmão, saying he had since July 1976 been involved in a separatist movement and had led several clandestine groups.

However Sudjono told the court the prosecution's argument was untrue. "The group, led by the defendant, has never recognised the Indonesian government," he said.

It was the prosecution's responsibility to prove Gusmão was an Indonesian.

Shortly after his arrest in Dili last November 20, the man who had long eluded security forces and was considered the personification of East Timor's independence struggle, was seen in a startling video televised nationwide in which he said he now accepted Indonesian nationality.

He said he also accepted Indonesian sovereignty over East Timor, and called on his former colleagues to surrender.

East Timor governor Abilio Soares told AFP that Gusmão was not speaking under pressure.

"Xanana can see the reality," Soares said at the governor's mansion in West Dili.

"I think with Xanana's confessions, Portugal will realise that she is trying to stage a struggle by herself," Soares said.

In the video after Gusmão's capture, he criticised Portugal's lack of action on East Timor's behalf, as well as the FRETILIN leadership in exile.

"The capture of Xanana will expose those who have been taking advantage of Xanana's struggle to earn a living for themselves abroad," Soares said.

Sudjono, calling Gusmão more of an intellectual than a rebel, said the independence leader spent most of his time in prison writing books or playing cards.

Sudjono, a member of the Indonesian Bar Association and the American Bar Association, last defended an East Timorese student who was tried for his involvement in a demonstration in Jakarta in November 1991.

Agapito Cardoso, along with other East Timorese students in Jakarta, marched through the Indonesian capital protesting a massacre in Dili of at least 50 people, according to official figures, by Indonesian troops on November 12, 1991.

REUTER: XANANA'S LAWYER CHALLENGES COURT

Reuter, Dili, Menuk Suwondo, Feb. 3 - A lawyer for the East Timor guerrilla leader Xanana Gusmão told an Indonesian court on Wednesday that it had no authority to try his client on charges of rebellion and possession of weapons.

Defence lawyer Sudjono said it was clear 45-year-old Xanana and his followers had campaigned for independence for East Timor, invaded by Indonesia in 1975 and

annexed a year later following the departure of its Portuguese colonial rulers.

But he added: "From the beginning, the Indonesian government was not recognised in the former Portuguese colony. Therefore, all the institutions there do not exist, including this court."

The United Nations does not recognise Jakarta's annexation of East Timor.

Xanana seemed to be in good spirits on Wednesday, smiling at those around him in court.

Xanana headed the Fretilin guerrilla group for most of its campaign to oust the Indonesian military. He is charged with leading a separatist movement which carries a maximum penalty of life imprisonment.

The more serious offence of illegally possessing firearms, which carries the death penalty, has been listed as a subsidiary charge, leading diplomats to doubt whether Xanana, if convicted, would be sentenced to death.

Sudjono's reasoning on Wednesday puzzled independent observers in court, where Xanana on Monday declared that he was an Indonesian national.

Western diplomats had expected Xanana, who was captured by Indonesian troops in Dili in November, to say he was Portuguese and then question an Indonesian court's jurisdiction over him.

Asked by Reuters why he was questioning the court's authority after his client had declared Indonesian nationality, Sudjono said cryptically: "He has not yet been examined by the court to prove he is an Indonesian. Everything has to be proved."

Fretilin is blamed by Jakarta for masterminding events that led to troops firing into a crowd of mourners in November 1991. Witnesses say up to 180 people died in the violence, while Jakarta puts the toll at 50 dead and 66 missing.

Xanana, who was escorted to the courtroom by several unarmed policemen, turned to reporters before the hearing started and said in English: "You must attend this process until the end."

His parents and other family members were at the trial.

"I'm happy to be able to see him," his father, Manuel Gusmão, told reporters after the hearing was adjourned until Friday.

The trial is expected to last around two months.

Portugal, which wants the East Timorese to be allowed self-determination, on Sunday protested strongly against the trial calling it a sinister farce which would be neither impartial nor objective.

Indonesia insists it is fair and open.

XANANA TRIAL/UPI

UPI, Dili, Feb. 3 - A team of lawyers for the leader of the East Timor Fretilin guerrillas told an Indonesian court Wednesday it had no authority to try Xanana Gusmão on charges of rebellion.

"From the beginning, Xanana has never recognized the government of Indonesia," defense lawyer Sudjono said, arguing that the United Nations still recognized Portugal as administrator of its former colony.

"Therefore, all the institutions there do not exist, including the Dili court."

Portugal also has questioned Indonesia's right to try Xanana, although Xanana said Monday that he is an Indonesian citizen.

Presiding Judge Heronymus Godang adjourned the trial 20 minutes after it began until Saturday at the request of the prosecutor.

The 46-year-old rebel leader is charged in a 40-page indictment with coordinating a Nov. 12, 1991, demonstration in East Timor against Indonesian rule. Government troops fired on the demonstrators, who were marching in a funeral procession in Dili, killing at least 50 people.

Some estimates put the death toll as high as 200. The killings resulted in international condemnation of Indonesia.

Xanana is charged with revolt against the government and illegal possession of firearms. He could face the death penalty if convicted.

Indonesia annexed the former Portuguese colony of East Timor soon after Lisbon ended its colonial rule in 1975.

The United Nations still does not recognize Indonesia's sovereignty over the territory of 750,000 people.

At least 30 defense witnesses were expected to be called during the trial, expected to last two weeks. Portuguese radio station TSF said the first witness would be called Feb. 15, and Xanana was scheduled to testify Feb. 26.

Xanana, captured by Indonesian troops Nov. 20 after eluding the military for 16 years, told reporters covering the proceedings, "You must attend this trial until the end."

Five Portuguese journalists covering the trial Tuesday were ordered to leave Timor after the Indonesian military said their presence was prompting East Timorese to organize demonstrations, radio TSF said.

TSF said a Japanese journalist was manhandled by police and his film confiscated after he took photographs of a local military command.

East Timor Gov. Abilio Osorio told TSF that the human rights group Amnesty International was refused permission to at-

tend the trial because its presence was "not necessary."

"Why do we need foreigners sticking their noses into our internal affairs?" Osorio said. "I do not accept the United Nations. We can go on with things as they are."

Osorio said Ma Huno, who replaced Xanana as guerrilla leader, was preparing to surrender to Indonesian forces in East Timor.

XANANA TRIAL/KYODO

Kyodo, Dili, Feb. 3 - The defense lawyer for East Timorese rebel leader Xanana Gusmão on Wednesday argued the Indonesian court has no right to try his client.

Jakarta-based defense lawyer Sudjono said Fretilin (the Revolutionary Front for the Independence of East Timor) planned to make the territory an independent state ever since it was under Portuguese colonial rule.

The lawyer added that neither Xanana nor Fretilin recognized Indonesian government authority in East Timor.

"The court which is now conducting the trial of Xanana, therefore, has no authority to try the defendant," Sudjono said.

He also claimed that Xanana started his activities for an independent East Timor in 1975. The indictment said Xanana started his independence activities in 1976.

Jakarta annexed East Timor in 1976 after Portugal withdrew from the territory the previous year after about four centuries of rule.

The United Nations has not recognized the annexation.

The defense lawyer said the election organized by the Indonesian authorities in May 1976 which purportedly showed a majority of East Timorese wanting the territory to be part of Indonesia is still questioned by the United Nations.

The trial started Monday with the indictment by state prosecutors, charging Xanana with attempting revolt against the government and illegal possession of firearms.

The revolt charge carries a maximum penalty of life imprisonment and the maximum penalty for the firearms charge is death.

ABC: SUDJONO'S BRIEF DEFENCE

'PM' evening current affairs program on ABC radio (Australia), 3 February 1993

ABC correspondent Ian MacIntosh (IM) speaking from Dili to PM presenter Ellen Fanning:

Remark: Commentaries on this are invited. Twenty two minutes would seem to be a very brief defence. As I understand it, it is standard practice in an 'eksepsi' for a

lawyer or a defendant to reject either the validity of the charges or the competency of the court. What line did Sudjono take in his defence of Timorese students in Jakarta? Which students did he defend? Ian MacIntosh reported on Monday 1 Feb. that Sudjono was a member of the bar association (Ikadin). If this is correct, he may be from Sudjono, Julius Rizaldi & Ass., Jl. Gajah Mada No.27 A, Jakarta Pusat. Tel: (21)6003291. Source: Ikadin lawyer's directory, DKI Jakarta, 1990]

David Bourchier

IM: The defence case is essentially one of jurisdiction. Lawyer Sudjono was arguing in his brief 22 minute hearing this morning that this particular court did not exist in Timor at a time when Xanana Gusmão and his followers were already seeking independence for the former Portuguese colony. He detailed the various political developments since the second World War, leading up to Portugal's departure from East Timor in mid 1975 and the subsequent Indonesian annexation and invasion.

It's an interesting argument. Whether it will ultimately hold water is I think debatable and probably doubtful. What he is trying to establish is whether or not Xanana Gusmão can be tried by this particular court given that none of those who took part in the alleged activities ever recognised the institution.

PM: But isn't there a contradiction inherent in that... you were saying on Monday that Xanana Gusmão identified himself as an Indonesian before the court.

IM: There is indeed and er... we spoke to lawyer Sudjono to try and clarify this. What he is in fact doing I think is adopting a legal tactic to force the prosecution to prove that Xanana Gusmão, whether he is an Indonesian citizen or not, in fact committed the crimes he is alleged to have committed. I think we are dealing in legal technicalities, complicated by the nature of the Indonesian criminal code. What chance there is of this particular defence tactic succeeding, as I said, would seem fairly slim.

PM: So what you are arguing is that Indonesia itself has no right to try Xanana Gusmão or that he can't be tried in East Timor?

IM: You would know the complexities of the argument over East Timor. It is recognised in a de facto sense by a number of countries including Australia but that in fact the United Nations does not recognise Indonesia and its sovereignty over East Timor in law. And I think this is all tied up in the same kind of debate and, shall I say, confusion. [Yes, Ian] I think what the lawyer Sudjono is doing is adopting a legal tactic to try and force the prosecution that

they do in fact have correct legal jurisdiction here.

According to the ABC news at 5pm the court has been adjourned until Friday when the prosecution will respond to Sudjono.

Sudjono background (from Tapol)

I can confirm, having checked through press clippings of Agapito Cardoso's trial last year, that Sudjono was a member of his four-man defence team. It was a joint team of the LBH and IKADIN.

Also, the International Bar Association which has its head office in London confirms that Sudjono is a member of the IBA.

Carmel, TAPOL

XANANA'S LAWYER DISPUTES AUTHORITY OF INDONESIAN COURT

Reuter 3 February 1993 Byline: Menuk Suwondo. Printed in slightly different form in Sydney Morning Herald, 4 February.

The argument being used by Xanana's lawyer seems to be in line with the application of the 4th Geneva Convention to East Timorese captured and detained by Indonesia. Since Indonesia is the occupying state in East Timor, the applicable law is that which was in place at the time of the invasion, namely Portuguese colonial law. [See statement of the Portuguese government.]

Regarding Xanana's plea to journalists to attend the hearings right up to the end, a Portuguese journalist speaking on Portuguese radio this morning said this had caught the security guard unawares and there was a (slight?) scuffle to prevent further contact with journalists.

The question now arises: are Xanana and Sudjono working to a more subtle defence position than was first thought? - TAPOL

(Dili, E. Timor) Reuters reported that Sudjono, the lawyer for Xanana Gusmão, told the Indonesian court in Dili that it had no authority to try his client on charges of rebellion and possession of weapons.

Sudjono said it was clear that Xanana and his followers had campaigned for independence for East Timor. But, he added, "From the beginning, the Indonesian Government was not recognised in the former Portuguese colony. Therefore, all the institutions there do not exist, including this court."

Xanana is charged with leading a separatist movement which carries a maximum sentence of life imprisonment. There is also a charge of illegally possessing firearms levelled against Xanana, which carries the

death penalty. Diplomats doubt such a sentence would be passed since the charge is a subsidiary one.

Sudjono's claims in the court have surprised and confused independent observers, particularly because Xanana declared himself to be an Indonesian when asked his nationality by the court. Western diplomats had expected Xanana to say he was Portuguese and then question an Indonesian court's jurisdiction over him.

Asked by Reuters why he was questioning the court's authority after his client had declared Indonesian nationality, Sudjono replied cryptically: "He has not yet been examined by the court to prove that he is Indonesian. Everything has to be proved."

Xanana who was escorted to the court by several unarmed policemen turned to reporters before the proceedings began and said in English: "You must attend this process until the end."

His parents and family members were at the trial. "I am happy to be able to see him," said his father, Manuel.

The hearing has been adjourned until Saturday and is expected to last around 2 months.

Portugal, which wants East Timorese to be allowed self-determination, protested strongly against the trial calling it a sinister farce which would be neither impartial nor objective. Indonesia insists it is open and impartial.

ABC REPORT: STAY UNTIL THE END!

Extracts from an interview by Beverly O'Connor [BO] (Australia Tonight, ABC Radio) with ABC correspondent Ian MacIntosh [MI] in Dili 9pm 3 February Eastern Australian time.

IM: ...Interestingly, the defence counsel this morning did not in any way at all address the actual charges that have been levelled at Mr. Gusmão

...Only a handful of countries recognise [East Timor] either de jure or de facto as Indonesian territory and therefore this case that Mr. Sudjono is mounting is really based on, if you like, the political history of East Timor since W.W.II. Indeed I understand that the lawyer himself and his associates had consultations with the Indonesian Foreign Minister as part of their preparation for this case.

BO: But given that the trial is going to be very much conducted by Indonesian authorities, just how much credence do you think they are going to give to that history or in fact to international law?

MI: Well, indeed. We are assured by lawyers here obviously, but I am also told

by lawyers abroad who know the Indonesian criminal code and expect this trial to be followed strictly according to that code that the procedures are quite clear cut. And we've in fact been going through the code and procedures in the last few days and double checking some of this. They will have to follow the law as it's set down, but I guess what chance is there that this argument can be sustained. The consensus outside the court today among observers here was that it was going to be extremely difficult to sustain it, ah.. but that what Mr. Sudjono was trying to achieve – that is to throw the burden of proof very heavily back on the prosecution – might be the outcome regardless of the court's ruling on his challenge.

BO: How did the prosecution react to this tactic?

IM: The prosecution will in fact tell us how they react on Friday when the trial resumes for the third day. We're going through a series of, I'd say, very formal opening statements and counters. The real challenges.. the real taking of evidence and examination and cross examination won't get under way, we understand, until about the 15th of February. The next key date after Friday is the 11th when the three judges hearing the trial will rule whether or not they accept Mr. Sudjono's argument as it was put today.

BO: Now, was Mr. Gusmão in court today?

IM: Oh yes he was. In fact interestingly, Bev, as he came across the small garden that borders the court room itself he turned to the reporters and photographers there and said in clear and in quite loud English, "You must attend this process until the end." It was an interesting remark because there has been some speculation that Mr. Gusmão himself before the trial is over might have some interesting things to say. We all heard this and wondered just what he was really trying to tell us.

Inside the court he looked relaxed. He looked a lot more comfortable than he did on Monday. [He] sat forward and chatted[unclear] listening to his legal counsel and stroking his beard, and walked out again with the same bearing as he had when he walked in – confident and, surprisingly I think – not handcuffed or otherwise held too tightly by his escorts.

BO: Do you think in a sense it was an appeal to those of you overseas journalists that perhaps can tell his story to the outside world?

MI: Oh look I don't think there is any doubt about that at all Bev. I mean we are actually very small in number. There are six Portuguese journalists here. I'm the only Australian. There are one or two other

overseas reporters here. There well may be more later. I know of a number of my colleagues for example who are expecting to come in from Jakarta and from elsewhere in Southeast Asia. The fact that he turned and spoke in English I think can be safely interpreted as sending a message to the wider world, yes. BO: ... Are there any guarantees as to how he is being treated during this trial?

IM: There has I think been sufficient time now to be able to say fairly safely on the basis of talking to a range of people, including some who have had some contacts with er.. with those involved in this case, and indeed with his lawyers and so on, that he has not been subjected to any physical maltreatment. Indeed there was a report before Christmas that he was putting on weight and they were feeding him too well – although he was complaining that he preferred western cigarettes to Indonesian cigarettes. But precisely what has been going on in his mind and indeed what psychological pressure he's been under is another matter altogether. I simply have no way of assessing that...

RADIO AUSTRALIA ON XANANA TRIAL

Wednesday, Feb. 3. 11 pm Radio Australia news

[JW = John Westland, IM = Ian Macintosh, ABC Indonesia correspondent reporting from Dili] (some words obscure).

Indonesian press reports say 2 East Timorese rebels fighting Jakarta's rule in the former Portuguese colony have given themselves up. According to reports the surrender came 1 day after the opening of the trial of XG in Dili.

JW: What details are known of the surrender?

IM: Well as usual little information, as is usually the case in situations like this. We're told that the 2 people were picked up by an Indonesian patrol early this week.

We're told that this is the latest in a series of surrenders, the most recent being also of 2 people last month. There have been a lot of reports out of ET since the capture of XG suggesting that considerable numbers of armed resistance members have been giving themselves up but there has been little independent confirmation of the number of people involved.

JW Well, is this surrender indicative perhaps of the morale of the opponents of Indonesian rule in ET?

IM: Well certainly I think that the Indonesian army would like to everyone believe that that is the case and I think there is more than an element of truth in (...). There's not much doubt in the minds of

people we are able to talk to here about the situation in ET that there has been a problem of demoralization in the aftermath of XG's capture.

It's extremely difficult to assess just how seriously morale has been affected - certainly I think the appearance of XG in Dili this week would have done little to help the situation. From the few contacts we've had with people that have been able to talk freely & briefly with me about it, one gets the impression that at the moment there is some, if not demoralization, then some confusion about precisely where (?) the position is going to go.

JW: Do you have any idea of the total strength of the remaining Fretilin guerrillas in the hills ?

IM: We don't. We've told by the army here that it is about 200. Sources close to the underground movement suggest that it is a good deal more, possibly a 1000. Independent outside sources, western analysts, suggest the figure is probably closer to the Indonesian figure of several hundred and that they are quite lightly armed now - they don't have the range of weapons that they had 5 or 10 years ago. I think there is general agreement among people who study the place closely that the armed component of the pro-independence movement really is no longer a military threat - it certainly can continue to be a small-scale nuisance to the Indonesian military but in terms of serious opposition to the Indonesian military it's simply not capable of mounting that opposition

JW: Well then what is the Indonesian military doing now to try to wrap up the Fretilin lead insurrection ?

IM: .. clearly from the statements which have been made in the recent past there is a good deal of psychological warfare going on. We had a statement in Dili this week from the civilian governor, Abilio Jose Osorio Soares, that he would personally be receiving the surrender of XG's successor in the hills within 2 months. Now that may well have been a boast but that's certainly the upbeat mood, if you like, of the military authorities and the civilian authorities close to them about the future of the armed component of the pro-independence movement.

RA report 11 pm Friday Feb. 5, 1993.

The hearing of charges against ET resistance leader XG resumed today in the provincial capital Dili today with the prosecution detailing its response to the defence claims that the case was outside the jurisdiction of the court. Our Indonesian correspondent IM was in the courtroom and he outlined to JW the basis for the rebuttal.

IM: The defence counsel Mr. Sudjono argued on Wednesday that because XG and his followers had never recognized any other government in this former Portuguese colony therefore this particular institution, as part of the institutions of another government, was not competent & did not have the jurisdiction to hear the charges against him.

Today the chief prosecutor, I Ketut Suara, contended that the court in fact was competent and did have the authority. He based his arguments largely on the fairly standard Indonesian position on the integration of ET - the position that Indonesia has repeatedly put overseas at the UN & in other hearings. It was simply based on the fact, according to Indonesia, that late in 1975 the 4 political parties opposing Fretilin proclaimed independence and simultaneously their wish to integrate with Indonesia and that in May 1976 so-called representatives of the ET population voted to integrate with Indonesia. These are facts which are often challenged by other students of the past history of ET but that was the argument that he put. He concluded that the court was competent to challenge (?)

The judges adjourned the court till next Thursday - the 3 judges - they've gone away to consider their ruling on the challenge.

JW: So they must give a ruling on the challenge before the actual case against XG can resume ?

IM: Next Thursday the court will reconvene to hear the judges ruling on the challenge to its jurisdiction. The consensus amongst observers at the trial is that the defence has very little chance of succeeding indeed if it did succeed it would be a major setback to the whole Indonesian case for its rule in East Timor.

JW: Well, you have said when we've spoken earlier that XG has appeared relaxed in those earlier appearances. Is he still maintaining that relaxed calm ?

IM: Well he certainly was calm today but he seemed more somber - indeed as he walked into the courtroom he was shielding his face with his hands and he did that for a few minutes after he sat down in the court proper. Again when he left the building at the end of the day he had his hands shielding his face - no one is quite sure why he was doing this because physically he seemed fine and indeed when we got a look at his face there was no suggestion that he was in any discomfort of any kind - it may just have been a tactic - we simply don't know.

The other interesting thing today was that the security seemed to have changed again. There was a much smaller crowd in the street outside and for some reason the officials decided they'd let the traffic go by -

so the traffic was passing throughout the days proceedings. So when the 4 car security cavalcade took XG away from the building to wherever he is being held they drove out into the traffic. It seemed quite strange given the very high level of security in previous days.

JW: Well given that the security appears somewhat relaxed is the case still receiving the same media attention as it was at the start of the trial ?

IM: Certainly it is in Indonesia & Portugal - we've got no fewer than 8 Portuguese journalists here. In Indonesia its been run in summary form on the TV news every night & morning and its appearing in the daily newspapers mostly on the front pages. Interestingly too we understand its being beamed by medium & short wave radio throughout ET and according to officials I spoke with this morning it is also beamed by short wave to Australia - they tell me that 2 short wave frequencies are beaming the signal of the actual live courtroom proceedings to an area of Australia which would include Darwin in the North and Perth in the West.

XANANA VERDICT EXPECTED ON 20 MARCH

Jawa Pos 3 February 1993

Summary of a three-column news item illustrated with the photos of four of the witnesses, all now in custody.

Comment: This report is a comprehensive preview of the trial revealing once again the newspaper's privileged access to all the preparations under way by the army and the prosecution for the trial of Xanana Gusmão. It lists all the prosecution witnesses and summarises the testimonies of several of them. The paper publishes the timetable of the trial, the clear assumption being that the trial will proceed according to a carefully laid plan. No mention is made of any time being allowed for defence witnesses.

Here we have the Show Trial par excellence. In all the years of following political trials in Indonesian courts, this is the first time we have had evidence of such detailed planning worked out and made public in advance in this way. Clearly, the court and the prosecution have agreed to this plan, making no allowance for anything the defendant and his defence counsel may intend to do.

Jawa Pos also has privileged access to the testimonies of several prosecution witnesses, and has published statements by them in separate articles. There is far too much material for us to attempt full coverage of

Jawa Pos' preview. All we can attempt is this short summary.

– Carmel

Timetable

According to Jawa Pos, the verdict in the trial of Xanana Gusmão will be announced by the court on 20 March. The newspaper publishes the timetable of the trial as follows:

15 - 24 February, hearing the testimonies of witnesses. These will be marathon hearings with sessions almost every day.
26 - 27 February will be devoted to questioning the defendant.

4 March, the prosecution will present his summing up and demand for sentence.
10 March, the defendant and his defence counsel will present their defence pleas.
12 and 13 March, the prosecution will respond to the defence pleas and the defence will respond to the prosecution.
20 March, the court will deliver its verdict.

[The summing-up stage should allow the defence whatever time required to prepare their statements. This is clearly not being allowed for.]

Prosecution witnesses

According to Jawa Pos, the prosecution witnesses will include:

Gregorio da Cunha Saldanha [now serving a life sentence];

Francisco Branco Miranda [now serving a 15-year sentence];

Mau Hodu alias Jose da Costa, a close guerrilla associate of the defendant who was captured in January 1992;

Armandina Maria Gusmão, the younger sister of Xanana and her husband Gil dos Santos;

Maria Olandina Isabel Cacirol Alves, described as chair of Fretilin's youth organisation, Unetin, who was an announcer on Fretilin's Radio Maubere in 1975;

Akuilong, a businessman who allegedly transported Xanana to his various hideouts;

Luis Cardoso, village head of Datina, who allegedly helped Akuilong, and provided hideouts and supplies for Xanana;

Maukalo alias Antonio Soares da Silva, a guerrilla who was instructed by Xanana to seize weapons from the Indonesian armed forces, attack soldiers and rob local inhabitants in 1979.

Others due to appear include Agosto Pereira and his wife Angelica Araujo [sister of Abilio Araujo] in whose house Xanana was taking refuge when he was captured and several members of the Araujo family;

Regina Conceicao de Araujo Serrano, 18, niece of Agosto Pereira who has 'confessed' to being raped by Xanana. [A statement received in London from a women's group in Dili earlier this month categorically denied

this, saying that their sister, Rege, had been forced into making this confession about something which is pure fabrication.]

Hendriques Belmiro [arrested shortly before Xanana's capture and brutally tortured to extract information from him about Xanana's whereabouts].

[Apart from a few soldiers who took part in Xanana's capture who will also testify, it must be assumed that all the prosecution witnesses are in custody. Some are themselves due to be tried.]

DILI TRIAL MAY BE POOR JUDGMENT

*THE AGE (Melbourne) 3rd February 1993
BYLINE: Mark Baker Unabridged*

The start of the trial of East Timorese resistance leader Xanana Gusmão raises more questions than answers about Indonesia's handling of its most troublesome internal conflict, and the fate of the man who was its driving force for more than a decade.

In staging a public trial in the heart of Dili in front of foreign journalists and diplomats, Indonesia appears confident that Gusmão has accepted his fate and will go quietly. It also appears optimistic that this, in turn, will persuade the remnants of Fretilin, and the world, to forget one of the bloodiest struggles of the late 20th century. That confidence seems premature.

Since his arrest in Dili on 20 November there has been international concern that Gusmão may have been subjected to physical or psychological abuse.

The concerns were first raised 11 days after his capture when, in a heavily-edited interview on Indonesian television, Gusmão, who appeared stressed and to have an injured arm, disavowed the resistance and called on his followers to surrender.

After a subsequent interview with Portuguese television, Gusmão denied, in a furtive remark to the journalist, that he had changed his attitude to Timorese independence. "I am replying in a way in which, if I were free, I would not," he said in an answer cut by Indonesian censors.

Concerns about Gusmão's treatment were revived on Monday when he answered in court that his nationality was "Indonesian" and that his profession was "GPK" - an acronym for trouble-maker: extraordinary statements from a man who risked his life over many years fighting against Indonesian control of his country.

The Red Cross, which visited Gusmão soon after his arrest, is understood to share the view of Western diplomats that, rather than responding to abuse, he has now reached a deal to co-operate during the trial,

possibly to reduce his punishment and ensure more lenient treatment for some of his detained followers.

It is seen as significant that he has been charged with armed rebellion, which carries a maximum sentence of life imprisonment. He has not been charged, as expected, with subversion, for which the penalty is death.

The decision to hold the trial in Dili obviously is intended to show the Timorese and the world that Indonesia is proceeding openly and confidently. Yet intense security is in force and careful measures have been taken to ensure the trial goes to plan.

While some foreign journalists, including six from Portugal, have been allowed to attend, access has been denied to human rights observers, including Amnesty International and the International Commission of Jurists.

Doubts have been raised about the quality and impartiality of Gusmão's officially-sanctioned counsel, the Jakarta-based lawyer Sudjono, although he has previously defended dissident East Timorese students. Indonesia's premier human rights organisation, the Legal Aid Institute, which offered to represent Gusmão, was refused access to him.

The trial, which is expected to take many weeks, is certain to end with a conviction and a long jail term for Xanana Gusmão. Whether it will achieve Jakarta's greater objective of persuading his fighters to end their struggle is quite another matter.

Gusmão was a revered and charismatic leader and his capture is an undoubted blow to Fretilin. But the movement has survived greater setbacks and remains a small, tightly-knit guerrilla army with vast urban support that is unlikely to be wished away by a propaganda trial.

In another censored comment to Portuguese television, Gusmão expressed confidence in the abilities of his successor as Fretilin leader, Antonio "Ma'hunu" da Costa: "He has the conditions in which to carry on the fight."

SUDJONO: COURT NOT COMPETENT TO TRY XANANA

Kompas, 4 February 1993 Dili, East Timor Unabridged

Remark: It is remarkable that this newspaper has given such a detailed account of Sudjono's argumentation. We have not seen other Indonesian press clippings from the same day. The Kompas account, however, does not make reference to Sudjono's argument, covered widely in foreign press reports, that Indonesia's authority over East Timor is only de facto as it has not been

given de jure recognition by the international community.

Square bracketed remarks are from TAPOL.

Lawyer Sudjono who is assisting Jose Alexandre Xanana Gusmão said that the Dili district court has no competence to try the Fretilin leader because Xanana was active as a member of Fretilin long before East Timor became a part of Indonesia, with the intention of setting up a state independent of Portuguese control. Thus, based on state administrative law, an Indonesian court has no competence to try him.

Sudjono said this in his eksepsi (refutation of indictment) at Dili district court, under presiding-judge Hieronymus Godang and members of the panel of judges, Pandapotan Sinaga and AB Radjah.

As reported earlier, Xanana is being charged with aggression against the government [makar]. According to the prosecutor, the crime of aggression against the government was committed by Xanana from 17 July 1976 to 20 November 1992.

"The struggle waged by Xanana Gusmão and his group was not an act of aggression against the Indonesian government because Xanana has never recognised the Indonesian government in East Timor. Therefore all Indonesian institutions there, including the court, do not exist, still less have any competence, to try him."

Xanana, who was arrested in Lahane West, Dili, was active in Fretilin from 1975, not from 1976 as stated by prosecutors I Ketut Suwara, Endang Sunardi and Indro Sipet. Xanana and the Fretilin group which he led were present in the territory of East Timor starting from the time when there was a power vacuum as a result of the departure from East Timor of the former Portuguese colonial power.

Three conditions

Sudjono stated in his eksepsi that, according to state administrative law, a state can be said to exist if it complies with three conditions, has a territory, a people and a government. In the case of East Timor, since Portugal left the territory, the only things there have been are the people and the territory. Hence, there is no state there.

After Portugal left East Timor, there were several groups in the former colony. There was a group in favour of integration with Indonesia but there was also a group that was not in favour of integration with Indonesia. These two groups were hostile towards each other.

The group which wanted to set up an independent state, said Sudjono, summarising the history of East Timor, was the Frente Revolucionario de Timor-Leste

Independente which was led by Xanana Gusmão. That organisation appointed its leadership, which means that the condition for being a state was fulfilled.

Not recognising RI

According to Sudjono, the non-integration group regarded the decision to integrate with Indonesia as unlawful. That group continued to exist as a community separate from Indonesia. From the very beginning, this non-integration group led by Xanana Gusmão did not recognise the existence of the Indonesian government in the territory of the former Portuguese colony.

Hence, according to Sudjono, the legitimacy of the Dili district court to try Xanana is questionable. Sudjono also gave an account of the history of East Timor, in particular the history of the struggle waged by Xanana Gusmão and his group which began before East Timor was integrated with Indonesia. [Two words unclear... it was on 28 November 1975 - before integration - that Fretilin proclaimed independence.

Then on 6 June 1976, an East Timor delegation went to Jakarta to pronounce a petition calling for East Timor to become part of Indonesia. Then, on 23 June 1976, Jakarta sent a fact-finding team to East Timor and subsequently, East Timor became the 27th province on 17 July 1976.

It is clear, said Sudjono, that from the start, Fretilin did not agree to integration.

Public not allowed

As was announced in the previous session, Xanana did not submit an eksepsi of his own and left it to his lawyer. But, as he entered the court-house, escorted by security guards, Xanana took the opportunity to say something in Portuguese, directed apparently at the press covering the event.

"Aguardem ate que o processo de julgamento for conebedo," said Xanana, smiling. In Indonesian, this means: "The press should follow the trial to the end."

[According to other sources, Xanana said these words in English.]

At yesterday's hearing, the public was not allowed to follow the proceedings in the court-room but had to listen to the proceedings over the loud-speaker in the courtyard outside the court-room. [It is important to check whether the authorities are breaking their own pledge to conduct this trial publicly. We do know that the press attended the hearing.]

The trial was adjourned till Friday (5/II) to hear the prosecutor's response to the defence lawyer's eksepsi.

DAY 3: STRANGE COURTROOM SCENES

Parts of this article ran in the Sydney Morning Herald and the Canberra Times on February 6.

AFP, Dili, Feb. 5 - The trial of Xanana Gusmão resumed Friday with the prosecution insisting that Indonesian courts have the authority to try the former East Timor independence leader.

Gusmão's lawyer had argued Wednesday that, de jure, the former Portuguese colony was not a part of Indonesia because the United Nations has yet to recognize its annexation in 1976, a year after Indonesian troops invaded.

But prosecutor I Ketut Suara said local political parties opposed to Gusmão's group, Fretilin, had proclaimed in 1975 that East Timor wanted to join Indonesia.

Representatives of East Timorese had also taken a poll in 1976 that indicated, in Indonesia's view, that the people wanted integration, Suara said in a 23-minute presentation.

Therefore, he concluded, East Timor was an integral part of Indonesia, and its courts had the authority to try Gusmão.

Gusmão, captured in West Dili on November 20, is charged with rebellion, conspiracy and trying to set up a separate state. If convicted, he faces a maximum penalty of life imprisonment.

In contrast to the first day of trial Monday, when he looked relaxed and readily identified himself as an Indonesian national, Gusmão covered his face with his hands Friday as he entered the courtroom from a detention room.

Fewer than 200 people were outside the courthouse, and traffic on the street outside the building - halted by the authorities during Monday's and Wednesday's proceedings - flowed as usual.

The panel of judges, led by Hieronimos Godang, said the court would adjourn until Thursday to hear Gusmão's lawyer, Sudjono, reply to Suara's arguments, to be followed by a decision on whether the trial will continue.

If the trial goes ahead, it will hear its first witnesses on February 15, and the case could go on for two months.

Following Friday's proceedings, instead of walking to the detention room, Gusmão was taken to an waiting green van that was seen with three escort cars outside the courthouse.

PORTUGUESE JOURNALISTS TOLD TO LEAVE

According to UPI on 5 February, dated Dili, quoting a TSF (Portuguese Radio) report, five Portuguese journalists who are there to cover the trial of Xanana Gusmão have been ordered to leave after the Indonesian military said their presence was prompting East Timorese to organise demonstrations.

TSF also reported that a Japanese journalist was manhandled by police and his film confiscated after he took photographs of a local military command.

Portugal's Catholic Radio Renascenca also reported the expulsions, saying that five of the eight Portuguese journalists in Dili had been served with orders to leave for Jakarta within 24 hours and return to Portugal from there. The radio said they were preparing to visit the house where Gusmão was captured when the orders were served.

JOURNALISTS EXPULSION DENIED

UPI, Jakarta, Feb. 6 - The military Saturday denied a report that six Portuguese journalists covering the trial of rebel leader Xanana Gusmão in East Timor had been expelled.

The government-sponsored daily newspaper Suara Karya had reported from Dili, the capital of East Timor, that six of the eight Portuguese journalists covering Xanana's trial had been expelled after Indonesian authorities in the region charged them with activities conflicting with their mission.

"The report is totally not true," an armed forces spokesperson in Jakarta told United Press International.

The official said the government had decided to grant visas to the Portuguese journalists and "we will allow them to stay in the country until their visas expire."

The newspaper report said authorities in East Timor had questioned the mission of one of the six Portuguese journalists, identified as Ines Alexandra Lamas Serra Lopez, claiming she was not a reporter but a law specialist in Portugal.

The Suara Karya report also said Lamas Serra used a journalist cover in order to get permission from the Indonesian government to enter the region.

LAWS USED TO INDICT XANANA GUSMÃO

From TAPOL, 6 Feb.

The following are the laws under which Xanana Gusmão is being charged:

Articles of the Criminal Code (KUHP)

Article 106: An act of aggression committed against the government (makar/aanslag) with intent to subjugate the entire territory of the State or any part thereof to a foreign government or for the purpose of separating a part of the territory, shall be liable to life imprisonment or a maximum sentence of 20 years.

EXPLANATORY NOTE (B) reads as follows:

b. to separate a part of the territory of the country in order that the said part becomes a sovereign State, for example to separate Aceh or Maluku from the territory of the Indonesian State in order that it becomes an independent State.

Article 108

(1) The crime of rebellion is punishable by a maximum sentence of fifteen years, namely:

1e. whosoever wages armed opposition to the established authority of the State of Indonesia.

2e. whosoever, with intent to oppose the established authority of the State of Indonesia, opposes, or joins forces with groups of armed people that oppose the said authority.

(2) The leader or organiser of a rebellion shall be punishable to life imprisonment or a maximum sentence of 20 years.

Article 110:

(1) Conspiracy to commit an offence as set out in articles 104, 106, 107 and 108 shall be punishable to the same degree as the said offence.

(2) This punishment shall also apply to persons with intent to make preparations for or facilitate one of the offences set out in articles 104, 106, 107 and 108.

UU No 12/darurat (Emergency)/1951 LN 1951-78 NB: This emergency law was enacted into law as Law No 1 of 1961.

Section 1:

Whosoever, without being entitled to do so, brings in to Indonesia, manufactures, receives, seeks to acquire, passes on or tries to pass on, gains control of, carries, keeps a stock in his possession, or possesses, stores away, transports, conceals, uses or exports from Indonesia any firearm, ammunition or explosives, shall be liable to a death sentence

or to life imprisonment or to a maximum sentence of 20 years.

RIDDLE IN EAST TIMOR

Sydney Morning Herald Editorial, 8th February 1993; Unabridged

There is something odd about the trial of the Fretilin leader, Xanana Gusmão, which opened last week in Dili. Xanana, who led the East Timorese resistance movement for 14 years, was an almost mythical figure, shrewd, elusive, charismatic, a man who seemed to embody the spirit of East Timorese resistance to Indonesia. From all accounts, that sense of resolution and defiance survived Xanana's capture in Dili on November 20. But in a television interview in early December, Xanana said, "East Timor nowadays is part of Indonesia" and urged members of Fretilin to give themselves up. Then, at his trial, he gave his nationality as "Indonesian." What is going on?

There would seem to be two possible explanations. The first is that Xanana has given up the ghost, either because he has come to believe that independence is impossible or because he fears for his own safety or that of his family and friends. The other possibility is that Xanana has done a deal with his captors. Indonesia could have thrown the book at the Timorese leader, charging him under the old Dutch era [sic] subversion laws. Instead it has charged him under the less draconian criminal law, which makes it even less likely that he will be executed.

To some extent Jakarta may have done that because it has been on the back foot internationally since the November 1991 Dili massacre. But it is more likely that Indonesian leaders have other, more important, reasons for taking a softer approach. East Timor is a suppurating wound. Increasingly, some sort of political compromise looks necessary. Xanana is the obvious person to represent the East Timorese.

It is not inconceivable that Xanana, in declaring himself an Indonesian citizen, is playing the first part of a carefully scripted compromise, one that sees him sentenced to a long term (appearances are important) but who, in relatively comfortable detention, is there, Mandela-like, should serious negotiations become an option. Whatever the outcome, the trial is important to Australia. Timor, not Australian press coverage, has been the major burr under the saddle of Australia-Indonesian relations. It will remain the major burr until Jakarta can find a more acceptable way to deal with the problem.

XANANA UNDER RENEWED PRESSURE

Jakarta Post, 6 February 1993 carries a report headed, "Dili court has authority to try Fretilin rebel leader: prosecutor" which reveals in the latter half of the item that Xanana Gusmão is evidently under renewed pressure by his captors following his defiant action on the day of the second hearing when he asked journalists to cover the trial up to the end.

According to JP, Xanana refused to interact with the press. He covered his face with his left hand when he entered the court and with a folder when he left.

Portuguese journalists were obviously disappointed by Xanana's aloofness. He turned a deaf ear when they asked him to look at them so that they could take photos.

As in previous sessions, Xanana's parents, a sister and other relatives were present yesterday. When Xanana left the courtroom for the detention house next door, his sister shouted, 'Tiu, tiu' [which according to JP is Tetum for 'uncle'] but he did not pay any attention.

Suara Timor Timur, a local newspaper [first mention of this newspaper for many a year], quoted Xanana's father, Manuel Gusmão, as saying: "If my son were sentenced to death and executed, I would ask the authorities to return the body to the family." Manuel said he had not seen his son for 16 years. He once sent him a letter but had no idea whether it reached him.

In the earlier part of the item, JP reported the prosecution's rebuttal of defence lawyer Sudjono's submission that the court is not competent to try Xanana. "We are of the opinion that Sudjono's statement has no legal basis and should therefore be rejected," said prosecutor Swara.

STATEMENTS ON XANANA'S TRIAL

US AND UN RESPOND TO LETTERS ABOUT XANANA

Answers to letters about Xanana Gusmão, written in November, 1992:

US Department of State, Washington
c/o Senator Alfonse D'Amato.

(An identical letter, except for the first paragraph, was signed by David G. Brown, Director, Office for Indonesia, Malaysia, Brunei and Singapore Affairs and sent to some who wrote to him about Xanana.)

January 7, 1993

Dear Senator D'Amato:

I am writing in response to your letter regarding the concern expressed by your constituent Charles Scheiner about the detention of East Timor Fretilin leader Jose Xanana Gusmão in Indonesia.

East Timor is an important element in our on-going dialogue with the Government of Indonesia regarding human rights. In this context, we have raised with high level Indonesian officials in Washington and Jakarta the case of Jose Xanana Gusmão. We have urged that he be treated in accordance with Indonesian law and that his human rights be respected. Indonesian government officials have stated their intention to deal with him according to law.

Indonesia's arrangement with the International Committee of the Red Cross (ICRC) provides for ICRC representatives to have access to Xanana Gusmão and other detainees in East Timor. We have urged the Indonesian government to provide this access. ICRC representatives have already met with Gusmão and with some other Timorese detainees.

We will continue to monitor developments in East Timor and the rest of Indonesia through all available means and to convey our views on these matters to the Indonesian Government. In doing so, we also believe it important to give attention to those detainees who are not as well known internationally as Gusmão and we will continue to work on their behalf as well.

Sincerely,
Robert A. Bradtke
Acting Assistant Sec'y, Legislative Affairs

Department of Political Affairs
United Nations, New York
12 January 1993

Dear Mr. Scheiner,

Thank you for your letter of 25 November 1992 concerning East Timor and the arrest of Xanana Gusmão.

I would like to assure you that the Secretary-General has been following the situation of Mr. Gusmão closely. He has taken action commensurate with his responsibility and will do everything possible to ensure the safety and physical well-being of Mr. Gusmão as well as his treatment in accordance with internationally acceptable legal standards and procedures.

Similarly, the Secretary-General is committed to continuing with his efforts to assist in the search for a comprehensive and internationally acceptable solution to the question of East Timor through the ongoing dialogue under his auspices.

Thank you once again for your concern on a matter of considerable importance to the Secretary-General and the UN.

Yours sincerely,
Tamrat Samuel, Associate Political
Affairs Officer,

CANADIAN XANANA UPDATE

13 JANUARY 1993

*From the East Timor Alert Network/
Canada*

Dear friends of East Timor,

Today in East Timor, the situation for the Timorese people is at perhaps its worst level ever. Since the arrest, on November 20, of resistance leader Kay Rala Xanana Gusmão, the Indonesian military has been conducting a new campaign of psychological warfare against the Timorese, who have viewed Xanana as a living symbol of their struggle. Armed Forces Commander Gen. Theo Syafei has raised the intensity of "Operasi Tuntas" (Operation Thoroughness, or Operation 'Once and for All') to as fever pitch, declaring that all villages in East Timor will soon be painted "merupati" (red-and- white, the colours of the Indonesian flag).

A Church source reports that: "Numerous people have been arrested and a significant number have been forced to betray others after being tortured. The reality is far worse than observers can see on the surface... Many people who are released look like zombies... the lines to the prisons are tremendous... the beatings and tortures are out of this world. There has never been anything like it." Considering what Timorese have lived through for the past

seventeen years, these words suggest a level of brutality quite beyond human endurance.

At least two clandestine youth organizations have been forced to "dissolve" themselves. Both Fitun ("star" in Tetun, the major Timorese language) and the Organization of Young East Timorese Catholic Students were involved in organizing the Nov. 12, 1991 demonstration that was ended by a barrage of gunfire from Indonesian soldiers (at least 250 unarmed Timorese were killed, in full view of Western journalists and TV crews). The "dissolutions," accompanied by oaths of loyalty to the Indonesian regime, haven't stopped youth groups from issuing appeals from underground.

Recent reports in the Indonesian press, which have been uncritically picked up by Western wire services, say that over a thousand guerrillas – 1,147 at last count – have "surrendered." The numbers contradict repeated statements by Gen. Syafei in 1992 that the number of guerrillas is now under 300. The propaganda is crude and should not be believed for a moment. What has happened is well over 1,000 arrests, and continued torture, despite promises of amnesty for those who surrender.

With regards to Xanana himself, the government of Indonesia has recently broadcast an interview conducted by a Portuguese reporter in which Xanana apparently calls on guerrillas to lay down their arms and on the Timorese to accept their "integration" with Indonesia. The interviewer, however, notes that Xanana was, in his opinion, not speaking of his own free will. Parts of the interview were excised, including a statement that he would not have spoken in the same way if he was not a prisoner.

Even Timorese collaborators have rejected the truth of the broadcast. "Sorry, but we're not that stupid," said Mario Carrascalao, who served as governor of East Timor for 10 years before leaving office in September. "I am against Fretilin, but when I saw that statement, I was ashamed as a Timorese. It was an insult to my intelligence as a Timorese."

Additionally, a handwritten appeal signed "Xanana" is circulating in East Timor. Again, it calls on guerrillas to surrender. Handwriting analysts say the writing is very different from Xanana's writing, with the exception of the signature. Resistance leaders called it "an amateurish forgery." It has failed utterly to sway fighters in the mountains, who are now apparently being led by Ma'hunu, formerly Xanana's number two. A statement of re-organization of the resistance has reached the outside world, and armed clashes are continuing.

Xanana may or may not be co-operating with his captors. In either case, he is acting under extreme duress, probably to protect the numerous members of his family that are being held incommunicado. The International Committee of the Red Cross, which was allowed to see him on Dec. 7, reports only that he is "alive." The ICRC makes its detailed reports only to the Indonesian government, so nothing more can be confirmed.

Xanana is apparently to be tried sometime in January or February in Dili, East Timor, on criminal charges, by an Indonesian court which has no jurisdiction over Xanana, a non-citizen. Meanwhile, he is being held in Jakarta. The Indonesian Legal Aid Institute (LBH) and prominent human rights activist Haji Princen have been unable to secure meetings with him to ensure that he is being treated acceptably and knows that he has the right under Indonesian law to choose his own lawyer. An LBH team has offered to defend him, but the offer was turned down (reportedly by Xanana, more likely by his captors). Instead, the court will appoint a compliant lawyer for him, virtually ensuring a swift conviction.

If, as the Indonesian government says, Xanana is no longer a fighter for East Timor's independence, then they should allow him to speak freely by letting him leave Indonesia and setting free his family and friends. There is a peace talks process under way at the United Nations. UN resolutions mandate the inclusion of East Timorese in these talks, which today involve only Indonesia and Portugal, the former colonial ruler of East Timor (still recognized by the UN as the administering power).

The Indonesian government is calling on guerrillas to lay down their arms and surrender. Xanana has said that there is nothing the resistance would rather do than lay down its arms – but only in the context of a peaceful solution. More useful is the recent proposal by East Timor's Catholic Bishop, Carlos Ximenes Belo: "Let's all lay down our arms and have dialogue with empty hands, using our brains and our hearts. Treating each other as equals. Not with the attitude, 'you're wrong and I'm right' or vice versa."

The outcry in support of Xanana Gusmão and other East Timorese political prisoners in December and January has been very encouraging. Hundreds of international figures have appealed for Xanana to be released. In Canada, a large number of supporters of East Timor have written to External Affairs Minister Barbara MacDougall and the Indonesian Embassy or Consulate. MacDougall, to our knowledge, has not responded to letters from or-

dinary Canadians or inquiries in letters and in the House of Commons from MPs Beryl Gaffney (Liberal-Nepean), David Kilgour (Liberal-Edmonton Southeast), Dan Heap (NDP-Trinity Spadina) and Svend Robinson (NDP-Burnaby). We would particularly like to thank those who have written, and ask for a renewed appeal in January.

In February, the question of East Timor will be on the agenda at the United Nations Commission on Human Rights. Both Canada and Indonesia sit on this commission. Last year, Indonesia undertook to improve human rights in East Timor, punish those guilty for the Nov. 12, 1991, massacre, and to allow free access to human rights organizations including Amnesty International. Instead, repression has increased tenfold and East Timor has been closed off, even to journalists.

We ask all people with a concern for human rights to write to Barbara MacDougall once again. Please make the following points:

- (1) Canada should take a strong position at the UN Human Rights Commission in support of the people of East Timor. Minimally, Indonesia should be held to the terms of last year's resolution.
- (2) In international forums including the Human Rights Commission, Canada should call for all Timorese political prisoners to be freed.
- (3) Canada should call for UN resolutions on East Timor to be enforced. Provisions that call for East Timorese inclusion in peace talks and a free and fair act of self-determination are particularly important to stress.
- (4) With regard to Xanana Gusmão in particular, he should be allowed the right to choose his own lawyer. Canada should monitor any trial to ensure it complies with international standards. Preferably, Canada would work to ensure Xanana is allowed to speak freely by being released to a third country.

Please write letters (even a short letter will carry a large weight) to:

Barbara MacDougall
Minister of External Affairs
House of Commons
Ottawa Ont. K1A 0A6

Please send copies to the East Timor Alert Network. This will allow us to forward expressions of concern to the Legal Aid Institute in Jakarta for use in lobbying in Indonesia, and to the opposition parties in Ottawa.

ETAN/Toronto
PO Box 562, Station P
Toronto, M5S 2T1

For more information, please write ETAN, or contact (416) 531-5850 (phone/fax), or email etantor@web.apc.org.

FRENCH GOVERNMENT ON XANANA

This letter was received from the French Foreign ministry by Agir pour Timor:

Minister of Foreign Affairs
Cabinet of the Minister of State
The Technical Advisor
Paris, 18 Jan. 1993

Sir,

Through your letter of 8 December 1992, you wished to alert the Minister of State, Minister of Foreign Affairs, on the situation in East Timor.

The services of the Ministry of Foreign Affairs already indicated to you that the problem of East Timor is one of the most often raised issues in the European political co-operation. The Twelve follow very carefully the Human Rights situation in Timor and took several steps lately. They had the opportunity thus to show their wish that Indonesia conforms to its promise to open the territory to non governmental organisations.

The President of the Republic, when he met President SUHARTO on 24 November 1992, expressed him France's wish that UN-sponsored negotiations between Portugal and Indonesia succeed, so that the problem of International law set by the status of Timor be solved.

President MITTERAND also personally [expressed his worry about] the fate of Mr. GUSMÃO. Since then, you know that the Red Cross representative was able to visit him in conditions considered satisfactory by his organisation, and that he also should visit the other Timorese prisoners arrested at the same time or after Mr. GUSMÃO.

The French authorities seize every opportunity to remind Indonesian rulers the necessary respect for Human Rights. Their commitments will not weaken.

Sincerely yours etc.
Emmanuel DELLOYE

Remark: CCPF, the Coordination of Portuguese Collectivities in France, also received a reply to a letter they sent Mitterrand, which is in the same vein. This seems a evolution compared with a letter received by ASTO in 1983, which was reproduced in Timor Informations no 24/25, April 1983:

The Prime Minister
Paris, 31 Jan. 1983

Sir,

I received your undated letter, relative to the situation in East Timor.

As you don't fail to notice, France, since the problem has been submitted to the United Nations General Assembly, always abstained at the time of the vote of the yearly resolution and, no doubt, you noticed the same happened at the 1982 voting.

It is precisely this attitude, in spite of the relations that we have with Jakarta, that marks the reservations which are ours concerning the conditions of the incorporation of East Timor to Indonesia.

In any case, I can assure you that France will continue to follow the situation in that region with all the attention it deserves.

Sincerely yours, etc.
Pierre Mauroy

PORTUGAL PROTESTS TRIAL

(Reuter, Jan 31. Lisbon) Portugal has protested strongly to Indonesia against the planned trial of East Timor resistance leader Xanana Gusmão, calling it a sinister farce which would be neither impartial nor objective.

"Portugal energetically protests against the trial of Xanana Gusmão, which will... not offer the minimum guarantees of impartiality or objectivity," the foreign ministry said in a statement issued on Saturday night.

Xanana, who led the guerilla movement resisting Indonesian rule in the former Portuguese colony, was captured in a house near the East Timor capital Dili last November.

Indonesia annexed the territory in 1975, a year after its colonial administrators left, but the United Nations does not recognise Indonesia's rule.

"It (the trial) risks turning into a sinister farce, aimed at convincing world public opinion that the forced annexation of East Timor is a consummated fact, sacrificing the legitimate right of the people to self-determination," the statement said.

Xanana, due to be tried by Indonesian authorities on Monday, is charged with trying to break East Timor away from Indonesian rule and with masterminding events which led to the army massacre of scores of civilians in Dili in November 1991.

Witnesses said up to 180 people died when Indonesian troops fired into a crowd of mourners at a cemetery in Dili, triggering an international outcry. Jakarta said the troops were provoked.

Portugal, which wants the East Timorese to decide their future in a referendum, said Indonesia was acting beyond the boundaries of international law in holding the trial.

Portuguese Foreign Minister Jose Manuel Durão Barroso and his Indonesian

counterpart Ali Alatas met in December at the UN in New York for talks on East Timor but reached agreement only to meet again in April.

PORTUGUESE GOVERNMENT STATEMENT

The following is the unabridged text of a statement issued by the Portuguese Ministry of Foreign Affairs on 30 Jan:

Various Indonesian authorities have issued a number of ambiguous and inconsistent statements regarding the trial of Xanana Gusmão, the leader of the Timorese resistance. It has now been announced that the trial will begin on 1 February in Dili, capital of East Timor, a non-self-governing territory under Portuguese administration, under illegal occupation by Indonesia.

The Portuguese Government draws attention to the fact that Xanana Gusmão is to be tried by an occupying power which, since its military invasion of the territory, has used brutal repression and massive violation of the most fundamental human rights in its attempts to suppress all opposition to its illegal rule. That rule has been imposed in defiance not only of the principles and fundamentals of international law and the United Nations Charter, but also in direct breach of resolutions on East Timor adopted by the General Assembly and the Security Council. Xanana Gusmão is now on trial for resisting this forcible imposition of a political situation which ignores entirely the right to self-determination of the people of East Timor. It is the Indonesian regime which, in putting Xanana Gusmão on trial, is acting outside international law, since it lacks the legal, political and moral authority to do so.

East Timor is a territory under military occupation, and Indonesia is not recognised internationally as having any lawful authority there. Under these circumstances, the trial of Xanana Gusmão and, should they be brought to trial, of any other Timorese currently held by the authorities, falls fully within the relevant provisions of international humanitarian law, in particular the Geneva Convention of 12 August 1949 on the protection of the victims of war. Indonesia is formally bound by this Convention.

The Convention applies irrespective of the legality or otherwise of Indonesia's occupation of the territory. Under the terms of the Geneva Convention on Protection of Civilians in Time of War (which applies to East Timor by virtue of its Article 2), Xanana Gusmão is in particular entitled to be tried in accordance with the law in force at the moment of occupation. The accused is entitled to be judged impartially and after

(sic) a fair trial, to be represented by an advocate of his choice who may act without hindrance in the preparation and presentation of the defence (including the freedom to visit the accused). The accused is entitled to be informed immediately of the charges he faces. He is entitled to the services of an interpreter. He must not be subjected to physical or psychological pressure and he is not obliged to confess his guilt. These are just some of his more pertinent rights, apart from the respect of human life and physical integrity, his personal honour and dignity, his right not to be subjected to torture, ill-treatment, degrading treatment or any other form of physical or psychological coercion.

It has nevertheless become apparent that Indonesia intends to apply its own penal law, including its catch-all anti subversion law, which Indonesia agreed before the UN Human Rights Commission to repeal. The prisoner has been kept incommunicado, except for a single visit by the International Red Cross and a number of "interviews" in front of television cameras for propaganda purposes. It seems that he has not been allowed a free choice of advocate: an official defence attorney has been appointed who is unable to speak any language familiar to the prisoner and is reputed to have professional dealings with the police. The authorities have produced a number of conflicting statements on the charges the prisoner may face. Although no-one has been allowed to communicate with Xanana Gusmão, he has already been forced to make public confession under circumstances degrading to his personal honour and dignity.

Portugal protests vehemently against the trial of Xanana Gusmão which, apart from being unlawful, is clearly going to be carried out under circumstances offering no guarantees of impartiality and objectivity. There is a risk that the trial will develop into a somber farce whose aim is to persuade world opinion that Indonesia's forcible annexation of East Timor is now a fait accompli, sacrificing the legitimate right to self-determination of the Timorese people.

WORLD YWCA ISSUES ACTION ALERT

On 27 Jan. the Geneva headquarters of the World Young Women's Christian Association issued to all national YWCA's an Action Alert on East Timor, the former Portuguese colony that was invaded and since occupied by Indonesia in 1975.

The alert, "East Timor: Call to Support Political Prisoners and to End Systematic Violations of Human Rights," urges YWCA members worldwide to write or fax the Indonesian military commanders in East

Timor and Bali (which has jurisdiction over military affairs in East Timor) and Try Sutrisno, Commander of the Indonesian armed forces, regarding treatment of captured resistance leader Xanana Gusmão and other political prisoners. YWCAs members are asked to urge the Indonesian Government, inter alia, "to observe the Fourth Geneva Convention and allow the ICRC, independent lawyers, doctors and relatives to visit Xanana Gusmão and all political detainees in East Timor."

The World YWCA also urges members to write/fax Dr. Boutros Boutros-Ghali, Secretary General of the United Nations, "expressing concern about the Indonesian government treatment of political detainees and its disregard for the Fourth Geneva Convention," and to point out to the Indonesian government its obligation to abide by the said convention. Dr. Boutros-Ghali is also urged to "ensure that the United Nations pursue diligently self-termination for East Timor."

The YWCA is active in 91 countries.

FREE EAST TIMOR JAPAN COALITION STATEMENT

RELEASE XANANA GUSMÃO!!!

Feb. 1, 1993

The trial of Xanana Gusmão, chairman of the National Council of Maubere Resistance (CNRM) who was captured by Indonesian troops last year in the Indonesian occupied territory of East Timor, is to begin today in Dili, East Timor.

Regarding this trial, the Japanese citizens organizations that form the Free East Timor Japan Coalition state as follows:

1. The holding of such a trial itself is illegal.

Indonesia has illegally occupied East Timor in defiance of international law and specific United Nations resolutions since 1975. Indonesia has no right whatsoever to try persons there under Indonesian law. The Indonesian authorities should release Xanana Gusmão without delay.

2. The trial is a "political show."

Since the capture of Xanana Gusmão, the Indonesian authorities have exhibited him on television, purportedly calling on guerilla comrades to surrender, in an attempt to put an end to the resistance movement. There are also reports that Xanana has been tortured. This trial too will be nothing but a "political show." In East Timor, where freedom of speech is suppressed with brute force, statements extracted from an East Timorese cannot be taken as the voice of the people of East Timor.

3. Putting Xanana Gusmão behind bars serves no purpose whatsoever.

Maltreating Xanana Gusmão, the symbol of the resistance movement, will bring the Indonesian authorities no closer to solving their problems, but rather will fan the flames of resistance among the people of East Timor. The East Timorese resistance movement is based on the internationally recognized right of self-determination. The tragedy in East Timor will continue for as long as Indonesia continues to trample on this right, and as long as the international community allows it to do so.

4. The only solution lies in abiding by international principles.

Xanana Gusmão has called unconditionally for negotiations with Indonesia to seek a peaceful settlement of the East Timor issue. Portugal has also called for the participation of East Timorese in negotiations with Indonesia. Indonesia, however, has rejected these proposals. Concerted efforts by the international community are needed to persuade Indonesia to sit down and negotiate a settlement with the East Timorese.

5. Release all East Timorese political prisoners!

Dozens of East Timorese were arrested at the same time as Xanana Gusmão, but the whereabouts of many of them are still unknown. They are at risk of torture and it is urgent that they be protected.

(The Free East Timor Japan Coalition is formed of grassroots groups in Sapporo, Sendai, Tokyo, Nagoya, Osaka, Zentsuji, Okayama, Kure, Shimonoseki and Oita, and the Catholic Council for Justice and Peace.)

Contact: Matsuno (tel:063708304/
063215579 or fax:063708314)

Inglis (tel:0823220962 or
fax:0823222684)

INFIGHT STATEMENT ON THE XANANA GUSMÃO TRIAL

*By INFIGHT, the Indonesian Front for the Defence of Human Rights.
30 January 1993*

On 1 February 1993, the trial will commence of Jose Xanana Gusmão, leader of Fretilin (sic), in Dili. Xanana will be charged with rebellion, an 'ordinary' criminal charge, not a charge of subversion. The staging of this trial raises several issues:

1. Up to the present, Indonesian authority in East Timor must reckon with the fact that *de jure* the United Nations has not yet recognised Indonesia's claim that East Timor is part of its territory.
2. Indonesia's claim to the territory of East Timor is not substantiated because the

demand that a referendum be held to determine the territory's status as part of the territory of another state has not been heeded.

3. Were Indonesia to be entitled to conduct a trial in East Timor, the trial would in any case be flawed, bearing in mind that the Indonesian judiciary does not function properly but operates under the control of the executive (see Basic Law on the Judiciary).
4. Up to the time of his trial, Xanana, the accused, encountered difficulties in appointing his own lawyer and has been kept isolated, preventing him from freely meeting with persons whom he wishes to meet.
5. Although it has been announced that it will be an open trial, there has been no attempt to hold it at a location that would make it possible for those wishing to attend to be present; anyone attending the trial will be screened by the authorities and will have to register and make themselves known to the military.
6. Up to the present there has been no consistency, no attempt to adopt properly accountable procedures concerning the indictments of those accused of involvement in the 12 November 1991 or the indictment of Xanana - for instance, in the way the subversion and non-subversion laws have been applied.

In view of all these defects, the Indonesian government should re-consider the legal and political aspects of their handling of this case. The government should also bear it in mind that, since this is a political case, there is no justification for a court of law to try Xanana, especially since the trial is being staged in order to reinforce Indonesia's claim to the territory of East Timor by charging Xanana with having striven to separate the territory from the Indonesian state and having waged rebellion. It is only by conforming with the Universal Declaration of Human Rights formulated by the United Nations that Indonesia will become a nation that properly conforms with basic human rights and avoids the tarnished reputation which it has won for itself up to the present.

S. Indro Tjahjono

BOURNE: INDONESIAN JUSTICE ALSO ON TRIAL

Press statement by Senator V Bourne, Australian Democrats.

February 3, 1993

Indonesian failure to comply with internationally accepted judicial standards will undermine international acceptance of the

outcome of the trial of captured resistance leader Xanana Gusmão, the AD said today.

Senator Vicki Bourne, Foreign Affairs spokesperson for the Democrats said "However well stage-managed, a 'show-trial' of Mr. Gusmão is unlikely to improve international acceptance of Indonesia's invasion of East Timor.

"While, I am pleased by the agreement to allow some diplomatic observers and foreign journalists at the Dili trial, other decisions by Indonesian authorities will hamper international acceptance of the trial process. I am particularly disappointed by the refusal to grant Amnesty International permission to attend the trial.

Human rights organizations continue to be concerned about the treatment of political detainees and continued reports of extrajudicial executions and torture in East Timor and Indonesia.

Indonesia's standing in East Timor and elsewhere would benefit if internationally accepted human rights were observed and seen to be observed.

Mr. Gusmão's apparent "conversion" is unlikely to bring any long-lasting propaganda benefits to Indonesia while these important human rights questions remain.

Ultimately national integration & prosperity are of doubtful depth and value if they are achieved at the cost of suppression of citizen's basic rights."

Senator Vicki Bourne (02) 247 3377 office.

EVENTS IN EAST TIMOR

CNRM CASUALTY REPORT

CONCELHO NACIONAL DA RESISTENCIA MAUBERE

COMITE EXECUTIVO DA FRENTE CLANDESTINA

Apologies for the mangled Portuguese, as this was scanned from a hardly readable fax by a non-Portuguese-speaker. There will be an English translation in the next East Timor documents..

Assuntos: Dados informativos das reparações das Forças Armadas do ocupacionista Indone'sio .

Periodo : Janeiro de 1992 - Dezembro 1992

Elaborado pelo: Comité Executivo da Frente Clandestina no dia 25/12/92

A seguir a cronologia dos acontecimentos verificados durante este período de tempo de tremendo bloqueio a população nas zonas controladas.

1. Infiltração de militares Indonesios nas vilas e aldeias a ocupar as casas rurais e centros de habitação da população civil.
2. Revistas dos catões de identidade da população civil de uma aldeia a outra ou dos Concelhos ou Postos para Capital - Dili.
3. Perseguições nocturnas antes e depois da captura do Xanana Gusmão. Muitos jovens foram capturados, massacrados/torturados e desaparecidos.
4. Encantamento de forças miliares nos centros escolares e vias importantes de saída da Capital para as zonas do interior.
5. A partir da data da espera do "Lusitania Expresso" muitos pontos estratégicos do território foram ocupados pelas Forças Armadas Indonesios. Desenas des batalhões mobilizados a Dili, Baucau, Laga (como centros de instrução militar), Hera, Natarbora e Lospalos. Tais centros continuam ocupados até agora.
6. No dia 7/9/1992, em Baucau foram capturados 5 famílias; 3 no suco de Tirilolo e 2 na povoação de Bahu. Desconhece-se dos seus paradeiros até agora.
7. No dia 30/9/1992, coincidente com a conferência do MNA em Jakarta, foram mobilizados forças militares Indonesios colocados nos arredores de Dili; Santa Cruz, Tasi-Tolu, Mercado Municipal, Fatuahi, Hera, Santana, Fatuahi e Hera são centros do estacionamento militar até agora.

II. Capturados e Detidos:

1. Nome: Marcos dos Santos
Idade: 45 anos de idade
Natural de: Barique
Residente: Bobonaro - Lahomea ;
Estado: Casado
Profissão: Operário autónomo
Capturado no dia 8/7/1992 as 08.00h de manhã, Paradeiro desconhecido até agora.
2. Nome: Agostinho Pereira (Maulaco)
Idade: 24 anos de idade
Natural de: Vemasse
Residente em: Dili, Taibessi; Estado: Salteiro
Ex estudante do SMP III Becora, Dili.
Capturado no dia 19 de Agosto 1992, no aeroporto de Dili, algemado e levado pelos "Nanggalas/Kopassus (Forças da Boinha Vermelha) e agentes da Polícia. Paradeiro desconhecido até agora.
3. Nome: Jose Correia de Jesus
Idade: 41 anos de idade
Residente em: Dili, Bairro de Culu-Xun
Profissão: Agricultor.

- Capturado no dia 15/8/1992, a noite em que se encontrava a cumprir a ordem da guarda nocturna juntamente com dois colegas que eram:
4. Nome: Domingos da Costa
Idade: 23 anos de idade
Residente em: Hera

Profissao: Agricultor
5. Francisco Soares
Idade: 25 anos de idade
Residente em: Hera

Profissao: Agricultor
6. Nome: Marito Fatubai Mota
Idade: 21 anos de idade
Natural de: Oecusse
Residente em: Dili, Bairro de Culu-Hun
Profissao: Estudante de SMA Dharma Bhakti Comoro.

Prisioneiro condicionado em extrema vigilancia dos agentes militares. Continua ser submetido a fazer inqueritos pelos militares KORAMIL e KODIM. Detido e interrogado pelo comandante do KORAMIL de Becora no dia 9/12/92 durante 24 horas. A seguir detido a faser inqueritos pelos agentes militares do KODIM e agentes de policia secreta militar em Farol ate dia 14/12/92. Ele (Marito) foi obrigado a ser testemunho no julgamento do Xanana Gusmao no proximo mes. Mas ele recusou-se a cumpri-lo.
7. Nome: Freitas Belo
Idade: 23 anos de idade
Natural de: Baucau
Residente em: Dili, Vila-Verde
Profissao: estudante SMP de Baucau
Capturado no dia 5/9/92, e submetido ao inquerito no edificio da agencia de Policia secreta, Farol-Dili. Foi transferido para Baucau nos meados de Novembro de 1992.
8. Nome: Lucas da Silva
Idade: 33 anos de idade
Natural de: Dili
Residente em: Dili, Lahane
Profissao: Funcionario do Aeroporto de Comoro-Dili.
Capturado no dia 28/9/92;
9. No dia 5/10/92, no Conselho de Baucau, os militares Indonesios dispararam tiros contra tres elementos da Frente Clandestina (com armas de "M 16"); eram os seguintes:
- 10.9. Nome: Alcino da Costa Vital Belo
Idade: 33 anos de idade
Natural e residente em: Baucau, Samalari
Profissao: Agricultor
- 11.9. Nome: Manuel Freitas
Idade: 25 anos de idade
Natural e residente em: Baucau, Bahu
Profissao: Agricultor
- 12.9. Nome: Domingos Belo
Idade: 30 anos de idade
Natural e residente em: Baucau Kaibiaola
Profissao: Agricultor
13. Nome: Marcial Ximenes
Idade: 22 anos de idade
Natural de: Baucau
Residente em: Tirilolo
Profissao: Ex estudante do Externato de Sao Jose, Balide
Desaparecido da sua residencia no dia 12 de Julho 1992
14. Nome: Lino Xavier
Idade: 23 anos de idade
Natural de: Dili
Residente em: Culu-Hun
Profissao: Estudante
Capturado no dia 5/8/92, quando estava entrevistado por um Journalista Australiano na sua casa. Na mesma altura foi capturado brutalmente pelos militares Indonesios e encontrarse ??? cocreta, em Farol-Dili.
15. ???
Natural de: Baucau
Residente em: Becora - Dili
Capturado no dia 3/10/92. Ate a presente data a familia ignora-se do seu paradeiro.
16. Nome: Januario Gavo
Idade: 30 anos de idade
Natural de: Baucau
Residente em: Caibada
Profissao: Agricultor
Capturado no 25/19/92, pelos militares Indonesios em sua casa; o paradeiro desconhecido até agora.
17. Nome: Afonso Freitas Belo
Idade: 30 anos de idade
Natural de: Baucau
Residente em: Waicai-Uri
Profissao: Agricultor
Capturado no dia 25/10/92 pelas forcas militares Indonesios e submetido ao inquerito na antiga Flamboyang - Baucau.
18. Nome: Augusto Gusmao
Idade: 53 anos de idade
Natural de: Vemasse
Residente em: ?? Baucau
Profissao: Entermeiro
Capturado no dia 14/10/92 em sua casa. Submetido ao inquerito efectuado pelas forcas de KOSTRAD em Baucau, por volta das 48.00 horas. Foi solto provisoriamente no dia 17/10/92
19. Nome: Luia Belo
Idade: 25 anos de idade
Natural de: Baucau
Residente em: Tirilolo
Profissao: Agricultor
Capturado no dia 3/11/92, torturado e submetido ao inquerito ?? Baucau.
20. Nome: Filomeno da Silva
Idade: 32 anos de idade
??? Capturado no dia 9/11/92, torturado
21. Nome: Afonso Maria
Idade: 33 anos de idade
Natural de: Dili
Residente em: Sanlta Cruz - Dili
Profissao: Agricultor
Capturado no dia 10/11/92, submetido ao inquerito em POLWIL Comoro, Dili.
22. Nome: Henrique Belmiro
Idade: 37 anos de idade
Natural de: Ossu
Residente em: Cacau-Lidun - Bairro Pite, Dili
Profissao: Taxista
Capturado no dia 10/11/92
23. Nome: Fernanda Correia Ximenes
Idade: 27 anos de idade
Natural de: Quelicai
Residente em: Baucau, Tirilolo
Capturado no dia 13/10/92, por um grupo de forcas armadas por polta de 60 pessoas armadas em fogo em sua casa na manha das 07.00 h. Foi levada tambem sua filha chamada :
24. Nome: Francisca Aquelina de Carvalho
Idade: 10 anos de idade
Natural de: Baucau
Residente em: Tirilolo
Profissao: Aluna da Pre-primaria
Ambas foram detidos, e interrogados pelos militares cerca de 24.00 horas. Foram capturados por causa do marido que era ex-prisioneiro de Cipinang - Jakarta, que se chama:
25. Nome: Francisco de Carvalho
Idade: 41 anos de idade
Natural de: Aileu
Residente em: Santa Cruz, Dili
Profissao: Empresario
26. Nome: Paulino Monteiro Soares Babo
Idade: 27 anos de idade
Natural de: Ermera
Residente em: Dili, Bairro Pite
Profissao: Ex universitario IPI (Instituto Pastoral Indonesia) .
Capturado dia 9/12/92 em Caicoli-Mascaranhas, Dili pelas 10.00 h.
27. Nome: Jose Afonso
Idade: 20 anos de idade
Natural de: Baucau
Residente em: Caibada

Profissao: Estudante
 Capturado no dia 24/12/92 na altura de uma operacao militar denominada "Operasi Lilin." Torturado e submetido ao inquerito. Capturado depois se Santa Misas de Natal a caminho a sua casa. Foi torturado ate meio morto.

28 Nome: Augusto M. Martins
 Idade: 24 anos de idade
 Natura1 de: Viqueque
 Residente em: Beloi - Caraubalo
 Profissao: Agricultor
 Capturado no mes de Agosto, as 21.00 h, algemado em sua casa levando para Baucau a fazer inquerito pelos Nanggalas.

29. Nome: Miguel Funurubic
 Idade: 29 anos de idade
 Natural de: Viqueque
 Residente em: Caraubalo , Beloi
 Profissao: Agricultor
 Capturado pelos elementos do KODIM 1630 e os Nanggalas.

30. Nome Francisco Viana
 ??? tos do KODIM 1630

31. Nome: Mario Rumbi-Mahak
 Idade: 34 anos de idade
 Natural de: Viqueque
 Residente em: Caraubalo
 Profissao: Agricultor

II. Por volta de 40 pessoas funcionarios de eatado e.5 funcionarios de Sau'de foram capturados dentro do mes de Dezembro de 1992 em Viqueque pelos militares (KODIM 1630 e Nanggalas).

III. Ate agora os militares tem intencificado capturaoc,es nocturnas em va'rias partes do territorio. Forcas militares espalhados em todos os Conselhos, ocupando as povoacoes e aldeias das moradias da populacao civil. Existe em Timor-Leste tres qualidades de forcas militares Indonesios:

- Comando de Nanggalas (como observadores)
- Forcas infantarias em batalhoes (forcas do combate)
- KOSTRAD (Comando Estrategico de Forcas Terrestres)

Sitios dentro da cidade de Dili a seus arredores onde se encontram acampamentos militares, que sao utilizados tambem para inqueritos, aprisionamentos e torturas dos capturados:

1. KOSTRAD-batalhao 507 localizados em:
 - Farol, parte Sul (+/- 200m) da Igreja Motael, em frente da Igreja Balide (+/- 200m) atras da Igreja Becora/parte sul da Igreja, Quinta1 Mascaranhas.

2. Comando Nanggalas : Tassi-Tolu, Balibar e Fatuahi

IV. A seguir ilustramos em figura due covas preparadas pelos militares par o ??? civil capturado e desaparecido sem paradeiros. As duas covas foram feitas huma povocado chamada ??? do conselho de Ermera. Com a distancia mais ou menos 7 m da vila de Gleno ou 3,5 Km da ponte de Gleno. O local ocupa 10 metros quadrados. Dentro desta porcao de terra estao as duas covas. Nos arredores das covas estao colocados postos militares para a vigilancia da cova e a "utilizacao" da cova.

(diagram)

Elaborado no territorio ocupado e sangrento

- Notas:
 A = Povoacao Fatuquero
 B = Ribeira de Gleno
 C = Vila de Gleno
 1 = Local das covas; 2 = Covas para fuzilamento
 3 = postos militares; 4 = ponte; 5 = casas da populacao
 7 = estrada geral de Dili para Ermera; 8 = capela

LIST OF EAST TIMORESE DETAINED, TORTURED

4th February 1993.

NATIONAL COUNCIL OF MAUBERE RESISTANCE (C.N.R.M.)

LIST OF CAPTURED OR DETAINED From East Timor, 28 December 1992

| NAME | PARENTS |
|----------------|----------------|
| AGE | WORK RESIDENCE |
| [OBSERVATIONS] | |

| | |
|--|-----------------------------------|
| Domingos da Costa | Mario F. da Costa & Virginia B.C. |
| 26 | student/single Baucau |
| [subjected to questioning at KORAMIL and intimidated to become witness of accusations against Commander Xanana at his forthcoming trial] | |
| Joao Evangelista Correia | Mau-Pasi & Berta Correia |
| 46 | Farmer/ married Baucau |
| [arrested and tortured during questioning] | |
| Anastasio Correia | Joao E. Correia & Romana da S.C. |
| | Student/single Baucau |
| [detained and disappeared to date] | |
| Jose Afonso Belo | Leto Queni & Bui Kari |
| 25 | Student/single Baucau |
| [Captured on Christmas eve, died from tortures] | |

| | |
|--|--|
| Pedro dos Santos | Jose dos Santos & Monica F. dos Santos |
| 27 | Student/single Baucau |
| [Captured on Christmas eve, disappeared to date] | |

| | |
|--|---------------------------------|
| Bosco Marques | Luis Marques & Maria C. Marques |
| 26 | Student, Baucau |
| [Captured Christmas eve and intimidated to become witness of accusations against Commander Xanana] | |

| | |
|---------------------------------------|-----------------|
| Agostinho Soares | |
| 25 | Student, Baucau |
| [Captured Christmas eve, disappeared] | |

| | |
|---------------------------------------|-----------------------|
| Joao Mendes Aparicio | Mateus Sousa Aparicio |
| 28 | Student, Baucau |
| [Captured Christmas eve, disappeared] | |

| | |
|---------------------------------------|---|
| Inacio Boaventura | Jose Silvano Martins & Eugenia Correia M. |
| 27 | Student/ single, Baucau |
| [Captured Christmas eve, disappeared] | |

| | |
|---------------------------------------|--|
| Francisco Matos Cardoso: | Severino Rangel & Maria da Gloria Rangel |
| 26 | Student, Baucau |
| [Captured Christmas eve, disappeared] | |

| | |
|---------------------------------------|--|
| Mateus Gomes | Francisco B. Gomes & Emeraldal Boavida |
| 25 | Student, Baucau |
| [Captured Christmas eve, disappeared] | |

| | |
|---------------------------------------|-----------------|
| Adelino Gomes Fonseca | |
| 27 | Student, Baucau |
| [Captured Christmas eve, disappeared] | |

| | |
|--|------------------------|
| Manuel Constantino C. Piedade: | Felix Piedade |
| 32 | Civil servant Manatuto |
| [Together with his wife detained, questioned and tortured] | |

| | |
|----------------------------------|-------------------------|
| Geraldo Gomes | |
| 29 | Civil servant, Manatuto |
| [detained, questioned, tortured] | |

| | |
|----------------------------------|----------|
| Cerilo Gomes | |
| 28 | Manatuto |
| [detained, questioned, tortured] | |

| | |
|----------------------------------|----------|
| Henrique Soares | Manatuto |
| [detained, questioned, tortured] | |

| | |
|----------------------------------|----------|
| Eduardo Sarmento | Manatuto |
| [detained, questioned, tortured] | |

| | |
|----------------------------------|--------------------------------|
| Mario S. Ximenes | |
| 34 | Civil servant/married Manatuto |
| [detained, questioned, tortured] | |

| | |
|--------------------|-------------------------|
| Vitor Viegas | |
| 47 | Nurse/married, Manatuto |
| [detained to date] | |

| | |
|---------------------------|-------------------------|
| Vicente Soares | |
| 49 | Nurse/married, Manatuto |
| [detained and questioned] | |

| | |
|-------------------|-------------------------|
| Boaventura Soares | |
| 28 | Nurse/married, Manatuto |
| [detained] | |

Felipe Soares
Nurse/married, Manatuto
[detained]

Candido Soares
26 Nurse/married, Manatuto
[detained]

Maria Odete V.
25 Vitor Viegas & Janilda Viegas
Student/single Manatuto
[tortured]

Manuel Osorio
39 Civil servant/married, Manatuto
[questioned and tortured]

Lequi Malic
Farmer Same
[detained and tortured]

Moises Amaral
27 Francisco Student Betano

Sergio Barreto
25 Angela Barreto Student Same
[detained, tortured, disappeared]

Laco Berek
Farmer/married
Same
[detained, disappeared]

Antonio Siri
29 Cristiano Siri Student Same
[tortured]

Adelino Corte Real
30 Farmer/single Same
[captured and disappeared]

Joao Pereira
32 Agostinha Santos Farmer/single, Same
[tortured]

Leco Mali
39 Farmer/married Same

Labe Soi
36 Farmer/ married Same
[tortured]

Paulino Monteiro Babo
26 University student, Ermera
[detained at SIGI building]

Marito Fatubai
25 Student/single, Oe-Cussi
[questioned and intimidated to become witness of accusations against Commander Xanana]

Domingos Sarmento
22 Marcelina Student Hatolia
[detained, tortured, disappeared]

Januario Madeira
23 Student/single, Ermera
[questioned and tortured]

Mario Sequeira
22 Joana F. Sequeira Student/single, Oe-Cussi
[tortured]

Rogério Boaventura Mariana
24 SPK Student, Fatubulico
[captured and disappeared]

Jose Afonso Regina Gomes
23 SPK Student, Dili
[disappeared]

Leonel Ferreira Samlete Aileu
[disappeared]

Bere Kassa FarmeR, Fatubulico
[captured and disappeared]

Leto Mali Farmer, Fatubulico
[captured and disappeared]

Rodolfo Soares Esperanca Soares
22 Student, Dili
[disappeared after capture]

Jaime Morais
23 Student, Dili
[disappeared after capture]

Silvestre Taxi driver, Dili
[captured]

Domingos Barreto
24 Cashier, Dili
[captured and disappeared]

Rogério da Costa
25 Cashier, Dili
[disappeared after capture]

Alfredo Ferreira
36 Taxi driver, Dili
[captured and disappeared]

Zelia Dolores
22 Employee, Dili
[captured and raped, after release captured again and disappeared]

CAPTURED IN DILI:

1. Jorge; 2. D. Alianca; 3. Sr Augusto; 4. Sr. Gilman; 5. D. Armandina; 6. Sr. Macario; 7. Cecilia Gusmao; 8. Sr. Oscar; 9. Sr. Americo; 10. Sr. Henrique; 11. Sr Acacio; 12. Sr Afonso Maria; 13. Sr Guterres (744); D. Olandina.

EAST TIMORESE WOMEN SCREAM FOR HELP

The following is a statement from Dili, East Timor, dated 10 January 1993, which has just been received in London. (The document was received in English translation; a few minor corrections have been made.)

It has been seventeen years that we Timorese women, as a part of mankind of the world residing in the island of East Timor, have been facing the fact that our voices are often ignored or silenced in our struggle to achieve freedom for the people of our beloved country, East Timor. Our struggle is a striving for moral obligation as human beings who appreciate the values of human rights very highly.

We should state here that our struggle is not to violate the rights of other people or other nations or to oppose any other regime but it is to free our people from any kind of oppression against humanity. It is not also opposing the integration of East Timor into Indonesia as the integration has never been legally accepted or recognised by either the

UN Security Council or the General Assembly.

These facts show that integration is no more than an act of annexation, invasion and military intervention of the territory. It is absolutely an illegal act which has never been accepted by the people of East Timor. This act is opposing all of the United Nations' resolutions. It is not acceptable as it does not reflect the moral obligation of nations united within the United Nations Organisation. We hope the people of the world will realise that this immoral act has brought sufferings and torment to our people for seventeen years. They have become the victims of Indonesian military's ferocity and brutality. This shows us how terrible this condition is.

Above all, the consequences of these acts have led to a condition which hampers our freedom both physical and mental. Although we Timorese women have cried out or screamed to the world for help, it seems that we have not screamed hard enough to move the hearts of the leaders of the world and those who are concerned about human rights violations to extend their help to us.

Whatever we have been facing could only be taken as a submission to our fate and (we) should be resolute in facing this misfortune. We have faced the fact that our husbands were arrested and tortured sadistically, or disappeared; our families disappeared on their way home. They were taken away and disappeared; our children were killed in mass, their corpses were lost and never returned.

The most tragic acts happened to our fellow sufferers, Timorese women. They were taken away, then treated as objects of lust by Indonesian troops. We have faced the fact that the Indonesian government has tried hard to conceal these immoral acts from the world by means of diplomatic channels where they could (manipulate) world opinion with their lies and tricks. They have also closed the door to human rights organisations to enter the territory to discover the facts about human rights violations. By doing this they have had the chance to continue to execute their brutal and sadistic acts against us.

We Timorese women have always been facing deadly weapons aimed at us, ready to fire, with the result that we hardly have the strength to say a word of help to the wide world. If the Santa Cruz Massacre had not happened and had not taken a great number of innocent lives, the world would not have shown any interest in our suffering and torment lasting seventeen years.

Tragic incidents have been going on every day in the territory. Screams of the innocent echo over the island day and night. To whom should we turn for a little help?

Herewith we would highlight some important incidents of violations as a reflection of our dignity as Timorese women who respect human rights and glorify the values of human rights:

1. The Massacre of Santa Cruz, Dili, on 12 November 1991, took a great number of innocent lives, including women. It is clearly a crime against humanity after seventeen years of Indonesia's occupation over the territory.
2. Since the Santa Cruz Massacre, Indonesian troops have repeatedly come to threaten nuns at the Canossian Dormitory in the district of Baucau. This action has been going on up to now and has really scared the nuns and the students.
3. In September 1992, Cornelia Cabral, 40, a widow, resident of the district of Baucau, was tortured in various ways. She was hit and burnt with cigarettes as she was suspected by the Indonesian armed forces of giving assistance to the Armed Forces for the Liberation of East Timor (FALINTIL). Together with her was also a woman who had just given birth. She was also subjected to the action.
4. In November 1992, Odete Ximenes, 16, a student of the Catholic school in Laleia sub-district, district of Manatuto, was violated and tortured by a deputy of the sub-district military command after interrogation. She was suspected of delivering the Hymn of Santa Cruz Massacre to Caiorui, a village in the area.
5. After the capture of Xanana Gusmão on 20 November 1992, our beloved sister, 'Rege,' was forced to confess that she had been violated by Xanana Gusmão. It is absolutely a false admission. [This false confession was used in a scurrilous article about Xanana Gusmão published on 8 December 1992 in Jawa Pos.]
6. Xanana's sister, Armandina Gusmão and her husband were arrested at that time, after his capture. They were captured by the SGI, an Indonesian intelligence unit in Dili. She was imprisoned separately with (probably, from) her husband. They have been subjected to sadistic tortures up to now.
7. On the same occasion, a female teacher, Alianca Araujo and her husband, Agosto Pereira, were arrested as they had been suspected of helping Xanana Gusmão. They had been brutally tortured and they are not even allowed to receive any kind of visits, either from their relatives or from official envoys from human rights institutions.

We hope that these actions of violence, sadism and murder should at least attract the world's attention to see our problem, especially those devoting themselves entirely to humanity, those who appreciate and respect human rights very highly. Therefore on this special occasion, we hopefully call on and appeal to the world, especially to human rights institutions of the world, to:

- Carry out an exhaustive investigation to find facts about human rights violations from independent groups or directly from the victims suffering from the actions of the Indonesian armed forces.
- Legalise basic conditions to guarantee rights for the struggle of the Timorese women.
- Intensify work to eliminate human rights violations, especially rapes, torture and murders executed by the Indonesian armed forces in East Timor.
- Issue an appeal to the governments of both Portugal and Indonesia to carry out the resolutions passed by the UN Security Council and the UN General Assembly, without any preconditions, and with respect and appreciation for the human rights of the people of East Timor.

Finally, we women of East Timor would show our sincere and deep appreciation for those who really care about our screams of torment, or take our suffering of seventeen years as a matter for consideration in the near future.

CAFOD PROJECT MANAGER ARRESTED

CAFOD, the London-based Catholic Fund for Overseas Development, issued the following Release on 13 January 1993, with a call for urgent action:

Mr. Angelino do Rego (approx. 45 years old and married), a local government agricultural specialist in East Timor and General Manager of the Suai Catholic Parish Agricultural Development, SADEP, was arrested on 21 December by the Indonesian military. He is accused of passing foreign funds sent for development activities to Xanana Gusmão. Both the recently appointed parish priest of Suai, Fr. Hilario Madeira, and his predecessor, Fr. Domingos Soares, reject accusations that Mr. do Rego channelled funds to the Timorese resistance and have appealed for his immediate release.

CAFOD has been funding an agricultural development programme in the Suai district for the last 12 months. Its aim was to assist two villages to bring previously fallow land back into cultivation. The accounts have

been regular and thorough and the programme has been closely supervised by the Dili diocesan development office. We have had close contact with Angelino do Rego and have absolutely no doubt in his integrity. The practical results of the development programme are testimony to SADEP's achievements. The Indonesian Government itself recognised these achievements when it recently gave a new tractor to the SADEP office. Government and military representatives have participated in various official SADEP functions. Until this time, relations with the local military have been cordial.

Please take whatever action you can to raise concern over the arrest of Mr. do Rego.

SECURITY MEASURES FOR XANANA TRIAL

Jan 13, 1993 by Tapol

Remark: The decision to issue special identity cards is clearly intended to warn people off attending the trial which otherwise would surely be flooded with visitors. The doubts about the sincerity of allegiance oaths are certainly well-founded. These remarks suggest a lack of conviction among collaborationist East Timorese of Brig.Gen Theo Syafei's strategy.

According to UPI and AP reports dated Jakarta on 12 January 1993, special security measures will be enforced in the East Timor district court during the trial of rebel leader Xanana Gusmão, probably later this month. "All visitors entering the courtroom will be provided with special identification cards. Those refusing to use the cards will not be allowed in," a court official told the Jakarta Post.

A regional legislator [i.e. member of the local assembly, the DPRD] expressed fear of potential security disturbances by the remaining Fretilin movement during the trial and expressed doubts about the sincerity of Fretilin members who pledged to disband their organisations and accept integration. The DPRD member, Samuel Alex Petrus said: "I'm doubtful whether they were sincere with their declarations of loyalty to the government" and urged tight security for the forthcoming trial of Xanana in Dili.

Government authorities said Xanana would be charged for illegal possession of firearms and crimes threatening national security and could be sentenced to life.

Note from John MacDougall on behalf of a knowledgeable observer:

Just to clarify that Samuel Alex Petrus, the DPRD member mentioned in the posting, is not a native East Timorese. He is originally from one of the small islands in the north-

east of East Timor which is under the administration of Maluku province. He has been the chairman of PDI in East Timor since the early 1980s, and is now one of the vice-chairmen of the East Timor (provincial) DPRD.

TIMORESE FORCED TO DRINK BLOOD

The Observer, a leading Sunday paper. 17 January 1993

By Hugh O'Shaughnessy, Unabridged

Remark: The article was placed in a prominent position on the world news page.

Indonesian forces occupying East Timor are forcing the Timorese to attend ceremonies where they drink their own blood and swear bizarre oaths of loyalty to General Suharto, the Indonesian ruler.

The ceremonies are the latest attempt to stamp out opposition to a 17-year occupation that has claimed the lives of an estimated 200,000 people. Its brutality was revealed when a British cameraman filmed the massacre of Timorese protesters by Indonesian troops in the capital, Dili, in November 1991.

Witnesses to last month's blood-drinking ceremony said Indonesian troops randomly arrested 60 Timorese on 19 December. The captives, most of whom were tortured, had to stand in line while an Indonesian soldier, using one syringe, took blood from each. The blood was squirted into a vessel and mixed with wine. The Timorese were then made to drink the mixture and swear to uphold the Suharto regime.

Such ceremonies are part of Indonesia's longstanding campaign to crush resistance to the occupation. They draw on Timor's tribal, non-Christian traditions and, during Portuguese rule, warring tribes used to ratify peace pacts with similar rites. Since the invasion, a majority of Timorese have adopted Catholicism in response to the firm opposition to the invasion shown by the local Catholic clerics.

Blood-drinking ceremonies have been reported in several towns. Timorese see them as Indonesia's way of reinforcing the psychological coup it won in November when its forces kidnapped Xanana Gusmão, the principal leader of FALINTIL, the Timorese guerrilla army. Xanana was seized in Dili and, clearly under duress, has appeared on television several times, calling on the guerrillas to surrender. He is expected to have a show trial soon.

When they found Xanana, they found a mass of intelligence documents identifying FALINTIL supporters. The documents show that even the Indonesian appointed

governor, Jose Abilio Soares, and his predecessor, Mario Carrascalao, co-operated with the resistance.

Meanwhile Xanana's appeals for surrender have been ignored by the guerrillas who have rallied behind Ma'Hunu Bukar, the nom de guerre of Antonio João Gomes da Costa, an experienced guerrilla tactician.

The Suharto regime has been taking a more aggressive attitude to the local Catholic church, jailing, beating and threatening priests and lay people. Bishop Carlos Filipe Ximenes Belo of Dili has denied reports by the Indonesian media that he had called on the Timorese resistance to surrender.

Latest reports from Indonesia are likely to stoke demands that more be done to make Indonesia heed the Council's order to end its occupation. *[Sic! This reads as if words or sentences have been left out in the sub-editing]*

SOURCES OF INFORMATION (FROM TAPOL)

There have been several queries about the source of Hugh O'Shaughnessy's report in *The Observer* that documents found in Xanana's possession when he was captured show that the former and present governors of East Timor cooperated with the resistance.

The information comes from East Timorese sources inside the country and was conveyed by a recent visitor.

Assessing the information, one might postulate that Mario Carrascalao, being a nationalist, may well have 'cooperated with' the resistance, perhaps in the sense that he maintained his contacts with them, if only to try to persuade them to 'come down.' The likelihood of the present incumbent doing such things is surely ruled out, though it is not impossible that he too did maintain links of some sort with people in the bush.

It is highly unlikely that the occupying forces will seek to use any documentation that could implicate either of them. The political repercussions would be extremely damaging to Indonesia's interests. We are not likely ever to know the nature of this alleged documentation.

EAST TIMOR IN THE "ALTERNATIVE" UN (UNPO)

Publico 21 January 1993. Original Portuguese, unabridged

(Lisbon) East Timor was one of the 9 members admitted to the Unrepresented Peoples' Organisation (UNPO), during its III General Assembly's inaugural ceremony, held Tuesday in The Hague.

This general assembly of the "alternative United Nations" included the presentation

of a report, by a representative of the Timorese people, on the situation within East Timor. The Timorese case was referred to in the context of the theme of the meeting - Indigenous Peoples.

As well as East Timor, the following were admitted: Batwa (Ruanda) Promotion Association for Pigmy Defence; the Chuvash National Congress (formerly USSR); the Inkeri (Finnish people from the St. Petersburg region); the Komi Congress (formerly USSR); the Mapuche nation (Incas); the Movement for the Survival of the Ogoni People (Nigeria); the Sanjak Moslem National Council (Moslem enclave in Serbia), and the "Udmurt Kensesh" National Movement (formerly USSR).

BLOOD OATH

Meanwhile, the former Governor of East Timor, Mario Carrascalao, denied accusations that he had collaborated with the resistance. "They can fabricate whatever they like against me, but they'll never be able to produce any document signed by me proving such allegations," he told *Publico* in a phone call from Jakarta yesterday, where he awaits appointment as civil servant in the Indonesian Foreign Office.

Carrascalao was referring to an article published in the latest edition of the *British Observer*, in which it is alleged that documents found on Xanana Gusmão last 19 November proved that "even the Indonesian Governor, Abilio Soares, and his predecessor Mario Carrascalao, were collaborating with the resistance."

"The only accusation they can make is an old one and was made by the Timorese extreme right wing, when they said I was giving jobs to Fretilin individuals. For me, their past did not count - I saw them simply as Timorese," added Carrascalao.

Regarding the accusations about his successor, Mario Carrascalao recalled that it is not the first time such accusations had arisen. "In 1983-84 he was practically stopped from returning to Timor. I myself interceded on his behalf with the Head of "Intelligence," saying that it was unthinkable that he would collaborate with Fretilin since his brother (Jose Fernando Osorio Soares), Secretary General of Apodeti (a Timorese integrationist party) had been killed by Fretilin. I also interceded for him to be appointed mayor of Dili, after which distanced himself from me."

Mario Carrascalao does not seem surprised by the reports that Timorese are being forced to drink their own blood during ceremonies in which they have to swear loyalty to the Indonesian authorities (see yesterday's *Publico*). "They would be traditional Timorese rites linked to the blood oath. In some regions, the blood is mixed

with aguardente [a kind of brandy]. In Viqueque, for example, dog's blood is drunk." He said he was unaware, however, that the Indonesian flag was being used.

SYAFEI ON MILITARY OPERATIONS IN EAST TIMOR FROM 1975

Source: *Kedaulatan Rakyat* (daily) Date: 26 January 1993 Extract only

This article is the first in a series of three. The following quotation shows the present military commander, Brig-Gen. Theo Syafei, who has done several tours of duty in East Timor, including a stint in the second half of the 1970s, being frank about the role of the armed forces in the war in East Timor. The official line is that only 'Indonesian volunteers' took part. The Syafei account also gives the lie to Indonesian claims about the alleged election of two delegates from each of the 13 districts of East Timor to the 'people's assembly' of May 1976 which took the decision to ask Jakarta for integration. [See, "East Timor, Building for the Future," published by the Indonesian Foreign Ministry, Jakarta, 1992, page 10] If the army was still fighting to control the district and sub-district capitals in the period 1977-1978, how could elections possibly have been held?

Is Theo Syafei keen for the history of Indonesia's secret war in East Timor to be rectified to give the army its due? Another clue to this likelihood is the publication in *Tempo* on 5 December 1992 of a photograph of Indonesian troops coming off a landing craft. The caption reads: "ABRI troops landing in East Timor (1975)" This is the first time we have seen anything in the Indonesian press giving substance to the historically known fact of the Indonesian invasion in 1975.

The following is an unabridged translation of the first four paragraphs of the KR article of 26 January 1993.

The province of East Timor is, up to the present, still identical with ABRI (the armed forces), and the native population still tend to be closer to ABRI than to the village and district heads. Such a psychological condition has come about because, ever since 1976, the community has been far more closely involved with ABRI in rebuilding this former Portuguese colonial territory. This is acknowledged by the commander of the operational command, (Kolakops), Brig.Gen. Theo Syafei.

"For hundreds of years the people of East Timor have been cooped up under a coconut shell. It was only after they proclaimed their integration with the Republic

of Indonesia that they were able to extricate themselves from the conditions which had bound them till then," he said, adding that the close proximity of the East Timorese people with ABRI dates back to the territorial operations which ABRI have been waging since 1975.

Initially, ABRI had to cope with Fretilin which among other things possessed 17,000 weapons. In the period from 1975 to 1977-78, territorial operations were focused on seizing control of the district and sub-district towns from Fretilin's 'stranglehold.' As a result, the rebels were pushed back, forcing them to flee to the hills or the villages in the interior," said Brig.Gen Theo Syafei.

In the period 1978-80, ABRI had the task of seizing the villages 'controlled' by Fretilin, whereas in 1981-83, the territorial operation was charged with wiping out the remnant forces of Fretilin. "In 1983, Fretilin was left with 700 weapons. However, in 1984, Fretilin declared that opposition would no longer be waged by means of armed struggle but by political struggle and the era of political resistance began in 1986," Theo Syafei went on.

ABRI then began to balance combat operations with territorial operations. "From 1986, territorial operations were aimed at healing the 'wounds of the people.' This was done by building the infra-structure for education, health, religious practice and other economic infra-structure," he said.

REBEL SURRENDER TRICKLE REPORT

West Australian, Jan 25, Jakarta.

Two members of the Revolutionary Front for an Independent East Timor, or Fretilin, have surrendered and been returned to their families, a military official said on Saturday.

It brings to five the number of Fretilin members who have surrendered this year.

More than 1100 members of pro-independence groups in East Timor have reportedly surrendered since the capture of Fretilin leader Xanana Gusmão in November.

TAPOL ON SURRENDERS

TAPOL report, 29 January 1993

Ever since the capture of Xanana Gusmão, the Indonesian press has been replete with reports about 'surrendering' guerrillas and 'surrendering' or 'allegiance-swearing' members of the 'clandestine.' The two have tended to blend into one, making it sound as though far more guerrillas have surrendered than the number of guerrillas 'estimated' by the army to be still in the

bush. Theo Syafei recently said that there were 183 guerrillas still 'roaming in the bush,' more precise that his earlier figure of 'around 200.'

For the first time, however, the authorities have positively named three guerrillas who are said to have surrendered in the middle of January. The alleged surrenders have been given time and place as well, and all three are said to have given themselves up because they had seen the letter disseminated by the army throughout the interior allegedly written by Xanana, calling on members of the resistance to hand themselves in.

Can it be that we now have three really genuine surrenders? The only one substantiated with an actual photograph is Raidok alias Lamberto who is seen in a photo in *Jakarta Post* of 23 January 1993. He does indeed look like a guerrilla. He is shown standing between two Indonesian soldiers as he 'hands over his rifle to two members of the military.' Actually, the rifle is being held by the two soldiers while Raidok's arms are held straight down, not handing over anything. Behind the three is a large crowd of people, a mixture of East Timorese and Indonesians watching the event. The only faces that appear bright and cheerful are those who are evidently Indonesian.

The three who are said to have surrendered are named as Raidok alias Lamberto, 27, Soanico, 27 and Jose da Costa Trix, 32.

The same day, 19 January, that the three surrenders were reported in a number of newspapers, the new *Jakarta daily*, *Republika*, ran a story headlined: "Nurdadi: 180 GPK Fretilin not yet captured," about remarks made by Brig.Gen Nurhadi Purwosaputro. He said (or seemed to be saying, see below) that with these three surrenders, the number of 'GPK' is now 180 (which tallies with Syafei's earlier claim).

He goes on to explain that it is necessary to distinguish between "those hiding in the bush" and a second group of people, amounting to 1,100 who had fallen under the influence of the GPK. Now, at last, the armed forces are trying to clarify the position, no doubt aware that their propaganda machinery has made their whole campaign about the alleged demise of the resistance look ridiculous.

But the *Republika* report has its own internal contradiction. It starts off referring to the three surrenders as if Nurhadi was talking about them. Half way through however, it asks him to confirm the three surrenders, to which he is quoted as replying: "I don't know about any surrenders." We can only hope that the hapless Indonesian reader can make head or tail of all this!

MORE REBEL SURRENDERS

Reuter, Dili, Menuk Suwondo, Feb. 4 - Two more East Timor rebels fighting Indonesian rule in the former Portuguese colony have surrendered, Indonesian military sources said on Thursday.

They are the latest to give themselves up following the capture in November of Fretilin guerrilla leader Xanana Gusmão, whose trial on charges of rebellion began in the East Timor capital of Dili this week.

The sources said Dominggus Mau and Antonio Gretas Timor surrendered to a military patrol west of Dili on Tuesday afternoon, the day Xanana's trial began.

Two others gave up last month, he said.

Fretilin has been fighting to oust Indonesian troops since Jakarta invaded the territory towards the end of 1975, months after the Portuguese colonial rulers had left.

The military source said only about 180 members of the guerrilla movement were left in the rugged hills of East Timor.

Indonesia keeps close to 10,000 troops there.

"If they are not spread out we'll find them easily," an army officer said.

The military says most rebels and sympathisers who gave up after Xanana's capture had been returned directly to their home areas.

It has offered amnesty to any rebels who give up now but says any who do not can expect little mercy.

He said the capture of Xanana had crippled armed resistance in the former Portuguese colony, adding that more than 1,000 Fretilin sympathisers had given up since November.

TWO MORE SURRENDER

(Reuter. Dili, East Timor, Feb. 6) Two more East Timorese Fretilin rebels fighting for independence in the former Portuguese colony have surrendered, Indonesian military sources said on Saturday.

The two gave themselves up to the Indonesian army in Same village on Thursday night, two days after the surrender of two other rebels to a military patrol.

The military says a number of rebels have laid down their arms after the capture in November of Fretilin leader Xanana Gusmão, whose trial began in the local capital of Dili this week.

Xanana, who is being tried on separatist charges, led Fretilin for almost all of the 17 years it has fought Indonesian rule.

Indonesia invaded East Timor in 1975, just after the departure of its Portuguese colonial rulers and annexed the territory the following year in a move which has not been recognised by the United Nations.

The military says only about 180 guerrillas are still left hiding in the rugged hills of East Timor.

Xanana, seized in Dili on November 20, is being tried for leading a rebel movement aimed at setting up an independent state in East Timor.

The charges carry a maximum penalty of life imprisonment.

CNRM PRESS CONFERENCE

Statement by Jose Ramos-Horta, Special Representative of the National Council of Maubere Resistance (CNRM) at a Press Conference in Sydney on 28 Jan 1993.

Ladies and gentlemen,

I thank you for your presence at this Press Conference during which I will provide some important new information on the situation in East Timor. I shall comment also on a number of other issues related to East Timor and Indonesia.

Ma'Hunu Bulerek Karathayano, Resistance Leader of East Timor

Mr. Ma'huno Bulerek Karathayano, also known as Ma'huno or Bukar, is since November 20 1992 the new Resistance Leader of East Timor. The capture of Mr. Xanana Gusmão on November 20 1992 did not end the resistance. The collective leadership remains intact and Ma'huno immediately took over.

Mr. Ma'huno is 43 years old. We have known each other since we were both six years old. He has spent the past 17 years as a resistance fighter and the last 10 as a close aide to Mr. Xanana Gusmão.

Resistance Activities - 70 Indonesian Troops Killed in one Month

Since the first week of Dec. 1992, the Resistance intensified its defensive activities in response to a dramatic escalation in Indonesia armed forces offensive actions in East Timor.

The most reliable information available confirms the presence in East Timor of 20,000 Indonesia troops. These forces are engaged in "search and destroy" operations in most parts of the territory.

Contrary to Indonesian propaganda claims, not one single Resistance fighter has surrendered to the occupation forces.

In fact, the opposite has happened since the capture last November of Mr. Xanana Gusmão.

70 Indonesian soldiers including four officers are confirmed killed in separate clashes with the Resistance forces. These clashes took place on 27 November and on 7, 12, 22 and 23 December 1992 in various parts of the country.

Let me clarify that at least six other military engagements have taken place during the month of Dec. and 10 during the first three weeks of Jan with significant casualties on the Indonesian side. However, because of communication problems and my concern in obtaining the most accurate information possible, I am not able to provide more details at this stage.

Human Rights Abuses

A UN and Indonesia government-sponsored human rights seminar ends today in Jakarta. That the UN had decided to go ahead in accepting Jakarta as the venue for a human rights seminars makes a mockery of the UN and human rights.

That a group of military thugs - Suharto, Try Sutrisno, Benny Murdani & Co., who have the blood of hundreds of thousands of Sumatrans, West Papuans and East Timorese on their hands should unashamedly host a human rights seminar is an affront to civilised societies in this era of democracy and human right.

East Timor remains a prison island and the East Timorese are prisoners in their own country.

Since the capture of Xanana Gusmão on Nov. 20 1992, a new wave of arrests, torture and "disappearances" have taken place. We have compiled a list of at least 52 individuals.

In all, several hundred people are imprisoned for various lengths of time throughout the country without due process of law.

Mr. Xanana Gusmão has been in detention for more than 2 months now and has had no legal counselling by an independent lawyer of his choice. Nor have the persons arrested on the same occasion and since.

Mr. Xanana Gusmão and other East Timorese detainees have been subjected to torture. I recall that the Indonesian authorities, namely Foreign Minister Alatas and Ambassador Siagian have denied the charges. But let me state one thing: both gentlemen are lying and they know it.

Senator Robert Ray is also a liar. As acting Minister for Foreign Affairs, Senator Ray lied to the Federal Parliament and to the public that Mr. Xanana Gusmão was not tortured by his captors. I called Senator Ray a liar during an ABC interview, and he stated in Federal Parliament that he would take the ABC and myself to court. The ABC has apologised. I have not and let me issue one clarification.

Senator Ray is not the only liar when it comes to Australian policies towards East Timor. Quite a few of them in past and present cabinets (the list would be too long to read them all) have lied to the Australian people about East Timor. If they wish to

take me to court, I am ready to prove in a court of law how successive Australian government since 1975 have engaged in a concerted operation of deceit, cover-up and lies in regard to East Timor.

I am a small man from a small country. Maybe, Australian leaders who are too cowardly to take on the Generals in Jakarta, might want to show their "bravery" against a little East Timorese person.

Harboring and Training of Indonesian War Criminals in Australia

I commend the US Congress for its unanimous decision in cutting off the American military training program for Indonesia.

Australia, which lags behind the rest of the world in many things, now lags behind the US on East Timor. Australia continues to provide military training to Indonesian army officers and intelligence operatives under the false and ludicrous pretext that this kind of program exposes Indonesian soldiers to Western democratic values.

This is what Senator Gareth Evans told me and a group of East Timorese in Canberra just over a year ago. I then asked Senator Evans whether, consistent with this line of argument, he would invite to Australia for training the Burmese and Chinese military thugs.

It is an affront to the East Timorese and I believe most Australians that a country which our parents shed blood for during World War II should now provide training to our worst enemies.

Indonesia is the only potential external threat Australia faces in the next decades. Yet Australian policy-makers are training the same people who one day may turn against Australian and its interests.

UN Human Rights Commission

The UN Commission on Human Rights will begin its annual session on Feb. 1. Australia is a member of the Commission and so is Indonesia. East Timor is on the Commission's agenda.

My only hope is that Foreign Gareth Evans, who relishes in the role of human rights crusader on faraway shores, might gather the moral courage and instruct his Mission in Geneva to support a strong resolution condemning Indonesia for the gross and systematic human rights violations in East Timor, Aceh and West Papua.

Any policy short of this is appeasement of a brutal military dictatorship.

Thank you ladies and gentlemen.

HORTA MILITARY CLAIMS

Reuter, Sydney, Wilson da Silva, Jan 28 - Timorese guerrillas say they have killed at least 78 Indonesian soldiers and military officers in increased fighting in East Timor

since Indonesia's capture of rebel leader Xanana Gusmão last November.

"There has been an intensification since the capture of Xanana Gusmão," rebel spokesman Jose Ramos Horta told a news conference on Thursday.

"Indonesia only understands the language of force, and this can only result in the escalation of the conflict in East Timor," the Sydney-based Horta said.

Horta released the names of 52 Timorese civilians said to have been tortured and gone missing since Gusmão's capture.

Indonesia invaded the former Portuguese colony of East Timor in 1975, and its rule there is not recognised by the United Nations.

A clandestine rebel report smuggled out of East Timor tells of six military clashes between November 27 and December 23, and says Timorese civilians defied Indonesian rule by erecting rebel flags throughout the territory last month.

Horta said six additional clashes took place in December and 10 more in January, signalling an unprecedented heightening of Timorese guerrilla activity. Details of the latter battles are still sketchy, he said.

The report, signed by a rebel fighter under the name Mau Tei, said an ambush of three Indonesian military outposts on December 23 in the remote Lospalos region in the east killed 45 Indonesian soldiers. There were no details of guerrilla casualties.

Four Indonesian military officers were reported killed in a raid in the Hatolia region the day before.

A Timorese ambush of a patrol in the Samlete region on December 12 killed three, the report said. An additional 16 soldiers were reported killed in the Cribas region near Barique on December 7, the anniversary of Indonesia's 1975 invasion.

The report said an Indonesian platoon of 10 was killed in an attack in the southern Same region on November 27, with the Indonesian commander also dying. Another failed attack nearby a few hours later led to a guerrilla leader being wounded.

The recent battles follow Gusmão's replacement by Antonio Gomes da Costa, known as Mau Huno, who is said by rebels to follow a tougher line against Jakarta.

Indonesia has said the guerrillas are a spent force since Gusmão's capture and more than 1,000 had surrendered.

HORTA CREDIBILITY ASSAILED

Reuter, Jakarta, Muklis Ali, Jan 28 - Indonesia on Thursday denied reports by pro-independence guerrillas that at least 78 soldiers had been killed in East Timor since November.

"You should not be surprised at such reports. It's propaganda," military spokesman Nurhadi Purwosaputro told Reuters.

At a news conference earlier in Sydney, exiled rebel spokesman Jose Ramos Horta said at least 78 soldiers had been killed in fighting since the capture of Fretilin guerrilla leader Xanana Gusmão last November.

The Indonesian military spokesman said the vastly outnumbered guerrillas had been keeping away from troops and many supporters had surrendered since Xanana's capture.

"They have been avoiding contact with us for almost a year," he said.

One Jakarta-based diplomat who closely follows events in East Timor dismissed Horta's claims.

"This is absolutely baseless. There were incidents but that doesn't mean fighting. If even one soldier had been killed we would have heard about it," he said.

"With this sort of claim, he (Horta) loses any kind of credibility he still has."

Xanana will go on trial on February 1, the daily Suara Pembaruan quoted a court official in East Timor's capital Dili as saying. The paper said the government had expanded the courtroom to accommodate more people to witness the trial.

Xanana is charged under criminal law with trying to break East Timor away from Indonesian rule.

He is also accused of masterminding events which the Indonesian authorities say led to the army massacre of civilians in Dili 14 months ago.

Up to 180 people were killed when troops fired into a crowd of mourners, triggering an international outcry. Jakarta says the troops were provoked into shooting.

Remarks: The denial of Horta's statement regarding Indonesian losses has been unusually swift, reflecting a need to prevent the statement from deflating the army's own propaganda since Xanana's capture about the extent of 'surrenders' and 'oath-swearing.' One wonders who the 'Jakarta-based diplomat' who weighed in to support the denial was. Australian perhaps? But (s)he at least admitted their had been 'incidents' though not 'fighting.' Who's to say what the difference is, out there in the interior where no diplomats, not even the most favoured, penetrate. Two very recent visitors to East Timor told us that Ermera was literally saturated with troops when they were there just before Christmas, which was difficult to understand in a place that is little more than a string of houses and a few government buildings along a single street.

'NEW VICTIMS' IN EAST TIMOR*The Age (Melbourne), Reuter**January 29, 1993**By Sonya Voumard*

A new wave of arrests, torture and disappearances had occurred in East Timor since the capture of the resistance leader Mr. Xanana Gusmão in November, according to a human rights activist, Mr. Jose Ramos-Horta.

Mr. Ramos-Horta, who is the special representative of the National Council of Maubere Resistance, said the group had compiled a list of at least 52 victims of a crackdown by Indonesian authorities in East Timor.

"Several hundred people are imprisoned for various lengths of time throughout the country without due process of law," he said yesterday.

"Since the first week of December 1992, (Maubere) Resistance intensified its defensive activities in response to a dramatic escalation in Indonesian armed forces' offensive actions in East Timor."

Mr. Ramos-Horta said 70 Indonesian soldiers, including four officers, were confirmed killed in separate clashes with the resistance forces.

"Contrary to Indonesian propaganda claims, not one single resistance fighter has surrendered to the occupation forces," he said.

"Australia, which now lags behind the rest of the world in many things, now lags behind the US on East Timor. (It) continues to provide military training to Indonesian army officers and intelligence operatives under the false and ludicrous pretext that this kind of program exposes Indonesian soldiers to Western democratic values.

"Indonesia is the only potential external threat Australia faces in the next decades. Yet Australian policy-makers are training the same people who one day may turn against Australia and its interests," Mr. Ramos-Horta said.

He urged the Minister for Foreign Affairs, Senator Evans, to support a strong resolution condemning Indonesia for "the gross and systematic human rights violations in East Timor, Aceh, and West Papua."

**INDONESIANS
INCREASE SECURITY FOR
REBEL'S TRIAL**

CANBERRA TIMES 1 February 1993

(Dili) Authorities have set up roadblocks and assigned more than 100 police officers

for the trial today of East Timorese rebel leader Jose Alexandre Gusmão.

The trial has been marred by charges that Gusmão is not receiving proper legal representation to defend against charges of undermining the Government and illegal possessing firearms.

Gusmão lead the Revolutionary Front for an Independent East Timor, known as FRETILIN, until his capture last November.

The Government says Gusmão lead a pro-independence demonstration in Dili in November 1991, during which Indonesian Indonesian troops opened fire and killed at least 50 (sic) demonstrators.

A Government Commission concluded later that soldiers had overreacted.

Gusmão was arrested in a raid on November 20 last year.

Indonesian annexed East Timor in 1976, but United Nations still recognises Portugal, the region's former colonial ruler, as the administering power.

Local politicians have criticised the extra security measures.

"It seems that the Government is treating this trial as something special, despite pronouncements that it was an ordinary one," said the speaker of the Local Parliament, Antonio Freitas Parada.

But East Timor police chief, Colonel Nugroho Djajusman said 130 police officers would be assigned to ensure security during the trial of Gusmão, 46.

Gusmão sent a letter to a Legal Aid Foundation rejecting an offer to defend him, but foundation officials question the letter because authorities did not allow them to meet Gusmão.

Police have appointed a lawyer to defend Gusmão.

The Dili court has been renovated and expanded for Gusmão's trial. The court room, which usually accommodates 20 people, has been enlarged to hold 40.

**ARMED RESISTANCE
ACTIVITIES**

1 Feb. 1993.

**NATIONAL COUNCIL OF MAUBERE
RESISTANCE (C.N.R.M.) ARMED
RESISTANCE ACTIVITIES BULLETIN**

A. ATTACK IN SAME

On 27 November 1992 in Bubur-lan, Same, an Indonesian platoon of 10 soldiers were killed by the East Timorese armed resistance forces. The dead and their commander were taken away by helicopter at 6pm.

Nearby at Bubur-laran, on the road to Betano, two platoons were ambushed some hours later. East Timorese commander Mau

Katar was wounded and is being cared for by members of the clandestine resistance.

B. ATTACK IN CRIBAS

On 7 December 1992 in the vicinity of Barique a platoon led by commander Rustanta fell into a FALINTIL ambush. Fifteen Indonesian soldiers died, and their corpses were taken away by helicopter around 10am.

A severely wounded Indonesian soldier later died at Wira Husada Hospital, Dili, bringing the total of dead to 16.

C. ATTACK IN SAMLETE

On 12 December 1992, in Samlete near Sloi in Aileu, five Indonesians were ambushed by the resistance. Two were able to flee to Dili in a patrol car, a Mercedes truck.

D. ATTACK IN HATOLIA

On 22 December 1992 at about 10pm the resistance forces entered Hatolia.

In the shooting that took place with Indonesian troops, 4 Indonesian officers were killed. The resistance commander, Ernesto, lost two of his men. All other resistance fighters were able to escape enemy fire.

E. ATTACK IN RASE LOS PALOS

Rasa is an administrative post near Los Palos. An attack took place on 23 December during strong rains. Three Indonesian military post fell to the armed resistance. Each post had 15 soldiers, so the total killed is estimated at 45 soldiers. The corpses could only be removed the next day, as the Indonesian helicopter was only able to land after 6am.

A resistance member informed that prior to the attack the local civilian population was being persecuted by Indonesian soldiers as part of Operasi Lilin Besar. The detentions and questionings became extremely harsh, creating a very tense situation. Rivers of blood were made to flow with the aim of exterminating the Armed Resistance.

Brigadier Theo Syafei swore to exterminate all resistance forces, both armed and clandestine. As a result, the civilian population, from youngster to old people had to undergo extensive questioning.

East Timor, 28 December 1992.

CNRM INFO BULLETIN

**NATIONAL COUNCIL OF MAUBERE
RESISTANCE (CNRM)
INFORMATION BULLETIN, 1 Feb. 93.**

The following are some Indonesian military activities in East Timor against the civilian population from the November to late December.

A. MISTREATMENTS AFTER THE CAPTURE OF COMMANDER XANANA GUSMÃO

1. MILITARY BRIEFINGS

On 23 Nov. 1992 the Indonesian military commander (Dansek Barat) called a meeting in Lahane, where FALINTIL Commander Xanana Gusmão had been captured, to provide a briefing on the subject of ABRI [the Indonesian Army] and security to the local population. Village heads and Dili secondary students were made to attend. The commander announced that the Indonesian Military Forces (ABRI) would intensify efforts to dismantle all East Timorese clandestine resistance organisations, and that the armed resistance was dealt a strong blow by the capture of Xanana.

The Indonesian commander appealed to all East Timorese to assist to exterminate the armed and clandestine resistance. He urged people to report all planned demonstrations and secret meetings as well as any armed resistance nuclei, so that ABRI could take measures against these. Everyone must fulfill their duty to assist ABRI's current Territorial Operations, he added.

After the briefing, the audience was given the opportunity to ask questions. After a long silence, only one junior high school student dared to ask a question. After having to identify himself, he said:

"The Indonesian Government has repeatedly stated that both domestically and internationally the question of East Timor is considered settled. It is said that East Timorese integration took place in accordance with the freely expressed will of the population. That the country is peaceful and no security disturbances nor retaliations by ABRI take place. Why then is this appeal being made to East Timorese to cooperate with the Territorial Operations so as to ensure peace and security in East Timor?"

Instead of replying to the question, the commander repeated the well-worn Indonesian arguments about integration, while audience members, feeling ill at ease, left little by little. The student, Jose Afonso, also went home afterwards.

On the 26th of November in the morning, however, the youngster was taken from school by the Indonesian military. His whereabouts are since unknown.

2. CHRISTMAS DETENTIONS

On Christmas eve Dili appeared calm. The movement of military in the vicinity of Churches, as par of Operasi Lilin Besar (Large Candle) was very noticeable. Access to Churches was freely allowed. After the services, however, people were subject to

document checks. In Balide ten youngsters were detained, and no news about their whereabouts have been had since.

In Baucau, 20 youngsters were taken on Christmas eve to the secret prison in the house of the local military commander (DANRAMIL). Throughout the night the noise of beatings and cries of help could be heard.

Among the detainees was Adelino Gomes Fonseca, a young man who was locked in a toilet with two others who reported that he was severely beaten. He complained of severe chest pains, had breathing difficulties, his eyes were badly swollen, and his fingernails bled profusely. He expired that night in their company. When at 4am, military guards noticed him, they attempted to revive him by repeatedly dousing him with water. They finally removed the corpse, which has since disappeared.

Fernando Boavida, a youth from Trililolo, Baucau was also repeatedly tortured. One method used was boards with sharp protruding nails. The victim was made to lie on a board, and another such board was placed on top, weighted down with truck tyres. Unsatisfactory answers to questioning led to increased weights. After the second tyre, the youth lost consciousness. His bleeding body was repeatedly doused with water, before being taken away to a room in the house. He died on 27 Dec., the day General Try Sutrisno was in Dili celebrating a Christmas get-together with military and civilian authorities.

3. OTHER MISTREATMENTS AND DETENTIONS

On 28 November Mrs. D.X. was brutally mistreated in her home. Her husband and children were taken for questioning for allegedly having helped Xanana Gusmão. Her oldest son was at SMAK Paulus VI school and thus avoided detention. He is in hiding until now.

On the same day Commander Xanana Gusmão was captured, 47 people were detained. Not all of them were involved with clandestine organisations. Their names are provided in the list appended. Many more were captured in following days, but they have not been included in the list, as their whereabouts are unknown. Many of those captured in Dili have been sent to various country areas.

B. OATH-TAKING CEREMONIES

1. DILI

As oath taking ceremony took place after a public briefing about the capture of Xanana by the Indonesian military, followed by an appeal to the population to assist ABRI to destroy the resistance.

Twenty young detainees were taken to the statue of Our Lady in Kulu-Hum, to make an oath of allegiance to Indonesia prior to their release. Many of the onlookers were ordered to join in the oath taking so as to make the numbers look more impressive.

One of the released said that he was forced by the military to make false statements about Commander Xanana Gusmão.

To date some of these youths are made to report to military posts in Dili.

2. MANATUTO

On 7 Dec., 47 people detained after the capture of Commander Xanana were taken to Soibada. The next day they were made to attend Immaculate Conception celebrations. After Mass, Indonesian military personnel organised an oath taking ceremony at the statue of Our Lady of Aitara. Some detainees were afterwards freed, while others remain detained in various military posts in Manatuto and at KOLAKOPS in Farol, Dili.

3. AINARO

Indonesians consider Ainaro a centre for armed resistance activities. For this reason Brigadier Theo Syafei held a briefing about the capture of Xanana. After the briefing several outsiders performed dances, including Indonesian soldiers dressed in traditional Timorese costumes.

After these ceremonies, detainees were made to take on oath to the Indonesian flag. Many of them were subsequently exiled to Natarbora, a region of transmigrants from Bali and elsewhere in Indonesia.

C. GENERAL SITUATION

1. Infantry battalion 526 has been replaced by an East Javanese infantry battalion. The previous one left for South Sulawesi and the new one is arriving in Dili and Laga. The Operasi Territorial seems to be replaced by Operasi Lilin Besar, reported to begin in early 1993.

2. Tito Baptista, head of the organising committee of the Christmas get together with Try Sutrisno, said on radio Dili that he had extended an invitation to the Vatican Nuncio in Jakarta, since his presence would increase Timorese attendance.

3. The flags of the Nationalist Convergence, UDT and FRETILIN have been flown in Baucau, in Caibada, Same and Liquica. On 7 December the Nationalist Convergence flag was flown in the Stadium in Dili. In Lahane and Fatuani the FRETILIN flag was flown and in Mandarin, that of UDT.

It can be said in conclusion that despite repression, persecutions, and arrests, the clandestine resistance continues to carry out its commitment, struggling towards a free and independent East Timor homeland.

East Timor, 28 December 1992.

TROOP REDUCTION IN TIMOR?

Radio Australia, Feb. 2 - Australia's departing ambassador to Jakarta, Philip Flood, says Indonesian leaders have been told Australia would welcome a reduction of troop numbers in East Timor. Mr. Flood finishes his four-year posting to Indonesia tomorrow.

He made his remarks soon after the trial of East Timorese independence leader, Xanana Gusmão, began in Dili, from where Ian Macintosh reports:

(Begin Macintosh recording) Mr. Flood told reporters in Jakarta that during farewell calls on President Suharto and senior cabinet ministers, he had been advised Indonesia intended to reduce both its total forces in East Timor and the number of combat troops stationed in the province.

He said he had been informed the cutback was expected to begin in April, but its precise timing and other details were still being worked out. Mr. Flood said he in turn told his hosts Australia would welcome such a reduction. For more than six months, Indonesian officials have been foreshadowing troop cuts in East Timor as well as a change in the status of the local military command.

Current forces in the former Portuguese colony are estimated by some analysts to number close to 10,000, while opponents of Indonesian rule have claimed the figure is twice that. (End MacIntosh)

MAU HUNO TO SURRENDER?

RRI, Feb. 3 - East Timor Governor Abilio Soares says the person who has replaced Xanana Gusmão, the captured East Timor anti-integration movement leader, as new leader will surrender to the authorities in two months' time. Speaking to Portuguese journalists who were covering Xanana's trial in Dili, the governor said that local security authorities had already detected the hideouts of GPK (Security Disturbance Movement) members who continued their armed struggle against the Indonesian Government. He added that remnants of the movement will not be allowed to continue their resistance to the government.

CHRIST RISING IN TIMOR

AFP, Jakarta, Feb. 5 - Garuda Indonesia Airways in cooperation with the provincial government of East Timor will build the

world's third biggest statue of Jesus Christ in the former Portuguese colony, a report said Friday.

The statue will be erected on the tip of cape Fatukama, which faces the sea near the provincial capital of Dili, the Suara Pembaruan quoted an official of Garuda, Sumolang, as saying.

Approval has been given by East Timor Bishop Carlos Ximenes Belo, Sumolang said, adding that the 27-metre (89-foot) statue would be designed by the art department of Bandung Institute of Technology.

More than 90 percent of East Timor's 700,000 people are Catholic.

Sumolang said two larger Christ statues were in Brasilia and Lisbon.

WOMEN'S PROGRAMS IN EAST TIMOR

Jakarta Post, 5 February 1993 carries an item about increased government spending on women's programmes in East Timor with a commitment to raise the budget for women to Rp 935.2m or \$452,443, up from Rp. 752.6m or \$364,102 last year.

Comment: As is sometimes the case with such announcements, a few interesting details about social conditions are brought to light in this JP report. The officially stated level of illiteracy stands out as a bleak comment on Indonesia's achievement. A controversial publication, "East Timor: Building for the Future," published in July 1992, accused the Portuguese colonial administration of keeping East Timor backward, when the level of illiteracy was 80 percent with only 50 schools of all levels, up to 1975. Now, there are a total of 673 schools, yet it has not had much impact on the level of illiteracy. It is also heartening to read that Bahasa Indonesia's penetration has been so low. TAPOL

State Minister for Women's Roles, Mrs. A. Sulasikin Murpratomo said East Timorese women "are still facing a lot of restrictions and constraints." She blamed this on local cultural values which put women in an inferior position in the family and society.

She blamed this also for the still high rate of illiteracy among the population of 747,750. Almost 55 per cent of all Timorese over 10 years of age are illiterate, with 63.2 per cent of them women.

She added that only 7 per cent of Timorese people speak Bahasa Indonesia while the rest of the population can only speak Tetum. [sic - what about other regional languages? And Portuguese?] "This represents a major obstacle to educate them," she said.

BISHOP BELO ON ARRESTS SINCE XANANA'S ARREST

A wave of arrests and torture has followed the arrest last November of East Timorese resistance leader, Xanana Gusmão, a senior churchman told Portugal's Catholic Radio Renascenca.

Dom Ximenes Belo, Bishop of Dili, said the persecution of Timor's Christians and of those who did not recognise Timor as part of Indonesia had worsened since Gusmão's arrest.

"When these people are taken to prison, the first thing they do is beat them up," he said. "I have received letters from prisoners and former prisoners telling me about all types of torture, electric shocks, burning of genitals with cigarettes, placing people in barrels of cold water, and whipping, until they say they are Fretilin collaborators."

He said those arrested were also forced to confess that Catholic bishops and priests organised demonstrations and were against Indonesia.

Portuguese RDP radio said the judge presiding over the trial had today turned down a submission by Gusmão's lawyer that the trial should be called off because the court had no authority to try the case. The judge said that since Gusmão had called himself an Indonesian during the trial, the court could try him. [The lawyer, Sudjono, has said that it is for the prosecution to prove what Xanana's nationality is.] Gusmão has three days to appeal against the decision.

The radio also said Gusmão had announced through his lawyer, Sudjono, that he wanted the trial to be over quickly. Sudjono said the amount of publicity surrounding the trial had been making Xanana very depressed. [This is an important indication that Xanana is under very great pressure from his jailers as the trial proceeds.]

BELO SPEAKS TO JOURNALISTS

According to a report filed by AFP from Lisbon on 12 February, Ximenes Belo, the Bishop of Dili called Thursday for the former Portuguese colony to be granted autonomy by Indonesia. The Bishop said the "most realistic" solution was for the country to be granted autonomous status identical to that granted by the US to Puerto Rico. East Timor would remain "economically linked to Indonesia but would retain its own cultural and ethnic identity," he said in Dili with a private Portuguese television channel, SIC.

Belo said he would write to the UN Secretary-General Boutros-Ghali condemning Indonesian abuses of human rights in East Timor.

"I'm not happy with the situation which reigns throughout the territory where there are breaches of human rights and (individual) beliefs and the imposition of lies and falsehoods," he said.

Belo was speaking to journalists who had been attending the trial of Xanana Gusmão, leader of the East Timor independentist movement, who was captured in Dili on November 20. He is appearing in court on rebellion and conspiracy charges and could face life imprisonment if convicted.

However, Portuguese journalists were ordered out of Dili by the Indonesian authorities on Thursday. [This last remark needs to be checked. As far as is known, the journalists had ten-day visas and were required to leave Thursday because of that.]

AN ESTIMATED 4,000 TIMORESE TORTURED AND HUMILIATED

TIMORESE BISHOP SPEAKS OUT ABOUT PERSECUTION

Press Release from the CNRM (Conselho Nacional da Resistencia Maubere / National Council of Maubere Resistance (full text) issued in Geneva, 12 Feb. 1993

Altogether it is believed that 4,000 East Timorese people may have been called in for interrogation by the Indonesian forces of occupation since the capture of Xanana Gusmão, the Leader of the East Timorese Resistance. According to CNRM's protected sources, these detainees have been submitted to torture and humiliation during interrogation.

These reports are confirmed by Dom Ximenes Belo, Catholic Bishop of Dili, who said the persecution of Timor's Christians and of those who did not recognise Timor as part of Indonesia had worsened since Xanana's arrest.

Speaking to Portugal's Catholic Radio Renascenca, Belo explained "When the people are taken to prison, the first thing they do is beat them up. I have received letters from prisoners ... telling me about all types of torture, electric shocks, burning of genitals with cigarettes, placing people in barrels of cold water and whipping, until they say they are FRETILIN collaborators."

He said those arrested were also forced to confess that Catholic bishops and priests organised demonstrations and were against Indonesia.

Reports are also coming through that Timorese are being forced to take part in ceremonies where they have to swear allegiance before the Indonesian flag, loyalty to Suharto and their acceptance of the prin-

ciples of Pancasila, the Indonesian State ideology.

No guerrillas have surrendered to the Indonesians since the capture of Xanana Gusmão. In fact the opposite is true: FALINTIL, the armed wing of the Resistance, have been carrying out frequent attacks fin the Indonesian army illegally occupying the country. Reports of fictitious surrenders have been spread by the Indonesian regime via their press in a futile attempt to break the will of the East Timorese people.

Portuguese RDP radio said the judge presiding over Xanana's trial had turned down a submission by his lawyer that the court had no authority to try the case. The judge said that the court could try him since Xanana had stated that he was an Indonesian during the trial. Xanana has three days to appeal against the decision.

The radio also said that Xanana had announced through his lawyer, Sudjono, that he wanted the trial over quickly. Indonesian authorities say it is due to last about two months

The trial proper starts on 15 February. Last week only two governments observed: US and Australia. Most journalists and other observers returned to Jakarta or, in the case of Portuguese, went home after last week's session. Most seem to be planning to return when Xanana makes his defence.

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TORTURE WORSENS IN TIMOR: BELO

*The Age (Melbourne), 13 February 1993.
By Mark Baker, Foreign editor; Unabridged*

The following article appeared across three columns in one of Australia's leading dailies, under the heading, "Torture worsens in Timor: bishop," illustrated with a photo of Xanana Gusmão.

The head of the Roman Catholic church in East Timor has accused Indonesian authorities of conducting a worsening campaign of torture and religious persecution in the former Portuguese territory.

The Bishop of East Timor, Bishop Carlos Ximenes Belo, said a wave of arrests and intimidation had followed the capture last November of the Timorese resistance leader, Mr. Jose Xanana Gusmão.

He accused the Indonesian military of persecuting Christians and those who do not accept Indonesian control of the territory. "When these people are taken to prison, the first thing they do is beat them up," he said in an interview with the Portuguese catholic radio, Renascenca.

"I have received letters from prisoners and former prisoners telling me about all types of torture, electric shocks, burning of genitals with cigarettes, placing people in barrels of cold water, and whipping."

In an interview with a Portuguese newspaper, Bishop Belo claimed some prisoners were forced to sign confessions and then drink animal blood to demonstrate their sincerity. He said the torture was designed to force prisoners to admit they were collaborators with the resistance movement Fretilin. Some were being forced to accuse Catholic priests of organising anti-Indonesian demonstrations.

The bishop's allegations are certain to revive international concern about the extent of human rights abuses in East Timor. They coincide with the start of the trial of Mr. Gusmão in the East Timor capital, Dili - an event Jakarta appears anxious to use to defuse criticism of its Timor record.

Bishop Belo gave a number of interviews to Portuguese journalists in Dili to report on the trial last week but who were then forced to return to Lisbon.

In an interview with the leading Portuguese daily newspaper, 'Publico,' he said the abuses had continued since the arrest of Mr. Gusmão, who led the guerrillas fighting Indonesian control for more than a decade.

"There have been imprisonments in all districts but I can't give you exact figures," he said.

"Recently people were forced to violate their consciences. They were obliged to confess that they belonged to the underground when they never did and never had any official contact with it.

"People are being obliged to sign confessions and to drink the blood of a goat or a dog. It's genuine abuse."

The bishop said he had been refused permission to visit Mr. Gusmão while he was in detention in Dili.

Asked whether he believed Mr. Gusmão's arrest would bring an end to the resistance - as Indonesia had claimed - the bishop said: "I don't believe so. Xanana is only a man. The armed resistance can end but the psychology and cultural resistance of the people will continue.

"As long as the people exist the resistance will continue. They have their own identity, their own legends, traditions and way of life."

It is the first time for several years that Bishop Belo has spoken out strongly about human rights conditions in East Timor.

In 1989, before the Pope's visit, Bishop Belo wrote to another bishop in Portugal: "The situation of the East Timorese is absolutely unthinkable from the point of view of persecution and torture... The East

Timorese are profoundly isolated and their bishop is profoundly isolated.”

He was later denounced by Indonesian authorities and warned not to comment on political matters.

A recent US State Department report supported allegations of the continuing rights violations in East Timor.

It quoted conclusions last year by the United Nations Special Rapporteur for Torture: “Torture occurs in Indonesia, in particular in cases which are considered to endanger the security of the state.” In several areas, including East Timor, which “are deemed to be unstable... torture is said to be practised rather routinely.”

DEVELOPMENTS IN INDONESIA

INDONESIA READY TO SETTLE TIMOR ISSUE

Abstracted from The Straits Times Weekly Overseas Edition, Jan. 2, 1993, p.11

Jakarta - Indonesia is fully prepared to settle the East Timor issue at the international level, including a vote in the United Nations, according to Foreign Minister Ali Alatas.

He said on Monday after a meeting with President Suharto that Indonesia would continue to respond to efforts by the UN Secretary-General to promote dialogue aimed at a negotiated settlement of the East Timor question.

But he added: “We could also return to the confrontative pattern, with a vote at the United Nations. We are always ready to face that anytime.”

ALATAS: PORTUGAL'S HYPOCRISY

Reuter, Jakarta, Jan 13 - Indonesia on Wednesday accused Portugal of hypocrisy in its policies towards its former colony of East Timor, but said it would go ahead with attempts to resolve their dispute at talks in Rome.

“I can say this again that it is hypocrisy which is apparently guiding the views of the Portuguese government,” Indonesian Foreign Minister Ali Alatas told reporters.

Indonesia annexed East Timor in 1976 on the departure of its Portuguese colonial rulers. But the annexation is not recognised by the United Nations, which is organising the Rome meeting between Alatas and the Portuguese foreign minister in April.

Alatas said Lisbon appeared to favour biased reporting of East Timor while insist-

ing that Jakarta remove restrictions on foreign journalists visiting the territory.

“I have taken note with some amusement that apparently the reporting that has been done by some of the Portuguese newsmen who recently visited East Timor and interviewed (rebel chief) Xanana Gusmão were not received well by the Portuguese government,” he said.

Xanana has also been interviewed on Indonesian television, where he appealed to his guerrillas to surrender. But Lisbon says the interviews may have been given under duress.

“They are always making a big fuss about Indonesia needing to open up East Timor and giving access to the press.” Alatas said, referring to special permission which foreign journalists need to enter East Timor.

The restrictions were tightened after troops fired into a crowd of mourners in the territory last year.

Witnesses said up to 180 people were killed in the firing, while the government puts the toll at 50 dead and 66 missing.

Alatas said he would meet the Portuguese foreign minister under UN auspices in Rome in April to try and work out a settlement on East Timor.

“We will look into what possible confidence building measures we can agree upon to improve the atmosphere first, before we get into the heart of the matter later on ... into finding a solution that is internationally acceptable.”

The two sides first met in New York in December.

NO NATIONAL HUMAN RIGHTS COMMISSION

Antara, Jakarta, Jan 14 - Indonesia needs not to set up a national commission on human rights because the House of Representatives (DPR) has now a Commission on Human Rights, said deputy chairman of the House's Foreign Affairs, Defense and Information Commission Aminullah Ibrahim here on Thursday.

He warned that the task of the national commission on human rights and that of the House Commission for Human Rights would overlap.

He said the most important thing is to make the existing Commission on Human Rights function as effectively as possible.

The parliamentarian was commenting on proposals as to whether Indonesia needs to establish a national commission on human rights which will be charged with, among other things, observing the exercise of human rights in the country.

He maintained that the House Commission on Human Rights has since its establishment in August 1992 anticipated the exercise of human rights in the country.

He acknowledged however that the commission has not yet functioned effectively. The Inter-Parliamentary Cooperation Board (BKSAP) in the DPR has now continued improving the commission, he added.

The commission will likely change its name into a forum for human rights devotees with members coming from all commissions in the DPR, he said.

He disagreed with the idea that a national commission on human rights be established by the government.

ALL DEMONSTRATIONS BANNED IN INDONESIA

Jakarta Post 19 January 1993 Abridged

All demonstrations have been banned in Indonesia in the run-up to the session of the MPR (the upper chamber) which will take place from 1 - 11 March this year. The ban was announced by Minister-Coordinator for Political and Security Affairs, Admiral Sudomo, after consultations with President Suharto. The ban has been imposed “to prevent unrest that could disrupt the session,” Sudomo said.

The ban comes following a wave of student demonstrations demanding that the MPR appoint someone other than Suharto.

HARDER LINE TIMOR DIPLOMACY?

Remark: A truly remarkable story pointing up deep divisions in Indonesia's East Timor diplomacy. Does the Army seek just more input or outright control of Indonesia's East Timor diplomacy? Will it seek to put in 'its own man' as Foreign Minister after the MPR selects Suharto again as President? Are remarks like this an indirect challenge to Suharto's ultimate stewardship of the country's East Timor diplomacy? Would the Army's preferred policy involve a decisive capitulation by the resistance? Would it offer any face-saving device for the resistance, or would it merely try to circumvent Bishop Belo and the East Timorese church and frustrate 'once and for all' hopes for an internationally recognized act of self-determination, whether through a referendum or otherwise?

One guess is that Suharto wants to end the East Timor conflict on his own terms during his final term, and the Army may concur in this effort, ending Suharto's and the Foreign Affairs Department's heretofore de facto tolerance for endless stalemate. Under this scenario, Suharto may be finding his

leadership of NAM and his stature as 'leader of the South' unduly constrained by the continued prominence of the East Timor issue. If this is so and Indonesian diplomacy is about to 'unfreeze' on East Timor (recall Alatas' recent remarks about confidence-building measures being necessary before tackling the underlying problem of self-determination), then only sustained international pressure – especially on a cooperative basis between the U.S. and Japan – including forceful UN involvement through the Secretary General's office through re-engagement of the General Assembly and/or Security Council, could possibly turn the tables.

– John

DPA, Jakarta, Jan 19 - General Theo Syafei, the military commander of the former Portuguese colony of East Timor, said Tuesday Indonesia might break off negotiations with Portugal on the territory's status.

Indonesia preferred to talk to the Vatican about the East Timor problem rather than continue negotiations with Portugal, he told visiting Indonesian journalists in Dili, the territory's capital.

Indonesia annexed East Timor as its 27th province in 1976 but a majority of UN member states still refuse to recognise its integration into the republic. Portugal, which ruled East Timor for more than four centuries, favours self-determination for the territory.

Theo said numerous negotiations with Lisbon over the decade since 1983 have all led to deadlock because of Portugal's reluctance to settle the problem amicably.

But Foreign minister Ali Alatas has said he would meet as planned with his Portuguese counterpart in Rome in April. UN Secretary General Boutros-Ghali is also planning to attend.

COMMENTS FROM TAPOL, JANUARY 20:

Here are some initial thoughts on Syafei's intervention on the question of talks:

Syafei's intervention on the question of talks about East Timor is an unprecedented criticism of Indonesia's diplomatic strategy, and appears aimed not only at Alatas but also at Suharto.

He seems to be saying that he, Syafei, has already gone a long way towards settling the problem once and for all by capturing Xanana and dealing effectively (as he sees it) with the clandestine movement, so it's about time he had his say on the international aspects of the case.

The Alatas/Suharto line is inflexible on the substance of the case, strongly rejecting any compromise over the crucial issue of a

referendum. However, they also persist in supporting the continuation of UN-sponsored talks with Portugal. With inflexibility on both sides, the talks appear to be going nowhere, and failure to secure an international agreement is becoming burdensome for the military operating in the territory, requiring some degree of 'openness' at least in allowing foreign diplomats access. Much of what the army is required to do is determined by the need to prevent any outburst from the East Timorese because of likely international repercussions. Get the thing off the UN agenda, Syafei seems to be saying, and we on the ground will be much freer to do what we like.

His suggestion that talks should be held instead with the Vatican is more difficult to understand as he should know that the Vatican has no diplomatic standing on the issue and has always said incorporation of the East Timor church into the Indonesian Catholic church must await a UN decision accepting integration.

Syafei confronts a difficult position with regard to the East Timor church as most priests are strongly critical of the military and some are strongly supportive of the resistance. News from East Timor suggests that the military are clamping down on several priests and trying hard to isolate the church as a whole. Perhaps he feels that the only way he can force the Catholic church in East Timor to toe the integration line is by making a deal with the Vatican. Carmel.

'REFERENCE BOOK' PROPAGANDA

Antara, Jakarta, Jan 22 - The Ministry of Foreign Affairs has published a book which contains a detailed history of East Timor since the Portuguese colonial period until its integration into Indonesia.

The book, entitled "East Timor: Building for the Future," is published as a reference book for those seeking to obtain a complete description of the newest Indonesian province which integrated into Indonesia in 1976, said Suteja Kanawijaja, chief of the ministry's Foreign Affairs Information Section, here on Friday.

He said that debates on East Timor have coloured the world forums in the last 20 years.

The volume of reports by mass media has increased in recent days, particularly before and after a meeting between the foreign ministers of Indonesia and Portugal in New York on December 17.

The world has focused more attention on East Timor following the November 12 incident at the Santa Cruz Cemetery in Dili, and the capture of FRETILIN

(Revolutionary Front for an Independent East Timor) leader Xanana Gusmão recently, said Suteja.

This is an indication of the high attention being paid by the international communities to East Timor.

Unclear description of the integration history of East Timor would give the wrong perception both to the Indonesian people and members of the world community, he added.

Therefore, the Ministry of Foreign Affairs published the book which contains the history, people, culture, political structure and development of East Timor, Suteja concluded.

CHARGES AND REBUTTALS OVER LABOR RIGHTS

*News from Asia Watch, January 23, 1993
Vol. 5, No. 2 (excerpts)*

Analysis of Submissions to the U.S. Trade Representative

I. INTRODUCTION

In June 1992, Asia Watch and the International Labor Rights Education and Research Fund (ILRERF), a non-governmental organization based in Washington, petitioned the United States Trade Representative, Carla Hills to review Indonesian labor rights practices. Under U.S. law [Section 502(b)(7) of the Trade Act of 1974.], the President, at the recommendation of the Trade Representative, must end tariff benefits to a U.S. trading partner under a program known as the Generalized System of Preferences (GSP), if the country in question is not "taking steps to afford internationally recognized worker rights." The rights in question include freedom of association, the right to organize and bargain collectively, ban on forced labor, a minimum age for the employment of children and acceptable conditions of work.

The Office of the Trade Representative agreed to review the Indonesian case, and a hearing before the GSP Subcommittee of that office was held on October 16 at which both Asia Watch and ILRERF testified. On November 16, the Indonesian government submitted a 170-page response to both petitions, drawn up by the law firm White and Case, with over 100 attachments. Both petitioners were given a chance to respond, and in December, an Indonesian delegation led by Dr. Payaman Simanjuntak of the Ministry of Manpower met in Washington with the GSP Subcommittee and representatives of Asia Watch and ILRERF. President Clinton will announce a decision in April 1993. If GSP benefits are cut as a result, the annual cost to Indonesia of the

rise in tariffs on Indonesian exports coming into the U.S. will be about \$400 million.

This report summarizes the major allegations made by Asia Watch in its original petition to the U.S. Trade Representative and in subsequent materials submitted, and the Indonesian rebuttal. Asia Watch, as an organization concerned with the defense of civil and political rights, focused on restrictions of freedom of association and evidence of forced labor, rather than working conditions, including wages and safety, per se. It believes, however, that securing the right of workers to organize is a key step toward the improvement of working conditions in Indonesia.

II. SUMMARY OF CHARGES AND REBUTTALS

The main Asia Watch (AsW) charges and Indonesian government (GOI) rebuttals can be summarized as follows:

AsW: Indonesia restricts the right to freedom of association by allowing only one government-controlled trade union, the Serikat Perburuhan Seluruh Indonesia (SPSI). While other unions are in theory permitted, requirements to obtain legal recognition are so onerous as to make recognition impossible. Those attempting to form independent unions have been harassed.

GOI: SPSI was formed by and for workers without government interference. It is not the only legally recognized union; the Indonesian Teachers Association (PGRI) was recognized in April 1990. A new Ministry of Manpower regulation, now in draft, will substantially ease requirements for obtaining recognition. Many other organizations effectively function as unions, even without recognition, such as the civil servants organization, KORPRI. There has been no government attempt to hinder the formation of new unions.

AsW: The right to bargain collectively is restricted by the lack of independent unions, controls on the right to strike, and military interference. Management often only agrees to negotiate if workers make a credible threat to disrupt production by work stoppages or strikes. SPSI units at the workplace, where they exist, often side with the company. The presence of soldiers and police during negotiations between workers and management serves as form of intimidation and robs the process of any meaning.

GOI: The Ministry of Manpower vigorously promotes collective bargaining, but such bargaining is consultative, not confrontational as in the West. SPSI workplace units have been effective in negotiating collective bargaining agreements. Strikes are permitted; they are only declared illegal when established procedures are violated.

The petitioners fail to understand the dual political/military role of the Indonesian armed forces and the role of the army in protecting against internal disturbances. The threat of communist insurgency through labor disputes is a serious national security problem, not merely a labor problem.

AsW: The Indonesian government has engaged in forced labor by luring East Timorese laborers to Java on false pretenses, paying them substandard wages and forcing them to undergo military training. Logging companies, with some government involvement, have effectively created a system of bonded, unpaid labor in the Asmat area of Irian Jaya.

GOI: Indonesia is bound by the ILO Convention No.29 Concerning Forced Labor. Allegations about East Timorese workers were based on inadequate, inaccurate and untrue information. The workers volunteered for the positions, were paid the minimum wage and were provided with transportation to return to East Timor if they chose. The Indonesian military assists with training but that training is not "military" per se. The government has no record of officials in Irian Jaya cooperating with timber companies to compel Asmat tribespeople to cut down trees.

The Indonesian government's assertions do not stand up to scrutiny, as the following analysis will show.

(two sections omitted)

V. FORCED LABOR

East Timorese Workers

One of the most detailed exchanges between Asia Watch and the Indonesian government involved Asia Watch's allegations that the Indonesian government in late 1990 and 1991 had lured hundreds young East Timorese workers to Java with promises they would receive vocational training and high-paying jobs when in fact they were given menial jobs at substandard wages. Many were kept under the watchful eye of the Indonesian military and suspected of being supporters of the East Timorese resistance when they protested about their treatment. The Asia Watch charges, published in a May 1992 report entitled "Deception and Harassment of East Timorese Workers" were based on interviews and several statements signed by the East Timorese concerned. The Indonesian government went to great lengths to refute the charges, including getting one of the signers of the statement published in the Asia Watch report, Dominggus Soares, to claim that his name had been used without his knowledge. Asia Watch has since learned that some of the East Timorese were summoned without being told why to the provincial office of the Ministry of

Manpower in October 1992. They were then asked about the accusations that East Timorese were unhappy with their work, in the presence of the deputy head of the provincial Manpower office, representatives from the factories employing the East Timorese, and an attorney from White and Case. Under the circumstances, it is possible the East Timorese felt they had no choice but to claim job satisfaction.

The Original Charges

In its report, Asia Watch noted that in December 1990, a daughter of President Suharto, Siti Hardijanti Hastuti, better known as Tutut, went to Dili, East Timor, with an offer of jobs and vocational training for young East Timorese workers. The program was to be run jointly by Mrs. Tutut's philanthropy, the Tiara Foundation, and the Ministry of Manpower. Hundreds of East Timorese ranging in age from 15 to 25 were recruited to take part in what they were told would be a three-month skill-training program, leading to high-paying jobs on Pulau Batam, an industrial development site off the coast of Sumatra. They found themselves sent not to Pulau Batam but to enterprises in Java and Bali where they worked as unskilled labor, doing everything from hauling crates in Semarang, Central Java, to cleaning chicken cages at a poultry farm in Bogor, West Java. One group of 100 workers who arrived in Surabaya, East Java on June 6, 1991 and were then transferred to Jakarta, ended up being sent to what was in effect a boot camp run by KOPASSUS, the Indonesian special forces. They were under constant surveillance, and in at least one case, workers were detained and beaten for protesting about their working conditions. Many of those who wished to return home found themselves stranded. While there was no question that the young people had left East Timor voluntarily, Asia Watch argued that because they were deceived as to the true nature of the jobs and training they would be getting and because they did not have the money to return, the whole project became tantamount to forced labor.

The Indonesian Response

The Indonesian government strongly denied the charges. East Timor, it said, with its population growing far faster than its economy, has a major unemployment and underemployment problem. The local government together with the Ministry of Manpower thus developed the East Timor Worker Program to improve skills, increase income by allowing workers to work in the industrial rather than agricultural sector, and reduce the burden on the local government to provide employment opportunities. With respect to the specific charges,

Neither the Government nor the Foundation made any promises with respect to wages and work location when it agreed to place the workers... Due to the workers' low skills, the Government found that it was inappropriate to place the East Timorese on Batam Island because of the relatively high technology employed there

In 1991, East Timorese workers were placed at the following locations through the Government's Worker Program:

| <i>Location of Assignment</i> | <i>No. of Workers</i> |
|-------------------------------|-----------------------|
| Bali..... | 60 |
| East Java..... | 160 |
| Central Java | |
| Semarang and vicinity..... | 67 |
| Solo..... | 40 |
| D.I. Yogyakarta..... | 40 |
| West Java | |
| Bandung..... | 23 |
| Tangerang..... | 64 |
| Bekasi..... | 35 |
| Indocement..... | 34 |
| DKI Jakarta..... | 200 |
| South Kalimantan..... | 39 |
| East Kalimantan..... | 59 |
| TOTAL:..... | 821 |

[Indonesian Statement, pp.109-110. On pp.112-115, the government lists some of the companies employing East Timorese, including PT Gemala Container, North Jakarta; PT Hasi (shoe factory), Tangerang; PT Kanindotex (textile), Semarang; PT Suaco (cable factory), West Jakarta; PT Indah Jaya Textiles, South Jakarta; PT Indocement (cement plant), Bogor; PT Tunggal Yudi Sawmill Plywood (logging), in Samarinda, Kalimantan; PT Pamindo Tiga (automobile part); PT Superior Coach (automobile assembly); PT Bakri Brothers (steel pipes); PT Gunung Garuda (steel); PT Delta Santa Wood; PT Kedaung Group; PT Wono Kayo Rojo Koyo (poultry) in Malang, East Java; PT Kali Jaya Putra (rattan), Surabaya.]

In 1992, the government notes, 31 more workers were sent to Solo and 30 to South Kalimantan, raising the total placed to 882. The Tiara Foundation, for its part, placed 208 East Timorese, with 71 in the textile factory, PT Kanindotex in Semarang; 78 in PT Barito Pacific in the Moluccas; 24 in PT Kedawung, Jakarta and 17 in the poultry farm, Cipendawa in Bogor, West Java. (A communication Asia Watch received from eight East Timorese at Kanindotex, dated December 7, 1992, notes that in fact, only 38 of the original group remain.)

The Foundation worked together with the Ministry of Manpower in the recruitment and selection process, and applicants were chosen from a list of job hunters compiled by the regional office of the Ministry of Manpower in East Timor. [Indonesian Statement, p.111.]

Asia Watch had called the jobs "menial." The government called that characterization misleading.

Because workers received the majority of their training on the job, they all started with simple assignments usually taking positions in the production unit.[Indonesian Statement, p.111.]

The government also termed "completely false," the charge that the workers were receiving substandard wages, saying the wages exceeded the minimum wage applicable in the area where they were working. The workers at Kanindotex acknowledged in December 1992 that they were now receiving above the minimum wage for Semarang. In August 1991, when they first made public their complaints, however, their wages met the minimum only with the addition of a temporary subsidy from the Tiara Foundation and even then, room and board, which the workers had thought was promised by the company, was deducted. The remainder was inadequate to meet basic needs. Moreover, the workers complained in December 1992 that those among them who had been outspoken in expressing grievances were receiving Rp.1000 (50 cents) a day less than their silent colleagues, a major discrepancy when wages are only \$1.20 to \$1.70 to start with.

For its statement to the GSP Subcommittee, the government also had 29 workers in the logging company, PT Tunggal Yudi Sawmill Plywood, fill out a questionnaire saying how much they enjoyed working there. The workers had to give their name and employee number and were asked four questions: Do you like working for PT Tunggal Yudi Sawmill Plywood? How is your relationship with your fellow workers or your supervisor? Is it difficult for you to communicate with your co-workers or your supervisor? What do you do with your wages? No worker far from home at the lowest level in the factory is going to say on a form requested by the government that he or she is unhappy and has poor relations with supervisors – even if there were not the history of human rights abuses by the government against East Timorese.

But there is also a history of East Timorese workers being forced to make statements about job satisfaction. At the PT Kanindotex factory in Semarang, 65 workers signed a letter to the then governor of East Timor, Mario Carrascalao, that an employee of the Tiara Foundation had pressed them into signing a statement the previous May that work was going well and there were no major problems. "Because the statement was basically forced on us and accompanied by threats, that if we refused to sign, none of our complaints would be addressed, some

of us felt forced to sign." [The full letter is published in Asia Watch, Deception and Harassment of East Timorese Workers, 4:16, May 19, 1992, p.6-7.]

The Indonesian government also obtained a statement by Dominggus Soares, one of the workers whose signature appears on the 1991 letter to Governor Carrascalao, disavowing any knowledge of the letter and saying that he was happy working for Kanindotex. According to the government, "This casts doubt on the veracity and accuracy of the alleged letter."

Asia Watch managed to check back with eight of the workers at Kanindotex who not only reiterated their original charge but said that on August 30, a week after the letter was written, "we were forced to denounce our own aspirations" in the National Parliament Building in Jakarta.

In response to Asia Watch's assertion that one group of 100 East Timorese were given military training and were under surveillance by KOPASSUS, the army special forces, the Indonesian government said the charge was based on inaccurate information. The workers, according to the government, were given physical and vocational training.

The physical training consists of marching, saluting, obeying commands, standing at attention, and running obstacles courses. The Indonesian military assists with this training, which is received not only by workers from East Timor but also by workers from all over the country. It is thought that this combination of training eases the transition from an agricultural environment to a industrial one and prepares the trainees for work in an industrial environment. Thus, the training that is provided to East Timorese youths, although it may contain some military elements, is not "military training." [Indonesian Statement, p.118.]

As supporting evidence for this remarkable statement, the government attached a letter from one Lieutenant Colonel Sutrisno, a navy officer in charge of the West Java training program. Colonel Sutrisno notes that the military assistance used in the training centers

comes from the various branches of the Indonesian Armed Forces including the Marine Corps and Kopassus, a special combat-trained force which is exceptionally suited to train young job-seekers from a variety of backgrounds. [Sutrisno letter, Exhibit 98 in Indonesian Statement.]

It is KOPASSUS, Asia Watch notes, which has been responsible over the years for some of the worst human rights abuses in East Timor, including torture, disappearances and summary executions.

According to some of the East Timorese in Colonel Sutrisno's training center, two

youths, Luis Maria Lopes and Nuno V. Pereira, discussed their frustrations in a meeting with Sutrisno on August 3, 1991 and Sutrisno said he would study the problem and meet them again on August 9. On August 8, however, the two were picked up from their Jakarta workplace and taken back to the Training Center where they were interrogated by two KOPASSUS officers. The following day, 13 other East Timorese then undergoing training at the Center were lined up in the area used for flag-raising ceremonies and beaten and kicked by three soldiers, include one KOPASSUS sergeant and one Marine officer. The youths were then interrogated by Colonel Sutrisno himself, accused of being political activists and threatened with electric shocks if they did not answer properly.

The Indonesian government's version is that of the 100 East Timorese who entered Sutrisno's training program, only nine were unhappy with their jobs which consisted of loading, unloading and storing rattan. Two of these workers were Luis Maria Lopes and Nuno V. Pereira. Colonel Sutrisno met with them on August 3 to discuss their grievances and told them he would try to find them new jobs, "although it would be difficult because they had not finished elementary school." He asked them to be patient. The next day, Luis and Nuno returned with the other seven and met with Sutrisno and the Training Center placement officer. The latter asked the East Timorese whether they wished to return to East Timor, and they said no. As a result, four returned to their jobs, three returned to East Timor at government expense "because they caused disruption in the workplace," and Nuno and Luis dropped out of the program. "Asia Watch's allegations that the East Timorese youths...were beaten, kicked and threatened with electric shock are completely untrue." [Indonesian Statement, p.119.]

VI. CONCLUSIONS

Asia Watch maintains that Indonesia is not "taking steps to afford internationally-recognized worker rights" as the U.S. Trade Act requires. The documentation provided by the Indonesian government in rebutting the petitions of Asia Watch and ILRERF is voluminous, but selective. While the government goes to great lengths to get detailed descriptions from different companies about strikes held on their premises, it simply denies or professes ignorance of beatings, arrests or detentions. The government has provided no convincing evidence to suggest that SPSI is an independent union or that the Indonesian government is willing to allow full freedom of association; on the contrary, there is ample evidence to suggest that the government has

no intention of relaxing its control over the labor movement.

The material cited in this paper also indicates that the primary agency for exercising control is not SPSI nor the Ministry of Manpower but the Indonesian armed forces. As in China in 1989 where the demands for autonomous student organizations and labor unions, free from Party control, became impossible for Chinese authorities to grant without calling into question the entire power structure, it is virtually impossible for the Indonesian government to recognize autonomous labor unions without generating demands for autonomy elsewhere. At stake is the role of the military in society, the "dual function" which grants the armed forces a major role in political life. Real progress toward the protection of labor rights will not and cannot be made by changes in Ministry of Manpower regulations. Full freedom of association will have to await more far-reaching political change.

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PDI SUPPORTS SUHARTO, GEN. TRY SUTRISNO

Far Eastern Economic Review
28 January 1993

By *Suhaini Aznam*. Text: Full

(Jakarta) Despite having campaigned for change, the Indonesian Democratic Party (PDI) on 13 January nominated President Suharto for a sixth five-year term, immediately attracting charges of inconsistency from student groups. After a two-day closed-door meeting between provincial representatives and the PDI central leadership, it was announced that the opposition party had taken the "consensual decision" to nominate Suharto for president and armed forces chief Gen. Try Sutrisno as vice-president.

While re-election of Suharto can now be taken as settled, the PDI's backing down from its earlier advocacy of change came as more of a surprise. Although the party had a potential showpiece candidate in Guruh Sukarnoputra, 40, the younger son of Indonesia's founding father Sukarno, only one of the 27 provinces represented at the meeting had named him as its choice.

In the run-up to general elections last June, the PDI argued vociferously for change, both in the political system and in terms of personalities. Large crowds rallied in support of its promise to strive for an alternative candidate in 1993, yet now the party blames the press for misunderstanding its campaign theme. "We talked of change,

but not change of the president," Daryanto said. "We want change in terms of corruption, rules used in the general elections and so on."

At news conferences announcing the nomination, PDI chairman Soeryadi denied that the party had been subjected to any external pressure in reaching its decision.

The reality is the PDI was caught in the middle. If it failed to support Suharto it risked subtle reprisals from the establishment and the army; if it backed Suharto, its young, anti-establishment constituents would accuse it of going back on its word. The PDI clearly chose what it felt was the less risky course. "For the moment that is the way of politics in Indonesia," said Alex Asmasoebrata, a PDI official, who felt that change could only come "bit by bit, slowly, slowly."

Outsiders were quick to show their disappointment with this decision. On the first day of the party meeting, some 100 students representing various universities in Java descended on Kopo, 60 kilometers south of Jakarta, urging PDI delegates not to nominate Suharto. Calling themselves the People's Alliance for Democracy, the group's theme has been "anyone but Suharto," said its spokesman.

When PDI officials refused them entry, they staged a two-hour demonstration outside the assembly hall until they were forcibly dispersed by riot police. Two students were beaten up and one was held for questioning and later released. On the following day a smaller group of student leaders marched on parliament, wearing black arm bands and ridiculing the PDI.

Students, though, seem to be the only ones left agitating for a change in Indonesia's leadership. While there may have been a failure to groom second-echelon leaders, even the largely non-politicized business sector seems to accept that no one is yet ready to step into Suharto's shoes.

Of greater interest than Suharto's now certain re-election is the choice of a vice-presidential candidate. Although the PDI's endorsement does not make Sutrisno's appointment a certainty, it does pave the way for the other parties to join the bandwagon, collectively allowing Suharto to accept "the people's choice" should he want Sutrisno as running-mate.

Significantly, though, all this does not necessarily give Sutrisno a leg up as the next president-elect. The office of vice-president has by tradition meant living in the president's shadow, with little chance of building up a political base. Sutrisno has an edge to succeed as president only if Suharto himself wants him to do so, an Indonesian political scientist said.

MUSLIMS: TRY SUTRISNO FOR VICE-PRESIDENT

The Straits Times, February 6, 1993
By Paul Jacob

JAKARTA -A group of 250 Islamic religious teachers from across east and central Java has urged the Muslim-based United Development Party (PPP) to nominate armed forces chief Try Sutrisno as the country's next Vice-President.

Spokesmen for the group said East Java-born General Try was an ideal candidate as he represented the military and was from the successor generation of Indonesians who fought for the country's independence.

Gen. Try was also close to pesantrens - traditional Islamic boarding schools -which they represented, the spokesmen said at a meeting with PPP chairman Ismail Hasan Metareum and Secretary-General Matori Abdul Djalil on Thursday.

Dr. Nadir Moehamat and Haji Kharil Bisri told local journalists that there were three principal factors in Gen. Try's favour.

They felt that as Vice-President, he would struggle for and support the interests of the less well-off. He also had a broad national outlook and was a man of strong religious faith.

They said there was no political motive behind their call and added that they were only airing the aspirations of Muslims.

The PPP was being asked to channel these aspirations because the religious teachers that the group represented had faith in the party and had supported it during the general election.

The PPP attempted to bolster its standing at the polls last year by announcing at the start of the campaign that it would renominate President Suharto for another term in office. It also told voters of its intention to back Gen. Try as Vice-President.

Although it made good on its promise concerning Mr. Suharto, the party has yet to announce officially its position on the vice-presidency.

The Merdeka daily on Wednesday quoted PPP sources as saying the party was divided on the issue.

It reported that one group led by chairman Ismail favoured State Research and Technology Minister B. J. Habibie while another faction led by Secretary-General Matori was keeping to the election pledge of backing Gen. Try.

The paper's sources said Mr. Ismail's close connections with the Indonesian Muslims Intellectuals Association -which Mr. Habibie heads -was the reason for his support of the minister.

But the source added that the pro-Habibie group was unable to garner enough

support and was now aiming to back incumbent Vice-President Sudharmono for a second term.

Gen. Try, who is expected to retire from the military this month, has thus far only been officially named as the candidate of the nationalist Indonesian Democratic Party.

The PPP, PDI, ruling Golkar, the armed forces and regional representatives have all announced their support for Mr. Suharto's renomination and will re-elect him next month at the 11-day general session of the People's Consultative Assembly.

APPEAL FOR SOLIDARITY FOR ARRESTED INDONESIAN STUDENTS

New Liberation News Service Packet 3.8 2-1-93*

Asian Student Association News

(NLNS)-Sixteen (16) students from various universities in Indonesia were arrested by Marines in a bus terminal in Surabaya, East Java last 25 January 1993. The students belonging to the Committee for the Solidarity with the People of Blangguan (KIRAB) planned to hold an action i.e. corn planting with the Blangguan residents. They were however, prevented from reaching the village area which was heavily surrounded by marines. Arrested were:

- * Yuni, youth activist (Yogyakarta)
- * Ambar, student, Islamic University of Indonesia (Yogyakarta)
- * Catur, student, Foreign Language Academy (Yogyakarta)
- * Ajikusumo, student, Gajah Mada University (Yogyakarta)
- * Bowo, student, Gajah Mada University (Yogyakarta)
- * Antok, student, Gajah Mada University (Yogyakarta)
- * Webby, student, Gajah Mada University (Yogyakarta)
- * Daenuri, student, Gajah Mada University (Yogyakarta)
- * Budiman, youth activist (Yogyakarta)
- * Kishori, student, Muhammadiyah University (Yogyakarta)
- * Slamet, student, Muhammadiyah University (Yogyakarta)
- * Hari Sutanto, student, Deponegoro University (Semarang)
- * Wilson, student, University of Indonesia (Jakarta)
- * Irwan, student, University of Indonesia (Jakarta)
- * Rivo, student, University of Indonesia (Jakarta)
- * Anwar, peasant from Blangguan (Situbondo)

As of 1800, 25 January, 4 other students are unaccounted for. They are:

- * Justin, student, Gajah Mada University (Yogyakarta)
- * Abdullah, student, Islamic University of Indonesia (Yogyakarta)
- * Jayadi, student, Muhammadiyah University (Yogyakarta)
- * Bonzai, student, UPN (Yogyakarta)

It is suspected that the students were taken to the military headquarters.

The Asian Students' Association (ASA) appeals to the international community to extend solidarity to the arrested students and the Blangguan farmers who are constantly under threat and harassment from the Indonesian military. ASA urges friends and supporters of the Indonesian people's clamor for genuine democracy to:

1. Disseminate/publicize this information to other friends;
2. Organise actions (before Indonesian consulates/embassies in your respective countries) condemning the arrest, demanding for the unconditional release and fair treatment of detained students; demanding the Indonesian military to leave the land which belongs to the Blangguan people and to stop using the land for "war games."
3. Write protest letters/send faxes to Indonesian government, military through Indonesian consulates/embassies in your respective countries.

4. Send donations to KIRAB. They are organising protest actions in 3 cities in Indonesia, in addition to their efforts to secure the release of the 16 arrested students. They need funds to facilitate their work urgently.

For more information, please contact Asian Students' Association (ASA) in Hong Kong: phone (852) 3880515, fax (852) 7825535; or ASA@GEO2.geomail.org.

CHRONOLOGY OF EVENTS

Monday, 25 January 1993.

0730 hours: One by one, groups of KIRAB activists left for the East Javanese Provincial Parliament Building in Surabaya.

0830 hours: All groups reached the area. The action was to start at 1000 hours.

0930 hours: All groups began approaching the Parliament Building. They began putting up posters while singing progressive songs. They held a forum. The demonstrators then entered the grounds of the Parliament Building, approximately 15 minutes after they began their approach.

1000 hours: KIRAB negotiators succeeded in forcing members of the Parliament to a dialogue. The demand of the Blangguan people were put forward. The KIRAB delegation was received by the military (ABRI), Development Unity (PPP) and Democratic (PDI) parliamentary factions

(other than the government "functional group" - GOLKAR). The discussion room was full of intelligence agents from various branches. At the end of the dialogue, the KIRAB delegation asked for a guarantee to their safety. The discussion closed with the singing of the patriotic song "Padamu Negeri" (To You, My Country).

1130 hours: KIRAB delegation upon leaving the Parliament Building were immediately approached and surrounded by about 50 local military and police personnel. On the steps of the Parliament, a war of nerves followed. Colonel Sutarmas gave his personal guarantee as long as the KIRAB activists give their names. Some students handed over their student identity cards.

1210 hours: KIRAB left vicinity and headed for the bus terminal.

1325 hours: An intelligence officer wearing a blue shirt approached Irwan (one of the activists) who was sitting down. He made signs with his arms then yelled "Arrest them all!" A tall intelligence officer wearing a dark brown shirt approached Irwan from behind, grabbed his hair roughly and began to punch him on the head repeatedly. Irwan stood up to approach friends who protected him. A tug-o-war ensued between them and the intelligence officers. The commotion attracted the bus station's staff, terminal security and military personnel who were on their way home. The "head of operations" tried to agitate the onlookers by saying that the students had insulted the armed forces. While all this was going on, other intelligence officers surrounded the waiting area and grabbed KIRAB members who were still there. Some Marines who were attracted by the intelligence's agitation began to threaten those protecting Irwan - with machetes. Shortly afterwards, the students were rounded-up and arrested.

STUDENTS AND FARMERS CLASH WITH MARINES IN EAST JAVA

Students from major campuses all around Java and farmers from Blangguan area of East Java clashed on Saturday 23 January as they prepared to carry out a protest action against the local Marine base for attempting to force them off their land. The 136 farmer families - 600 people in all, have farmed the area since 1923. They have been the targets of intimidation since November 1992. A local battalion of Marines, the "Sugeng Harjotaruno" Battalion, has been claiming the area as a permanent war games area.

Throughout December 1992, they were subjected to such actions as bombardment of their corn fields, having tanks run down their fences and through their fields and crash into their houses. Many families had their houses wrecked by tank attacks or by

marines dismantling the roofs and taking the tiles or other materials back to base. Any farmer who attempted to repair his or her house was then subjected to further harassment. They were threatened with having their houses totally demolished. The local food stall was ordered permanently closed by the marines and the farmers told that if they planted any new corn, the marines would come and pull it out after one month's growth.

The farmers had already protested the attempt to seize their land to the local parliament but without result. They had particularly raised the issue of the paltry offer of Rp200 (10 cents per metre for quite good land). The protest action planned for 23 January was to take the form of mass planting of corn on the farmers' land as an act of defiance to confirm the farmers' dependence on the land for their livelihood. A delegation of 25 students from several cities were also to participate as an act of solidarity. The students also arranged press coverage for the action. On arriving in the conflict area, the students found that the area was saturated with Marines. Entrances to villages were tightly guarded by armed sentries. Jeeps were patrolling the laneways and roads on a constant basis. Even at the bus station in the nearby town where the students first arrived, there were large detachments of intelligence operatives taking down notes and following them.

The students' bus was also followed by men obviously from military intelligence. In order to find out what was happening inside the village, one student and one representative from the village who had come out to meet them were sent back inside on Saturday evening to try to find out what was happening.

As of Sunday, 24 January, they had not returned and no news had been heard of them. Meanwhile, the students gathered in a designated house on the edge of the conflict area. The military, Marines, as well as local army and police units began house-to-house searches trying to locate the students. Women's screams could be heard as soldiers attempted to extract information. 3 to 5 soldiers guarded all strategic spots throughout the area.

Finally, the students decided to withdraw as reports kept coming in of an increasing level of intimidation against the villagers. Meanwhile, no news had been heard of the two people sent into the conflict area itself, the neighbourhood where the activist farmers were living. The 25 students made their way out of the area across the flooded rice fields apparently followed by army units. They finally reached a main road where more intelligence agents were waiting on motor bikes. The students stopped a

passing bus and boarded. Ten minutes later, the bus was stopped and the driver harassed by soldiers for helping the students.

The students were able to get off the bus. 23 headed for a secure address in Surabaya, the nearby East Java capital city and three others, including 2 farmers, headed for the Provincial Parliament building and newspaper offices. The Surabaya Post came out that afternoon with a report on the action and the harassment.

Meanwhile, reports have reached the student organisers that the remaining 20 have been arrested, including Irwan, the coordinator of the student solidarity action. As of Sunday, no further word has been received concerning these students. The Blangguan Solidarity Committee has issued a statement on 23 January condemning the military harassment and calling for farmers to have the right to freely farm their land.

SIAGIAN: INDONESIA 'SHOCKED' BY REACTION TO TIMOR INVASION

The Australian, 4 February 1993 By Cameron Stewart, Unabridged

(Canberra) Indonesia's outspoken ambassador to Australia, Mr. Sabam Siagian, said yesterday he believed his country had underestimated the international ramifications of its takeover of East Timor in 1975.

But despite this surprising admission, he warned that continued criticism of Indonesia's East Timor policy from sections of the international community would not alter his country's determination to integrate East Timor as an Indonesian province.

Mr. Siagian's comments were made during a hearing in Canberra yesterday on Australia's relations with Indonesia by the subcommittee of the Joint Committee of Foreign Affairs and Trade.

He conceded that Indonesia was concerned by continued international criticism about the East Timor issue.

"It does worry Indonesia of course, and to be frank with you - and this is strictly my personal opinion - we sort of underestimated the ramifications of the East Timor issue," he said.

"We are not a perfect nation, but we are determined to manage the development of East Timor, to manage the social life welfare of East Timor, including their participation in the process of government.

"Any proposal that questions the status of East Timor as the 27th province of the Republic of Indonesia certainly we cannot entertain."

During a lively question and answer session on East Timor, Mr. Siagian denied suggestions by the committee that there was

little evidence to show that demonstrators in the 1991 Dili massacre were involved in subversive activity, as has been claimed by Indonesia.

"We have made our mistakes and so forth (but) it (the demonstration) was not a hymn-singing church procession, there was some planned subversive action behind it," he said.

"I'm well versed enough in the modes of subversive tactics that (even) with less arms you can also provoke serious things - the Xanana hearings (the captured Fretilin leader currently on trial in Dili) will bear this out."

At least 50 (sic) pro-independence demonstrators were killed in Dili in November 1991 when Indonesian soldiers opened fire.

Mr. Siagian rejected any prospect of Indonesia holding talks with exiled representatives of the East Timorese community about the province's (sic) future.

He said that to discuss East Timor with those who would like to see it independent could "open a Pandora's box" in other areas of the diverse Indonesian archipelago.

"We are serious about developing East Timor and enhancing the welfare of the people - we don't need outside people to teach us how to do that," he said.

He said the Indonesian Government consulted regularly with the East Timorese people about enhancing their autonomy (sic) while remaining under Indonesia authority.

Mr. Siagian said Indonesia welcomed moves by Australia to convey its values but did not want to be "sermonised."

"Indonesia needs an Australia which conveys its values on what it constitutes a humane and democratic society to its neighbours without sermonising them nor instantly judging them because of what are perceived as their ethical imperfections," he said.

"If both sides can work these things out, we in the sub-region could offer to the rest of the world a working model for North-South co-operation.

INDONESIA "UNDERESTIMATED" RAMIFICATIONS

BBC Summary of World Broadcasts, February 8, 1993

Radio Australia in English 3 Feb. 1993

Indonesia's ambassador to Australia, Saban Siagian, has warned Australia against sermonizing or passing judgments on its Asian neighbours. In evidence to a parliamentary committee in Canberra, Mr. Siagian said Australia's proximity to Asia would cause sparks but Australia needed to show greater emphasis [as heard; probably "empathy"] for the region. Mr. Siagian said Indonesia would not negotiate with outsiders on the future of East Timor and violence

in the province could be seen as part of the development process. From Canberra, Graeme Dobell reports.

[Dobell, recording] The parliamentary committee on foreign affairs is nearing the end of its enquiry on bilateral relations with Indonesia and made the point that this is the first it had ever taken evidence from a foreign ambassador. Mr. Siagian said the committee report due later this year could make immense contribution to the Indonesia-Australia relationship, which had come a long way in the last five years. The ambassador argued that if Australia and Indonesia work hard, the dealings could become a model for North-South cooperation.

[Siagian] Therefore, Indonesia needs an Australia which conveys its values on what it constitutes a humane and democratic society to its neighbours without sermonizing them nor instantly judging them because of what are perceived as their ethical imperfections.

[Dobell] The ambassador's call for Australia to show empathy or even solidarity with its region led to a lengthy discussion on Indonesia's actions in East Timor. Mr. Siagian said the disorder around the world reinforced the caution of the Jakarta leadership about any threat to the unity of the Indonesian state. The ambassador was asked whether Indonesia was bothered by the

international attacks it faced over the incorporation of the former Portuguese colony and the lack of any United Nations recognition of the takeover.

[Siagian] Yes. It does bother Indonesia, of course, and we are, perhaps to be frank with you, perhaps, and this is my strictly personnel opinion, we sort of underestimated the ramifications of the East Timorese youth. It does not mean, of course, when you refer to the right of [word indistinct] of the United Nations. What is the United Nations? We are the United Nations. You should also include that Australia recognize East Timorese part of Indonesia. [sentence as heard] So, it is not rigid empathy the absence of recognition or the recognition later. The United Nations is seized with so many problems. So that could change too. The key is with us, Indonesia, you see, and there is the determination. [as heard] We are not the perfect nation, I can say that openly on the record, but we are determined, you know, to manage the development of East Timor, to enhance the social welfare of East Timor, including the participation in the process of government.

[Dobell] Mr. Siagian repeated that Jakarta would not negotiate with any resistance elements outside its borders on the future of East Timor and any proposal that

questions the status of East Timor as Indonesia's 27th province could not be considered. The ambassador said recent violence in East Timor could be seen as an unhappy part of the development process and he told of comparisons with the early history of the United States and Australia's treatment of Aborigines.

[Siagian] You know, in the history of developing countries and the role of violence, certain events are related to violence when countries rapidly modernize themselves. You see that in North America, you see that in this country, you know. I was given a book as my Christmas present, a fact book on the Waterloo Creek massacre. Of course, if possible we avoid that. In the modernization process of developing countries, shall we say sometimes it's unavoidable and now we are not [word indistinct] about that.

ANTI-SUBVERSION LAW 'HERE TO STAY'

Jakarta Post, 3 and 5 February 1993, Abridged

Attorney-General Singgih has said Indonesia still needs the highly controversial anti-subversion law to quell underground activities and warned that Indonesia would face "grave difficulties" if the law was abolished. "Would you want our country become like Yugoslavia or Bosnia?" he asked members of a parliamentary commission he was addressing.

Human rights activists have criticised the anti-subversion law of 1963 as being against the principles of human rights. Singgih said the wording of the law could be changed but the law itself must be maintained.

He said Singapore and Malaysia's internal security acts were 'much stricter' than Indonesia's anti-subversion law and allowed detention without trial. [The anti-subversion law in fact allows someone to be held without trial for up to one year, a period which can be, and has often been, extended.]

Asked why the prosecutor did not use the anti-subversion law to charge Xanana Gusmão, Singgih said his acts could not be categorised as subversion because he was a rebel who carried out his activities 'openly.'

"What is called subversion is clandestine or underground activities," he said.

Earlier, Minister of Justice Ismail also denied that the anti-subversion law would be repealed in view of the fact that it has not been used to charge Xanana Gusmão.

Minister Ismail also spoke about the new Criminal Code now being drafted. The draft includes new sexual offences which will make it a crime for a couple to cohabit outside marriage; adultery will be a crime

and a man who fails to marry a woman after making her pregnant will also be liable to prosecution.

One member of parliament, V.B. da Costa has criticised the draft, saying that the government has contributed to the rising number of cohabitations by blocking inter-religious marriages.

INDONESIA BUYS MORE WEAPONS

BRITISH AEROSPACE WEAPONS FACTORY NONVIOLENTLY ATTACKED

The following Press Release was issued on 7 January by British Aerospace Ploughshares. (Slightly abridged.)

Note: Chris Cole is now on remand in Bedford Prison. At a court hearing in Stevenage on 14 January, an application for bail was refused; the prosecution argued that he might repeat the offence or fail to attend a future court hearing. Anyone wishing to keep in touch with BAe Ploughshares should write to them at: c/o NVRN, 162 Holloway Road. London N7 8DQ. TAPOL

SWORDS INTO PLOUGHSHARES: THE CONVERSION HAS BEGUN

At 4 am on 6 January 1993, Chris Cole, a Christian peace activist from Oxford, entered a British Aerospace (BAe) weapons factory in Stevenage, Herts, and used household hammers to disarm nosecones for the European Fighter Aircraft, for Hawk strike attack aircraft and other military equipment. BAe has agreed to sell 24 Hawk aircraft to Indonesia, for use against the people of East Timor.

Chris was arrested after an hour, after he had visited four buildings. The damage, according to the Crown Prosecution, is valued as at least 475,000. The total could well be twice that figure. The damage Chris has done may well have set back the European Fighter Aircraft Programme and the Hawk production process. This delay could well save many East Timorese lives and strengthen the case for cancellation of the deal.

Chris poured his own blood onto equipment in the Reinforced and Microwave Plastics building where all BAe missiles and aircraft are made. After his arrest, his Oxford home was raided by the police who took away many of his belongings.

Chris was wearing a white coat with "BAe Bomb Disposal" written on the back and had a BAe-style identity card on it

saying, "Chris Cole Disarmer." He left a statement at the site which linked his actions to the Christian feast of the Epiphany on 6 January. He wrote: "The Epiphany remembers when three men presented gifts to the infant Jesus. My gift of disarmament is for all infants who are threatened by BAe weapons, from Northern Ireland to East Timor."

SECRET HAWK AIRCRAFT DEAL CONCLUDED WITH INDONESIA

TAPOL, the Indonesia Human Rights Campaign, issued the following Press Release today, 15 January 1993:

After months of evasion and deceit, it is now possible to confirm that British Aerospace has effectively concluded a deal to sell 24 Hawk aircraft to Indonesia. A second deal for 20 more Hawks will be signed before the end of this month; Indonesia announced earlier this month that it intends to purchase no fewer than 144 Hawk aircraft to equip six squadrons of 24 aircraft each. Despite categorical denials from Britain Aerospace today, TAPOL is convinced that the deal has already been finalised.

The secrecy shrouding this deal is proof that both the company and the British Government know how sensitive it is and have deliberately sought to mislead the public and avoid protest. The deal makes the UK Indonesia's leading arms supplier, bolstering the war machine of a regime that has illegally occupied East Timor since 1975, in defiance of ten UN resolutions adopted by both the General Assembly and Security Council. The Indonesian armed forces are also waging operations against armed resistance in West Papua and in Aceh, North Sumatra. In the latter region, several thousand people have been killed in operations since 1990.

In November 1991, Indonesia troops opened fire on peaceful demonstrators in Dili, East Timor, killing over 270 people and wounding hundreds more.

A minister at the Defence Ministry claimed in Parliament this week that "Hawk aircraft can do nothing to suppress the people of East Timor." This amounts to a monstrous deception. As Jane's Defence Weekly confirmed [9 January 1993], each squadron will be supplied with two-seat trainers and single-seat Hawks to provide reconnaissance and close cover for troops. With military operations under way in so many parts of the country, the role of aerial reconnaissance is clearly crucial.

Speculation that a deal was concluded began last September when Indonesia's air

force chief-of-staff, Air Vice Marshal Siboen, announced that he signed the deal at the time of the Farnborough Air Show last September. British Aerospace denied this and told TAPOL that this was a Memorandum of Understanding regarding training facilities only. On 27 October, the Minister for Defence Procurement, Jonathan Aitken, told George Foulkes MP that the training facilities under the terms of the MoU would "only become valid if a contract for the sale is concluded." Siboen said on 30 December that "12 Indonesian pilots and mechanics to crew the aircraft have undergone intensive training in Britain." It has also been confirmed by industry sources in the UK that Indonesian technicians have indeed been training here already for some time.

At an average price of \$11 million, 144 Hawk aircraft will cost Indonesia well over \$1.5 billion.

TAPOL has protested vigorously to the British Government for allowing this deal to go ahead. It condemns the secrecy that has prevented the public from knowing anything about this decision. This is particularly contemptible at a time when the government is engaged in military operations against Iraq on the grounds that UN resolutions are being violated. TAPOL calls on politicians and non-governmental organisations to join in roundly condemning this deal.

INDONESIAN NAVY GETS 39 GERMAN WARSHIPS IN APRIL

JAKARTA, Jan 17, Reuter

The Indonesian navy is to take delivery of 39 aging former East German vessels in April, including corvettes and minesweepers, Antara news agency reported on Sunday.

Antara quoted Rear Admiral Tanto Koeswanto as saying the consignment would also include 14 Landing Ship Transports (LSTs).

Foreign defence analysts in Jakarta say the ships will allow the Indonesian navy to play a more effective role in the waters around the archipelago.

JAKARTA TO BUY 42 GERMAN WARSHIPS

AFP, Bonn, Feb. 3 - Indonesia is to get 39 frigates, minesweepers and coastguard vessels and three submarines from the arsenal of former East Germany, government sources said Wednesday.

Authorisation for the deal was given last year by a top-secret government panel, opening the way for Chancellor Helmut Kohl to make the official announcement

when he visits Jakarta from February 24 and 26, they said.

Only last week, the panel, the Federal Security Council, blocked Taiwan from buying 20 German submarines and corvettes, contending that the island lies in a "region of tension" but also worrying that the deal would trigger China's hostility.

But the sources said Indonesia was given the green light because it is a member of the pro-western Association of Southeast Asian Nations (ASEAN), which enjoys similar status to NATO under Germany's arms control laws.

It also has a long coastline to protect, especially from marauding bands of pirates, the council ruled.

But, because of Indonesia's controversial rule over the former colony of East Timor, the deal deliberately excludes material that could be used by land forces, it said.

Germany inherited an enormous stock of ships, aircraft, guns and munitions from the former People's National Army (NVA), which dissolved upon unification on October 3 1990.

Getting rid of the arsenal is proving to be a growing political headache. Germany is bound by its laws not to deliver weapons outside the North Atlantic Treaty Organisation (NATO) if the client lies in a "region of tension."

But countries that are pro-western or members of a pro-western alliance, such as Australia or Switzerland, usually get authorisation.

The Social Democratic Party (SPD) reacted angrily to the news Wednesday. Its spokesman on security affairs, Norbert Gansel, attacked Kohl's "profligate weapons policy" and said Indonesia should not get any military encouragement after its involvement in East Timor.

Kohl's stop in Indonesia is part of a 13-day swing through Asia - his biggest foreign foray since unification - that includes India, Japan and South Korea.

IHT: INDONESIA TO ACQUIRE ONE-THIRD OF FORMER EAST GERMAN NAVY

International Herald Tribune, Feb. 5, 1993

By Michael Richardson

(Singapore) Indonesia will buy nearly a third of the former East German Navy, in a move that will improve its defenses but not disturb the military balance in the region.

A spokesman for the Indonesian armed forces in Jakarta said Thursday that his country would acquire 39 East German frigates, landing ships and minesweepers from Germany as well as three new submarines that Germany is building on order.

The vessels will improve Indonesian security in the face of a buildup of Chinese forces in the South China Sea. For Bonn, the sale is a way of getting rid of surplus arms while cementing good relations and securing business contracts with the fourth-most-populous nation.

The transaction is the latest purchase - either concluded or contemplated - by Asian countries seeking cut-rate arms now in plentiful supply from countries of the former Soviet bloc.

Reports of the transaction prompted immediate criticism in Germany from the Social Democratic Party, the main opposition group. Norbert Gansel, party spokesman on security affairs, attacked what he called Chancellor Helmut Kohl's "profligate weapons policy" and said that Indonesia should not get any military encouragement because of its East Timor policy.

Indonesia invaded East Timor, a Portuguese colony, in 1975 and annexed it the following year. The United Nations has not recognized the takeover of the territory, which is under tight military control.

Western diplomats said the sale also touches on controversy because it raises questions about German arms export laws, which forbid delivery of weapons outside the North Atlantic Treaty Organization if the purchasing country is in "region of tension."

Only last week, the Federal Security Council, a panel of senior ministers headed by Mr. Kohl, blocked Taiwan from buying 20 German submarines and frigates valued at \$7.5 billion because of tension between the island and China.

Government sources in Bonn said that the council approved the sale to Indonesia because it is a member of the pro-Western Association of South East Asian Nations, which enjoys similar status to NATO under Germany's arms control laws, Agence France-Presse reported.

The sale price was not disclosed, but Andrew Mack, professor of international relations at the Australian National University in Canberra, said he was sure that Indonesia was acquiring the East German ships at "absolute bargain prices."

He added, "They will get a relatively large navy for a relatively small number of dollars."

Bonn inherited an arsenal of Soviet-bloc ships, aircraft, guns and munitions when East Germany was united with the West in October 1990. Similarly, the collapse of communism in the Soviet Union and Eastern Europe created an enormous pool of surplus weapons.

A number of countries in Asia, including China, India and Malaysia, are looking to Russia as a major supplier of low-cost arms.

South Korea, the Philippines, Taiwan and Indonesia also have shown some interest in Russian weapons. Pakistan is negotiating the purchase of 320 T-72 tanks from Poland.

Desmond Ball, an analyst at the Strategic and Defense Studies Center at the Australian National University in Canberra, said that whereas Cold War politics and alliance relationships once meant that the United States was the major arms supplier to the nonsocialist states, "cost is now a more critical variable than politics" for a number of countries in Asia.

Malaysia is reported to be close to a decision to buy 24 to 30 MiG-29 fighter aircraft and 6 Hind helicopter gunships from Russia in a deal valued at more than \$500 million.

In an attempt to dissuade the Malaysians, teams from McDonnell Douglas Corp. and General Dynamics Corp. were in Kuala Lumpur on Thursday for talks with Defense Minister Najib Razak. McDonnell Douglas is trying to sell its F/A-18 multirole fighters, while General Dynamics was promoting its F-16 fighters.

The Malaysian defense minister said recently that Russia had offered to supply its most sophisticated aircraft, engines, avionics and missiles at substantially cheaper prices than those of their Western counterparts.

Derek da Cunha, a fellow at the Institute of Southeast Asian Studies in Singapore, said that some of these weapons were "very good value" and could fulfill the military roles required by Asian nations. He said that Asian interest in former Soviet bloc weapons was forcing Western arms suppliers to become more competitive.

Asia is one of the few growth areas in the world for military exports.

PROTEST IN GERMANY ABOUT WARSHIPS SALE

AFP 3 February and BBC World Service 4 February 1993.

The Social Democratic Party in Germany has reacted angrily to the news that Germany is to supply Indonesia with 39 warships from the navy of the former German Democratic Republic. According to AFP from Bonn on 3 February, the SDP spokesman on security affairs, Norbert Gansel attacked the German government's "profligate weapons policy," saying Indonesia should not get any military support because of its involvement in East Timor.

The deal is to be announced during the visit to Jakarta later this month of German Chancellor, Helmut Kohl. The deal was given the go-ahead by the Federal Security

Council which last week blocked Taiwan from purchasing 20 German submarines and corvettes because the island lies in a 'region of tension.'

Sources said the Indonesian deal had been given the go-ahead because it is a member of the pro-western ASEAN alliance. But because of Indonesia's occupation of East Timor, the deal excludes material that could be used by land forces. Germany is bound by law not to deliver weapons outside the NATO region to countries in a 'region of tension.'

BBC World Service, reporting the deal, said that the mothballed warships from the East German Navy would undergo considerable refurbishment and re-equipment with weaponry before being delivered to Indonesia. The deal also includes assistance to provide training for Indonesian personnel to operate the ships.

According to the BBC, Germany is also to supply Indonesia with three submarines. These deliveries will turn Indonesia into a major marine power in the Far East.

Helmut Kohl will be in Indonesia from 24 - 26 February as part of a 13-day trip through Asia taking him also to India, Japan and South Korea.

The following are my notes of the 7AM NHK radio news broadcast on Feb.4. Original language Japanese; my translation. Needless to say, this is very rough, but I think the gist is correct. Apologies for not knowing the German proper names!

— Jean Inglis

Germany has sold 42 naval vessels that belonged to the former East Germany, including 3 submarines, 9 minesweepers and 16 coast guard ships (?) to Indonesia.

In an announcement on Feb. 3, the German Government defended the sale on the grounds that Indonesia is a member of ASEAN and has close ties with the West. The vessels are to be used for clearing mines left in Indonesian waters since WWII and controlling pirates, etc.

The sale was approved last year by the (literal translation: German Federation Security Guarantee Council).

Germany is not permitted (German law does not permit?) to sell weapons to non-NATO countries involved in regional conflicts. The Social Democratic Party challenged the sale, citing Indonesia's conflict in East Timor.

Chancellor Kohl is expected to officially announce the sale during his visit to Indonesia from Feb. 24-26

SHIPS WON'T CHANGE STRATEGIC SITUATION

AFP, Jakarta, Feb. 4 - The probable purchase by Indonesia of 39 frigates from the arsenal of former East Germany and three new submarines will not alter the strategic situation in Asia, military experts said here Thursday.

"The naval balance will not be fundamentally altered," said one military expert "because Indonesia is a vast archipelago of more than 13,000 islands and these new boats will hardly meet the needs for patrolling and surveillance of national waters, let alone the Malacca Strait used by more than 1,000 vessels a day and where pirates are active."

He added that the current strength of the Indonesian navy was "insufficient both in terms of quality and numbers to carry out even minimal tasks."

According to the International Institute of Strategic Studies in London, the Indonesian navy comprises 42,000 men – including 12,000 marines – and 93 ships.

The former East German navy comprised 69 warships and 122 support craft.

The ships currently in service in Indonesia – including 17 frigates – are in a relatively dilapidated state when compared to those of the Malaysian, Singaporean and Australian navies.

"Indonesia would have to at least triple its current fleet to become a significant force," said the expert who asked not to be identified.

In September last year, the commander of Indonesia's eastern fleet, Admiral Tanto Kuswanto, announced that the navy was going to acquire part of the former East German navy, notably Parchim class corvettes and tank landing craft.

A German government source in Bonn confirmed Wednesday that the German authorities had given the green light to the deal, as well as the sale of three new U 209 submarines.

According to a well-informed source here, the deal will comprise two separate contracts.

The first will involve 39 surface ships, including three light frigates, minesweepers, coastguard vessels, tank landing craft and tugs.

All these second-hand ships, which have been disarmed, are to be given to Indonesia, which will, however, have to pay for their refitting and upgrading in German shipyards, the expert said.

The second contract involving three submarines is still under negotiation. Germany originally proposed a price of 230 million dollars each for three second hand U

209s, but is now understood to be offering three new U 209 models for 400 million dollars each.

However, Indonesia's military budget is limited and negotiations are currently under way for the purchase of some 40 Hawk training aircraft from Britain.

Consequently it is likely that only one or two of the submarines will be bought in the immediate future, even if Indonesia is offered preferential terms during German Chancellor Helmut Kohl's visit here later this month.

Even if Indonesia, which already has two U 209s, does buy the new submarines, they will merely serve a defensive role.

In fact the entire Indonesian fleet will remain under-equipped as "many of its older ships will be scrapped as the ships from the former East German fleet are brought into service," another military expert said.

 AFP, Singapore, Feb. 4 - Indonesia's planned purchase of 39 frigates, minesweepers and coastguard vessels from the arsenal of former East Germany and three new German-made submarines is unlikely to upset the strategic regional balance in Asia, political and strategic analysts said Thursday.

An official announcement of the deal is likely to come from Chancellor Helmut Kohl when he visits Jakarta from February 24 to 26, German government sources said Wednesday.

Analysts saw no reason for neighbouring countries to be alarmed by the deal. They viewed it as the upgrading of a navy which is seriously under-equipped for a nation which comprises more than 13,000 islands and stretches for 3,200 miles (5,120 miles) from east to west.

And the Australian government was "comfortable" with Indonesia's plans, a spokesman for Defence Minister Robert Ray said in Canberra Thursday.

He said the "purchase has absolutely no implications for Australia – they are very old vessels and we are fully aware of what they are doing."

Mak Joo Yam, senior military analyst at Malaysia's Institute of Strategic and International Studies, described the deal as an "interim measure" which had been expected. The vessels are currently being fitted and modified for tropical operations, he said.

"We should feel encouraged that Indonesia is at last able to have an effective patrol crew that could help Malaysia and Singapore keep vigil in the Malacca Strait that has become a hot-bed for pirates," he said.

Germany said one of the reasons it approved the sale was to help Indonesia combat piracy off its shores.

Mak Joo Yam said the deal was not meant to project power but to improve Indonesia's surveillance and patrol capability.

Derek da Cunha, defence analyst at Singapore's Institute of Southeast Asian Studies said that in those terms "it is not even sufficient."

Da Cunha said there would be no "knee-jerk reaction" to the deal. "It is not the way southeast Asian countries operate." Malaysia and Singapore were already upgrading their navies, he added.

Other analysts classified the deal as part of the ongoing militarisation of southeast Asia to fill a power vacuum left by the United States regional rundown and perceived threat from a more expansive China.

Ron Stidmon, strategic analyst with the Hong Kong-based Political and Economic Risk Consultancy, said China had been building up its fleet and it was only a question of time before it purchased an aircraft carrier to extend its power at sea. "It is the only way for China to go," he said.

There have been persistent reports that China is about to purchase an aircraft carrier from Russia.

He thought Indonesia was probably getting a bargain in the German deal, even though the second hand vessels would be far from state of the art.

Bargain basement prices have already encouraged some Asian countries to consider purchasing Russian high-technology arms, including fighter aircraft.

Malaysia is said to be considering buying Mig-29 Fulcrum air superiority fighters and China has already purchased long-range Sukhoi Su-27 Flanker jets which it plans to station in the south of the country.

Taiwan, on the other hand, is opting for French-built Mirage 2005 jets and U.S. F-16s to modernise its air force.

DETAILS ON SHIPS

AFP, Bonn, Feb. 4 - Germany is to build three submarines for Indonesia and will sell it 39 ships from the arsenal of former East Germany, the defence ministry confirmed Thursday.

The three submarines, of the 1,300-tonne diesel-electric Type-209, will be built, a ministry spokesman said, reversing reports Wednesday that the submarines would be drawn from the stocks of the National People's Army (NVA).

He said he was unable to reveal the price of the submarine deal or of the 39 NVA ships, which comprise 16 small corvettes of the "Parchim" class, 12 landing ships, two

supply ships and nine minesweepers in the "Condor-2" class, the spokesman said.

The landing ships and supply ships "will be partially demilitarised," he said, explaining that cannon and fire-control radar will be removed before those vessels are handed to the Indonesians.

Indonesian crews will be sent to Germany in the coming months to become acquainted with the vessels, he said.

The decision to sell the ships and submarines was taken last year by the top-secret Federal Security Council, a panel of ministers led by Chancellor Helmut Kohl.

The move was revealed by government sources less than a week after the council ruled against selling 20 warships and submarines to Taiwan, contending that the island was in a "region of tension."

But it was also afraid of economic and diplomatic retaliation from China, German government sources said.

Indonesia got the go-ahead because it is a member of the Association of South East Asian Nations (ASEAN), a pro-Western alliance that enjoys parallel status to the North Atlantic Treaty Organisation (NATO) under Germany's arms-control laws.

The council also took into consideration Indonesia's problems in patrolling its waters, especially in the light of growing piracy, the sources said.

But no authorisation was given to any terrestrial equipment, as it could be used to strengthen Indonesia's armed forces in the former colony of East Timor.

HUMAN RIGHTS COMMISSION MEETS IN GENEVA

HUMAN RIGHTS: THIRD WORLD SEEKS TO REASSERT ITS UN ROLE

Geneva, Feb. 1 (ips/victor ego Ducrot) - over 20 third world NGOs want the right to development, protection of indigenous populations and repressive regimes governing many developing countries to feature on the agenda of united nations debates.

"We cannot accept the fact that the industrialised countries are able to ignore the problems of the third world," stated Tunisian Fawzi Mellah, a member of the Association for Human Rights in Muslim Countries who was speaking at the UN human rights commission which started here Monday.

Argentinean Alejandro Teitelboim, of the American Lawyers Association (ALA), said

that the united states and the European community want to reduce the human rights dilemma to a simple issue of democratic elections.

"The Third World, on the other hand, must find a solution for the lack of real democracy, that is, an end to military and political repression, the lack of jobs and development, the inhuman conditions in which marginalised children live. in short, for the consequences of neo-liberal economic policies," he added.

A report written by the Swiss humanitarian militant Verena Graf, said that the UN "cannot ignore the famine and violence in Africa, the Palestinian question and the drama of the international embargo against Iraq."

the document raises issues such as the violation of human rights in Colombia, Peru, Haiti and other Latin American and Caribbean countries. the tragic situation of "the street children" in the third world should also be addressed as well as indigenous populations.

"We want the Geneva commission and the next world conference on human rights, to be held in Geneva in June, to be dedicated to development and the problems of the third world," Graf stressed.

The 49th round in the ordinary meetings of the UN human rights commission will end on march 12.

The assistant secretary general of the UN for human rights, French representative Antoine Blanca, opened the meeting and called on the international community to treat economic, social and cultural rights, as "a fundamental part of human rights."

According to Teitelboim, this statement from Blanca is "essential" because the industrialised countries, particularly the united states, refuse to give the "right to development" the same weight as the traditional political rights.

US TO RAISE TIMOR ISSUE IN GENEVA

AFP, Geneva, Feb. 8 - The United States is pushing for atrocities by Serbs in Bosnia-Herzegovina, notably rape and ethnic cleansing, to be condemned by the UN human rights commission, U.S. representatives said here Monday.

"There is mounting evidence that the pervasive rape of Bosnian Moslem women has been carried out in an organised or systematic way at the direction of senior military officers, and possibly, political leaders," ambassador Richard Blackwell told reporters here at the outset of the commission session.

He added however that the U.S. administration had been unable to prove that the majority of assaults had been committed on orders from Serbian officers or directed by Serbian political leaders in Bosnia and Belgrade.

The Serbs are also accused of forcing entire Moslem and Croat communities from their homes, in a practice known as ethnic cleansing.

Ambassador Richard Schifter, named by U.S. President Bill Clinton to head the U.S. delegation to the commission, said Washington intended to seek the condemnation of all those responsible for war crimes in Bosnia – Serbs, Croat and Moslem.

Asked about the number of women systematically raped by Serbs in the former Yugoslav republic, Blackwell noted that a European Community report had mentioned 20,000 while the Sarajevo authorities claimed from 30,000 to 50,000 victims.

He called for a "complete investigation" into the reports of rape and sexual abuses in Bosnia by the Serb forces, "to see if we can identify those commanders responsible."

Blackwell also announced that his country would put up 500,000 dollars to contribute to the mission of the UN special investigator on human rights abuses in former Yugoslavia, Tadeusz Mazowiecki.

The former Polish prime minister is to attend the UN commission's discussion on former Yugoslavia on Tuesday and Wednesday.

Turning to other issues, Schifter denied that Washington had watered down a E.C.-drafted resolution by the commission last year criticising China's human rights record in Tibet, as some observers here had suggested.

"It is incorrect to say the U.S. softened a resolution last year. ... We are concerned about human rights in the whole of China," he said.

He added that the United States would seek a joint text this year with other democracies on China's actions in Tibet, and on Indonesia's crackdown in East Timor.

On Cuba, Blackwell said Washington remained deeply concerned about the situation in the communist-ruled island, adding that Cuban authorities had shown no sign of cooperating with a special UN envoy on human rights.

The U.S. delegation stressed that the Clinton policy on human rights would continue that of former U.S. president George Bush although "on some specific items there may be some shifts."

TAPOL ANALYSIS

According to an AFP report from Geneva on 8 February, the US delegation at the UN

Human Rights Commission now meeting there will support a joint text on Indonesia's crackdown in East Timor. The US will also support a joint text on the situation in Tibet.

At present, the Commission is concentrating attention on the human rights situation in Bosnia, in particular ethnic cleansing and mass rape of Muslim women.

The willingness to support a joint text on East Timor signifies a shift in the US position under the Clinton Administration. East Timor and Tibet were both intensively discussed at last year's Commission meeting but in neither case were resolutions tabled. Tibet was scuppered altogether whereas East Timor had to make do with a watery consensus statement by the chair of the Commission.

The shift in the US position is likely to strengthen the chances of a resolution being adopted on East Timor.

According to the BBC World Service last week, Indonesia - which won a position on the Commission in 1991 - was elected as one of the deputy presidents of this year's session. Indonesia had lobbied hard for this. The sessions are chaired by chairperson or vice-chairpersons, not president and deputy-presidents but the latter functionaries play in role in the general running of the Commission, so Indonesia may try to influence procedures at this level.

ETAN/CANADA NEWS RELEASE ON UNHRC

8 February 1993

TORONTO – The United Nations Commission on Human Rights has betrayed its own principles by electing one of the globe's top human rights abusers to a high position at its annual session in Geneva, a Canadian monitoring group has charged.

Indonesia was elected to the position of vice-president of the 30-member Commission, which has just opened its 49th session. That marks a fundamental betrayal of the commission's purpose, according to the East Timor Alert Network (ETAN).

"The Indonesian government is guilty of genocide against the people of East Timor, which it invaded in 1975," said Barnabé Barreto Soares, an East Timorese refugee now living in Toronto. "It has killed 250,000 Timorese and hundreds of thousands of West Papuans and Indonesians. It is hypocritical for Indonesia to talk about human rights."

Mr. Barreto Soares will testify at the Commission's hearings in Geneva later this month.

ETAN spokesperson David Webster said: "The UN Human Rights

Commission's special rapporteur has said that torture is routine in Indonesia. Amnesty International and other human rights groups have documented thousands of cases of torture, imprisonment of political prisoners, extra-judicial executions, and every form of human rights abuse imaginable. Indonesia should be called up on the carpet in Geneva, not allowed to sit in judgment on other countries."

Canadian ambassador Anne Park is head of the Western group at the Commission this year.

"Last year Canada helped to water down a European Community resolution on East Timor," Webster said. "Ms Park must do better this year."

Last year, Indonesia agreed to a consensus declaration at the Human Rights Commission that called for improved human rights in East Timor and access to be granted for international human rights groups.

Neither condition has been met. Amnesty International was prevented from visiting East Timor, most recently when a representative was banned from the trial of East Timor resistance leader Xanana Gusmão which opened on Feb. 1. ETAN sources report that more than 1,000 people have been arrested in East Timor recently, and repression in the territory is at its highest level in years.

ETAN calls on Canada to speak out strongly at the UN Human Rights Commission for human rights in East Timor and Indonesia. Indonesia's position as vice-president of the commission should not be allowed to stand in the way of a strong resolution against its abuses of human rights in occupied East Timor. As a minimum, Indonesia must be held to the resolution it agreed to last year.

The East Timor Alert Network is a national solidarity organization founded in 1987 by the Canadian Council of Churches. It has local groups in four provinces: British Columbia, Alberta, Ontario and Quebec, and members across Canada.

CNRM "EYE IN GENEVA" #1

Wednesday 10 February 1993

For up to the minute reports from CNRM at the 49th session of the UN Commission on Human Rights in Geneva. Feb./March 1993.

Ola!

Welcome to the first Update from this year's session of the UN Commission on Human Rights in Geneva. The aim to keep all East Timorese, their friends and supporters up to date on the East Timorese progress at the Commission, and to occasionally ask for your help. Health and e-mail

allowing, we hope to produce the Update every couple of days.

So here is the latest:

Jose Ramos Horta (hereafter JRH) arrived from Sydney on Sunday 7 February, leaving a summer on the beach for a cold grey winter in Geneva.

Hotfoot off the plane, he met with the Portuguese mission to the UN and Alessandra Aula (Consultant for Human Rights, lobbying for East Timor). The Commission began a week earlier and this meeting, apart from updating him on developments, allowed JRH to assess the mood of the Commission and any early signs on the general feeling towards East Timor.

Tapol of London, and I quote (!), "most graciously sent a most gracious assistant, Rachel Munroe (No relation to Marilyn!)" to help JRH for a few weeks at the Commission. Rachel will be liaising with others to provide these regular updates on the work here.

As happened last year, we will probably call on you to take actions/initiatives in respect of countries or regions in terms of lobbying your governments at home. As you know, the work here is not isolated from the politics all over the world, so your own input through lobbying the government and media is important.

Hopes for a Resolution

At this stage, we have not decided on a draft resolution. However, the EC group has agreed, in principle, to sponsor a draft resolution on East Timor.

There is some optimism regarding a resolution on East Timor. But it is too early and too premature for us to make a guess since it all depends on the content of the draft and Indonesia is definitely prepared to fight every step of the way.

No change on the US mission

A crucial test for the US administration's policies on East Timor will be in this Commission. So far, the people dealing with the Commission are exactly the same as those who served the Republicans: Richard Schifter (former Assistant Secretary for Human Rights and Humanitarian Aid under Bush: 1987 - 1992) and Ambassador Kenneth Blackwell, a political appointee under Bush (he was a research fellow at the Heritage Foundation in Washington the most conservative think-tank you can conceive of).

That the Clinton administration has not found other people more in tune with his professed human rights commitment to represent the US in the Commission, is certainly not a very good sign.

STOP PRESS:

Tapol once again beat the rest of us to the news. Despite us being here and Tapol being there, the news that Ambassador Richard Schifter would seek a joint text this year with other democracies on China's actions in Tibet and Indonesia's crackdown on East Timor was released by Tapol, surprising everyone in Geneva. Anyway, whatever that proves, it is an important thrust for lobbying on the question of East Timor here.

NGOs speak out for East Timor

Item 9 of the Agenda, which deals with the right to self-determination, was an important place for cases such as East Timor to be raised. Many NGOs raised the question of East Timor. Fedefam (Latin American Federation of Associations of Relatives of Disappeared Detainees) gave the floor to Alessandra Aula who clearly and forcefully presented the case of East Timor, its worsening human rights situation at the hands of the Indonesian regime and the continued intransigence of the Indonesian government in the peace process.

The World Organisation Against Torture, World Federation of Trade Unions, Fondation Danielle Mitterand, American Association of Jurist, Pax Christi, International Indian Treaty Council and the International League for the Rights and Liberation of Peoples also raised East Timor on their lists of concerns alongside Tibet, Kashmir, Western Sahara, Palestine and Sudan to name but a small few. Considering the distressingly long list of countries discussed, East Timor was amongst the forerunners.

Portuguese speak out for East Timor

At the beginning of Item 9 both Portugal and Indonesia gave statements on East Timor and, after the NGO presentations, they both hit out at each other in their respective rights of reply.

Portugal, through its Ambassador to the UN, Zozimo da Silva, once more refuted Indonesia's integration claims, admitted Portugal's responsibility for East Timorese history and claimed both a moral and a legal obligation to fight for the rights of the East Timorese people. Responding to an Indonesian claim that most East Timorese wanted integration with Indonesia, the Ambassador said "If [this is so], why then doesn't the Indonesian government allow a referendum ...?"

The Indonesian puppet East Timorese replied by quoting the words of Queen Elizabeth II (!). She, according to this ex-East Timorese, said the "those who failed to reach perfection are often the harshest in criticising." Ignoring Portugal's admission

of colonial guilt, this puppet admitted that the entry in the 1970s by Indonesia was not perfect.

Our digest is too great to give such rubbish any more space in this update.

That's all for now...

RM, ET Eye in Geneva, February 1993.

BACKGROUNDER: EAST TIMOR AT THE UN HUMAN RIGHTS COMMISSION

From TAPOL, 12 Feb. 1993

The issue of East Timor can be raised under various items of the agenda of the Commission meeting. However, the campaign to persuade the UN Human Rights Commission (UNHCR) to adopt a resolution at its current session condemning Indonesia because of the human rights situation in East Timor will occur under Item 12 of the agenda. This Item which is entitled: "Question of the violation of human rights and fundamental freedoms in any part of the world, with particular reference to colonial and other dependent countries and territories," will be discussed on four days, February 24 and 25, and March 1 and 2. Point (n) of Item 12 makes a specific reference to East Timor: "Report of the Secretary-General on East Timor (statement agreed by consensus by the Commission, made by the Chairman on 4 March 1992)." Voting on resolutions under Item 12 is scheduled for Tuesday 9 March, during the last week of the session.

The Consensus Statement of the Chair at last year's Commission was a compromise reached when a bitterly-fought struggle to have the Commission adopt a resolution condemning Indonesia was defeated by intense lobbying by Indonesia assisted by Australia. The Consensus Statement reads as follows:

"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 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 the number of people 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 that 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 clarification of 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 forward 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 48th session of the Commission."

Events since last year show that the Consensus Statement has had no impact whatever on the situation in East Timor. Failure to achieve anything by this compromise is a powerful argument to be used with those who wavered last year that there should be no further talk of compromise and that nothing less than a resolution condemning Indonesia will do. It is likely that much of the debate and lobbying will centre around the ineffectiveness of last year's decision.

- TAPOL

PORTUGAL AND NGOS AT THE UN SLAM INDONESIA OVER EAST TIMOR

Press Release from the CNRM, Geneva (full text) 11 February, 1993

"With an escalation of terror inside the country, the people of East Timor are confronted with living in one of the worst periods of their history since the Indonesian invasion in 1975."

This was just one of the many statements made by NGOs to the Commission on Human Rights, meeting in its 49th session in Geneva, as it discussed the right to self-determination: one of the central planks of the East Timorese struggle.

Nine NGOs spoke of the denial of this basic human right to the East Timorese people. Pax Christi lamented how "few things illustrate more vividly the inadvisability of attempting to separate the right to self-determination from other human rights, than the arrest and trial of Xanana Gusmão in Dili... Violations of human rights in East Timor, as in many other places, are a direct consequence of the violation of the right to self-determination."

NGOs called on the Commission to urge the Indonesian authorities to put an end to human rights abuses, to the use of torture and ill-treatment and to respect the right to self-determination of the Timorese people. An immediate withdrawal of Indonesian troops and the holding of a referendum in East Timor under UN auspices as well as an arms embargo, were amongst the calls made, particularly by the Danielle Mitterand Foundation.

The Portuguese government joined NGOs in the call for a referendum in East Timor. Commenting on the "brutal invasion by the Indonesian forces," Mr. Zozimo Da Silva, the Portuguese Ambassador, challenged the Indonesian government: if the people of East Timor were so in favour of integration with Indonesia he asked, then "why doesn't the Indonesian government allow a referendum to be conducted in the democratic way under the supervision of the United Nations?"

That the Indonesian government have blatantly violated the right of the East Timorese to self-determination in the face of ten UN resolutions should come as no surprise to the UN. East Timor has been raised many times before this august body. However the right to self-determination still "seems to be unknown by the Indonesian authorities" remarked Fedefam, the Latin American Federation for the Associations of Relatives of the Disappeared Detainees.

The Indonesian governments disrespect for the Timorese was clearly revealed by the

Santa Cruz Massacre in November 1991. The World Organisation Against Torture reiterated the death toll of 273, with 255 missing and 376 wounded. Most of those killed were children and teenagers. At the time, the Indonesian military claimed only 19 were killed.

During the seventeen years of their occupation of East Timor, the Indonesian forces of occupation have perpetrated "genocide threatening the survival of the Timorese people who have seen 40% of their population disappear" (Danielle Mitterand Foundation). This view was loudly echoed by the American Association of Jurists and the International Indian Treaty Council, who expressed their horror that "Jakarta ... responds to the East Timorese claims for independence through ... a genocidal policy aimed at their annihilation."

The Commission was assured that the East Timorese continued to be willing to engage in constructive dialogue without preconditions under UN auspices; a willingness often reiterated by Jose Ramos Horta, Special Representative for the CNRM.

For further information contact Alessandra AULA (41-2-700-0693) or Rachel MUNRO (41-22-734-3859)

CNRM "EYE IN GENEVA" #2

12 February 1993

Ola!

Welcome to the Second Update from this year's session of the UN Commission on Human Rights in Geneva. The aim to keep all East Timorese, their friends and supporters up to date on the East Timorese progress at the Commission, and to occasionally ask for your help. Health and e-mail allowing, we hope to produce the Update every couple of days.

Guarded hopes for the US

The US's positive noises on East Timor (seeking a joint text/resolution with other democracies on Indonesia's crackdown on East Timor) is still the major news this week for East Timor. The other news is that Tapol released the news before anyone in Geneva even knew about it (aside from the Americans, presumably).

It is too early to guess what the US position will be. It will certainly not be hostile but, as Jose Ramos Horta (JRH) pointed out, let's keep in mind that there has been no change of mind in the state department at middle level. Although Secretary of State Warren Christopher has made some encouraging remarks about East Timor, there is no draft resolution in sight as yet.

The resolution has been considered in the foreign ministry in Lisbon and then it is of course subject to negotiations and consensus within the European community. We do not know how far the EC is prepared to push but JRH is certainly "not too sanguine about having the EC endorsing a draft that would be totally acceptable to us."

Our line of attack and argument remains: Indonesia has in no way lived up to its commitments which are contained in the consensus statement of the chair from the 48th session of the Commission on Human Rights.

Lobbying activities

At this stage, we have been focusing heavily on the African group, hoping to secure at least half their votes: important because they represent the largest group in the Commission.

Alessandra Aula (CNRM Assistant and UN consultant) has been constantly lobbying the Latin American group and we have left the Portuguese to deal with the Europeans.

East Timorese join the fray

A reasonably large contingent of East Timorese will be here in week or so to testify under item 12: violations of human rights worldwide, under which East Timor is listed for discussion in the official agenda. Abé Barreto is coming over from Canada, Constancio Pinto from Portugal, Jose Amorim from Holland and another East Timorese eye witness who fled from Indonesia very recently.

Reception plans!

We are hoping to have a major luncheon and briefing on East Timor on 24 February, to coincide with the start of the Commission's discussions of item 12.

That's all for now... RM, ET eye, Geneva.

DEVELOPMENTS IN THE U.S.

ETAN/US NETWORK NEWS

Issue #4, January 1993
*Newsletter of the East Timor Action
Network/US*

XANANA GUSMÃO CAPTURED

Repression increases, but the struggle continues

On November 20, the Indonesian military captured Timorese resistance leader Jose Alexandre (Xanana) Gusmão in Dili. In the following few days, they rounded up dozens of his friends and family members,

aged from 13 to 74. For the first ten days, all were held incommunicado in secret locations, subject to unspeakable threats, drugs, and torture.

As the Indonesian crackdown in East Timor continued, the increased violence and disinformation emanating from Jakarta was met by worldwide calls for the prisoners to be treated in accordance with Indonesian and international law - no torture, access to attorneys of their own choosing, etc. Portuguese President Mario Soares called on Indonesia to release Xanana, and offered him asylum.

After ten days, his military captors put Xanana on television, for a "cordial breakfast chat." His interviewer/translator was Abilio Osorio Soares, the Indonesian-appointed governor of East Timor, who has publicly expressed regret that the army didn't shoot down hundreds more when they killed 273 in the cold-blooded Santa Cruz massacre in 1991. In the interview, Xanana renounced the East Timorese struggle, supported the integration of East Timor into Indonesia, and called on his former colleagues in the Timorese underground to surrender.

Xanana's startling about-face had little credibility outside Indonesia. Instead, it provoked international outcries against mistreatment of himself and his family. "Sorry, but we're not that stupid," said Mario Carrascalao, who served as governor of East Timor for 10 years before leaving office in September, quoted in the *Washington Post*. "I am against Fretilin, but when I saw that statement, I was ashamed as a Timorese. It was an insult to my intelligence as a Timorese."

Psychologists and people who know Xanana personally viewed the videotape of the interview and concluded that Xanana has not internalized what he was saying, that there are clear signs that he had been tortured.

The Red Cross was finally allowed to visit Xanana on December 7. After that, Indonesian police made him available to selected journalists under strict military supervision and censorship. According to Portuguese TSF reporter João Gabriel, who met with Xanana (and 30 ABRI officers) on December 10, the rebel leader covertly made it clear that he still supports the struggle for Timorese independence.

The state-influenced Indonesian media has let loose a flood of fabrications about Xanana and the reputed collapse of the Timorese resistance, including forged letters, purportedly written by Xanana and widely distributed by the occupying forces in East Timor. The short version of the letter, addressed "to all fighters," reads:

"As you all know, I was captured on 20 November 1992. I admit now that we have lost the war. Consequently, unite with the Indonesian officers. After careful thought, I ask you all to surrender to the nearest ABRI post. Don't waste this chance."

The Indonesian press has been filled with stories of guerrillas turning themselves in, totaling far more people than the Indonesians ever admitted were in the so-called "security disrupters." Although the *Jawa Pos* newspaper reported that Bishop Belo had prepared a letter urging guerrillas to surrender, the Catholic prelate was quoted in a Portuguese newspaper:

"This is a question of conscience for each individual, isn't it? To call on people to surrender and then kill them all. How could the church take responsibility for that? Each person is responsible for their own survival."

According to TAPOL, however, the reported surrenders are mass arrests, if they happened at all.

Notwithstanding this propaganda, the struggle continues. In Xanana's absence, Mau Huno (Antonio João Gomes da Costa) has assumed the leadership of the unified resistance and confirmed the ongoing military and diplomatic campaign for East Timorese independence, including Jose Ramos Horta as Special Representative of the CNRM.

Numerous communications from inside East Timor speak of greatly increased repression. One reliable source, relayed by Tapol on January 6, described widespread arrests and fear, even among people who did not support the underground. They gave some specific examples:

"Some members of underground organizations who 'surrendered' in Baucau and who were then ordered to go into the bush to hunt down guerrillas have since been killed by Indonesian soldiers because they failed to capture anyone. They were given two alternatives to test the sincerity of their surrender: they would stay alive if they captured rebels or be killed if they captured no-one.

"Operations by the military have reached a new peak of ferocity, forcing people to take oaths [sworn in blood to support Indonesia], all of which is carefully recorded. Youths, especially young girls, are being compelled to attend dance parties held by soldiers all over the country. No one dares to refuse or to protest as everyone is very afraid. "Things are far worse now than they were in 1975. We fervently hope that you will disseminate this information without mentioning the source. The situation in East Timor is dire; we sorely need intervention from the UN."

ETAN/US has been distributing an Action Alert to protest the treatment of Xanana and others arrested. Congressman Tony Hall, the Washington Post, human rights and legal organizations, and many other U.S.-based groups have made strong statements. Amnesty International has put out nearly a dozen Urgent Action calls since November 20.

The resistance is more than one person, and the struggle continues.

ETAN/US PASSES FIRST YEAR

The November 1991 Santa Cruz massacre was the impetus for the formation of the East Timor Action Network/US. We are preparing an Annual Report for our first year of grassroots activity, and won't take up space here to describe it in detail.

The high point of 1992 was, of course, the Congressional cutoff of military aid to Indonesia. The year also saw a greatly increased level of awareness and activism in the United States on East Timor. Print and electronic media coverage greatly expanded, and many justice, peace and solidarity groups have moved East Timor higher on their activist agendas.

ETAN has distributed information in a variety of ways, supplied speakers and videos, and published over 1000 pages of documentary materials. We have lobbied in Congress and the United Nations, and put out many action alerts and information bulletins. We provided logistical and community support for Timorese and other non-Americans activists when they visit, and have arranged public meetings in cities from coast to coast.

As we enter our second year, we will do more the same, as well as some new projects, and hopefully have even more effect. We have over 500 contacts in more than half the states, people connected with a wide variety of organizations and constituencies. With a new administration coming to Washington, many (perhaps those outside the US more than here) believe that U.S. policy is about to change. Write President Clinton, Secretary of State Warren Christopher and your Senators and Representatives to help make it happen.

In 1993, we are organizing a national speaking tour of young Timorese activists (see below), lobbying the Clinton administration, and continuing to supply information and resources to Americans as they discover that the East Timorese people are still struggling. We will attend the international East Timor solidarity meeting in Amsterdam in February to discuss future plans, but we already know much of what we have to do in the "belly of the beast."

ETAN recently received a letter from CANVISTI, the underground Committee for

Nonviolence and Solidarity inside East Timor, thanking us for our activities and expressing concern about their own security. As we hear from the East Timorese diaspora in Portugal, Macao, Indonesia, Canada, Australia, Mozambique and elsewhere, and from solidarity activists in many countries, it is clear that people all over the globe are looking to the United States, and to ETAN/US, as key to ending their 17-year nightmare.

1993 is a crucial year. We need your involvement, and your financial support, to take advantage of the opportunity provided by changes in American awareness and administration. Please make a tax-deductible contribution payable to "WESPAC Foundation/ETAN" and mail it to ETAN/US. Thank you.

ANNIVERSARY OF DILI MASSACRE MARKED

November 12, 1992 was the first anniversary of the Santa Cruz massacre, where Indonesian troops murdered 273 peacefully protesting East Timorese people in cold blood. (ETAN/US can provide a list of those killed, wounded, arrested, or 'disappeared' on that fateful day.)

The anniversary was observed around the world, as people met to remember those killed at Santa Cruz and the 200,000 other Timorese who have died as a result of Indonesia's invasion and 17-year occupation.

In the United States, an interfaith memorial service was sponsored by the International Federation of NGOs for East Timor (organized by ETAN activists) at the United Nations Church Center in New York. About 50 people, including Nelson Santos of the National Council of Maubere Resistance (CNRM), Jose Luis Guterres of Fretilin and Portugal's new ambassador to the United Nations, joined in solemn prayer and reflection. In Los Angeles, a memorial screening of the Cold Blood video reminded university and community residents of the ongoing horrors of East Timor. In San Francisco, about 30 people picketed in front of the Indonesian Consulate, leafletting passers-by and reading the names of the victims by candlelight. The Consulate closed itself for the occasion. In addition, articles on East Timor were published in many college and community newspapers.

ETAN/San Francisco organizer Anne Treseder spent the anniversary in Lisbon, where she participated in masses, vigils, drama and demonstrations. In an article for the California-based *Jornal Portugese*, she described a hillside outside Lisbon:

"Students and others had planted 271 white crosses, each cross representing a Timorese killed by the Indonesian Army on

November 12, 1991. At the base of each cross was a candle. Just after midnight, in the early morning of November 12, we walked up the hill, lighting the candles one by one. A workman sweeping the streets nearby saw us, and, without a word, came and lit a candle. The hill was soon illuminated by candlelight. ... When I returned in the afternoon, I found that someone had come and put flowers on the crosses as well."

In her two weeks in Portugal, which included Xanana's capture, Anne met dozens of Timorese exiles. "Here I was, a citizen of a country that had turned its back on East Timor and had supplied the arms for the murder of a third of its people; and yet, I received only kindness."

CHOMSKY FILM IS OUTREACH OPPORTUNITY

Local activists around the U.S. have another opportunity to broaden their constituency and raise some money, as the new full-length documentary film *Manufacturing Consent: Noam Chomsky and the Media* begins its U.S. distribution.

Canadian co-producer Mark Achbar is eager to work with East Timor activists to promote the film and energize people on Timor. He is willing to hold benefits for ETAN, and would like us to help people know about the movie. East Timor is covered at length just before the intermission of the 165-minute documentary, providing a great opportunity for tabling to give out information and collect names and money.

Manufacturing Consent opened in Canada last summer and has been distributed there, but it will begin US showings early in 1993. Film Festival showings are scheduled in Palm Springs, Boston, and Chicago for the next few weeks, after which it will get broader distribution.

If you would like copies of some of the favorable reviews we have of the film, or are interested in trying to arrange or support a showing in your community, contact Jay Holmes at 212-289-9635 (jholmes@igc.apc.org) or Eleanor Hoffman at 914-235-1797.

TIMORESE SPEAKING TOUR HERE IN APRIL

This is a great chance to reach new people!

In April, 1993, six young East Timorese exiles will visit the United States and Canada on a three-week speaking tour initiated by the East Timor Talks Campaign in Melbourne and the Timorese Association of Victoria (Australia). We are working out their schedule, which we expect to cover at minimum Northern and Southern California,

the Northwest, the Midwest, New York, Washington DC, New England and Canada.

If you would like some of them to visit your community, and can help arrange an event (honorary desired but not required), please contact Richard Koch at 908-542-6275 or rrk@hoqaa.att.com. In Canada, call Jason Amyot at 519-979-3166. We are looking for tour coordinators in each city and region the tour will visit, as well as help with transportation and housing.

Colleges, high schools, peace and human rights groups, churches and other similar groups are natural allies. This is a rare opportunity to meet the people most directly affected by Indonesia's domination of their country, and a chance to extend our support for their struggle from political analysis and moral outrage to include human compassion. Who will forget East Timor after meeting someone from there?

When the Australian tour organizers approached us a few months ago, they suggested concentrating on Congress and the UN. At our request, they agreed to lengthen and broaden the tour, to help Americans learn about East Timor. They've raised most of the money in Australia, and the participants are donating their time, because they believe the American people are critical to pressuring Washington to get Jakarta to change its policies.

They're right. Please help make this a success in breaking through the wall of ignorance that surrounds the people of the United States.

AID FLORES EARTHQUAKE VICTIMS IN THE NAME OF EAST TIMOR

Flores is the island just west of Timor, and shares its Catholic religion and some of its Portuguese colonial history. In mid-December, an earthquake and tidal waves killed nearly ten times as many people as the massacre at Santa Cruz Cemetery. Reports put the Flores death toll at up to 2,500, with hundreds of thousands of homes destroyed. We support the survivors of both tragedies.

The East Timor Action Network/US is encouraging people to donate to the victims of the earthquake to show that although we oppose Indonesian government policy, we support the people of Indonesia. Tax-deductible checks to "WESPAC Foundation/Flores" should be mailed to ETAN/US. We will forward them to an appropriate Indonesian non-governmental organization for victims of the Flores catastrophe. We have already raised over \$300, and the campaign has hardly begun.

We also encourage contributions directly to relief organizations, but by channeling it through ETAN (we will not keep any of

this money), you can help the people of East Timor as well as those of Flores.

RESOURCES

In addition to the speaking tour and Chomsky film discussed above, ETAN/US has a variety of resources to enlighten people about East Timor. Thanks to Canadian photographer/activist Elaine Brière, we just received picture postcards of Timorese life; a set of six cards (two each of three different photos) is \$1.00.

We also have audio tapes of *Massacre: The Story of East Timor*, Amy Goodman's half-hour radio documentary broadcast nationally on the anniversary of the Santa Cruz massacre (\$6); the one-hour *Cold Blood* video (\$25); and the half-hour, US-focused video *Aggression and Self-Determination* produced by ETAN (\$20). We still have T-shirts (\$15), and copies of John Taylor's book *Indonesia's Forgotten War: The Hidden History of East Timor* (\$20). Please add \$3 postage for orders of videos, T-shirts, or books.

ETAN continues to publish monthly compilations of *Documents on East Timor*. The current issue includes 95 pages of reports and analysis from around the globe on Xanana's capture, the talks at the UN, the situation inside East Timor, solidarity activities worldwide, and other events. If you would like a sample copy, please send \$6 (\$7.50 international air mail) to ETAN.

TIMOR PEACE TALKS IN NEW YORK

On December 17, the foreign ministers of Indonesia and Portugal met with UN Secretary-General Boutros Boutros-Ghali in New York to discuss East Timor. Jakarta's Ali Alatas refused to concede even symbolic issues, and nothing was agreed except that they will meet in Rome in April.

ETAN/US worked with other solidarity groups to present an "Urgent Appeal" to the two ministers and the S-G. The appeal, calling on the recipients and the international community to work for human rights and self-determination, was signed by Archbishop Desmond Tutu and about 50 prominent people from all over the globe. We are continuing to collect supporters of the appeal, which will be presented to the UN Human Rights Commission in February.

Timorese Special Representative Jose Ramos Horta, who came to New York for the talks but was not invited to participate, attributes Indonesia's hard-line position to their upcoming elections. He says that Portugal was steadfast in defending Timorese interests, but that the Indonesian military instructed Alatas not to make any concessions. Horta sees 1993 as a "very crucial year for East Timor."

During the week of the talks, we learned that the United Nations has scheduled an Asia-Pacific regional seminar on human rights for Jakarta on January 26-28, and we distributed an Action Alert asking human rights organizations to protest this outrageous siting. Although it is unlikely that the meeting will be relocated at this late date, we still urge every participant to condemn the human rights situation in East Timor and Indonesia.

NEW SECRETARY OF STATE WARREN CHRISTOPHER ON EAST TIMOR

Excerpt from hearing of the U.S. Foreign Relations Committee re: Confirmation Hearing for Warren Christopher as Secretary of State. Chaired by Sen. Claiborne Pell (D-RI), Wednesday, January 13, 1993.

Sen. Pell: Thank you. Turning to a more human rights situation, and I refer to East Timor. Last summer, I tried to visit East Timor with Senator Boren. We were turned down because of the concern about their human rights situation. I was curious what you thought could be done to be of help there, if anything?

Mr. Christopher: That's one of the long-standing human rights problems. I think that the most we can do is to continue to exert diplomatic pressure in that area to finally try to gain some recognition of the severe human rights problems that are there and have been there for a long time and have been recognized in human rights reports extending back at least to the time when I was in government between 1977 and 1981. But I don't have any magic solution for that problem except to continue to put diplomatic pressure on the parties there who might have the capacity to improve the conditions of people in that very troubled area.

Sen. Pell: I know that I directly asked President Suharto of Indonesia whether Senator Boren and I could go, and he very politely but very firmly said no. I would hope that might change.

TAKE ACTION TO SAVE HOUSE SELECT COMMITTEE ON HUNGER

This coming Tuesday (Feb. 3), the House of Representatives will vote on continuing funding for the House Select Committees, including the Committee on Hunger. Call or

fax your representatives and urge a YES vote on HR52. If your congressperson is already in favor of refunding, ask 'em to convince their colleagues of the importance and cost-effectiveness of the Select Committees.

The freshman class of congresspersons, and some of those calling for "reform of congress" are pressing for elimination of these committees. The 4 committees cost under 4 million/year in total vs. \$4 billion for the entire Congressional budget.

The work of these committees saves many times their budget by identifying problems and investments which end up saving many times the budget of the committees. The House Select Committee on Hunger has pressed for full funding of WIC and Headstart and has been urging action on Somalia since January '92.

The select committees are vital to promotion of human issues. Please take action to retain them.

Tony Hall, Chairman of the Select Committee on Hunger, has been the most stalwart supporter of East Timor in the House for many years. Much of the Congressional staff work to support ET is done (unofficially) by the Committee staff. This is very important for continued effective work for East Timor in Congress.

The House voted to eliminate all Select Committees, including the Hunger Committee. It is unclear what ramifications this will have.

TIMORESE NORTH AMERICAN SPEAKING TOUR

Memo from Richard Koch, ETAN/US

5 February 1993

Folks,

After some delays and miscommunication, it looks like the Timorese speaking tour is finally shaping up, although it will be scaled back somewhat from what we might have liked. Currently there are two Timorese from Australia who are confirmed; we have biographies on them but I won't get around to sending those until next week. There may be one or two other Timorese coming from Portugal, but there is some uncertainty with that. The speaking tour will be limited to the Northeast and California. We had a number of people in the Midwest and Pacific Northwest who were interested; we may be able to do something for them in the fall with one or both of the Timorese living in Canada.

The current itinerary looks something like this. All the Timorese will gather in New York on or about March 27. After al-

lowing a couple days to recover from jet lag, they will spend a week to a week and a half between New York and DC; this will include some side trips to nearby places, possibly including White Plains NY, New Jersey, Norwalk Conn., Richmond VA, and Bethlehem PA. Then they would go up to New England, spending a day in Providence, possibly stopping along the way in New Haven, and then to Boston for a couple of days. At this point they may go up to Canada for a few days; this is an issue I will resolve quickly. Then they will go to Ithaca for a day. At this point the participants from Australia will fly out to Los Angeles, and will spend the rest of their time in California. If there are any Timorese from Portugal they might spend a little more time in the Northeast before returning to Portugal. Any comments?

Anyone who hosts the Timorese will have to provide overnight accommodations, and we would appreciate anything you can do to collect honorariums to help defray expenses. I will not have much flexibility as far as what days the Timorese spend in your city. Please let me know ASAP about any hard constraints, e.g. holidays, key organizers out of town, weekends not a possibility, end of semester, etc. I would like to have a final itinerary settled by the middle of next week. Within the Northeast does anybody know of any other places they could go? If so, please send me names and phone numbers of contacts. If there are any Timorese from Portugal I would like to investigate the possibility of including more visits in Pennsylvania and Maryland after the others have gone off to California. Also, does anyone have any contacts in New Haven? There is a Southeast Asian Studies Center there, and since they will be passing nearby anyway I would like to arrange something there.

In solidarity,
Richard Koch

UPCOMING U.S. SHOWINGS OF MANUFACTURING CONSENT - NOAM CHOMSKY AND THE MEDIA

Necessary Illusions, the producers of this film, are interested in working with East Timor activists to arrange benefits, joint publicity, tabling, etc. For more information contact ETAN/US organizer Eleanor Hoffman at (914)235-1797. Showings are currently scheduled for:

Art Institute of Chicago; Every weekend in February. Contact: Barbara Scharres or Alissa Simon, 312-443-3733.

Philadelphia: Neighborhood Film Project; Feb. 11, 13, March 5-13. Contact: Linda Blackaby, 215-387-5125

San Francisco: Castro Theatre; April 9-15. Contact: Anita Monga, 510-843-4245

Ithaca: Cornell Cinema; April 22-24. Contact: Richard Herskowitz, 607-255-3522

St. Louis: Webster College; April 23, May 8. Contact: David Kinder 314-968-7487

The US distributors are Zeitgeist Films, 212-274-1989, fax 212-274-1644.

There will be an advance press screening at the Museum of Modern Art in New York City on Thursday, February 11 at 4:00 pm. Please confirm with Zeitgeist (below) if you wish to attend.

The publicity coordinator for Necessary Illusions is Christine Burt, 514-273-5330.

CHOMSKY FILM IS OUTREACH OPPORTUNITY

U.S. Supporters of East Timorese self-determination have an opportunity to broaden their constituency and raise some money, as the new full-length documentary film *Manufacturing Consent*: Noam Chomsky and the Media begins its U.S. distribution.

Canadian co-producer Mark Achbar is eager to work with East Timor activists to promote the film and energize people on Timor. He is willing to hold benefits for ETAN, and would like us to help people know about the movie. East Timor is covered at length just before the intermission of the 165-minute documentary, providing a great opportunity for tabling to give out information and collect names and money.

Manufacturing Consent opened in Canada last summer and has been distributed there, but it began US showings early in 1993, including several film festivals and selected cities, after which it will get broader distribution.

If you are interested in trying to arrange or support a showing in your community, contact Jay Holmes at 212-289-9635 (jholmes@igc.apc.org) or Eleanor Hoffman at 914-235-1797.

Following are a few reviews of the film: (available on request, or see earlier issues of these Documents).

HUMAN RIGHTS MAN AT THE PENTAGON

Far Eastern Economic Review, 11 February 1993

By Susumu Awanohara and Melana Zyla

Abridged

The article, entitled "Telltale titles" carries the sub-heading: "New defence job worries Asian diplomats"

(Washington) True to his reputation as an activist, Defence Secretary Les Aspin has set in motion sweeping restructuring in his Department, apparently to make it a key player in US foreign policy. Of particular interest to Asian diplomats is the new post of assistant secretary of defence for democracy and human rights which reportedly will be filled by the noted civil libertarian, Morton Halperin.

Asians see the creation of the post as yet another indication that President Clinton's administration will intervene in the internal affairs of other countries.

Aspin's key innovation is replacing the offices of international security affairs and security policy with half a dozen posts handling what he describes as new security concerns in the post-Cold War period. The six offices will come under the purview of the under-secretary of defence for policy.

Halperin, who served in the Defence Department and the National Security Council (NSC) in the 1960s, is an international relations scholar and headed the American Civil Liberties Union office in Washington in 1984-92. In 1991-92, he led a study project organised by the Carnegie Endowment for International Peace on the tension between national sovereignty and self-determination movements in the post-Cold War world.

In a 1992 report, Halperin and his co-author said that in most self-determination crises, "US policy should encourage the preservation of an existing state." But "if the US decides that a self-determination claim is justified, Washington should urge reforms necessary to create a constitutional democracy that accommodates the claim or join with other governments in supporting a self-determination movement seeking separate status."

Such a stance could be potentially disturbing to many Asian countries that the report identifies as having "self-determination movements." Although the report's main focus is on the former Soviet Union and the Balkans, it also lists large numbers of self-determination movements for China (in Hongkong, Inner Mongolia, Taiwan, Tibet and Xinjiang), India (Assam, Manipur, Nagaland, Punjab and Jammu-

Kashmir) and Indonesia (Aceh, East Timor and Irian Jaya).

It is assumed that Halperin will advise Aspin on when and how the US should use force to promote democracy or humanitarian causes.

....

...many agree that Aspin's reorganisation could represent his attempt at a power grab. "Aspin is very obviously trying to compete" with the State Department and the NSC, a State Department official commented. The State Department is creating a new post of under-secretary for global issues including the environment, terrorism, democracy and human rights. The NSC has an official in charge of human rights, humanitarian and refugee affairs.

HOW TO INFLUENCE UNITED STATES GOVERNMENT POLICY

From the East Timor Action Network - U.S.

June 17, 2003

The East Timor Action Network/US has received inquiries from supporters of East Timorese self-determination in several countries, asking how they can encourage the incoming Clinton Administration and newly-elected U.S. Congress to take a better position on East Timor. President Clinton has yet to make an unambiguous statement on the issue, so now is the best opportunity we will have to shape his administration's policies.

In 1992, Congress terminated International Military Education and Training (IMET) for Indonesia to show outrage over the Santa Cruz massacre. IMET had brought dozens of Indonesian military officers to the United States every year. This was the first cut in US aid to Indonesia since the 1975 invasion, accomplished despite heavy pressure from the Jakarta regime, the Bush administration, and American corporations doing business in Indonesia. With enough lobbying from Americans and from people around the world, we hope to encourage Washington to take an even stronger position.

In the "New World Order," the government in Washington has un-elected power over the entire world. We hope people around the globe will let the Clinton administration know how you feel.

If you want to focus on a single action the US government should take, cutting of government and private weapons sales and shipments to Indonesia would be our highest priority. In 1990, the US delivered \$233,000,000 in commercial arms exports to Indonesia under the FMS program, and

approved more than twice that amount for the future. All such exports require Congressional approval.

Following is the text of a "Petition to President Bill Clinton and the Congress of the United States Concerning the Illegal Indonesian Occupation of East Timor" being circulated by the East Timor Action Network. It mentions some of the key points which can be made in writing to U.S. government officials. General concerns about human rights, self-determination and moral conduct are also appropriate.

Whereas Indonesia has brutally occupied

East Timor for more than 17 years, killing approximately 200,000 people (one-third of the population),

Whereas the United States continues to supply weapons which make this occupation and genocide possible, and

Whereas the United States government refuses to work to implement United Nations resolutions calling for Indonesian military withdrawal and self-determination for the people of East Timor

Therefore, we ask you to take immediate administrative and legislative steps to build on Congress' 1992 cutoff of military training and suspend United States military aid, economic aid and weapons sales to Indonesia until Indonesia complies with United Nations resolutions and

- Permits unrestricted access to East Timor by international human rights organizations
- Ends all forms of inhuman treatment, including torture, extra-judicial executions, and arbitrary arrest and imprisonment,
- Withdraws its military occupation forces from East Timor, and
- Facilitates a UN-supervised plebiscite in the territory as part of a process of decolonization.

Here are some key officials, with statements, addresses, phone numbers, and fax numbers, where available. All telephone numbers are in Washington, DC, area code 202. As executive department offices are still in flux, some mail may be forwarded before reaching its addressee:

EXECUTIVE DEPARTMENTS

President Bill Clinton, White House, Washington, DC 20500. 456-1111 (comments desk), 456-1414 (switchboard), 224-2237 (fax).

Clinton was asked about East Timor by Amy Goodman in April 1992, and said: "I'm very concerned about what's happened in East Timor, and I think we have to review it. I'm not prepared at the present

time to say categorically we should cut off all aid, but I do believe we have ignored it so far in ways that I think are unconscionable. I think we have to engage the government on the question of how those people are being treated. And I certainly wouldn't rule out the prospect of cutting aid."

Sandy Berger (Deputy Assistant to the President for National Security Affairs): 456-2883.

Vice President Albert Gore, White House, Washington, DC 20500. 456-2326, fax 456-7044. Gore was one of 52 Senators who wrote to Bush in December 1991, calling for action in the wake of the Santa Cruz massacre.

Secretary of State Warren Christopher, US Department of State, Washington, DC 20520. State Dept. Public Affairs Division: 647-6575, fax: 647-0122.

Peter Tarnoff, Undersecretary of State for Political Affairs: 647-2417.

Winston Lord, Assistant Secretary of State for East Asian and Pacific Affairs: 647-9596.

Assistant Secretary of Defense for Democracy and Human Rights Morton Halperin fills a new position. He could be an effective voice for East Timor. He can be written at the Pentagon, Arlington, VA 22209.

Madeline K. Albright, US Ambassador to the United Nations. US Mission to the UN, 799 UN Plaza, New York, NY 10017 USA. 212-415-4000, fax 212-415-4443.

U.S. SENATE

The Senate (upper house of the Congress, two members per state) has primary jurisdiction over Presidential appointments and international treaties; other legislation needs to be passed by both houses. All Senators can be written at United States Senate, Washington, DC 20510 or phoned through the Capitol switchboard at 202-224-3121. Senate subcommittee assignments for 1993 were not available as of this writing.

Among the strongest supporters of East Timor in the Senate are:

Claiborne Pell (D-Rhode Island), Chair of the Foreign Relations Committee, born in Portugal. He tried to visit East Timor last year and was refused by Suharto. Phone 224-4642; fax: 224-4680.

Patrick Leahy (D-Vermont), Chairs the Foreign Operations Subcommittee of the Appropriations Committee, and led the Senate on IMET. His subcommittee has jurisdiction over all foreign aid. Phone 224-4242; fax:224-3595.

Malcolm Wallop (R-Wyoming), initiated a letter to President Bush after the Santa Cruz massacre, signed by 52 (out of 100) Senators, and called on the US government to act to protect Timorese human rights. Phone 224-6441; fax:224-3230.

The following are on Leahy's Subcommittee:

Daniel Inouye (D-Hawaii) 224-3934; fax:224-6747
J.Bennett Johnston (D-Louis.) 224-5824;fax:224-9735

Dennis DeConcini (D-Arizona) 224-4521; fax:224-2302

Frank Lautenberg (D-N.Jersey) 224-4744;fax:224-9707

Tom Harkin (D-Iowa) 224-3254; fax:224-9369

Barbara Mikulski (D-Maryland) 224-4654; fax:224-8858

Mark Hatfield (R-Oregon) 224-3753, fax:224-0276

Alfonse D'Amato (R-NY) 224-6542; fax:224-5871

Arlen Specter (R-Penna.) 224-4254, fax:224-9029

Don Nickles (R-Oklahoma) 224-5754; fax:224-6008

New Democratic members of the Appropriations Committee, who may be approachable, are:

Herb Kohl (D-Wisconsin) 224-5653; fax:224-9787

Patty Murray (D-Washington) 224-2621

Dianne Feinstein (D-California) 224-3841

Mitch McConnell (R-Kentucky) 224-2541; fax:224-2499

The following Senators are on the East Asian and Pacific Affairs Subcommittee of the Foreign Relations Committee (chair not yet available):

Joseph Biden (D-Delaware) 224-5042

Christopher Dodd (D-Connecticut) 224-2823

John Kerry (D-Massachusetts) 224-2742; fax:224-8525

Charles Robb (D-Virginia) 224-4024; fax:224-8689

Frank Murkowski (R-Alaska) 224-6665; fax:224-5301

Richard Lugar (R-Indiana) 224-4814

Hank Brown (R-Colorado) 224-5941

New Democratic Senators on the Foreign Relations Committee:

Russell Feingold (D-Wisconsin) 224-5323

Harlan Matthews (D-Tennessee) 224-1036

HOUSE OF REPRESENTATIVES

The House (435 Members elected from districts by population) originates all funding legislation. All Representatives can be written to at United States House of Representatives, Washington, DC 20515 or phoned at 224-3121. House members on subcommittees are listed by party, in order of seniority.

Among the strongest supporters of East Timor in the House are

Tony Hall (D-Ohio) 225-6465

Ronald Machtley (R-R.I.) 225-4911; fax:225-4417

Barney Frank (D-Mass.) 225-5931; fax:225-0182

David Obey (D-Wisc.) chairs the House Appropriations Committee on Foreign Operations, and pushed the IMET cut through the House. 225-3365

Frank Wolf (R-VA) 225-5136; fax:225-0437

Ronald Dellums (D-Calif) one of the most progressive members of Congress, is the new chair of the Armed Services Committee, which is key in debating weapons sales. 225-2661; fax:225-9817

Lee Hamilton (D-Indiana) is the new chair of the Foreign Affairs Committee 225-5315; fax:225-1101

Members of the House Foreign Affairs Subcommittee on Asian and Pacific Affairs:
Gary Ackerman (Chair) (D-New York) 225-2601.

He replaces Stephen Solarz, who blocked positive action on Asia/Pacific issues. In 1992, Ackerman co-sponsored H.R.5176, a comprehensive sanctions bill against Indonesia for its actions in East Timor.

Eni Hunkin Faleomavaega (D-American Samoa)

Matthew Martinez (D-Calif.) 225-5464; fax:225-5467

Robert G. Torricelli (NJ) 225-5061; fax:225-0843

Sherrod Brown (D-Ohio) 225-3401

Eric D. Fingerhut (D-Ohio) 225-573

Jim Leach (R-Iowa) 225-6576; fax:226-1278

Dana Rohrabacher (R-Calif.) 225-2415; fax:225-0145

Ed Royce (R-California) 225-4111

Toby Roth (R-Wisconsin) 225-5665; fax:225-0087

The House Foreign Affairs Subcommittee on International Security, International Organizations and Human Rights includes:

Tom Lantos (chair) (D-Calif) 225-3531; fax:225-3127. Co-chairs Congressional Human Rights Caucus.

Howard Berman (D-California) 225-4695; fax:225-5279

Gary Ackerman (D-New York) 225-2601 (see above)

Matthew Martinez (D-Calif.) 225-5464; fax:225-5467

Frank McCloskey (D-Indiana) 225-4636; fax:225-4688

Tom Sawyer (D-Ohio) 225-5231; fax:225-5278

Doug Bereuter (R-Nebraska) 225-4806; fax:226-1148

Olympia J. Snowe (R-Maine) 225-6306; fax:225-8297

Christopher Smith (R-NJ) 225-3765; fax:225-7768

Dan Burton (R-Indiana) 225-2276; fax:225-0016

The House Appropriations Committee's Subcommittee on Foreign Operations, Export Financing, and Related Programs is chaired by David Obey (see above) and also includes:

Sidney R. Yates (D-Illinois) 225-2111; fax:225-3493
Charles Wilson (D-Texas) 225-2401; fax:225-1764
Jose E. Serrano (D-New York) 225-4361; fax:225-6001

Nancy Pelosi (D-California) 225-4965; fax:225-8259.

Esteban E. Torres (D-Calif.) 225-5256; fax:225-9711

Nita M. Lowey (D-New York) 225-6506; fax:225-0546

John Olver (D-Massachusetts) 225-5335; fax:226-1224

Robert Livingston (R-Louis.) 225-3015; fax:225-0739

John Porter (R-Illinois) 225-4835; fax:225-0157
Jim Ross Lightfoot (R-Iowa) 225-3806; fax:225-6973

Sonny Callahan (R-Alabama) 225-4931; fax:225-0562

EVENTS IN PORTUGAL

SOARES: TIMOR IS A MATTER OF PRINCIPLE

Diario de Noticias 8 January 1993

By Carlos Albino

Original Portuguese, Abridged

(Lisbon) In his message to the diplomatic corps, President Soares makes the UN the top priority.

According to Soares, putting the UN Charter into practice is the way of avoiding "an impossible world, a world with no security or peace, in which no one would be protected."

Timor and the UN were the words most repeated by Pres. Soares in his message to the diplomatic corps in Lisbon. His appeal for international pressure for a return to talks in Angola, and the obstacles in the way of the North-South dialogue were two other main points in his speech, which began with "the scourges of hunger, ignorance, fanaticism, and violence afflict two-thirds of humanity."

With regards Timor, there was notable harmony between the President's Office and the Foreign Office and, given that the President's statements were not intended for domestic consumption but for the representatives of those States with whom Portugal has diplomatic relations, they established in advance and "unambiguously" the terms to be set in Rome next April: Lisbon wants, on one hand, to contain hu-

man rights abuses and, on the other, to find a fair and internationally acceptable solution, in conformity with the UN Charter and General Assembly and Security Council resolutions. Furthermore, if reference to the most recent episodes reported from Dili and Jakarta was intentionally omitted, then the President's use of the word "just" should be taken as a diplomatic sign to the governments represented in Lisbon: "We are just demanding the free exercise of the right to self-determination, recognised by the international community, by the East Timorese, in order to conclude the decolonisation process which was so brutally interrupted by the invasion and subsequent military occupation by Indonesia in 1975." And, when the case against Australia is on the brink of being opened at the International Court, The Hague, the statements that "for Portugal this is a matter of principle" and "we will not betray the confidence of the Timorese" are also of double diplomatic significance.

HOLDING HANDS FOR XANANA

Publico 23 January 1993

Translated from Portuguese, unabridged

(Lisbon) A human chain, formed by about 200 people linking the UN and Papal Nuncio's offices in Lisbon yesterday, appealed for the release of Timorese commander Xanana Gusmão. They sang "Timor," by Trovante [a well-known Portuguese group], and held hands in defence of the cause. The action was finalised with the handing over of letters addressed to the UN Secretary General and to Pope John Paul II. In the letter to the head of the Catholic Church, the "Freedom for Xanana, Freedom for Timor" Commission appeals to His Holiness "to continue to intervene on behalf of this People and in order that their most fundamental rights are not trampled upon once again by the occupying power."

With regards Xanana Gusmão's trial by the Jakarta regime and the threat of the death penalty which hovers over him, the Commission asks "the prompt intervention by Your Holiness in order that such trials do not take place or that this outcome is not achieved." Many young Timorese were to be seen in the midst of the demonstration, of which Ramalho Eanes, Vítor Alves, and the PSD deputy Fernando Amaral formed the nucleus of public figures present, along with members of the organisation (of which Eanes is a member), Ana Nunes, Cilia Cardoso and Maria Luisa Franga.

GRANTS FOR TIMORESE

Publico, 25 January

Original Portuguese; translated unabridged

(Lisbon, 24 Jan) Timorese university students residing in Indonesia are going to be given scholarships, to the tune of 316,000 Escudos, by the Loures municipal authorities, says Abilio Araujo, quoted by the LUSA news agency. Funding for the grants, covered by the proceeds from the "For Timor" concert, held in the Peace & Friendship Pavilion, in Loures, were handed over yesterday to Abilio Araujo, the Chairman of the Astronesia Borja da Costa Foundation. Supported by the Gulbenkian Foundation, since 1986 the Astronesia Foundation has been running a scholarship project for Timorese studying in Portugal.

FOREIGN OFFICE CRITICISES SIC & RTP MEDIA

Publico 31 December 1992 Original Lang. Portuguese, unabridged

(Lisbon) The head of the Foreign Minister's cabinet sent letters yesterday to the SIC and RTP, calling their attention to the fact that reporting on the interviews with Xanana Gusmão was serving the Indonesian's interests.

In the letters, made public by LUSA, the Foreign Office emphasises that Xanana "is imprisoned and certainly subjected to the most diverse methods of compulsion, in conditions which deny him the minimum requisites of credibility," and adds that the interviews, relayed by these two TV channels, "created a deplorable situation in which a person subjected to such circumstances was made a real star - in a sadly ambiguous and negative manner - of the Portuguese media." While defending "total respect for the freedom of information and the press," and expressing "full understanding for the mission to inform," the Foreign Office says it could not, however, fail to bring this to their notice: "It is important to bear in mind that the result, inadvertently brought about by this reporting, has been the weakening of Portugal's negotiating position in the context of the grave matter of East Timor." "It is obvious that Indonesia only authorised the interviews with Xanana Gusmão because it was convinced that doing so would prove advantageous to the defence of its position," the message from the Foreign Office adds. It also criticises the interviews given to Indonesian authorities, recalling, incidentally, that they "have had free access to Portuguese public opinion, while this has been denied, distorted, or

subjected to conditions in the case of the Portuguese positions vis-a- vis the Indonesian media.”

This explicit criticism, coming from the office of Mr. Durão Barroso, had already been voiced by diplomat Mr. Quartim Santos when, this week while delivering 40,000 postcards to the Foreign Office, calling for the release of Xanana, he expressed his surprise at the interviews and said “Xanana’s voice can only be heard in freedom.”

BISHOP OF SETUBAL DENOUNCES “SUCCESS DEMOCRACY”

Diario de Noticias Portuguese, abridged

(Lisbon) Timor was another subject broached. Bishop of Setubal Manuel Martins, one of Portugal’s personalities most linked to the defence of human rights in East Timor, said that Msgr. Ximenes Belo should become a “new Oscar Romero” (the El Salvadorean bishop murdered by a right-wing death squad). D. Ximenes should be a man who is “capable of shaking out all fears, taking off all the clothing of fear and, with nothing further, put himself in defence of the people,” he affirmed.

The Bishop also asserted that, referring to an informal talk that Pope John Paul II had with prelates, the Pope is worried about the question of Timor and wants it to be resolved as soon as possible, “with justice for the Timorese.”

He added: “If D. Ximenes Belo speaks about self-determination, speaks about referendum, he knows that he is committing Him, in whose name he is there. He is there in the Pope’s name. The Church is with D. Ximenes.”

The situation of the Timorese people is, for D. Manuel Martins, “a portrait of the hypocrisy of which politicians are capable.”

RESOURCES

UNCOVER DATABASE ARTICLE SEARCH

From Bruno Kahn - Agir pour Timor Tue. Jan 19 1993. This is the result of a computerized data base search, and is citations for recent articles on East Timor.

- 2 Bartlett, John W. (On the issues Wint92) Blood On Our Hands.
- 3 Webb, Robert G. (South Dakota history. Fall92) Journey to Timor: South Dakota National Guardsmen in...

- 4 Feith, Herb (Peace review. Sum92) Conflict in East Timor.
- 5 Light, Matthew (Harvard international review. Spr92) Forlorn and Forgotten: The Sad Plight of East Timor....
- 6 (Asiaweek. 12/18/92) What Pressure?
- 7 (Asiaweek. 12/04/92) Timor Tipoff: The capture of Fretilin’s leader.
- 8 (Far eastern economic review. 12/03/92) Indonesia: Timor Success.
- 9 (Far eastern economic review. 11/26/92) Indonesia: East Timor Anniversary.
- 10 (Asiaweek. 11/13/92) One Year After: East Timor remain tense.
- 11 (Pacific islands monthly : PIM. 10/01/92) The East Timor dilemma.

TASK FORCE INDONESIA EMAILED NEWS & INFO FEEDS

A New Free, Private News & Information Service on Indonesia

Task Force Indonesia (TFI) has set up a private emailed news and information distribution service.

This service is available through a free email feed to cooperating organizations, groups, and individuals. Others may also receive a feed from it on a fee-for-service basis, but the project is run almost entirely on a barter basis. The feed mainly consists of current news, views, and a mix of activist and scholarly information about Indonesia.

The service is run from the Digital Express system and may not be accessed directly. Your access to it is possible solely through an email feed. Contributions to it are emailed directly to the feed moderator.

You May Need This Material

For some online, various existing public conferences, lists, and newsgroups may carry an adequate amount of information on Indonesia or East Timor.

However, for others more seriously interested in these areas, you may find the additional material from the news and information service uniquely useful.

Use of TFI Emailed Feeds

The material in the feeds may only be used in agreed ways.

Recipients of this material may not disseminate it further electronically through cross-posting in other conferences, lists, newsgroups, bulletin boards, or emailed announcements or correspondence unless specific agreements have been reached.

Breach of this principle could result in immediate termination of the feed.

Typical permitted uses of the feed might include organizational, group, or personal

activist work or research (excluding online distribution list mailings to members of an organization or group) and release through organizational or group periodicals (excluding electronic publishing), leaflets, press releases, and print/broadcast media.

However, any message in the feed originally sourced to a public domain conference (such as IGC’s reg.indonesia or GreenNet’s reg.easttimor), public domain list (such as SEASIA-L), or a public domain newsgroup (such as alt.culture.indonesia) carries no restrictions on further electronic or print dissemination. All such public domain messages are forwarded ‘as is,’ unedited by the moderator. In messages from public domain sources, the conference, list, or newsgroup is clearly identified. If you are unsure whether a message in the feed comes from such a public domain source, just query the moderator at apak-abar@access.digex.com for what will usually be a quick response.

Arranging a TFI Feed

To request and arrange an email feed, please email the moderator at apak-abar@access.digex.com (John MacDougall, TFI Coordinator). Relevant feeds can be quickly started for organizations, informal groups, and individuals cooperating in some minimal way with Task Force Indonesia. For example, this cooperation might take such forms as pursuing some common goals, sharing information, translating, monitoring media, or coordinating public posting.

Getting a feed will be quite easy for any organization, group, or individual willing to make a modest, ongoing effort at reciprocity.

Others who would like a feed but who for various reasons cannot make such an effort may obtain a relevant feed on a negotiated fee-for-service basis.

This Is Important

Please indicate if you are interested in the feed for both Indonesia and East Timor, or just the feed for East Timor.

If you do not have access to reg.indonesia or reg.easttimor conference postings, these can be included in your own version of the feed.

TFI reserves the right to select recipients of all versions of its news and information feed. If getting the feed in a personal mailbox poses economic or logistic problems, special arrangements may be possible.

Posting Your Own Messages to the Feed

Recipients of the TFI news feed are strongly encouraged to post their own news, commentary, announcements, scholarly materials, and other pertinent messages to the feed. This is an easy way in many cases

for feed recipients to meet their reciprocity obligation.

Just email your contributions to apakabar@access.digex.com. If the message is intended as private email, please make that clear if it is not obvious.

Also please indicate whether your name and/or email address may be included in your messages to the feed. This is a means of recognizing your contribution and as an aid for others who may want to contact you privately.

An Experiment in Use of the Internet

This is a new TFI project with potentially very significant benefits. It is distinctive in that it is designed to make use of the flexible emailing capabilities of the Internet to reach many organizations, groups, and persons on different networks throughout the world. As the project evolves, increasing amounts of resources available only to those with full Internet access will also be shared on the feed.

As in all new projects, not every circumstance can be foreseen and some may require special handling. Your patient discussion of these through email will be greatly appreciated.

An updated version of this message will be included periodically in the feed for your own use in recruiting new recipients of it and to keep you abreast of its evolving nature. You are strongly encouraged to recruit others who can contribute to the feed and who can benefit from it.

John A. MacDougall, Coordinator
Task Force Indonesia
Email: apakabar@access.digex.com
Fax in U.S.: 301-552-4465
Postal address: TFI, 7538 Newberry Lane, Lanham-Seabrook, Maryland 20706, USA

Task Force Indonesia receives its entire funding for projects such as this news and information feed from sales of Indonesia Publications periodicals and set of 10 topical Briefing Books. Up-to-date online and print Indonesia Publications promotional flyers are available from apakabar@access.digex.com for your own use and distribution to individuals, non-governmental organizations, governments, businesses, mass media, and especially libraries of all kinds.

Material from the TFI newfeed is included in this document compilation.

TAPOL BULLETIN CONTENTS

3 February 1993

The February edition of the bimonthly TAPOL Bulletin is now available. It con-

tains the latest news and analysis of events in Indonesia and East Timor.

This edition of TAPOL Bulletin fronts with an exclusive article on the evasion and deceit surrounding the sale of Hawk aircraft to Indonesia by British Aerospace. TAPOL investigations have proved that more are due to be sold to Indonesia....

The 115th issue of TAPOL Bulletin contains articles on:

- * Arms:
 - BaE's costly disarmer: Chris Cole, Anti Arms Trade Campaigner jailed
- * East Timor:
 - Xanana captured, many others arrested and tortured
 - Operasi Tuntas on the rampage
 - The illegality of Xanana's trial: Letter to the UN Sec-Gen.
 - UN-sponsored talks get nowhere
 - Blood-drinking oath ceremonies
- * Economics:
 - Yet another bonanza?
- * Land
 - Land conflict in Blanguan explodes
- * Labour:
 - Labour unrest unnerves regime.
 - Labour practices threaten trade with US.
 - Nike factory workers suspended for going on strike
- * Red drive:
 - Resurrecting the communist ghost
 - Indoctrination and forced labour 27 years on
 - Anti-PKI museum opened
- * Human rights:
 - Pramoedya's human rights day message
 - Military intervention in church affairs causes havoc
 - UN human rights conference held in Jakarta
 - EC statement on East Timor
- * Human rights briefs
 - Banning all demonstrations
 - Four year sentences for word play defendants
 - Blacklist total reaches 9,000
 - Banning 2 more books
 - Champion of Plumpang squatters sentenced
 - Yap Thiam human rights award
 - UN workshop in Jakarta
- * Religious disputes:
 - Religious strife: friction between religions is escalating
 - in North Sumatra and East Java
- * Aceh:
 - Bosnian conditions in Aceh: LBH deplores rapes committed by military
- * Indigenous issues:
 - 1993: Year of Indigenous Peoples: Case of the Sou and Moi in

West Papua and logging in Yamdena.

* Book review:

Telling: East Timor personal testimonies 1942-1992 by Michele Turner

TAPOL Bulletin is published 6 times a year and the annual subscription rate for individuals worldwide is 14.00 (Australian \$35.00), for students and unwaged 7.00 (A\$18.00) and for institutions 20.00 (A\$65.00). If you would like to subscribe, please send your details and subscription fee to:

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Australian subscribers should subscribe to: TAPOL (Australia), P.O. Box 121, Clifton Hill, Victoria 3068.

Back issues are also available at 6.00 per year plus postage.

GOINGS-ON IN THE UDT

PIRES: SOME TIMORESE ARE AS CRIMINAL AS THE INDONESIANS

Semanario, 24 December 1992

By Henrique Botequilha Original: Portuguese unabridged

(Lisbon) Paulo Pires, UDT leader, maintains that Indonesia has a mission for Xanana. He denounces "lobbies" that divide Timorese politicians, and accuses resisters of having economic interests in the territory. Finally, he is afraid that Portugal could abandon Timor for the second time.

Q. - Do you think that Xanana's words were freely expressed?

A. - His movements had already been under surveillance for a long time by the Indonesian secret service. I recall the meeting with Mario Robalo of the Expresso, who now acknowledges that the guide/photographer at the time was, in fact, an Indonesian agent, infiltrated to locate Xanana. Later on, Xanana would often stay in Dili, for weeks at a time, to organise the Resistance and also the 12 November. Now, either the Indonesians are not very bright or there must have been a strategy to close in on Xanana until they thought the time right to "capture" him.

Q. - And why now? What is the idea behind capturing him precisely now, at a time when there is a certain accessibility on the part of Indonesia?

A. - I think that Indonesia today is isolated. To capture Xanana, and then present him as repentant so as to prove that the resistance no longer exists in Timor, is an act of desperation.

Q. - Is Xanana being utilised by the Indonesians?

A. - From a certain moment onwards, Xanana no longer represented anything to the resistance. He had radically changed his strategy, from "independence or death" to support for Ramos Horta's proposal for autonomy within Indonesian sovereignty, even with a referendum as the objective. There was an information channel which had no difficulty in contacting Xanana. It's strange. Whatever he was sending to the outside was in the Indonesians' interests.

Q. - Were his views not disputed by the resistance in the territory?

A. - I think so. Xanana was energetically opposed, first by Mauk- Moruk, and later by Mau-Hodu - Xanana's two confidants, who later resigned (and were captured) because they opposed the autonomy thesis and the surrender of the resistance. And it was at that time that the Vatican is said to have offered Xanana a safe- conduct to get him free and out of the country. I do not know why it wasn't possible to put this proposition into practice.

Q. - In practical terms, does Xanana still have any role to play in the resistance?

A. - Not at all. Right now he is Indonesia's man. He has a mission to accomplish (!) and it is in Indonesia's interests that he remains the uncontested leader of the resistance. For us, however, the one who is imprisoned is Josi Alexandre and not Xanana, the "symbol," who represents the spirit of the people.

Q. - And does that spirit represent independence?

A. - I obstinately uphold the right of the Timorese people to self-determination. The people are going to choose. And, when that time comes, I will defend independence, as a fair and realistic solution. It is an international right and should not be the logical corollary to economic independence. Timor is rich in oil, magnesium, marble, coffee and sandalwood. We could reach agreements to exploit those reserves with friendly countries and - why not? - with Indonesia itself. We can stand on our own two feet, and we have to hold on to them -

Indonesia is trying to cut them out from under us, with the help of Australia and other countries.

Q. - Do you not fear that the Timorese people will, over the years, become culturally adapted to Indonesia?

A. - No, because for the past 17 years Indonesia has been attempting that, and has not managed it. Christian and Moslem dogma are incompatible. Furthermore, the Timorese and the Moslems are, historically, incompatible. I remember a passage from a young Timorese's letter which said: "they can kill my body but they won't kill my spirit." Since there is no spirit in abstract terms, except incarnated in the body, my argument is therefore: let us not kill more young Timorese.

Q. - Indonesia has already decimated one third of the population. One of these days there won't be any Timorese left for cultural adaptation...

A. - But the spirit remains. Indonesia thought that by eliminating the older generation, the question of Timor would become outdated. The 12th November proved exactly the opposite: it is the young people, who have had no contact with Portuguese presence there, who are the most radically opposed to Indonesian dominance.

Q. - What kind of resistance do you advocate for the interior of the country?

A. - There should be armed, guerrilla-type resistance. At the same time, a generalised resistance on all levels: cultural and religious. The international community, in the end, only acknowledges the source of legitimacy of a people's right through violence. We had entrusted Portugal with the defence of that right. Unfortunately, Portugal has already abandoned us once.

Q. - And continues to abandon Timor?

A. - Poor Portugal, if it were to recognise integration! It would be a second betrayal which the people of Timor would never forgive. I am afraid of that danger.

Q. - Is the resistance abroad effective in any way?

A. - No, we are divided. On one hand, the Nationalist Convergence is not active, just formal and with a few common points of view. On the other, there is the CNRM, with Ramos Horta, who is trying to control all the resistance abroad. There is the crisis within UDT and, in a way, at the heart of Fretilin. I am surprised how, after a month

has passed since Xanana's capture, the Timorese leaders have still not outlined a common strategy. And it is strange that, on the day which followed Xanana's capture, Fretilin decided to substitute him, as if that capture had already been planned. I have the impression that, behind each one of the Timorese groups, there are "lobbies" which are keen to see that these divisions are maintained.

Q. - What lobbies?

A. - They are economical-political and economical "lobbies." I think there are Portuguese business people and even Timorese political leaders who are profiting from the territory's resources. The Komoro region (Dili zone) was sold to the Portuguese to install Marconi there, and, later, the same owner sold it to the Indonesians to build a Shell station. And what about the marble? Who is it that brings Timorese coffee over here? And who is exporting the good Portuguese wine that is drunk in Timor?

Q. - Who is?

A. - Some are members of the resistance. I'm not giving names. They know who they are. If they want Timor to be for Indonesia, then they should say so clearly. They must not use the people's nationalism, nor the ingenuity and honesty of the politicians, other politicians, outside Timor. There are Timorese leaders who are as criminal as the Indonesians.

Q. - Regarding a solution for the territories, the autonomy projects foresee self-determination in a final phase. Are they believable?

A. - No, because, for example, the Ramos Horta project does not include Portugal as administering power, it is contrary to the wishes of the people and fits in with Indonesia's interests. Portugal would have a presence, at another stage, via a Portuguese institute and a diluted delegation of the European Community. Another point - the referendum process would be Indonesia's exclusive responsibility.

Q. - And what is the Government's position on this?

A. - I ask myself, wouldn't this project have the support of the Portuguese Government? The Portuguese Government does not want to support the resistance, because it is afraid that Indonesia would accuse Portugal of supporting an artificial resistance and also

because it does not know to whom it should give its support. Perhaps the "division" among the Timorese suits the Portuguese Government.

Q. - Finally, what solution do you advocate today for East Timor?

A. - In the first place, a discussion between Fretilin, UDT and CNRM, the living and social forces in both the community and abroad. My position that the people should be allowed self-determination, without any kind of pressure, so that they decide for themselves on their political future. And this process of choice necessarily involves Portugal - alone or with the UN.

PAULO PIRES RESIGNS FROM UDT

Publico 14 January 1993

By A.G. Original: Portuguese, unabridged

(Lisbon) Paulo Pires, Chairman of the political commission UDT (Timorese Democratic Union), has resigned from the post while expressing the hope that his standing down "would promote internal clarification" within the party, which has been plagued by disputes about legitimacy between leaders living in Portugal and in Australia.

In a message justifying his resignation, presented on the 10th, Paulo Pires expresses his view that Xanana Gusmão's imprisonment demands "rethinking the strategy of the struggle in order to make it more efficient and more intelligent." He regrets that the enemies of the Timorese cause are capitalising on "the division of the resistance abroad" in order to render unviable any "common plan for solutions proposals to take to the negotiations with Indonesia." To be efficient, "it is necessary to implement and promote unity among all Timorese in general, and among the nationalists in particular." He adds that the resistance in East Timor's interior requires an intensification of the political-diplomatic struggle abroad.

46-year-old Paulo Pires, a Philosophy teacher in a secondary school on the outskirts of Lisbon, held the post of Chairman since 1979. Following the death of UDT President, Moises do Amaral, he led, together with his Vice-Chairman, Vicente Guterres, a dispute on political legitimacy with two other UDT leaders living in Australia - Domingos Oliveira and João Carrascalao, Secretary General and Vice-Chairman respectively.

On the invitation of Fretilin leader Abilio Araujo, the ex-leader will take part in a

meeting tomorrow in Lisbon with Vicente Guterres and Zacarias da Costa, Chairman of the UDT Regional Committee, with a view to strengthening party unity and its participation in the Nationalist Convergence. Paulo Pires was one of the activists in the constitution, in March 1986, of the Convergence, a structure of unity with Fretilin. In statement to *Publico*, Paulo Pires maintained that the Nationalist Convergence had not yet reached its full potential, and said he was ready to participate in any initiative which would be "useful to the unity of the Timorese," even coming from João Carrascalao.

EAST TIMOR UDT WITNESS SARMENTO SPEAKS OUT

Media Release (Jan 16, 1993) from the Timorese Democratic Union (UDT)

Antonio Sarmento, a member of the Central Committee of the Timorese Democratic Union (UDT), has called on the Indonesian military government to prove to the world that the East Timorese resistance commanders and leaders captured from 1975 to 1983, are still alive!

"I want to see João Branco, resistance commander of the region of Eastern East Timor, João Baptista, resistance commander of the region of Bobonaro, João Sarmento, resistance commander of the region of Barique, Anibal Araujo and many others!"

Mr. Sarmento, who was living in East Timor during this period, said that all these commanders of the resistance were tortured and forced by the Indonesian military to send messages offering amnesty, in the name of President Suharto and Indonesia, to all the soldiers in the mountains. "All the people and soldiers who surrendered were killed! Later all the resistance commanders would 'disappear' forever!"

This is exactly like what has happened to Xanana Gusmão!

Mr. Sarmento urged the world to be very careful about the lies which have been consistently used by the Indonesian military government!

"The world must realise that the Indonesian military government is using Xanana Gusmão to serve its own interest, and to promote their illegal and rejected claim that the people of East Timor want integration with Indonesia," Mr. Sarmento warned!

Mr. Sarmento stressed that none of the captured resistance commanders have ever accepted integration, and like Xanana Gusmão; have been forced to adopt this position!

"In my view, Xanana Gusmão, after being used by Indonesia, will 'disappear' for-

ever like all the previous commanders, if the world does not pressure Indonesia!."

Media release - January 23, 1993.

Antonio Sarmento relates his experience with the East Timorese resistance.

Antonio Sarmento, a member of the Central Committee of the Timorese Democratic Union (UDT) and who lived in East Timor from 1975-83 has spoken about the years of Indonesian military persecution of the East Timorese people and the East Timorese resistance!

"All captured commanders of the Resistance were tortured and forced by the Indonesian military to send messages offering amnesty, in the name of President Suharto and Indonesia, to all the soldiers in the mountains; all the people and soldiers who surrendered were killed; later all the resistance commanders would "disappear" forever," Mr. Sarmento said! "This is exactly like what has happened to Xanana Gusmão!"

Mr. Sarmento has seen many attempts by the Indonesian military to destroy the East Timorese resistance. One of the worst examples was in 1978, when food aid was hijacked by the corrupt Indonesian military. This produced a famine which when combined with a drought; resulted in the deaths of thousands of East Timorese!

Mr. Sarmento has seen many attempts by the Indonesian military to legitimise the integration of East Timor into Indonesia. "The East Timorese people and the East Timorese resistance have rejected every attempt," Mr. Sarmento said!

Mr. Sarmento has proof that the East Timorese resistance in East Timor is a coalition of UDT, Fretilin, Kota, Trabalhista and individuals opposed to the Indonesian military occupation. "The Indonesian military has spread many lies about the resistance in East Timor," Mr. Sarmento warned!

"In the battle with the East Timorese resistance, one third of my people have been murdered by the Indonesian military," Mr. Sarmento stated!

Mr. Sarmento said that there is much to tell about the resistance in East Timor; this is only a small part.

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OLIVEIRA, ANOTHER UDT WITNESS, SPEAKS OUT

Media release from UDT - Feb. 8, 1993

Domingos de Oliveira, Secretary General of the UDT, who lived in East Timor until 1980 tells of his eye witness account relating to the signing of the "integration" documents of November 1975. These documents have repeatedly been used by the Republic of Indonesia to legitimise and legalise the "integration" of East Timor.

In August 1987 before the Special Committee on Decolonization in the UN, the UDT submitted documents which prove that the integration documents were obtained by force are illegitimate and illegal. These UDT documents are freely available upon request.

Leaders of UDT and KOTA were forced to sign in a secluded hotel in Denpasar Bali while leaders of Trabalhista were forced to sign at Atambua in West Timor in November 1975.

"We had no choice but to sign because we were all threatened with the death of all East Timorese people when the Indonesian military would enter East Timor. Because of this the documents are illegal and illegitimate. This has been proven in the UN in August 1987," Domingos de Oliveira stated.

Mr. Louis Taolin, Brig Gen. Yahya and Col. Sugyanto were the Indonesian military people responsible for the forcible signing of the "integration" documents in Bali. All were members of BAKIN, the Indonesian secret service.

"The UDT goal is for an independent Timor with our people making a sovereign choice through a due democratic process under the supervision of the United Nations. It is therefore a lie and a slander to portray UDT as anything else," João Carrascalao stated in the UN in August 1987.

NOTE: The prosecution in the trial of Xanana Gusmão in Dili have referred to the November 1975 "integration" documents which have been proven false.

MISCELLANEOUS ARTICLES

REPORT FROM ASIA-PACIFIC PEOPLE'S TRIBUNAL

On East Timor, Burma & Thailand

The session was held in Bangkok, December 1992.

JUDGMENT

1. THE TRIBUNAL

We would like to begin our judgment by pointing out the nature of the Tribunal of which we have privilege to be members. This Tribunal is not a Court set up by any State or any regionally or internationally constituted authority. It is a People's Tribunal - a Tribunal set up by concerned citizens and drawing its sustenance from a commitment to human rights and social justice. It consists of persons who do not hold office under any Government and who are chosen to be members of the Tribunal because of their human rights record. The members of the Tribunal are drawn from different parts of the Asia-Pacific region with a view to ensuring that the Tribunal is representative of the entire region.

The Tribunal's mandate is to enquire into the human rights violations in Burma and East Timor. The Tribunal has also been requested to address certain specific human rights issues relating to Thailand. A question may be asked: why should the people of the Asia-Pacific region be concerned about human rights violations taking place in Burma and East Timor? Should it not be concern only of the people of these countries? It must be realised that violation of human rights in the modern world can no longer remain a national concern. It has a deep and profound impact over other countries as well. Its international ripples can impair and jeopardise peace in the entire region. Human Rights have now become a major concern of the entire community in the region. Moreover, humanity is one and indivisible and wherever there is suffering and injustice to a section of the people, wherever there is denial of basic human rights, the entire humanity must feel concerned regardless of race, ethnicity, religion or national boundaries. That is why this Tribunal is set up as part of People's Plan for the 21st Century (PP21) to probe into the human rights violations which have occurred in two of the countries of the region.

2. TESTIMONIES ON BURMA

(omitted here)

3. TESTIMONIES ON EAST TIMOR

The Tribunal heard two representatives on East Timor. The first from His Excellency Dom Sebastião De Castello-Branco, the Portuguese Ambassador to Thailand. The second from Professor Jose Ramos-Horta - the Special Representative of the National Council of Maubere Resistance.

The Portuguese Ambassador testified that the occupation of East Timor was clearly illegitimate. This was supported by the immediate response of the United Nations Security Council following the 1975 invasion demanding immediate Indonesian withdrawal from East Timor and respect for the East Timorese's right to self-determination. The illegal occupation has continued.

He also testified that in his view the recent statement from Xanana Gusmão was clearly obtained under "extreme duress" and that he found it intolerable to conceive that a man of such proven commitment as Xanana would "abandon his brothers."

He stated the importance of the involvement of East Timorese representatives at the upcoming United Nations sponsored talks between Portugal and Indonesia.

The second testimony was given by Prof. Jose Ramos-Horta. He put the case that East Timor has never been part of any other entity before the Portuguese colonization. Until 1978, Indonesia has never made any claims on East Timor.

There is a clear case of illegal occupation.

The United Nations acknowledged this in 1972 with a unanimous demand for Indonesian withdrawal from East Timor. This has never happened.

Professor Horta also accused Indonesia of genocide and stated that since occupation, in excess of 200,000 East Timorese have been exterminated.

His demands of the Tribunal:

1. that the tribunal affirm the right of self-determination in accordance with the United Nations General Assembly Resolution Number 15/44 and 15/45;
2. that Indonesia withdraw from East Timor in accordance with UN Resolution Number 384 (1975) and 385 (1976);
3. that the Tribunal find Indonesia guilty of genocide.

Finally, vivid televised evidence was submitted of the November 1991 Dili massacre. This was shown on United Kingdom Channel 4 television from a Yorkshire television documentary - In Cold Blood. Up to two hundred unarmed East Timorese demonstrators were killed.

The evidence was clear and unmistakable. We saw an excited, jubilant gathering of predominantly young people marching through the streets of Dili. These people were indiscriminately shot.

4. TRIBUNAL FINDINGS

Common findings on Burma and East Timor

The Tribunal undertook a review of international human rights principles and standards relevant to the testimonies placed before us.

The Tribunal is appalled by the enormous toll, in terms of human suffering, that the ongoing struggles for self-determination, democracy and liberation in Burma and East Timor have entailed: as a result of failure to respect and adhere to basic international human rights standards.

a. The right to self-determination

The Tribunal feels it important to reiterate that self-determination is not primarily about territory but is primarily about people - a right of peoples. Specifically, Article 1 of both the Covenant on Economic, Social and Cultural Rights, and the Covenant on Civil and Political Rights proclaims and seeks to safeguard for ALL PEOPLES:

- (i) the right to freely determine their political status";
- (ii) the right to "freely pursue their economic, social and cultural development"; and
- (iii) the right to "freely dispose of their natural wealth and resources."

Moreover, Common Article 1 of both Covenants dictates that: "In no case may a people be deprived of its own means of subsistence."

>From the testimonies presented, it is clear that such "deprivation" continue unabated and that every one of the above 3 rights continues to be violated in Burma and in East Timor. Moreover, the Tribunal finds that violation of the above-mentioned rights by the government of Burma and the regime in East Timor has resulted in their resorting to massive violations also of a wide range of related human rights such as:

- freedom of speech, expression, association and organisation,
- rights to due process, rule of law and equal protection of laws'
- rights of participation,
- rights to life, family, livelihood, land, resources, environment, community and to religious and cultural identity,
- rights to physical integrity and dignity of person,
- rights of domicile, nationality, citizenship and freedom of movement,
- freedom from slavery and bondage.

In sum, both in Burma and East Timor the Tribunal finds grave and continuous mass violations of people's rights to freedom, peace and justice.

The Tribunal therefore urges the government of Burma and the illegal regime in East Timor to respect, protect and promote the rights of self-determination of the peoples of Burma and East Timor as an essential precondition to bringing to an end the massive violations of the wide range of human rights enumerated above.

b. The right to democracy

As with the rights to self-determination elaborated above, the Tribunal feels it imp-

ortant to draw upon international human rights instruments to outline the content of a people's right to democracy. Article 21 of the Universal Declaration of Human Rights (UDHR) clearly and unequivocally states that, "the will of the people shall be the basis of the authority of government." Thus, a government that fails to acknowledge, respect and implement the will of its peoples HAS NO BASIS: politically, legally and morally.

Article 21 of UDHR also goes on to affirm that "everyone has the right to take part in the government of his/her" country, directly or through freely chosen representatives. Hence, the concept of democracy envisages not only representative but participatory democracy as well. The testimonies from Burma and East Timor alike, make it clear to the Tribunal that the present government in Burma and the illegal regime in East Timor are neither representative, nor participatory.

Moreover, the UDHR also enumerates several essential principals and criteria for evaluating the democratic nature of governments:

- (i) Equality before the law and equal protection of laws;
- (ii) security of persons: against arbitrary arrest, detention, torture, violence, disappearances and extra judicial executions;
- (iii) preservation and promotion of the dignity of human person: individual and collective;
- (iv) realisation of the rights to due process and fair hearing, and protection against arbitrary, motivated and summary judgment;
- (v) realisation of the right to effective remedies.

In sum, the Tribunal finds that an utter negation of the rule of law prevails in Burma and East Timor.

This Tribunal is of the view that present international human rights law demands that all peoples have a right to democracy (the content of which rights have been demarcated above). Such a right of peoples to participate in self-government by representatives freely chosen continuous to be denied to the peoples of Burma and East Timor.

c. The right to liberation

In view of the pattern of persistent and systematic denial and violation of the rights to self-determination and democracy presented in the testimonies from Burma and East Timor, this Tribunal has been prompted to restate well-established principals and standards of international human rights laws in addressing two questions basic to the present situation in Burma and East Timor:

- (i) Does present day international human rights law recognise a people's right to lib-

eration if so, what is the content of such a people's right to liberation?

- (ii) Does present day international human rights law recognise a people's right to struggle for liberation?

This Tribunal finds in favour of the existence of a people's right to liberation. The content of such a people's right to liberation is clearly spelled out in international human rights instruments to include: (i) the attainment of self-determination; (ii) the realisation of both representative and participatory democracy; (iii) freedom for all peoples from fear and from want and from exploitation; (iv) attainment of plural society in which all individuals, all communities, and sectors of society can truly enjoy and realise that most precious of all human rights: the RIGHT TO BE HUMAN - of which the RIGHT TO BE WOMAN must be accepted as an essential and integral component.

Turning to the question as to whether people have a right to struggle for liberation when it is denied to them (as the Burma and East Timor testimonies indicate), the Tribunal refers to the Preamble of UDHR which states, "It is essential, if man is not to be compelled to have recourse - as a last resort - to rebellion against tyranny and oppression that human rights should be protected by the rule of law." Where, as in Burma and East Timor, human rights are not protected by the rule law, but rather are violated by the tyranny of authoritarian law, this Tribunal affirms that the affected peoples have a right (and perhaps a duty as well) to resort to rebellion against such "tyranny and oppression."

This Tribunal, therefore, reaffirms that where a people's right to liberation (as demarcated above with reference to international human rights instruments) is being denied and violated, the affected people have a right to struggle for liberation. The Tribunal also reiterates that the international human rights values, principles and standards MUST be complied with by all parties and in all aspects of such struggles of peoples denied liberation.

D. FROM RIGHTS OF PEOPLES TO DUTIES OF GOVERNMENT

This Tribunal recognizes, on the basis of the testimonies it has received, that realisation of the rights of peoples involves enforcement of the duties owed to such peoples by their governments. A review of human rights instruments relevant to issues presented to this Tribunal indicates five fundamentals duties which ASEAN and Pacific governments owe to their peoples in respect of fulfillment of their human rights obligations:

- (i) The BASIC DUTY OF GOVERNMENTS TO PROTECT THEIR

PEOPLES FROM VIOLATIONS AND ABUSES OF HUMAN RIGHTS;

(ii) The duty of government officials and functionaries (who are supposedly the protectors of the rights of their people) to refrain from governmental lawlessness and abuse of authority and position;

(iii) The duty of governments to correct such human rights abuses by securing the accountability of human rights violators within the government;

(iv) The duty to promote the progressive realisation of all human rights, of all its peoples: specially the poor, the disadvantaged and the oppressed;

(v) The duty to desist from damaging and destroying people's lives, livelihood, lands, resources, communities, and environment.

E. THE RIGHT TO JUSTICE; THE THAI CASE (omitted)

5. RECOMMENDATIONS

The Tribunal recommends the following measures as means of giving redress to the victims of human rights violations in Burma, East Timor and Thailand as well of preventing the same violations from recurring;

A. To the inter-governmental community
(i) on government lawlessness pressure the governments of Burma, Indonesian and Thailand.

- initiates judicial action against Government personnel found violating human rights;
- provide compensation to the victims of human rights violations and/or their families;
- withdraw military units in civilian communities;
- repeal inhuman and oppressive prison laws and improve prison/detention facilities;
- provide a program for educating government personnel (including members of internal security forces) on the values and principles of human rights.

(ii) On democracy
- pressure the governments of Burma and Indonesia to
- respect freedom of expression and opinion (including support for independent media);

- in the case of Burma restore civilian rule on the basis of the will of the people freely expressed through the 1990 elections;

- in the case of East Timor, initiate negotiations and other process leading to the conduct of referendum, under the United Nations supervision, as the means for the exercise of the right to self-determination.

(iii) On self-determination pressure the governments of Burma and Indonesia to

- initiate dialogue with the concerned peoples toward peaceful coexistence;

- initiate legislation that respect the religion, culture and language of the peoples;
- institute mechanisms for getting informed consent of the people on the use, development and management of the natural resources and their respective areas.

The Tribunal urges those countries which have active economic relationship with Burma, and in particular China, Japan and Thailand, to intensify diplomatic pressure with the aim of compelling the government of Burma to seize human rights violations and hand over power to the freely elected representatives of the people. And as part of the diplomatic pressure, the Burmese Government should be told that if within certain specified time the above demands are not met, economic sanctions would be applied.

In the case of East Timor, the Tribunal urges those countries which provide economic or military assistance to the Government of Indonesia to consider sanctions if within a certain specified time the Indonesian Government fails to take steps which would enable the people of East Timor to exercise their right to self-determination and also cease human rights violations against the people of East Timor.

The Tribunal urges the United Nations to monitor closely the human rights situation in Burma and East Timor, and to review the continued membership of Burma and Indonesia in the world body.

B. TO THE NON-GOVERNMENTAL ORGANISATIONS

The Tribunal urges the non-government organisations involved in human rights work to

- continue monitoring the human rights situation in Burma and East Timor;
- provide more humanitarian assistance to the victims of human rights violations;
- provide support to non-governmental organisations in Burma, East Timor and Thailand regarding their human rights work;
- send a People's Plan for the 21st Century (PP21) representative to the session of the human rights commission of the United Nations in February 1993 in Geneva, Switzerland to present the findings of this Tribunal.

COMMENT: Justice P.N. Bhagabati from India will carry copies of the above document and will present these findings to the UN Human Rights Commission session in Geneva in February.

TOKYO-JAKARTA 'AXIS'?

Kyodo, Jakarta, Jan 2 - Japan and Indonesia agreed Tuesday to continue close cooperation in bringing Cambodia's stalled peace process back on track by throwing their full support behind Cambodian head of

state Prince Norodom Sihanouk, Japanese officials said.

The accord came at a meeting of two hours and 40 minutes in Jakarta between Japanese Prime Minister Kiichi Miyazawa and Indonesian President Suharto.

Miyazawa, in Jakarta on the first leg of an eight-day Southeast Asian tour, voiced hope that Indonesian Foreign Minister Ali Alatas' visit to Beijing, expected around January 20, will help break the deadlock caused by refusal by the Khmer Rouge guerrilla faction to disarm its army, the officials said.

Alatas, who was present at the meeting, told Miyazawa he expects to move actively in meeting Khmer Rouge leader Khieu Samphan and other officials as well as Sihanouk, who is in Beijing for treatment of an illness, in an attempt to achieve a breakthrough, they said.

Representatives of Indonesia and France, which co-chaired an international peace conference on Cambodia, and other countries are to meet with leaders of Cambodia's four feuding parties in the Chinese capital January 28.

Miyazawa told Suharto that Tokyo will explore the possibility of giving Jakarta a chance to meet leaders of the Group of Seven (G-7) economic powers during their Tokyo summit in July, the officials said.

Suharto was quoted as saying that Indonesia, which hosted a summit of the Non-Aligned Movement countries last September, wants to brief the G-7 on the need for dialogue between rich and poor countries.

Miyazawa said the growing gap between the industrialized northern and the impoverished southern hemisphere is "one of the biggest post-Cold War issues to be given priority" and assured Suharto of sounding out other G-7 members about the Indonesian request, the officials said.

Miyazawa, as expected, told Suharto that Japan intends to take the lead in building closer ties with the Association of Southeast Asian Nations (ASEAN) in political and security aspects as well as economic matters.

ASEAN groups Indonesia, Malaysia, Thailand, and Brunei, which Miyazawa is visiting on this trip, as well as the Philippines and Singapore.

Miyazawa said the annual conference of ASEAN foreign ministers and those of dialogue partners such as Japan and the United States has become "the most effective forum" for discussing regional security, the officials said.

In this connection, he stressed the importance of maintaining the U.S. military presence in the Asia-Pacific region to ensure stability and prosperity.

Miyazawa urged Indonesia to handle the issue of an East Timor rebel group by taking into account human rights concerns of the international community, the officials said.

Alatas assured him that the Indonesian government will pursue a peaceful solution to the dispute about Indonesia's annexation of East Timor through a dialogue.

Suharto told Miyazawa that rebel leader Xanana Gusmão, arrested last November as the alleged organizer of a protest that led to a military massacre of civilians in the East Timorese capital of Dili in 1991, will be subject to domestic law and not given "terrible treatment," the officials said.

Miyazawa pledged financial and technical aid worth 2.4 million dollars to help Indonesia assist poorer countries in family planning, the development of human resources, and in a trainee program.

The aid was in response to Indonesia's call for closer "South-South cooperation" among developing countries.

Suharto sought easier access to the Japanese market for products other than petroleum goods, indirectly calling for tariff cuts on plywood and some other products.

Miyazawa promised to consider improving market access and pledged greater imports of manufactured products from ASEAN, the officials said.

He later laid a wreath at the National Heroes Cemetery in southern Jakarta and took a ride on an elevated railway track completed recently with Japanese assistance.

Miyazawa, who arrived in Jakarta on Monday, will fly to Malaysia on Wednesday before proceeding to Thailand and Brunei. He will return home Jan. 18.

MIYAZAWA AND SUHARTO TALKS

Asahi Shimbun, Jan 13.

According to the Japanese press, the East Timor issue was raised in talks between Japanese Prime Minister Kiichi Miyazawa and Indonesian President Suharto in Jakarta on Jan. 12. The following is my translation of the pertinent section of a Jan. 13 front page article in the Asahi Shimbun.

Dateline: Jakarta, By Tsutomu (?) Watanabe (Jean Inglis)

"With regard to the issue of East Timor, which has aroused international concern as a human rights issue, the Prime Minister said he hoped (Indonesia) would 'give consideration to the concerns of the international community in dealing with the issue.' Suharto stated that '(Indonesia) intends to deal with Xanana Gusmão, the top leader in the territory of the Revolutionary

Front for an Independent East Timor, based on Indonesian law. Don't worry, we won't treat him badly.'"

A separate article in the same issue of the *Asahi* (Dateline Jakarta, Byline: (?) Ohno) was headlined "President Suharto's 'Participation' in Tokyo Summit/ Hard to Realize/ Japan 'In a Fix'" dealt with the discrepancy in the announcements made by the Japanese and Indonesian sides regarding the Tokyo Summit. Excerpts are translated.

"...While the Japanese side explained that the President did not introduce the word 'Tokyo Summit,' the Indonesian side announced that the President stated that he wanted to confer with the G7 members 'during the Tokyo Summit.'

"North-South dialogue is a big issue for Indonesia, which prides itself on being a leader among developing countries. The Tokyo Summit is seen as an excellent opportunity. But Japan believes it would not be easy to realize (Indonesia' participation) in the Tokyo Summit due to the opinions of other G7 members. This gap in understanding revealed itself in the announcements.

"According to the announcement of Vice Cabinet Secretary Kondo with the Japanese party, the President said, 'I think a dialogue between the nonaligned (countries) and the G7 (countries) would be valuable, ' and 'I want to speak before the G7 members,' but that he didn't specifically say at the Tokyo Summit.

"However according to the announcement by the Indonesian Chief Cabinet Secretary Murdiono, the President specifically told Prime Minister Miyazawa 'As chairman of the Nonaligned Movement I would be grateful if I could have the opportunity to discuss with the G7 members in some form during the Tokyo Summit.'

"...At the present talks Miyazawa said that he would 'make an effort to see that the views of the countries of the Asia-Pacific region are reflected at the Summit, but as far as the President's participation is concerned, he limited himself to a position of exploring the possibility.

"According to persons in the Prime Minister's party, it would be difficult to obtain the agreement of other G7 countries to inviting only an Asian developing country, even though that country is the chair of the Non-Aligned Movement.

"Therefore although Japan will try to accommodate the President's wishes in some form such as setting up a forum for him to meet the G7 members separately at the time of the summit, it was not very optimistic about it.

"But as Indonesian Government sources have said that if President Suharto does not

get an opportunity at the Tokyo Summit, he will likely tell all of the member countries of the Non-Aligned Movement of the 'dialogue refusal by the advanced countries,' this issue is going to be a hard bit of homework for Japan before it convenes the summit."

SUHARTO AND TOKYO SUMMIT

Japan Times, Jan. 28:

Remark: It is hard to judge from the following excerpts from the Japan Times of January 28 article, "Tokyo plans 'sherpa' talks Feb. 27," whether Suharto's participation in the Tokyo Summit is being seriously considered or not. Also, as with any translated material in an English language Japanese paper, extreme caution regarding the quality of the translation is necessary.

The article states that the "sherpas" or personal representatives of the G7 leaders are due to hold a preparatory meeting in Tokyo on Feb. 27 and will discuss the Summit's economic agenda. It continues:

"Also to be considered is the issue of inviting Russian President Boris Yeltsin to the July summit.

"(Government sources) said that vice ministerial-level officials from the G7 countries will meet Feb. 28 to discuss political affairs related to the summit.

"Prime Minister Kiichi Miyazawa said summit participants will discuss promoting and maintaining world peace in the post-Cold War era as well as problems facing the former Soviet republics and developing countries. "The prime minister also said he would try to meet Indonesian President Suharto's request to convey to G7 leaders the opinions of the Nonaligned Movement countries."

UNPO ASSEMBLY OPENS WITH STRONG INTERNATIONAL INTEREST

Press Release 12-Jan-1993 From antenna.nl/unponl

Over sixty delegations are attending the Unrepresented Nations and Peoples Organization's (UNPO) 3rd General Assembly - almost twice last year's number. Increased interest has also come from national governments, international organizations and NGOs, all represented by a growing body of observers. During the five day Assembly current members vote on the admission of new members, hear reports of members' problems and pass resolutions on future UNPO actions.

Leading figures from indigenous and unrepresented peoples from around the world

will attend. Some of the expected leaders are President Dudaev of Chechen, President Ibrahim Rugova of Kosovo, Dr. Costa of East Timor and Mr. R Mariqueo representing the Mapuche from Argentina.

This year's Assembly also includes a special, two day session on the right to self determination in relation to human rights and environmental protection. A number of guest speakers, including H.S.H Prince Hans-Adam II of Liechtenstein, Mr. D Omar, ANC executive committee member and Mrs. M Maguire chair- person of "The Peace People" from Belfast will speak.

The UNPO was founded in February 1991 and has become known as the "alternative UN." Today its members represent over 100 million people. UNPO acts as a forum for nations and peoples that are inadequately represented in international organizations such as the United Nations. The UNPO supports its members in their struggle for cultural autonomy, self determination or independence - depending on their specific aims.

Opening ceremony begins at 9.30am on Tuesday, January 19 at the Provinciehuis, Koninginnekade 1, The Hague, The Netherlands. For more information please contact Saskia Kunst, Pauline Overeem or Richard Boele in the Netherlands:

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A PRO-TIMOR GROUP IN CATALUNYA [SPAIN]

Publico Jan 6 93 Original: Portuguese, abridged

An East-Timor solidarity group is going to be created in Spain, with its "headquarters" in Barcelona, the capital of Catalonia. The idea was brought up by young people, most of them belonging to "Casal de Jovenes de Casc Antic" and is the result of several meetings among the Catalan group, some youth groups of Portugal, Zacarias da Costa - president of the Portuguese regional delegation of U.D.T. - as well as other countries' youth groups. From these meetings, a decision was taken to print a postcard about E.T. in several languages which afterwards will be sent to Mr. Boutros-Ghali.

BRAZIL WAKES UP FOR EAST TIMOR

P.T. [WORKERS PARTY] MP ALERTS THE CONGRESS

Diario de Noticias 28 Dec. 92

By Jose Fonseca Filho

Original language: Portuguese. Abridged translation and remarks by Luis Reis/CDPM

(Brasilia) The Brazilian Congress might create one special parliamentary commission to visit East Timor and Indonesia in order to see "in loco" the problems in this little far-east Portuguese speaking country. Till now East Timor has not provoked any reaction of the Brazilian Government [Brazil has maintained a very "low profile" position. The Brazilian foreign affairs Minister's position towards East Timor, when interviewed by Portuguese media, has always been, on the last year, something like "we respect the East Timorese right to auto determination and we support the Portuguese diplomatic efforts"]. The above cited commission will do a report that will be sent to the Government and to the Parliament, according to the proposal presented by the M.P. João Paulo Vasconcelos, of the P.T. He is the first M.P. that brought this issue to the Parliament. João Paulo Vasconcelos sent a copy of his speech to the Indonesian Ambassador in Brazil, Mr. Rousdy Soeriaatmadja. The speech made by M.P. Vasconcelos to the Parliament showed the Indonesian aggression reality and Timorese people's fight towards their freedom. He added that, on his point of view, is needed "a urgent change of the Brazilian government position towards the conflict existing in East Timor." The M.P. denounced the death of 200.000 people since the invasion by Indonesian troops and praised Mario Soares' position towards East Timor and said that the Brazilian policy was "characterised by unexplainable evasions" till the moment. In fact, when the East Timor issue was under discussion at the UN. Assembly, Brazil was absent at the time of the vote, avoiding, this way, taking an official position. The M.P. Vasconcelos was the first to bring the East Timor issue to the Brazilian Parliament. If the proposal for the creation of a special commission is approved, it will try to go to East Timor and Indonesia, before March.

WESLEY-SMITH CHAMPIONS HIS BROTHER

South China Morning Post (Hongkong) 22 January 1993

Letters page, Unabridged

The letter from Peter Wesley-Smith, Sandy Bay (Australia) is printed under the headline: "Tireless campaigner has not forgotten East Timorese."

In the article headlined, "Tourist apology ruled out" (South China Morning Post, January 15), you report that an Australian tourist was denied entry into Bali because he was (mistakenly) identified as an "anti-Indonesian activist" and a "wanted Australian activist of a pro-independence movement in East Timor."

The man with whom the hapless tourist was misidentified is my brother. Since 1975, he has consistently supported the view of the United Nations that the Indonesian invasion and occupation of East Timor are illegal. He has regularly and tirelessly campaigned against Indonesia's persistent use of torture, extra-judicial executions, arbitrary arrest and detention, and many other breaches of human rights in East Timor. He has frequently protested against the hypocrisy whereby certain countries (the US, Australia) condemn aggression and genocide in some parts of the world (the Middle East) and tacitly approve it in others (East Timor).

No wonder his name is on some kind of Indonesian "wanted" list.

I appeal to all Hongkong residents who go to Indonesia on business or pleasure to remember the fate of East Timorese under Indonesian control. At least one third of the entire population of East Timor has died since the invasion. Their economy has been taken over by Indonesian interests.

Their culture and religion have been suppressed.

But they do have friends around the world: people of principle, moral courage and political commitment who are prepared to risk Indonesian displeasure by reminding us of the Indonesians' brutal occupation and exploitation of East Timor.

'FLASH' FLOOD DEPARTING

Jakarta Post, Jan 22 - Australia will continue to prod Indonesia on human rights questions, including in East Timor, but will do so in a neighborly fashion, Ambassador Philip Flood says.

Flood, whose four-year term in Indonesia will end soon, said yesterday Australia would not tell Indonesia the kind of democracy it should strive for.

However, "We do not shrink from our commitment to what we regard as universal values for governments and societies in the area of human rights," he said in an address to the Indonesia Australia Business Council.

The governments of Australia and Indonesia have established strong communication on various political issues, including human rights, Hood said.

The ambassador urged Indonesia to open up East Timor to visits by parliamentarians, the public and the media, something which he said would help Jakarta gain recognition for the integration of the former Portuguese colony and for the development efforts there.

"We have made it clear that we are happy to assist in the development process and Indonesia has welcomed this," he added.

Australia is one of the few countries to have recognized the 1976 integration of East Timor with Indonesia.

Flood began his post in Indonesia just as relations between the two countries were beginning to improve. Ties soured in the early part of the 1980s with Indonesia accusing its southern neighbor of interfering in its domestic affairs on several occasions. The chief target of the Indonesian backlash was the Australian media.

The ambassador, in his speech, listed the progress made in bilateral relations during the last four years, including the establishment of more regular contacts between government officials, stronger trade and investment, the growing size of Australian aid for Indonesia and the better understanding between the military forces of the two countries.

He said Australia and Indonesia tackled the sensitive question of border delineation in the Timor Sea "with both common sense and imagination."

Jakarta and Canberra resolved the question with the signing of the Timor Gap Treaty, which allows for the joint exploration of the area believed to be rich in mineral resources, in December 1989.

Flood said he hoped the Timor Gap spirit would prevail when the two countries negotiated other common boundaries.

"Taken as a whole, these economic, political, and defense advances are spectacular - they have been based firmly on spending more time getting to know each other," he said.

One of the hallmarks of Flood's ambassadorship was the visit of Prime Minister Paul Keating to Indonesia for talks with President Suharto in April.

Flood predicted that Indonesia would face a time of major political transition and unprecedented cultural pressures from outside the country. He said however that he

was confident that Indonesia would adapt in its own way as it has in the past.

"At the same time, Indonesia's social and political structures will be nourished rather than threatened by exchanges with countries like Australia," he said.

Being an ambassador to Indonesia has also converted Flood to becoming a strong supporter of the Association of Southeast Asian Nations (ASEAN) as was apparent in his speech.

"Personally, I would like to see Australia have a more direct and deeper organic link with the region by becoming a signatory to the Treaty of Amity and Cooperation linking Southeast Asian nations," he said.

"This step would not mean seeking membership of ASEAN, but it would be a way of building on existing links with the region and demonstrating our shared commitment to the objectives of the Treaty."

WCOTP'S EAST TIMOR RESOLUTION

From Bruno Kahn, Agir pour Timor, Tue. Feb. 2

WCOTP, the World Confederation of Organizations of the Teaching Profession, adopted a resolution in favour of East Timor at its Assembly in Stockholm last January.

I don't have the text of the resolution, and this is a report of telephonic origin. Details given to me are as follows:

PGRI, the Indonesian Teachers Union, lobbied heavily against the resolution, sending 35 delegates to the Assembly. However, the resolution, probably proposed by FENPROF, the Portuguese teachers union, had the massive support of the Australian Teachers Union. Also a film of the 12 November massacre (most likely Cold Blood) was shown several times in the corridors. As a result, the resolution was passed with more than two thirds votes, the minimum required to pass such a resolution.

LOW-KEY VISIT TO AUSTRALIA BY INDONESIA'S TIMOR COMMANDER

*The Age (Melbourne), 6th February 1993
By Mark Metherell, Unabridged*

(Canberra) While Australian attention was focused on the trial of the East Timorese rebel leader Mr. Xanana Gusmão this week, Indonesia's military commander of the region including East Timor, Major-General Suwardi, made a low-key visit to Australia.

General Suwardi met Defence Force officers in Darwin, Canberra and Sydney. But

defence sources said yesterday that issues surrounding the November 1991 Dili massacre, which involved troops now under General Suwardi's command, were not raised in formal talks with him.

The general, who is based in Denpasar, Bali, replaced Major-general Sintong Panjaitan as regional commander of military area nine, the so-called Udayana command which had responsibility for the troops involved in the Dili massacre in which 50 to 100 protesters were killed.

General Suwardi's visit, thought to be the first to Australia by an Udayana commander, is part of a push by both countries to push by both countries to develop ties between the Australian Defence Force's northern command and the commands of neighbouring eastern Indonesia.

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General Suwardi held talks with the chief of the Australia Army, Lieutenant-General John Grey, and also met seniors of the northern command and the Chief Minister for the Northern Territory, Mr. Marshall Perron, in Darwin.

There has been an increasing tempo of exchanges between senior officers.

In the same time, 10 top Australian officers have travelled to Indonesia. The military exchanges were highlighted by the conferring of a prestigious Indonesian honor on the chief of the Australian Defence Force, General Peter Gratton, by Indonesian's supreme commander, General Try Sutrisno.

At a parliamentary committee hearing this week the vice-chief of the Defence Force, Lieutenant-General John Baker, rejected suggestions that defence exchanges could mean Australia was potentially helping the Indonesian military perfect techniques in the suppression of civilian unrest.

General Baker, the former head of the Defence Intelligence Organisation, said that exchanges between the two forces were restricted to military operations.

He said the hope was that Indonesian forces would learn more about Australian discipline and control techniques, while Australian forces would also learn skills from the Indonesians.

General Baker said he welcomed the steady improvement in the Indonesian military made possible by its economic growth but this was not developing into anything like an arms race between the two countries.

UK GOVERNMENT STILL STANDING SOFT

House of Commons, London: Ministers' Question Time, 10 February 1993

Mr. Jon Owen Jones [Labour]: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will visit Indonesia to make representations about human rights violations in East Timor.

Mr. Goodlad [Secretary of State, FCO]: No, the Indonesian authorities are well aware of our views on the human rights situation in East Timor. Mr. right hon. friend the Secretary of State for Foreign and Commonwealth Affairs raised the subject when he met the Indonesian Foreign Minister in Manila in October, as did I and as I also did when I visited Indonesia in October. As appropriate, we will take suitable opportunities to do so again in future.

Mr. Jones: Indonesia is not a country at the centre of the world stage and world interest. Does the Minister agree, however, that human rights violations carried out in Indonesia are as important as those carried out in countries that attract more international interest? Does he agree that such violations are more severe in Indonesia than in many other areas? In East Timor, the Government have killed an even larger proportion of the population than were killed by Pol Pot in Cambodia. When will the Government be prepared to act against Indonesia? When will they stop selling goods to the country and stop dealing with its Government?

Mr. Goodlad: The hon Gentleman is right: Indonesia is an important country. It is an important member of ASEAN - the Association of South-East Asian nations - and is now chairman of the non-aligned movement.

We and our European partners continue to be concerned about the human rights situation in East Timor, and we have made our views known to the Indonesians on numerous occasions. We remain profoundly concerned about reports of large numbers of deaths over the year, but we believe that some of the figures have been exaggerated. We believe that constructive dialogue is the most effective way of influencing attitudes and encouraging improvement; we do not think that cutting off trade, as the hon Gentleman suggests, would help the people whom he presumably wishes to help.

Mr. Nicholls [Conservative]: Does my right hon. Friend recognise that, far from being unimportant, Indonesia is the fourth largest country in the world, and the world's biggest Muslim nation? Is he aware that, after the deaths in East Timor - which

clearly inspired the question - the Indonesian regime set up a commission of inquiry, as a result of which some army officers were disciplined and others removed from the armed services? Should not regimes such as Indonesia's, which is trying to improve its human rights record, receive due praise for the steps that it has taken, rather than being denigrated by ignorant Opposition Members?

Mr. Goodlad: My hon. Friend is quite right. The Indonesian authorities behaved in an unprecedented manner after the Dili atrocities in bringing those responsible to trial. My hon. Friend is also right in saying that continuing bilateral relations with what is, after all, a very important country, and continuing to provide that country with trade and aid, is the most likely way of bringing about an improvement in human rights, as we all wish to do.

Mr. Tony Banks [Labour]: May I say that I am quite surprised that the Minister, for whom I have some regard, is prepared to be such a sniveling apologist for the Indonesian regime? Where is the morality in British foreign policy nowadays? Is it not outrageous that the British Government should be prepared to supply arms to the Indonesian regime, in view of the human rights abuses in East Timor. Will the Minister make representations to Helmut Kohl, who I understand is at this moment preparing to sell large amounts of the old East German navy to the regime?

Mr. Goodlad: As I have said, we and our European partners are deeply concerned about human rights in East Timor, and have pulled no punches in making our views known. The expression employed by the hon. Gentleman is entirely inappropriate in this context. No one has been firmer than we have.

As for the hon. Gentleman's question about defence sales, all sovereign states enjoy the right to defend themselves, under article 51 of the United Nations charter. Applications to export British defence equipment are carefully scrutinised. We do not allow the export of arms or equipment likely to be used primarily for repressive purposes against civilian populations. In the case of Indonesia, this criterion extends to the possible use against the civil population of East Timor. We do not believe that an embargo on defence sales to Indonesia would be an appropriate or effective way of influencing the Indonesians to engage in better behaviour in the field of human rights.

Mr. Anthony Coombs [Conservative]: Irrespective of the regional importance of Indonesia, will my right hon. Friend confirm that originally - after colonial rule - Indonesia occupied East Timor by force and that throughout the past 15 years its record

on human rights, regardless of Dili, has been quite deplorable? Will my right hon. Friend do all he can, through the United Nations and the European Communities, to ensure that the voice of East Timor is heard - either directly or, as has been offered, indirectly through the Vatican - in negotiations towards a constitutional solution to this very difficult problem?

Mr. Goodlad: My hon. Friend is quite right. Unlike a very large number of other countries, this country did not recognise Indonesia's annexation of East Timor. We continue to believe that the question of East Timor's status and future is best addressed through the auspices of the United Nations Secretary-General and through contacts between Portugal and Indonesia, and we continue to encourage those concerned to pursue the dialogue in which they are engaging.