

# Documents on East Timor from PeaceNet and Connected Computer Networks

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

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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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## XANANA GUSMÃO'S TRIAL CONTINUES

### PORTUGUESE PARLIAMENT: TRIAL IS ILLEGAL

*Publico 3 February 1993. By Angela Silva.  
Original Portuguese. abridged*

(Lisbon) The Assembly of the Republic yesterday unanimously passed a vote of "vehement repudiation of the pursuance of Xanana Gusmão's trial," considering it to be "unjust, unlawful, biased, and gravely offensive to human dignity and to the internationally recognised rights of the people of East Timor." The vote, proposed by all the members of the parliamentary Commission on the Situation in East Timor, alerts the UN Human Rights Commission to the "urgency of the Presidency's statement on East Timor being respected." Furthermore, it asks non-governmental organisations and the Portuguese Lawyers' Council "that they collaborate in the restoration of the violated international juridical order."

In the preamble to the vote, Xanana's trial is considered "an abusive attempt to impose, upon the international community, the qualification of the resistance as a question of domestic jurisdiction, thereby passively bringing about acceptance of the subjugation and integration" of the territory of East Timor. In this regard, the Assembly of the Republic requests Parliaments and Governments, "especially those of the United States and Australia, that they urgently proceed to an evaluation of the disparities between the policies imposed on the people of Timor and the Universal Declaration of Human Rights and principles of self-determination and independence of peoples, embodied in the UN Charter."

This vote came from the Parliamentary Commission on East Timor which is now chaired, since just a few days ago, by the Christian-Democrat deputy Adriano Moreira, substituting the Social-Democrat Vitor Crespo.

### XANANA LAWYER COURT STATEMENT

*Delivered 3 February, 1993*

*DOCUMENT: EKSEPSI DELIVERED BY  
XANANA'S LAWYER, SUDJONO AT DILI  
TRIAL.*

Law Office Sudjono and Partners  
Counselor: Prof. Sahetbi, SH, Dr. Lubby  
Loqman, SH, MH  
No. 500/SP/1/93

E K S E P S I in response to LIST OF  
THE PROSECUTION'S CHARGES  
No.: PDM - 90/DILI/01/199325 January  
1993

#### A. IDENTITY OF THE ACCUSED

Name in Full: JOSE ALEXANDRE  
GUSMÃO alias KAY RALA GUSMÃO  
Al XANANA

Place and Date of Birth: Manatuto, East  
Timor, 20 June 1946

Age: 46 years

Sex: Male

Nationality/Citizenship: Indonesian

Place of Residence: West Lahane, RT. 2  
RK. 1, West Dili sub-district, District of  
Dili

Religion: Catholic

Employment: GPK (Gerombolan Pen-  
gacau Keamanan: rebel/secessionist/ dis-  
turber of common safety)

Education: Liceu (Senior High School)

#### B. HELD BY THE INVESTIGATING OFFICER

Since November 20 1992 Extended De-  
tention by General Prosecutor/ Indonesian  
Attorneys Office, Dili from 10 December  
1992 to 18 January 1993. Detention ex-  
tended by Dili District Court as of 19 Janu-  
ary 1993

#### C. TYPE OF DETENTION

Detained in Prison

Respected Judge, Beloved Prosecution:

#### INTRODUCTION:

Before the trial begins, allow us to pre-  
sent an eksepsi in response to the charges  
laid by the Public Prosecutor as included in  
the List of Charges No. -90/PDM/  
DILL/01/1993, 25 January, 1993.

The charges laid against the accused are  
inextricably linked to administrative law, in  
particular from the concept of the emergence  
of a state. The contract theory is one of the  
theories concerning the emergence of states,  
a theory which has been illustrated in the  
emergence of ex-Soviet or ex-  
Czechoslovakian states. Likewise, states  
formerly colonized by Portugal.

The emergence of a state is not only  
based on contract but also relates to the  
history of a particular group of people. The  
emergence of the Indonesian state, for ex-  
ample, is not based on contract between  
states but on the common history of a peo-  
ple from a certain location/geographic area.  
States also emerge out of radical change  
often referred to as revolution. Thus, states  
may emerge from either peaceful or violent  
processes.

#### A GLANCE AT THE TIMOR PROBLEM

Since the departure of the Portuguese  
colonial government, there has been no East  
Timorese state. The conditions for es-  
tablishing a state are that it must constitute  
a people, a geographic area and a govern-  
ment. Other conditions include other coun-  
tries' recognition (of the new state). East  
Timor only has a geographic area and a  
people, but no government.

Nevertheless, recognition by other  
countries has been present in the form of  
United Nations recognition. Recognition by  
other states tends to be the dominant factor  
in determining the formation of new states.  
At present (the validity/legality of) the in-  
tegration of East Timor remains in question.

Following the departure of the Portu-  
guese colonial government, several groups of  
people formed parties which had varying  
aspirations regarding the nature of the ad-  
ministration of East Timor. These aspira-  
tions included the desire to integrate with  
Indonesia, and the desire to form a separate  
state. Presently, these groups maintain their  
respective followings, and are in possession  
of weapons formerly belonging to the ex-  
Portuguese colonial administration. The  
group aspiring to integration received assis-  
tance from the Republic of Indonesia. The  
group desiring a separate state received as-  
sistance from overseas. The group desiring a  
separate state was known as Fretilin, led by  
the accused. A leadership body was formed,  
thus fulfilling the conditions necessary for  
establishing a state.

Another group refused to accept the es-  
tablishing of an independent East Timorese  
state. This group wanted to integrate with  
Indonesia. Armed conflict broke out be-  
tween these two groups.

The leadership of several groups then  
approached the Indonesian government to  
request integration as soon as possible.

Attempts were made to hold a referen-  
dum. Whether this referendum was self-  
initiated or carried out by other people re-  
mains a question. Was not a neutral third  
party not required to oversee such a referen-  
dum?

The 'non-integration' group continued to  
question the validity of the referendum.  
Moreover, according to the referendum re-  
sults, the majority of people chose to inte-  
grate with the Republic of Indonesia.

At this stage, the United Nations contin-  
ued to question the validity of the general  
election (referendum). Was the decision  
taken by the four parties excluding Fretilin a  
pure manifestation of the will of the people  
of the ex-Portuguese colony? This may  
relate to the fact that, due to the poor level  
of education of the (majority of) people left

by the Portuguese colonial government, decision making power rested with their leaders.

The group which opposed integration ('non-integration group') considered the result of the referendum invalid. Thus, this group, of which the accused was leader, did not recognise the Indonesian rule.

We may compare this situation with Indonesia's annexation of West Irian. Although this discredited Indonesia internationally, West Irian was formerly a Dutch colony. Juridically, therefore, Indonesia's annexation was recognised internationally, and was not really questioned by anyone but the Dutch government.

### THE JURISDICTION OF THE COURT

These events occurred long before the declaration of East Timor's integration into Indonesia (i.e.: before 1976).

Basic to the accused's beliefs are his refusal to recognise the act of integration, and thus the jurisdiction of this court to try him is questionable.

Additionally, the list of charges notes that the accused carried out (illegal) activities between July 17 1976 and November 20 1992. This is beyond the existing facts.

The existing facts are presented as follows:

1. 1942-5 Dutch East Indies occupied by the Japanese military regime. East Timor included in the area of occupation.
2. 17 August 1945 Indonesian people proclaim independence. Area encompassed by Indonesia as yet unclear.
3. August 1945 East Timorese people began to revolt against Portuguese colonialism but were crushed by the Portuguese.
4. 27 December 1949 Surrender of Dutch sovereignty of Indonesia. Indonesia accompanies all that was former Dutch East Indies, not including East Timor which was still under Portuguese colonial rule.
5. April-May 1974 Portuguese government planned to grant democratic rights to its colonies, including East Timor.
6. September-October 1974 Discussion concerning the decolonisation of East Timor held for the first time between the Portuguese and Indonesian governments.
7. May-November 1974 Five East Timorese political parties organise themselves for self-government.
8. March 1975 Plans to hold a referendum are thwarted by the Portuguese military. Fretilin begins its activities. UDT also begins to stage demonstrations demanding integration with Indonesia.
9. 20 August 1975 Fretilin controls a large area of East Timor.

10. 26 August 1975 The Portuguese colonial government leaves East Timor. Various groups claim to control the ex-Portuguese territory.

11. 28 November 1975 Fretilin declares East Timorese independence.

12. 29 November 1975 Portuguese government announces that in three months East Timor will gain administrative independence.

13. 30 November 1975 Four other parties also proclaim their independence and approach Indonesia to integrate.

14. 15 January 1976 A United Nations delegate (Vittorio Winspeare Gucciardi) visits Indonesia and meets with Adam Malik to enquire about the situation in East Timor.

15. 20-22 January 1976 UN delegate visits Dili to meet with leaders, including Fretilin leaders, in various parts of East Timor. Following this the UN delegate visited Australia to meet with Fretilin members.

16. April-May 1976 A letter sent to the UN requests that the imminent election be observed.

17. May 1976 Election held and the result is the choice to integrate with Indonesia.

18. 5 June 1976 Timorese delegation visits Jakarta to present a petition requesting East Timor's integration with Indonesia.

19. 23 June 1976 Fact-finding team led by Indonesian Internal Affairs Minister (Amir Machmud) visits East Timor to inspect the situation there.

20. 17 July 1976 President Suharto announces East Timor as the 27th Province of Indonesia.

21. End 1978 Discussion about the integration of East Timor held in the UN.

As evident in the above chronology, Fretilin did not agree to integration from the beginning, and that they wanted to establish a separate state. The will to establish independent states emerged at the end of World War II, when even the Timorese people had begun to oppose the Portuguese colonial government.

The group of which the accused was leader existed within the ex-Portuguese colonial territory. This group maintained their desire for free state, independent of all other countries.

The proclamation of self-governance by groups led by the accused was based on their conviction to maintain/uphold their power. According to the existing facts, the actions of the accused and his followers show a desire for self-governance and, according to administrative law, did not recognise the new legal system.

Because the Indonesian government's presence in the ex-Portuguese colonial territory was not recognised (by Fretilin), all existing institutions were considered non-existent, including the court currently trying the accused. The present court only came into existence long after the void of governance in the ex-Portuguese colony. The group opposed to integration and led by the accused already existed (before Indonesian annexation).

The activities carried out by the accused began in 1975 and were carried out on a continual basis. Claims in the list of charges as to the accused's actions beginning in 1976 are false.

Thus we conclude that this court has no authority to try the accused. We request that the Dili District Court declare itself without the authority to try the accused in the trial proposed by the Dili State Public Prosecutor No. PDM/90 /DILI/01/1993 based on fact and according to the current constitution.

I thank you for your attention and wisdom.

Sudjono  
3 February 1993

*Translated by Bibi and Emma for MANIC (Marrickville Activists Network for International Social Change).*

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## XANANA REKINDLES EXPECTATION OVER HIS TRIAL IN DILI

### BRILLIANT & EDUCATED

*Diario de Noticias 4 February 1993 By Oscar Mascarenhas. Translated from Portuguese. unabridged*

(Dili) Xanana Gusmão is not unprovided for with regards his defence. His lawyer, Sudjono, made it clear yesterday in the Dili courtroom that he will fight every legal inch of the way throughout the proceedings.

The defence strategy is being overseen by Loebby Loqman, a respected university professor from Jakarta, specialist in matters related to the Anti-Subversion Law. Perhaps for this reason Xanana, in a mood different from that of the first day, asked that the journalists "wait until the end of the proceedings."

In black, white and grey checkered shirt with rolled up sleeves, Xanana left the cell yesterday under a smaller escort. He looked spiritedly, with head slightly inclined, to the right and behind, towards the journalists. He didn't look right and then left until he reached the courtroom, to which he had been summoned by the judge.

With determination he crossed the tiny lawn, clouds of minute grasshoppers rising

with each step. It was Xanana who led his escort.

"You must attend this process until the end," he said in English in a good loud voice, head lowered and left arm raised as if to wave good-bye. Was he addressing the international press? Or, not knowing Indonesian Bahasa, was he sending a message to the local journalists? The defence lawyer later told the journalists that the prisoner's gesture had not been prearranged.

Xanana entered the courtroom and was before the judge for 22 minutes. 17 of those he spent listening to his lawyer's response to the public prosecutor's indictment, which had been read on Monday. He returned to his cell, waving his hand when a Portuguese reporter asked how he was feeling, to await his reappearance in court the following day. The judge had ordered two days adjournment for the prosecutor to reply to the procedural matter raised by the defence. Contrary to what we had officially been informed, there will be a session on Friday.

A little more than a quarter of an hour was enough for Sudjono to say that the Indonesian court lacks legitimacy to try Xanana. It was what could be called an historic intervention, because Sudjono recalled the various steps of Timor's international situation from 1974 onwards, and the word referendum was included several times in his speech. Sudjono explained to the journalists that the stage of having to answer the prosecutor's accusations had not yet been reached. At this time, he opted for counter-attack, aimed at the court itself. But Xanana declared himself to be Indonesian at the outset of the trial when he identified himself to the judge. Sudjono smiled: "Even if he says he is Indonesian, this does not mean that the court has the competence to try him." Amused, he revealed a trump card in his hand - "At the right moment I'll ask the prosecutor to prove that Xanana is Indonesian. I want to see just how he proposes to do that."

Might not the lawyer be bringing personal problems down upon himself by employing a defence based upon questioning the legitimacy of Indonesia's presence in Timor? "Only God knows that," he replies jokingly: "I am a fanatical Moslem, I can but believe in God..." He did not, however, reveal his own view on the problem of East Timor: "I am a professional lawyer and that question is a political one. It goes beyond my profession."

Sudjono receives no remuneration for his work and even pays the costs of the trial. And what costs! As well as his own hotel expenses in Dili for at least two months, he has to foot the bill for Prof. Loebby Loqman's attendance as well as that of the young lawyers Bhisnoko and Iwan Pradana,

his assistants. Pointing to Pradana, Sudjono laughs and says: "And this one certainly needs to earn his living because he has a six-month-old son..."

Why did he take on this case? "For humanitarian reasons," he replied, striking his breast. And, as if to say "that's just the way I am," he added "Just lately I had the joy of saving someone from the hangman's noose, in Malaysia."

For him the primary objective is not to win or lose the case: "My main motivation is to fight with the law, as best I can. Success or failure is of secondary importance."

He speaks to Xanana in English, and has already met with him in prison seven times. He offered him this line of defence and the prisoner had no objections. But Xanana speaks poor English. "So do I," Sudjono laughs. Someone expressed surprise that Xanana speaks to quietly, in court. "But he always speaks quietly!," retorted Sudjono. "It is his politeness. He is a brilliant and well mannered man." The defence lawyer appears to be fascinated by Xanana's personality: "He's like an artist. He is particularly brilliant in the way he thinks and the way he understands. He seems more an intellectual than a rebel."

When they told him that the news had said that Xanana's cell had an Indian carpet and marble washbasin, the lawyer burst into laughter: "All I said was that he is being well treated..."

Sudjono's intervention surprised the international observers, but was considered "very good," by both the presiding judge, Christian Javanese Hyeronimus Godang, and the leader of the public prosecutor's bench, Moslem Ketut Swara from Bali. An Australian reporter met with bafflement on the other end of the line when sending through his report for editing: "We understand what you are saying," they said, "We just don't see what it is that the lawyer's aiming at." It is, after all, quite simple: the Indonesian Moslem lawyer, who has never seen Timor, working with an essentially Dutch penal code, outlined a strategy just in the same way a good Portuguese lawyer, expert in international law, would do.

### XANANA'S LAWYER USES ALATAS'S ARGUMENT

*Publico 4 February 1993 Byline : Adelino Gomes Translated from Portuguese un-abridged*

(Dili) A reversal of position, or simply a procedural incident? Xanana's lawyer insists he is just a professional, but his strategy, yesterday, could have been the first sign that Jakarta is going to have difficulty

in trying the Timorese ex-leader as a common criminal.

Only tomorrow will the public prosecutor reply to the procedural incident raised by Xanana Gusmão's defence counsel, lawyer Sudjono, in his 9-page intervention which, by questioning the Dili Tribunal's competence to try the defendant, represents the first attempt to shake the logic of the Indonesian authorities' juridical construction of the entire proceedings. The judges will then spend almost a week studying the arguments presented by both sides, before announcing their decision on 11 February.

The defence lawyer upholds his argument on two main grounds: Fretilin's fight for Timor's independence had already started when Suharto proclaimed the territory Indonesia's 17th province, and the guerrillas never having recognised the Dili Tribunal's jurisdiction.

"He must have read the book on the East Timor question, distributed a few months ago by the Indonesian Foreign Ministry," commented foreign observers at the end of the trial's second hearing. It had lasted just 22 minutes and comprised of Sudjono's intervention, the prosecutor's request for the hearing to be again suspended, and the judges' concession of just one day.

The document on which Sudjono based his arguments for his first public appearance in Xanana's defence, had been specially prepared for the Non-Aligned Countries' Summit held in September in Jakarta. It constituted "the best legal justification for the occupation, produced by the Indonesians until now," thought one press correspondent based in the Indonesian capital, impressed by the defence lawyer's astuteness in employing the arguments of Ali Alatas himself against the basis of the prosecutor's position.

It should be emphasized here that Sudjono did not contest the competence of the Dili Tribunal to try this case. He asked the court to accept that it does not have the authority. Or, to repeat the comments made by an observer to *Publico*, "He gave the Indonesian legal system a chance to decide for itself."

Xanana's defence counsel chose, therefore, "cooperation" rather than "confrontation," in contrast to, for example, the Timorese Fernando Araujo and Francisco Miranda Branco, when they declared themselves Portuguese and rejected Indonesia's laws and courts, during their trial last year in Jakarta. They were given heavy sentences for allegedly encouraging activities in opposition to the regime, while members of the resistance. To this end, the lawyer minimized the effects of Xanana's statement, during the first hearing, in which he identified himself as Indonesian.

Although a source linked to the proceedings admitted that "that is an obstacle which the defence is going to have to remove," it would seem that Sudjono is relying on legal rather than political logic prevailing.

"The crimes of which Xanana is accused were committed while he was leader of an organisation which never accepted integration. The fact that he identified himself as Indonesian cannot go against him, when it is his responsibility in acts committed over the past 17 years, and not today, that is being investigated," argues a diplomat who is following the proceedings in Dili. And, in this respect, he could be referring to the lawyer when, yesterday, he said to foreign reporters here that "there is a right time for each legal question to be raised."

Sudjono, who revealed to Publico that he accepted the case purely for humanitarian reasons and without any kind of remuneration, insists that he sees his whole performance in this trial as being within the strict limits of a professional relationship. He says he studied Timor's recent history only when he became defence lawyer for Agapito Cardoso last year, and insists on not revealing any political view on the subject.

However, this is not stopping him from scrutinizing every legal hypothesis possible, even when it would have sensitive political implications for the Suharto regime. "De facto, Timor belongs to Indonesia. But, de jure, the international community refuses to accept integration," he said during a long meeting with the foreign press, during which he agreed to make some small revelations about his visits to Xanana.

#### Hope, until we die

Sudjono's team consists of the university professor of law, Prof. Loqman, a known and respected Indonesian critic of the Anti-Subversion Law. It is practically impossible for western observers to this trial to imagine that the Dili Tribunal would recognise its incompetence to try Xanana. It will, therefore, be impossible for the defence to invoke the political nature of the "crimes" of which his client is accused by the Indonesian state. But Sudjono suggests he may have new surprises in store, when he says that he will bring out Xanana's testimony "at the right time."

By asking the reporters in English yesterday to "wait until the end of the trial," Xanana must have wanted to indicate that he has confidence in the lawyers and that everyone, starting with the Timorese, was wrong when, seeing Xanana apathetic, "Indonesian," and "disturber of the peace," at the first hearing, they regarded him as a warrior who had given up the fight. Good news for the Timorese, about 200 of whom

gathered again yesterday in the street in front of the court, in spite of the dissuasive presence of, this time, groups of Indonesians in civilian clothing, armed with sticks measuring about one and a half metres long and 3 centimetres in diameter.

Indifferent to the danger, some awaited the reporters to transmit a message of resistance. "They drugged the old man. We are very sad because he declared himself Indonesian," said two demonstrators quietly, as the Publico's correspondent passed by. "Don't abandon us. We want independence, we don't want integration."

In the middle of the road, towards the cathedral, under the violent blaze of the morning sun, the voice of a middle-aged woman sounds like a cry of anger: "We will hope until we die." Only she knows whether it was meant for the world, or for the ears of her own compatriots.

#### Calendar of the Trial

Day 5 - Prosecutor's reply to the procedural incident raised yesterday by the defence.

Day 11 - Court's decision on the incident

Days 15 to 25 - Listening to testimonies. Possible start of Xanana's testimony.

Days 26 & 27 - Xanana to be questioned.

Days 4 to 10 March - Proceedings continue, and final statements.

Day 20 or 21 - Sentencing.

### RAMOS HORTA AGREES TO TESTIFY

*The following is the text of a letter faxed by José Ramos Horta in Geneva to Sudjono, the Indonesian defence lawyer of Xanana Gusmão, on 11 February 1993, in response to a request that he testify at Xanana's trial as a defence witness:*

Dear Mr. Sudjono,

I acknowledge receipt of your fax of 9 February 1993 and thank you for your efforts in trying to obtain clearance from the competent authorities to enable me to testify in Dili as a defence witness.

While I wish to reiterate my interest in attending the proceedings, let me make the following points clear from the outset:

1. Indonesia does not have any jurisdiction in East Timor and therefore the trial of Xanana Gusmão is illegal under international law. Xanana has neither committed a crime under international law nor under Indonesian law, since East Timor is NOT a territory of Indonesia.
2. Indonesia has occupied East Timor illegally since 1975 in breach of provisions of the United Nations Charter on the

non-use of force in international relations. This has also been in defiance of two Security Council and eight General Assembly resolutions which reaffirm the right of the people of East Timor to self-determination and independence, and call on the government of Indonesia to withdraw from East Timor.

3. As a direct consequence of the invasion and occupation of East Timor by Indonesian armed forces in 1975, the people of the territory have not been able to exercise their inalienable right to self-determination.

Having stated these points, which I would ask you to read to the court, I remain ready to travel to my homeland, East Timor, at short notice. There, together with Xanana Gusmão and my... [one line left out in the copy we have]... help, you will prove beyond doubt that Xanana Gusmão and all our compatriots, who have been fighting for self-determination, independence and freedom, have not violated any laws of any country. We will prove that they should therefore be set free and Indonesia should begin its disengagement from East Timor and work for a true resolution of this conflict for the future of peace and prosperity of East Timor and the Indonesian people. This would be in line with the true spirit of understanding which should prevail amongst our regional family and which we ardently desire.

I remain in Geneva until 14 March, attending the UN Commission on Human Rights where, for your information, East Timor has been the most talked about issue.

Yours sincerely,  
José RAMOS HORTA

#### XANANA INDIFFERENT TO RAMOS HORTA OFFER

*Publico, From the Portuguese unabridged*

(Lisbon) The announcement that the representative abroad of the Maubere Resistance National Council (CNRM), Mr. Ramos Horta, could be a witness in Xanana Gusmão's trial was received yesterday with indifference by the latter. According to the defence lawyer, S.H. Sudjono, who passed the information on, Xanana just said "I myself am my best witness."

The reaction of the Timorese armed resistance's former leader surprised Sudjono who, in a letter to which Lusa's special envoy to Dili had access, thanked Ramos Horta's offer to travel to Timor's capital in order to testify at the trial.

The CNRM's representative, currently in Geneva for the UN Human Rights Commission, offered to testify as "enemy number one abroad" of the Jakarta regime,

and was prepared to go to Dili with a group of celebrities and reporters, in order to "transform the court into an international forum for the defence of the Maubere people."

As well as expressing appreciation for the offer to stand as witness, Mr. Sudjono pointed out in his reply to Ramos Horta that entering the territory would be "difficult" for him, but promised to make every effort to ensure his presence in the Dili court.

#### **Forced to Testify**

Those giving evidence for the prosecution against Xanana Gusmão will probably start being called next Monday. This information was given to Lusa by an unidentified "Timorese source," according to which most of the witnesses were arrested after Xanana's capture and, under torture, forced to agree to give evidence.

According to the same source, the deponents for the prosecution were even made to swear loyalty to Suharto and given instructions by the Indonesian authorities with regards the content of their testimony before the court trying the Timorese former leader.

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### **INDONESIAN UN MISSION CHIEF MEETS XANANA**

*Jawa Pos, 13 February 1993. Abridged.*

*Comment: This is an important item about a visit to Dili of Nugroho Wisnumurti, head of Indonesia's mission to the UN in New York. Much of what happened in Nugroho's discussions in Dili is left unsaid but the impression is that the visit was part of the preparation for Indonesia's strategy being planned for the meeting in Rome on 20 April between Indonesia and Portugal.*

*There are reports circulating in Jakarta that Indonesia intends to take Xanana to Rome, although how they think they can pull this off is difficult to imagine.*

*Also, we have seen reports in the Portuguese press that Bishop Belo is likely to be in Rome at the time of the talks in order to play a part. Several newspapers have given credence to this story while others like Publico, usually up front with reporting about East Timor, have treated the report with a considerable amount of skepticism.*

— TAPOL

Although he did not carry out his plan to attend a session of the Xanana Gusmão trial now under way in Dili, Indonesia's head of UN mission in New York, Nugroho Wisnumurti had the opportunity of having a private meeting with the Fretilin leader at the police detention centre.

Nugroho told Jawa Pos that he had held a frank discussion with Xanana who had made it clear that he is ready to help the Indonesian government on the question of East Timor at the UN.

During a 90-minute meeting with Xanana - which Nugroho admitted was somewhat hampered by language because Xanana does not speak English well - Xanana had spoken very frankly and openly. Nugroho hoped that this was a sign of goodwill on Xanana's part and was not a manoeuvre to promote his own interests.

Asked what he discussed with Xanana, Nugroho said that they had discussed a number of things but "my main purpose was to get to know him in connection with my work at the UN, so as to provide information to the international community, via the UN, about East Timor."

Asked how Xanana had responded, Nugroho said: "Very well indeed. He spoke very openly and said he would like to help the Indonesian government reach a solution to the question of East Timor at the UN. I am sorry I cannot say more than this because many of the things we discussed were matters of substance."

Nugroho also said that the conversation with Xanana had convinced him that what Xanana had said on Indonesian TV was indeed true. "Portugal's assessment that the various statements made recently by Xanana were made under duress from the Indonesian government is quite wrong."

Asked whether he had discussed the trial with Xanana, Nugroho said that Xanana told him he would speak in court about his position.

During the visit to Dili, Nugroho also held a lengthy discussion with the military commander, Brig.Gen. Theo Syafei [who, as reg.easttimor readers will recall, recently called for the talks between Indonesia and Portugal to be halted] as well as having a meeting Bishop Belo.

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### **FOUR WITNESSES HEARD AT XANANA TRIAL ON FEB. 15**

According to an AFP report filed from Dili, four witnesses were heard today, 15 February, at the Xanana Gusmão trial which opened on 1 February. Three were members of the armed forces and the fourth was an East Timorese member of the police, Augusto Pereira, in whose house Xanana Gusmão was taking refuge when he was captured on 20 November last.

First to testify was Private João Jesus Costa, member of the special force which captured Xanana, who told the court he found a Minimi rifle and an FN-45 pistol in Xanana's room. He said the weapons belong

to the armed forces; this was corroborated by a statement from ABRI's Support Arms department.

Agusto Pereira confirmed that the two weapons were Xanana's.

According to a written statement, army commander Brig.Gen. Theo Syafei, told the court the army lost several [sic] weapons from 1975 to 1989 during engagements with Fretilin units.

Two other witnesses, Captain Kadio and police chief Sergeant Made Maja, told the court they were guarding the Dili TV station in 1980 when it was attacked by about 100 Fretilin members, killing two policemen and wounding several others. The attackers were driven back with the help of security forces from nearby posts and 15 people were arrested.

The trial was adjourned till tomorrow, Tuesday.

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### **XANANA'S LAWYER UNDER PRESSURE**

*Publico, Lisbon 16 February 1993*

*Remark: Portuguese journalists who were in Dili last week for Xanana's trial reported that his lawyer, Sudjono, was having greater difficulty communicating with his client who had become far less talkative than before. This change seems to have occurred after Xanana called out to journalists on the second day of his trial, asking them to follow the proceedings to the end.*

*Sudjono last week contacted José Ramos-Horta inviting him to testify as a defence witness at the trial of Xanana. We hope to publish more details about this shortly.*

— CDDM

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### **SUDJONO NOT CONTACTABLE**

#### **XANANA'S LAWYER MOVES TO A HOTEL WITH NO TELEPHONE**

The Indonesian defence lawyer of Xanana Gusmão cannot be contacted. Sudjono suddenly moved from the hotel where he was staying in Dili and transferred to a tiny hotel without a telephone, in Liquica, outside the capital, Dili.

Contacted by the agency LUSA, the Hotel Mahkota receptionist in Dili said that Sudjono checked out of the hotel last Thursday, the day the Portuguese journalists left Dili.

According to sources close to the trial, Sudjono's move to a hotel in Liquica, which Timorese refugees in Lisbon say is nothing more than a restaurant with a couple of rooms, coincides with an intensification of pressure from Jakarta on Xanana's lawyer.

After last Thursday's court hearing just before leaving Dili, the Portuguese journal-

ists made arrangements with Sudjono to stay in contact with him. He expressed a willingness to do so, as he has done up to now, saying nothing about any intention to move to a hotel without a telephone.

## GUSMÃO ADMITS 'DEATH' EVIDENCE

*The Melbourne Age, 16 February 93 By Lindsay Murdoch, Southeast Asia Correspondent, Full text*

The East Timor guerrilla leader, Mr. José "Xanana" Gusmão, today admitted evidence that could make him liable to a death sentence under Indonesian law.

Indonesian prosecutors said Mr. Gusmão was in possession of a high-powered automatic rifle and pistol when he was arrested in Dili, the East Timorese capital, on 20 November last year.

When asked in court whether evidence about the weapons was correct, Mr. Gusmão replied in Portuguese: "Right." Under a 1951 Indonesian law the offence carries a maximum penalty of death.

The evidence by an arresting soldier, Indonesian special forces Private João Jesus Costa, was the first for the prosecution at the trial which opened today after preliminary hearings.

Mr. Gusmão has pleaded not guilty to rebellion, conspiracy and the weapons charges.

Diplomats observing the trial had speculated that Indonesia did not intend to execute Mr. Gusmão, since the rebellion charges he faces come under the country's criminal law and not harsher subversion laws.

The policeman owner of a house in which Mr. Gusmão was arrested, Mr. Augusto Pereira, told the court that Mr. Gusmão confided in him that he felt "responsible" for the violence in Dili in November 1991 when Indonesian soldiers opened fire on pro-independence demonstrators, killing and wounding scores of people.

When Mr. Pereira finished giving his evidence Mr. Gusmão said through an interpreter that he knew the witness well and agreed with what he had said.

Mr. Gusmão, 45, the leader of the Fretilin guerrilla group fighting to end Indonesian rule of the former Portuguese territory, complained to his counsel during today's three-hour hearing about what he described as aggressive questioning of witnesses by one of three judges hearing the case.

His chief counsel, Mr. Sudjono, said Mr. Gusmão was in good health. He was being treated well at a jail in Dili where he spent

much of his time playing dominoes with a guard.

Mr. Sudjono said after the hearing he would appeal against a decision of the court last week to refuse his application challenging its right to hear the case as Fretilin had been fighting against Indonesian rule since 1975.

The appeal will be heard by the Indonesian High Court sitting in West Timor.

Mr. Gusmão's lawyers appeared to be basing their case on the jurisdiction issue, challenging a prosecution claim that East Timorese were willing to integrate with Indonesia in 1975.

Asked about Mr. Gusmão's admission on the weapons Mr. Sudjono said: "I have an idea Xanana had the guns long before 1975."

In dismissing the jurisdiction issue last week the judges noted that Mr. Gusmão had admitted in court that he was an Indonesian national and his profession was the leader of the "security disturbance movement."

Mr. Pereira, a Timorese, told the court he was a distant relative by marriage to Mr. Gusmão whom he had known since 1981.

He said he first "picked up" Mr. Gusmão in 1981 after receiving a message from Mr. Constâncio Pinto, the main organiser of the demonstration in 1991 that turned into the Dili massacre.

Mr. Pinto, a central and controversial figure in the East Timor resistance movement, is now believed to be in Lisbon, Portugal. Mr. Pereira said Mr. Gusmão asked him last year to build a secret bunker behind a cupboard in his house.

He said Mr. Gusmão paid for the bunker and had lived there for some time before his arrest.

Private Costa said he went to the house with 21 other soldiers at 6am on 20 November, 1992, after earlier arresting an informant. He said he found Mr. Gusmão hiding in the bunker and confronted him with a gun.

Mr. Gusmão put his hands in the air and surrendered without a struggle.

The weapons in Mr. Gusmão's possession had been issued by the Indonesian military, the court was told.

A prosecutor read to the court a statement from the East Timor military command detailing the loss of weapons from military compounds between 1979 and 1984.

Two Dili policemen testified that Fretilin guerrillas attacked the television station in Dili in 1980. Two officers were killed and several other people wounded in the attack.

Asked about the evidence Mr. Gusmão said he was not there at the time.

## XANANA CONFOUNDS HIS LAWYER

*The Age 17 Feb. 1993. By Lindsay Murdoch, Southeast Asia Correspondent. Slightly abridged. Some well known facts omitted.*

(Dili, Monday) East Timorese resistance leader Mr. José "Xanana" Gusmão today accepted responsibility for the killing of Indonesians by his guerrillas as his lawyer said his case was virtually lost.

The lawyer, Mr. Sudjono, told diplomats he would consider his representation a success if Mr. Gusmão escaped execution and received life imprisonment on the charges he faces [...]

During the second day of prosecution evidence, Mr. Sudjono pleaded with Mr. Gusmão not to admit responsibility for [the] alleged attacks, but he refused.

"I shook him and said, 'Do you understand the process... do you understand?'" Mr. Sudjono said later. "But Xanana said yes he understood."

Mr. Sudjono said he was certain Mr. Gusmão had a strategy. "But I don't know what it is," he said.

"This is a big question for me... why he is confessing. I think he is very clever. Maybe when the moment is right he will take action."

Mr. Sudjono said he considered an appeal he intended to make to the High Court challenging the right of the Dili court to hear the charges had little, if any, chance of success. Appeals to Indonesia's High Court [sic - should be High Court] are rarely successful.

[...] Speaking outside the court, Mr. Sudjono shrugged his shoulders and said: "What can I do? I will try to talk with my client tomorrow. Maybe we can talk about a global strategy and a narrow strategy."

Mr. Gusmão's frank and solemn admissions today surprised court observers.

Asked about evidence that Fretilin had carried out attacks including the burning of houses and the killing of soldiers in 1982, Mr. Gusmão told the court: "I don't want to tell the story in detail but I admit that I have responsibility for these incidents."

Since three Indonesian judges started to hear evidence yesterday, Mr. Gusmão has spent much of the time in his cell writing notes.

Mr. Sudjono said Mr. Gusmão asked him to get the trial over with as soon as possible. He has refused to see members of his family, who are watching the proceedings at the back of the court.

Mr. Gusmão, 45, told Mr. Sudjono: "Please don't involve my family in the case. I do not want to see them."

Although Mr. Gusmão has pleaded not guilty to the charges he appears unwilling to challenge the prosecution case.[...]

Witnesses today told the court of numerous Fretilin attacks between 1979 and last year.

A provincial civil servant, Mr. Martinho Fernandez, 46, told the court Fretilin guerrillas attacked and killed 14 Indonesian soldiers in Viqueque district in 1982. The soldiers were tortured and had their penises cut off, he said.

Mr. Fernandez, who went to a Portuguese school in Dili with Mr. Gusmão but split with him in 1975, testified that Fretilin burnt 300 houses in Viqueque between 1982 and 1983, forcing 1000 villagers to live in the jungle.

Witnesses told the court about an attack on an Indonesian soldier who was drinking in a cafe on in the coastal town of Baucau in October last year. The man died after being shot nine times.

Asked about the attack, Mr. Gusmão said: "I agree with the witnesses' statement. It was done by my men."

A teacher, Mr. Islamat Widodo, 46, told the court Fretilin killed his 12 year old daughter at Baucau in 1990. He said he was later told by the military his daughter's killer was a Fretilin member, David Alex.

Asked about the attack, Mr. Gusmão said he neither denied nor agreed with the evidence. But he said: "It is true David Alex is one of my men."

During the court's sitting hours Mr. Gusmão appears disinterested in Mr. Sudjono's handling of the case.

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## AUSTRALIAN CASH SENT TO FRETILIN: WITNESS

*Age (Melbourne, Australia) February 18, 1993. By Lindsay Murdoch, SE Asian correspondent, Dili, Wednesday [unabridged]*

A prosecution witness in the trial of East Timor resistance leader, Mr. José 'Xanana' Gusmão has alleged that his Fretilin fighters received money from supporters in Australia. Mr. Oscar Lima, an East Timor businessman, has told Indonesian prosecutors that money was regularly passed to Fretilin representatives by Australians posing as tourists in Kupang, West Timor.

Mr. Lima is listed to give evidence at the trial of Mr. Gusmão on charges of rebellion, conspiracy and possession of illegal weapons. Mr. Gusmão, who has pleaded not guilty, faces a possible death sentence. Court sources say that prosecutors had evidence from Mr. Lima and other witnesses that money from sources in Australia was used in part to buy weapons and ammuni-

tion for Fretilin, which has been waging a guerrilla campaign against Indonesia's rule since 1975. Some weapons were supplied by arms dealers in Java, according to evidence said to have been gathered by prosecutors.

Mr. Gusmão admitted in court on Monday that he had an automatic rifle and pistol when arrested in a Dili policeman's house last November. The weapons had been originally issued to the Indonesian army, the court heard. It will be up to prosecutors to decide whether to introduce evidence about Fretilin funding into Mr. Gusmão's trial.

Mr. Gusmão's chief counsel, Mr. Sudjono, was expected to meet Mr. Gusmão in his cell in Dili tonight in an attempt to stop him confessing to allegations being presented during the trial which began hearing evidence on Monday. Mr. Sudjono said today that Mr. Gusmão felt that as Fretilin's supreme commander he accepted responsibility for the actions of his men.

The trial allegations include claims that Fretilin attacked & killed Indonesian soldiers and burnt villagers to force people into the jungle. Mr. Sudjono said he had asked prosecutors at a meeting this morning to help him find defence witnesses but had been told that this was not possible. Mr. Sudjono said Mr. Gusmão became angry earlier this week when one of the three trial judges pressed a Timorese witness for answers. "Xanana said he was on trial, not anybody else," Mr. Sudjono said.

Mr. Sudjono said that he had refused a request by Fretilin's international representative, Mr. José Ramos Horta, who lives in Australia, to appear as a witness. The trial will resume tomorrow.

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## FORMER REBEL NOW "INDONESIAN CITIZEN"

*The Age (Melbourne), February 19, 1993. By Lindsay Murdoch*

East Timor guerrilla leader, Mr. José "Xanana" Gusmão, today nodded in agreement when one of his former platoon commanders described himself as an Indonesian citizen.

Mr. Antonio Sadres Da Silva, 33, alias Maukalo, told Mr. Gusmão's trial in Dili that until 1991, when he was captured by Indonesian forces, he considered his nationality to be Portuguese.

"I am now Indonesian," he said as Mr. Gusmão nodded and smiled.

Later, when the court adjourned, Mr. Gusmão said he was "sorry" when asked by reporters if he had a message for the world.

Mr. Gusmão, leader of the East Timor resistance group, Fretilin, has pleaded not

guilty to charges of rebellion, conspiracy and possessing illegal weapons. He faces possible execution. Fretilin has been fighting Indonesia's rule of the former Portuguese territory since 1975.

In an earlier hearing, Mr. Gusmão, 45, described himself as "Indonesian," something Fretilin supporters overseas used to claim he had been tortured.

Mr. Da Silva testified that between 1975 and 1991 he was involved in 17 attacks against the Indonesian military and villages, including the massacre in 1988 of 14 soldiers who were found with their penises cut off.

He said he was following the orders of his superiors.

Mr. Da Silva, who is not under arrest, said he attacked some villages "to show people in the cities that FALINTIL (Fretilin's armed wing) is still active."

Mr. Da Silva testified that he had never received a direct order from Mr. Gusmão although he had heard him outline the aims of the group's armed struggle.

An East Timor businessman, Mr. Oscar Lima, 40, told the court that several years ago, he passed a message to Mr. Gusmão that a Catholic priest in Dili, Father Mario Belo, wanted to give \$500 to the Fretilin leader.

An earlier hearing was told that another Catholic priest had sent a message to a Fretilin supporter to pick up Mr. Gusmão on one occasion.

Mr. Lima said he was a former Fretilin commander but left the group because it was dissatisfied with his service. Mr. Lima is not under arrest.

Prosecutors did not introduce into evidence claims made by Mr. Lima in statements to police that Australian tourists in West Timor regularly passed money to Fretilin representatives.

The trial will resume next Monday.

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## XANANA: A LEADER WHO DOES NOT APPEAR BEATEN

*Sydney Morning Herald 20th February 1993. Byline: Lindsay Murdoch Dateline: Dili. Unabridged*

(In Dili the population clings to a faint hope of independence for East Timor, as Herald correspondent Lindsay Murdoch reports.)

Xanana Gusmão is remarkably co-operative for somebody facing the possibility of execution.

No crime, it seems, is too grave for him to admit responsibility, including mass murder.

But the leader of East Timor's resistance movement does not appear beaten.

He looks his accusers dead straight in the eye, as if unrepentant, perhaps even a touch arrogant. The paradox of Xanana's trial on rebellion and other charges, which began in East Timor this week, is that a massive legal case prepared against him by Indonesia serves to prove him by Indonesia serves to prove what Xanana himself apparently want the world to know: he, and nobody else, has led the guerilla campaign against Indonesia's rule since 1979.

José Alexandre Gusmão, better known as Xanana, is tall and lean with a wispy, greying beard. When the court heard witnesses tell this week of gruesome acts committed by his men, Xanana showed no emotion and sat staring nonchalantly at the ceiling.

Xanana, 45, is an enigma. Wily and resourceful, as he has shown to Indonesia's cost in the past, he will remain a key player in the future of East Timor no matter what the trial's outcome.

Maybe he has a surprise up his sleeve.

It is easy to be seduced by the charm of Dili, capital of the 18,900 square-kilometer East Timor at the south-eastern extremity of the sprawling Indonesian archipelago.

Young children splash gaily on white, sandy beaches, Hawkers walk the eucalyptus-lined streets selling fresh fish tied to a pole. Give him a day or two and old John, the waiter at the beachfront Turismo Hotel, will arrange a delightful Portuguese meal, complete with chilled rose.

But sullen faces of the dark-skinned and lightly-built Timorese reveal a population in deep mourning, clinging to the faint hope of some sort of independence.

East Timor has been a dirty little war. It still is in some ways, although the number of Xanana's guerrillas in the jungle has dwindled and the nature of the struggle has changed.

A large number of Timorese do not accept Indonesia's 1976 annexation of the former Portuguese colony, according to Timorese quoted this week by Catholic priests.

The head of the Roman Catholic church in East Timor, Bishop Carlos Ximenes Belo, says history shows Timorese people to be brave. "But now they are closed in their hearts. There is this pressure. Yeah, the word is sad. They are sad because of the situation... there is no change in the history of the repression," he says.

According to the Timorese, military and police agents are everywhere, listening to conversations, watching people and creating an environment in which people perceive it dangerous to be seen talking to foreigners or to gather in small groups.

"People are afraid to walk freely," Bishop Belo said. "Everywhere there are

military from the territorial operation. They are building houses and going to live in villages. The people do not feel free."

Dark, wet-season clouds hide peaks of mountains where in 1942 the Timorese helped Australian commandos resist advancing Japanese forces; and Xanana's Frente Revolucionaria de Timor-Leste Independente (Fretilin) still plays cat-and-mouse with up to 12 Indonesian military battalions.

Dili's Santa Cruz Cemetery is cluttered with graves up to a century old. People come silently and often to mourn dozens of independence supporters killed when Indonesian soldiers opened fire there in November 1991. They light candles and spread flower petals on an unmarked grave with a large iron cross.

The Catholic Motael Church facing the sea, has been a haven for student activists wanted by the police or the military. Its mass is always packed to overflowing. Some of the people wear black armbands or black cloth pinned to their chests. A young man, about 20, wants to talk. Shaking with nerves, he says to call him "Materuin."

"I am not Fretilin. I represent many young people of East Timor," he says. "Our fight is not with the Indonesian constitution. We have no quarrel with it. Our fight is for some independence."

Materuin has rehearsed his speech well. Xanana, the freedom fighter, has a strategy. Wait and see. The Timorese know Xanana is under pressure. The struggle goes on.

I find Bishop Belo pacing the balcony of his re-roofed colonial house, engrossed in the Bible. He is deeply disturbed about reports he has received from villages about bizarre ceremonies during which Timorese are forced by Indonesian soldiers to drink animal blood.

People named on military lists as Fretilin sympathisers are gathered together, sometimes as many as 200 at a time. The blood of a chicken, cow or goat is mixed with wine or whisky. People are forced to drink it and make a note declaring their acceptance of Indonesia's integration.

Bishop Belo says the oath is an untrue version of a traditional pact taken by Timorese leaders to end tribal wars. Rival leaders would mix their blood with palm wine and drink it in an oath to mark the end of hostilities.

Since the 1991 Santa Cruz massacre, Indonesia's East Timor military commander, Brigadier General Theo Syafei, has implemented a hardline campaign designed to break the will of the resistance while pushing ahead with the development of roads, bridges and other infrastructure.

The military claims in propaganda that the crackdown has worked. It says virtually

all of Fretilin's able fighters have surrendered.

The United Nations does not recognise Indonesia's sovereignty of East Timor. A vote on the question has been postponed each year since 1982 to give Indonesia and Portugal the chance to solve the issue under the auspices of the UN Secretary-General. Talks between the two countries are due to resume in April.

The overriding consideration for Jakarta in any change of policy on East Timor, according to diplomats, would be not to create an impression that the Government would tolerate disintegration of any part of Indonesia.

Renewed international pressure would be put on Jakarta if Xanana were sentenced to death. Australia, which recognises Indonesia's annexation of East Timor, would be among the countries forced by popular opinion at home to protest against an execution.

*Remark: This is a report filed from Dili - ET by RM, who is now in Dili to file report for The Age and Sydney Morning Herald about the progress of Indonesian illegal trial of Xanana Gusmão. The interesting points to note here are 1. that the Bishop of ET, Don Carlos Ximenes Belo, is becoming outspoken on the political situation inside the country; 2. that Xanana Gusmão shows no sign of being beaten; 3. that the young people are trying to let the journalists know what is going on beyond the farce of peace and development; and, the feeling of the ET people about this of the Indonesian military manipulation of this fake trial.*

#### COMMENT FROM AGIO PEREIRA

Since the capture of Xanana Gusmão, the Catholic Church of East Timor has been forced to fill the gap of speaking against the Indonesian occupation of East Timor. The Bishop of ET, Carlos Ximenes Belo, is trying his best to do that. Bishop Belo, too, must watch his back, because he is only Bishop of Lorium and the Pope is not necessarily his best supporter when it comes to open criticism of the abuse of Human Rights and the illegal occupation of East Timor.

This seems to be the reason why Bishop Belo adopted a pragmatic approach when he needs to tackle the political angle of the issue of the Indonesian illegal occupation of East Timor. His suggestion made two weeks ago to a journalist that an 'autonomy' would be a good way out, must be seen in this context. Bishop Belo said that after reiterating that the situation has indeed deteriorated since the capture of Xanana Gusmão. He said that arrests, imprisonment and torture of the Timorese people by the Indonesian military have de-

teriorated. The Indonesian generals are trying to 'hook' him into the political debate so that he can be forced to leave East Timor like they succeeded with Belo's predecessor, the late courageous Mgr. Lopes.

The territorial operation: weakness or strength?

Bishop Belo talks about the 'territorial operation' now being carried out in ET by the Indonesian military. This is aimed at what brig. gen. Theo Syafei also refers to as the operation to turn all villages of ET into 'merdeka' - the red and white flag or Indonesianisation of ET. And, this is to be accomplished with the 'help' of 12 battalions of Indonesian troops.

Over the 17 years of occupation, the Timorese have been forced to endure the consequences of about a dozen operations beginning with 'Operasi Komodo' of 1974. So, this is just another one. If anything, the Timorese are already more than prepared to deal with this situation.

One new element introduced by Theo Syafei is the infamous manipulation of the 'blood oath' also refers to in this article of Lindsay Murdoch. LM quotes Bishop Belo as saying that "the oath is an UNTRUE version of a traditional pact taken by Timorese leaders to end tribal wars. Rival leaders would mix their blood with palm wine and drink it in an oath to mark the end of hostilities." The Bishop is quite right. What he does not say though, is that, the reason why it is "an untrue version of a traditional pact" is precisely because these 'blood oath' which have been reported, are celebrated between the Timorese themselves, NOT between the Timorese and the Indonesian generals! I should let you use your own imagination...

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## FRETILIN 'GOT AID FROM AUSTRALIA'

*The Age 23 Feb. 1993 Byline: Lindsay Murdoch Dateline: Dili Unabridged*

The East Timor resistance group, Fretilin, sent secret requests for arms to supporters in Australia, a court in Dili was told today.

Mr. Antonio Campos, a former Fretilin radio operator, said Mr. José "Xanana" Gusmão, that before he was arrested in 1987, he was frequently in contact with Australia via radio, passing information such as Fretilin operations and the "beating of people by Indonesian troops."

One of three judges hearing charges against Mr. Gusmão interrupted and asked a non-related question when Mr. Campos mentioned the beatings.

Later, Mr. Campos was asked by another judge if he had seen Fretilin guerrillas kill villagers in a "cruel and sadistic way."

"Yes," he replied. "Who would those people have been?" - "Spies."

Mr. Campos said he knew of orders from Mr. Gusmão to burn the houses of certain villagers who were "unsympathetic" to the Fretilin cause. Mr. Campos said Mr. Gusmão had ordered the death penalty for any Fretilin member who raped villagers. He had never heard of the sentence being carried out.

Mr. Gusmão, 45, has pleaded not guilty to charges of rebellion, conspiracy and possessing illegal weapons. He faces possible execution.

Indonesian prosecutors have alleged that Mr. Gusmão set up a secret communication network between Dili and groups overseas, including some in Australia.

Among people named as having been in contact with Mr. Gusmão through the network are Fretilin's Australian-based representative, Mr. José Ramos-Horta, and two other people in Australia, João Carrascalao and "Vasco" in Darwin.

Prosecutors have claimed that Fretilin supporters in Australia regularly sent money to the group via couriers posing as tourists in Kupang, West Timor.

Fretilin's deputy leader, Mr. José Da Costa, testified today that Mr. Gusmão ordered Fretilin sympathisers to organise the demonstration in Dili in November 1991 during which Indonesian troops opened fire and killed and wounded scores of people.

Mr. Da Costa said Mr. Gusmão's intention was to promote Fretilin's cause internationally.

Mr. Da Costa testified that Fretilin's attacks on the Indonesian military during the 1980s were carried out on Mr. Gusmão's orders.

He said Mr. Gusmão directed and led one attack during which 16 Indonesian soldiers were killed.

Asked about Mr. Da Costa's evidence, Mr. Gusmão said he had known the witness for a long time and verified his evidence.

Mr. Gusmão also agreed with the evidence of Mr. Campos.

## SHADOWS OVER THE TIMOR SIDESHOW

*The following is an Editorial Opinion by the same newspaper on the same day.*

No one, except José "Xanana" Gusmão himself, knows what ploy, if any, he is using at his trial in East Timor. Is the captured Fretilin leader's apparent indifference to the prosecution case unfolding against him a sign of a behind-the-scenes deal? Does it reflect mistreatment and threats, or a wish

for martyrdom? "Xanana" Gusmão is telling nobody.

The best that can be hoped for, as some diplomats suspect, is that Mr. Gusmão is controlling at least some of the sticks of a wayang shadow puppet show that sees him face trial (Jakarta insists on that) but then able, openly, to play a role in high-level negotiations. It seems almost much to hope for after the years of killings, not least the 1991 Dili massacre, and continuing tension and alleged persecution. But it would not be a bad result for the Indonesian Government, either.

The worst outcome for President Suharto would be for Mr. Gusmão to be sentenced to death. He would become a renewed focus of dissent and support for Fretilin, which is showing continued resilience under new leadership.

Official claims of flagging support are weakened by the remaining strong Indonesian military presence on Timor, continuing arrests and reports of soldiers' deaths.

International clamor would force even Canberra - maintaining a close relationship with Indonesia since the Gusmão hearing - to reconsider Australia's official position. Talks between Portugal and Indonesia under the United Nations, due to resume in April, would be lucky to survive.

The Suharto Government cannot wish to return to ostracism. Whatever the trial's outcome, the Timorese will remain dissatisfied (Mr. Ali Alatas' "sharp stone" in the national shoe) unless an accommodation can be reached.

The resistance movement's offer last year, with limited autonomy and before a referendum, was starting point. It recognised that neither armed revolt nor official repression can win the day.

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## MATE-BIAN NEWS COMMENTS ON COVERAGE OF XANANA TRIAL

*23 February 1993*

1. This farce called "Xanana's trial" is now closed to a conclusion. It will be, of course, a guilty verdict!

2. As this 'trial' progresses, one can see that the news coverage from Australia has been good. Lindsay Murdoch, writing for *The Age* and *Sydney Morning Herald*, has been able to send regular articles covering the 'trials' and the environment surrounding it. His interviews of Bishop Belo has, once again, put Bishop Belo at odds with the generals, including 'general' Abilio Osorio who seems to be very upset with Bishop Belo's statements.

3. Osorio has been active puppet used by the Indonesian generals to state what they want so that the outside world can perceive that pro-Indonesian things in East Timor are "under the control of Timorese." However, being a 'handicapped' puppet often he is out of tune and signals messages that are not necessarily shiny for the Indonesians!

4. Malcolm Booker, Canberra Times (16 Feb. 1993) wrote that "any departure from fair judicial trial would be difficult to hide"-referring to this so-called trial of Xanana. Although I do not share Malcolm's confidence in this Indonesian general's "trial" because it is, from the outset, illegal and an insult to any legal system which claims to be based on fairness and justice, I must add that Malcolm was right. In spite of a very well orchestrated farce, as the days pass, what Malcolm call's "departure from fairness" are (inevitably) emerging. One example was the report filed by Lindsay Murdoch, The Age, 23 Feb. 1993. He recalled that "one of the three judges hearing charges against Mr. Gusmão interrupted and asked a non-related question when Mr. Campos (supposedly witness for the prosecutor) mentioned the (Indonesian) beatings. Later, Mr. Campos was asked by another judge if he had seen Fretilin guerrillas kill villagers in a "cruel and sadistic way." "Yes" he replied. "Who would those people have been?" - "Spies."

Mr. Campos later said things that certainly made the prosecutors unhappy. He said that "Mr. Gusmão had ordered death penalty for any Fretilin member who raped villagers."

5. Lindsay Murdoch made a point in his weekend coverage (SMH, 20 Feb., 1993) that the legal case prepared by Indonesia against Xanana serves to prove that "Xanana and nobody else, has led the guerilla campaign against Indonesia's rule since 1979." This has emerged in the last five days of this 'trial.' And, I believe, it helps to keep the Australian government very worried about the "sentence" for Xanana because the Australian government seems to argue that Xanana is the vehicle for "reconciliation" and the generals of Jakarta should not waste this opportunity. As Xanana, through the eyes of prosecutors' witnesses, emerges more and more as the real moving force and "The Real Leader," this kind of argument equally gains weight.

6. The "trial" of Xanana has also allowing the Australian journalists to comment much more on East Timor in the light of international law. This has never happened in the past and, I believe, it has become a good vehicle to educate the Aussie jourmos on the illegality of the Indonesian occupation as opposed to the official line of "real politik's."

7. The involvement of priests in the struggle, although NOT in a military sense but in a nationalistic sense, is nothing new. The Indonesian generals do not it well. In the early days of Bishop Belo's reign, the Catholic Church of East Timor issue a very strong statement appealing to the world to stop the cultural, social and religious genocide of the Timorese people, perpetrated by Indonesia. Until now, the Church of East Timor refuses to be integrated into KAWI (the Indonesian Conference of Churches) as a political statement to preserve the dignity and unity of the Timorese people. All these are obvious political statement. The Indonesian generals, knowing this, are trying to build up a dossier to destroy the power of the Timorese priests in controlling the Timorese Church. They already sent to East Timor Fr. Wanandy, the brother of Yusuf Wanandy, director of CSIS (Central of Strategic International Studies) of Indonesian government, just to infiltrate the inside power of the Timorese priests and spy on them. The more they accuse the priests, the more the world will know through the reports from Australian and other foreign journalists that the Resistance against the occupation is, indeed, well embedded in the Timorese society.

8. Stay with us, IN THE QUI VIVE!!!

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## XANANA: THE TRIAL OF JUSTICE

*Article by Agio Pereira, Fretilin/Australia, February 23, 1993*

Xanana Gusmão is not a myth. Xanana is a man of rare courage and determination, intellect and vision. Even his enemies are compelled to recognise that.

If one says that about Xanana Gusmão today, the people of East Timor and the Indonesian armed forces do fully agree with it.

The problem is, it is also not easy, for those abroad, to understand Xanana's kind of Human dimension. This is made particularly more difficult at a time when he is going through a test which is, after all., an extremely difficult experience, not only for him, but for many others whom, in one way or another, have been part of this unique dynamic in the Timorese politics which one can simply call: XANANISM.

What is that that makes Xanana what he is?

Since Xanana's capture by the occupationists of the Homeland of the Timorese people, incredible things, worse than Xanana's capture itself, have taken place, almost simultaneously.

Leaders have come out and accused Xanana of involvement in absurd plans; Journalists have written about "the end of the myth"; and opportunists have given interviews and written articles which by all means, can either help the Indonesian generals 'bury' Xanana and/or bury the facts that made him a national figure of East Timor and a prestigious guerilla leader of the world.

And... all this is done in the name of the struggle of the suffering people of East Timor.

It is, therefore, vital for all the Timorese to help sustain the dignity of a struggle which Xanana and thousands of Timorese man, women and children help sustain in almost 18 years, against all odds.

The statement sent by the courageous Timorese Women in East Timor and the students organisations for non-violent actions to the outside world was precisely aimed at safeguarding this dignity. They took risks, exposing their own lives to the guns of the occupationist, but they did because they believe the dignity of the Timorese suffering people must be safeguarded in this difficult times.

The youth in East Timor, defying the now highly sophisticated repressive machine of the Indonesian generals, continue to approach foreigners to let them know the truth that lies beyond Turismo Hotel and Portuguese wines in Dili.

In a message sent from East Timor to Mate-Bian News, a young Timorese said this about Xanana's current situation:

"we, in East Timor, don't believe a word of what the Indonesian military are trying to force Xanana to say. You, out there, all you can do to help is to fight for Xanana to regain a breeding space; and, when he is free like you out there, you then can criticize what he does or says..."

These are words of people who know exactly what is "Indonesian torture and systematic repression." They did not read it in newspapers or studied it in the universities. They live it day and night.

As Prof. Kooijmans, the special rapporteur of the United Nations (now the foreign Affairs Minister of Netherlands) that went to East Timor in November 1991 said in his report, in East Timor torture is "a matter of routine."

What Xanana has managed to successfully personified is precisely the best way to deal with this systematic torture and long term environment of degradation of human dignity. Xanana urges the Timorese to use their available resources to resist the occupation in a sustainable way, and, at the same time, to try to find ways to build and accumulate new resources to crack the occupation when time is due.

When Xanana articulates the strategy of the Resistance, he shows tremendous maturity and vision. He does not show any sign of hatred against Indonesia. If anything, he shows in depth understanding of the geographical and geopolitical problems which East Timor faces by virtue of its natural existence.

When Xanana articulates his vision, he shows a rare understanding of the Human nature of his struggle for the liberation of East Timorese people; he shows it in such a way that he extends it also to the Indonesian soldiers, the Portuguese people and the rest of the world.

When Xanana articulates the pros and cons of the organisational structure of the Timorese Resistance, he does not diminish the role of all leaders by avoiding harsh criticism, when criticism is due. This in turn, have made him unpopular amongst some leaders and extremely admired by the people of East Timor.

Xanana believes in democracy. As a result of his seventeen years of schooling in his University which he often calls "The Mountains of East Timor," Xanana have learnt to love the form of democracy which he proudly terms: MAUBERE.

This is the strength of Xananism which many find it hard to grasp. After all, one may ask, how can one understand it, if one does not live Maubere's reality like Xanana does?

This so-called 'trial' of Xanana is shaking the blood pressure of many people. Many wish that Xanana walks into the Indonesian courtroom and start to behave like a "Steve Biko" in Cry Freedom, challenging the Indonesian generals from day one to the end. Others have said that Xanana would have been a hero if he was killed.

But Xananism, it seems, sees the reality of the Mauberes inside ET. It may see the same problem as those outside, but the focus of its telescope is directed to the Maubere people suffering under the Indonesian in this already 18 years of barbarous military occupation. Xananism will never forget that there are already 200,000 Timorese heroes. There is no need for an extra one!

One of the peculiar aspect of Xananism is the clear understanding of the strength and weaknesses of the enemy's strategy of occupation, both within the enemy's camp itself, and the implementation of this strategy amongst the Timorese people. It is this in depth understanding of the dynamics of the enemy's camp that allows Xanana to sit in the Indonesian courtroom and, as Lindsay Murdoch reported to the Sydney Morning Herald (Saturday, 20 Feb. 93), "he looks his accusers dead straight in the eye, as if

unrepentant, perhaps even a touch arrogant."

That is, very briefly, what makes Xanana what he is today: a national figure with a strength that blew out the Indonesian barriers and brought the struggle of the Maubere into the main stream politics of the outside world. It has been Xananism that inspired all activists for East Timor in the last decade in this outside world. It will continue to do so, until the end of occupation, even though, some politicians are trying to score cheap political mileage at the expense of Xanana's silence. The cheap political points are no points at all:

Xanana's behaviour and statements seen and made since his capture, often are conveniently ignored by the opportunists that try to use the 'gap' left by Xanana's capture to score cheap political points. Apart from other things,

- when a journalist asked him if he would make an appeal to his guerilla fighters to surrender, Xanana simply said that "they never fought for myself";

- asked whether those still in the mountains can continue the struggle Xanana said that "he (Ma'hunu) can continue the struggle if he wants to; he has the conditions to do so";

- at the end of a forced interview given to a Portuguese journalist in which Xanana made some ambiguous pro-Indonesian remarks in the presence of almost three dozens Indonesian military security officers, Xanana confided to the journalist that "if I was free, the answers would be different";

- Xanana, for the first time since his fake trial started in the first day of February, asked the journalists, in English, to stay until the end of the trial. That obviously cost him another session of psychological torture by the Indonesian generals. The following session, Xanana came into the 'trial' with his faced covered, for the first time too;

These are some points which are necessary to make an objective assessment of Xanana in the mouth of the 'lion.'

Xanana has been put on trial, not only by the Indonesian generals against all suffering and determination he endures for about 18 years now to fight for justice for his people and the world; but, worse than that, he has been put on trial by people who often call themselves "a freedom fighter."

The trial of Xanana is, indeed, a trial of justice!

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## RETICENT WITNESSES

*The Nation (Thailand), Feb. 25 93  
Unabridged*

(AFP, Jakarta) - East Timor pro-independence leader Xanana Gusmão's defence lawyer has said people are afraid to testify on behalf of his client, according to press reports yesterday.

"Most of those who could become witnesses are afraid to do so," the *Rupublika* daily quoted Defence Lawyer Sudjono as saying in Dili, East Timor.

"In line with the prevailing regulations, I will keep on trying to get a defence witness," Sudjono added.

The lawyer said Gusmão did not want any family members used as character witnesses.

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## TRIAL RESUMES TODAY

*The following is a transcript of ABC TV -  
The World at Noon, 4 Mar. 1993*

NEWSREADER: In Indonesia (sic) the trial of East Timor independence leader Xanana Gusmão resumes today. Into its second month it shows no sign of winding up. The prosecution is scheduled to produce more witnesses in support of numerous charges against the 46-year-old rebel leader. Xanana Gusmão hasn't contested any of the testimony which is our Indonesian correspondent Ian MacIntosh reports is making the job of defending increasingly him difficult.

IAN MACINTOSH: When the Dili district court began hearing Indonesia's case against Xanana Gusmão more than a month ago the court house the street outside were packed. But the panel of three judges currently examining prosecution witnesses has conducted few sittings in the past fortnight and the crowds have dwindled. Xanana Gusmão has heard a string of witnesses testified against him, among them followers such as his captured former deputy José da Costa. He described Mr. Gusmão long leadership of the armed struggle against Indonesian rule in East Timor, of their attacks against military and civilian targets and Fretilin's alleged links with backers in Australia and elsewhere overseas. Predictably most of the evidence has been damaging to the defendant and more so because Mr. Gusmão has agreed with the testimony of each witness. His counsel Sudjono concedes the defence is facing a new impossible task even before his client takes the witness stand. And those in the public gallery among them western diplomats, Xanana Gusmão's parents are left to speculate on the eventual sentence. The man who acquired legendary status during his

years in East Timor's mountains and jungles faces prison term of between 20 years and life. For the firearms possession charge carries a maximum death penalty. Whilst the trial of Xanana Gusmão drags on the future of the independence movement in East Timor remains in question, There is no doubt his capture dealt a serious blow to Fretilin but local sources say the movement has not been broken. Independent information on those still holding out in the province's (sic) rugged interior is virtually impossible to obtain. despite some recent clashes there is general agreement the small groups of armed rebels no longer represent a serious security threat to the Indonesian administration. The authorities claim to have greatly reduced Fretilin influence following Xanana Gusmão November capture. But reliable evidence indicates some opposition to Jakarta's 17 year rule is continuing with negotiation and diplomatic pressure likely to be its future focus.

*Video: Xanana shows signs of stress looking up to ceiling. Pictures of his parents in court were also shown. A Falintil flag and a pistol gun was also shown. Later they led him to a green car with tinted windows.*

### **SATURNINO DA COSTA BELO BRAVELY CRIES OUT**

*The following fax was received by the East Timor Action Network/US from an East Timorese nationalist in Jakarta on the morning of Friday, March 5. It is repeated here in its entirety, except for the deletion of the name of the sender:*

Urgently I want to inform you that my friend Saturnino da Costa Belo, a witness in the Xanana Trial yesterday in Dili (4 March 1993), took the opportunity to act and showed to the world the East Timor people's aspirations. He stood up, held up his arms in a victory symbol, and said loudly "Live East Timor! Live the Maubere People! Indonesia must respect human rights in East Timor." There was a little confusion yesterday in the Dili court. The police doctor said Saturnino was ill. But he wasn't ill. He wanted to do that in front of some diplomats, representatives of the British Embassy, and members of the International Jurists who are attending the trial.

The judges decided to interrupt the trial for 45 minutes.

The police took my friend Saturnino, and in the prison's car, the police beat him, according to the information I received soon afterwards. I believe it because it is habitual experience. Saturnino was punished by 15 years, his trial without advocate or lawyers,

carried out in Baucau city. In need your attention about his situation now.

Warm embraces to all the solidarity friends, (name removed)

*Radio Australia News, Thursday March 4, 11.00 pm (AEST)*

The trial of East Timorese independence leader, Xanana Gusmão, in Dili has been disrupted by a witness for the prosecution. He shouted pro-Fretilin slogans and greeted Mr. Gusmão causing the hearing to be adjourned. Mr. Gusmão faces charges of rebellion, conspiracy, separatist activity and possession of firearms.

When the hearing resumed, an army doctor testified that the witness, Saturnino da Costa Belo was not fit to continue. He has been in gaol in Baucau, west of Dili, after receiving a 9 year sentence for involvement in the demonstration that preceded the November 1991 Dili massacre.

Mr. Gusmão's trial resumes next Thursday. (March 12)

### **'VIVA INDEPENDENCE' RINGS OUT IN DILI COURT**

*TAPOL issued the following Press Release today, 4 March 1993:*

An East Timorese, Saturnino da Costa Belo, who was present in the Dili court today to attend the trial of the resistance leader Xanana Gusmão stunned the court when he suddenly stood up and shouted: 'Viva East Timor, Viva Xanana, Viva independence!.' He had been summoned to testify as a prosecution witness. His action caused uproar; proceedings were suspended as he was hustled out of court. An hour later, a doctor came to inform the court that the witness was 'unfit to appear.'

It is highly likely that Saturnino will be subjected to maltreatment and torture for his act of defiance so pressure is needed to protect him.

Saturnino da Costa Belo is himself serving a nine-year sentence, having been tried in Baucau, East Timor, in June last year under the anti-subversion law for involvement in the demonstration in Dili on 12 November 1991. At the commencement of his own trial, he told the court that he did not want to be defended by an Indonesian lawyer and would only agree to being defended by a Fretilin lawyer. The court appointed a duty solicitor to handle his case.

At an earlier hearing of the trial, Xanana Gusmão was severely reprimanded by the presiding judge for waving to his parents and his sister who were present in court. After waving, he placed two fingers on his lips, as a signal for keeping silent. The judge warned him that it was "very impolite

indeed" to wave to anyone in court and ordered him to apologise. Xanana said nothing in response. According to Kompas which reported the incident [26.II.1993], his parents were very upset over what had happened. His younger sister, Felomena Gusmão, burst into tears, and shouted: "Fancy telling him off for waving to his parents!"

### **XANANA GUSMÃO SHOW TRIAL: WITNESS' FINAL(?) CRY FOR FREEDOM**

*José Gusmão, CNRM/Darwin, on 5 March, adds:*

\* At the continuing show trial of Xanana Gusmão in Dili, East Timor, ABC Radio reported last night that a witness for the Indonesian military shouted pro-East Timor slogans.

\* After the court reconvened an hour later, an army doctor said that the brave witness, Saturnino da Costa Belo, was not fit to continue.

\* We demand to know what happened to Mr. Belo during that hour to make him unable to continue. What kind of tortures were inflicted.

\* We call on all international human rights bodies and governments of good will to urgently make intense representatives for the welfare of Mr. Belo.

\* Indonesia's appalling and increasingly well-known record of torture and massive human rights violations in East Timor indicates that the Xanana Gusmão show trial will continue to be a farce until all witnesses are in 24-hour care of the International Red Cross and free to leave for a third country. We call on Australia to offer help and SANCTUARY!

### **LONG LIVE EAST TIMOR IN DILI COURT**

*Written by FRETILIN Committee in NSW (peg:nswfretilin) on reg.easttimor on 6 March 1993.*

*The following is a transcript of ATVI ( a new satellite TV for the Asian region) run by ABC.*

NEWSREADER:....(missing bits). The anti-Indonesian protest took place in the court in Dili after Ian MacIntosh filed that report. He joined us by telephone with details.

IAN MACINTOSH: According to sources the second prosecution witness called Saturnino Da Costa Belo walked in saluted put his FIST IN THE AIR and yelled LONG LIVE EAST TIMOR, LONG LIVE INDEPENDENCE. The sources said he then attempted to shake Xanana Gusmão's hand but the defendant declined

to do. Asked his name Saturnino responded by saying that he was present to defend EAST TIMORESE INDEPENDENCE and HUMAN RIGHTS.

The hearing was then adjourned for 15 minutes and an hour later when it was resumed AN ARMY DOCTOR stated that the witness was not FIT TO CONTINUE.

SATURNINO has been in jail as we understand at Baucau, west of Dili after he received last year, a 9-year sentence for involvement in the demonstration which preceded the November 1991 Dili massacre. Earlier in today's hearing Luis Cardoso, 46, testified that he had supplied Fretilin with food and medicine and last year transported and sheltered the defendant. Xanana Gusmão told the court the evidence given was true. His trial will resume next Thursday.

### WITNESS FOR XANANA FORCES COURT TO ADJOURN

*Jakarta Post, 5 March 1993*

*Only the section dealing with Saturnino's act of defiance. Saturnino was actually summoned by the prosecution, not by the defence.*

(Dili, East Timor) A witness in the trial of Fretilin separatist (sic) movement leader José Alexandre "Xanana" Gusmão refused yesterday to answer the presiding judge's questions and accused the government of ignoring human rights in the province (sic).

The trial was then suspended.

Saturnino da Costa Belo, 32, the second witness to testify in yesterday's session, yelled Viva Timor Leste (Portuguese for 'Long live East Timor') while looking at Xanana with his eyes glistening with tears.

The witness then approached Xanana in his effort to shake hands with the Fretilin leader, but Xanana refused to shake hands with him and gestured ordering him to calm down.

Saturnino ignored Xanana's gesture, leading Presiding Judge Hieronymus Godang to pound his gavel and order him to sit down.

"I want you to sit down," the judge said. The witness however continued to stand until the court officials led him to his seat.

Saturnino then kept silent when the presiding judge repeatedly asked him his identity. Suddenly the witness stood up and yelled, "I ask the government of Indonesia to respect human rights in East Timor."

Hieronymus later suspended the session for 45 minutes and ordered the prosecutor to call a doctor to examine the witness. After examining the witness, Dr. Musadek Ishac from the East Timor police said that Saturnino had a mental disorder. The judge

then adjourned the session till next Thursday.

### SOS RE: SATURNINO'S CONDITION

*From Ines at Fretilin/NSW, 6 March 1993*

It is highly likely that Saturnino was mistreated after his courageous statement in court. There are reports that he was dragged out of the court. We appeal to anyone who is able to find more information on Saturnino after yesterday's events so that we can once again start some action internationally. We will keep you posted if further news comes to hand. Stay in touch for further action.

TO RESIST IS TO WIN.

### BACKGROUND ON SATURNINO

*From Peace is Possible in East Timor, 5 March 1993 Dateline: Lisbon Translated from Portuguese unabridged*

The case of Saturnino da Costa Belo, the Timorese who shouted out in favour of East Timor's independence in the court where he was supposed to testify against Xanana, reveals the methods used by the Indonesians in order to come up with such witnesses. Even though foreign journalists have been stopped from attending the trial, and therefore rendering such acts of courage practically useless, Saturnino da Costa Belo refused to play the part he had been given.

Saturnino da Costa Belo had been held in Indonesian prisons from 1986 to 1990, serving a total of four years. He was re-arrested on 30 November 1991 in Baucau, at the same time as his younger brothers, Alcino Vital Freitas and Custodio Freitas, on charges of having links with the guerrilla. At the time of his arrest the Indonesian soldiers looted his home, stealing everything from a gold moon and macassar swords (objects of traditional Timorese value) to clothes.

Saturnino and his brothers were subjected to ill-treatment, especially beatings. After a few weeks, Alcino and Custodio were released. Saturnino remained in detention awaiting trial.

He was taken before the Baucau court in 1992, but rejected the 9-year prison sentence which the court passed. So he was taken for torture: "beatings, and his mouth squeezed with a pliers until it bled." A new trial was set for 19 November, this time in Kupang (Indonesian Timor).

Meanwhile, during guerrilla activity on 5 October in Baucau, an Indonesian officer was killed for his weapon inside a hotel. The hotel is situated between the market and the

police post, there being about 20 metres between them. General Syafei, Military Commander of East Timor, in a statement to the newspaper Kompas, said there had been a guerrilla attack in Baucau, that there had been no Indonesian casualties, but that an AR16 weapon had been captured, and two terrorists had been killed.

It is known from a Timorese source that, in unclear circumstances, a young man was received a bullet wound and a child was killed. It would appear that the child was crushed in the general confusion caused by the shooting. The young man wounded was Alcino Vital Freitas, Saturnino's brother. He was first taken by car to the military hospital but, once identified, he was taken from the hospital by soldiers and killed three days later, on 8 October, in Liamari: "he was nailed, like Jesus Christ, and cut to death little by little," a Timorese wrote. Another young man, Domingos, was wounded in the leg by a bullet about 500 metres from the hotel in Uma Lima. He was shot and killed the following day, next to the Indonesian flag pole (merah putih) by 315 Battalion soldiers.

Numerous arrests (over 200 by 10 October, according to one witness) followed, including that of Sebastião Fraga Freitas, son of Mateus and Madalena Freitas. He was captured on 6 October at around 5 pm by Battalion 315 soldiers, in Ossaluga (Samalari), as he returned home from work (opening an irrigation canal for Father Locatelli). Sebastião subsequently disappeared and it is feared he has been killed.

On 17 October, Alcino's 60-year-old father, Afonso Freitas, his daughter, and his daughter-in-law were all arrested in Ossaluga.

In Samalari, between 70 and 80 people - men, women, young and old, - were arrested. Among them was the former Liurai (traditional leader) and ex-DPR (deputy, appointed by the Indonesians) Manuel Marcal Sequeira, with his wife and their children, later given conditional release.

Some of those said to have been "released," were actually transferred to Battalion 315 military posts in Uailili, Gariwai, Uatona and Buibau, and forced to act as scouts for the military in their search for others who had fled. The majority of detainees was tortured.

After these events, Saturnino da Costa Belo disappeared from Baucau prison, only to reappear now in Dili to testify against Xanana. It is not known whether his trial, set for November in Kupang, ever took place.

Apart from Saturnino himself, among those believed to be most in danger of re-

prisals following Saturnino's statements at Xanana's trial, are:

Custodio Freitas, his brother, living in Baucau

Afonso Freitas, his father, and other relatives, living in Ossaluga (Samalari, Baucau).

### LETTERS FROM SATURNINO

*10 September 1992 Dateline: prison in Baucau. Translated from Portuguese. unabridged*

*Letter to IPJET Secretary General, Pedro Pinto Leite*

"My respectful and best wishes. In spite of being imprisoned in the infernal Indonesian cell in which, not on rare occasions, I am beaten up and subjected to other kinds of punishment, I felt greatly relieved from pain when, at the end of August, I received the letter sent to us. However, the copies of the letters to the UN Secretary General and the Indonesian Minister of Justice have still not arrived - I believe my seven compatriots must have them.

I should also tell you that it is the second time that I am in prison. The first was from 1986 to 1990, when I was sentenced to four years imprisonment. But it is the first time I have received a letter from an organisation sympathizing with our martyred and defenceless people's struggle.

In spite of being in this painful situation, I feel more and more encouraged and stimulated by the warmth of solidarity from the IPJET in general, and from you in particular, since this gesture of solidarity constitutes moral support not only for me but also for my people.

My most sincere thanks go to all the IPJET members, and especially to the organization's Secretary General, for the solidarity shown and the efforts made to defend my People's cause, and protect me/us from the unjust sentences of Indonesia's laws. I hope, and I am fully confident, that the IPJET, of which you are Secretary General, will continue to make untiring efforts, through the means available to you, to secure my/our protection and to fight for my/our release from Indonesian prison. I am sure you will do everything possible to defend my People's right, and to free it from Indonesian captivity, since my People rejects, with the annexation of its Motherland to the Republic of Indonesia.

I enclose a copy of the letter addressed to the Prime Minister. I hope you will intercede with him and the Government so they might heed my cry.

With sincere consideration and respect,  
Saturnino da Costa Belo

### Letter to Portuguese Prime Minister:

His Excellency, the Portuguese Prime Minister Mr. Anibal Cavaco Silva.

Excellency,

May I first offer you my respectful and best wishes. I have the honour of writing this insignificant letter in order to inform your excellency of my situation: I was captured by Indonesian forces on 30 November 1991, together with my two younger brothers, Alcino Freitas Vital and Custodio Freitas. We were accused of being in contact with the guerrilla and of subversion. Some weeks later, my two brothers were released, while I continue to be held, now in the Baucau Prison.

I would also like to inform your excellency that, at the time of our capture, our personal belongings, ranging from an ordinary pair of sports shorts to a gold moon and macassar swords, of traditional value, were stolen by the Indonesian soldiers and their collaborators. All we have left are the clothes on our backs, and not even the slightest article has been returned to us.

I have been taken before the Indonesian Court in Baucau eight times already, where I was given a 9-year sentence. However, I did not accept their sentence, not only because the trials are nothing but a farce, but above all because I am not an Indonesian citizen and have never acknowledged to one, to be now sentenced by Indonesian law. Within international legality, I am still legally a Portuguese citizen and identify myself as such. Since I would not accept the sentence passed, the proceedings have been transferred to the Kupang Court, Indonesian Timor, and the trial is set for 19 November next.

At the time of my previous trials I was tortured with beatings and with pliers, applied to my mouth and squeezed until it bled. I was also ordered to undress, and wearing only underpants, forced to lie on the ground.

Assistance from international and humanitarian organisations was non-existent, given that they were not allowed to give it.

In this regard, I request your excellency, the Prime Minister and the Government to afford me the most active, maximum diplomatic protection, within international law which still supports Portugal and its responsibility. Furthermore, I ask that through the Dutch Government, which represents Portugal's interests in Indonesia, I am given real assistance, given that because of the break in diplomatic relations between the two countries, Portugal is unable to give me any direct help.

With sincere respect and gratitude,  
Saturnino da Costa Belo

### PORTUGUESE PM CAVACO RESPONDS

*Publico 24 March 1993 Dateline : Lisbon Byline : A.G. Translated from Portuguese unabridged*

Yesterday, Prime Minister Cavaco Silva promised to intercede with the International Red Cross to investigate the whereabouts of Saturnino Belo, a Timorese prisoner sentenced to 12 years' imprisonment. Since, on 5 March, he shouted out in favour of independence for East Timor in front of the judges hearing the case in Dili against former Resistance leader Xanana Gusmão, Saturnino's whereabouts are unknown. Cavaco Silva also agreed to speak to his Dutch counterpart about the situation of Saturnino Belo, whose letter reached the PM via a delegation of the "Freedom for Xanana, Freedom for Timor" Commission, founded in January this year, and the Honorary Chairman of which is the Timorese poet Fernando Sylvan.

In the letter, dated 10 September, Belo says he had been subjected to torture, says that he is legally still a Portuguese citizen, asks Portugal for "maximum diplomatic protection," and that he be given "real help" through Holland, which represents Portuguese interests following the break in relations with Indonesia in the wake of the invasion of Timor on 7 December 1975.

The delegation, consisting of Fernando Sylvan, Ana Nunes (from the "Peace is Possible in East Timor" organisation), and Luisa Teotónio Pereira (from the CDPM - the Maubere People's Rights Commission) emphasized to the PM the need for the European Presidency's representation in Jakarta to visit Xanana Gusmão and other political prisoners.

Meanwhile, Indonesian sources established for the first time a link between the fate of Xanana Gusmão - whose sentence (originally expected to be passed at the end of last week) has been successively delayed - and the outcome of the talks between Portugal and Indonesia. Yesterday, a member of the Indonesian diplomatic corps in Holland told the Lusa agency that the sentence will only be passed after the next round of talks, scheduled for 20 April in Rome. He was, in this way, indirectly supporting the criticisms levelled by Portugal and other countries about the unjust nature of the trial.

On Monday, 22 March, during an audience held at the request of the solidarity organisation CDPM, Foreign Minister Durão Barroso said there had been no contact whatsoever with the St. Egidio community, which has been mentioned in the last few weeks as possible mediator on the Timor question. It was at this religious commu-

nity's facilities in Rome that the Mozambique peace talks were held, between the Frelimo government and Renamo.

"The CDPM is not against the initiative in principle," said Luisa Teotonio Pereira to Publico, "but the differences existing between the internal characteristics of the Mozambique conflict and the Timor question, whose main and irreplaceable focal point for solution is at the UN, must be made clear."

At the conclusion of the one and a half hour audience, the CDPM left convinced that Portuguese diplomacy did have "finally, a consistent strategy" for Timor. "Only putting it into practice will show whether it is good or bad," said a spokesperson for the solidarity organisation.

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## SATURNINO'S 'TESTIMONY' USED IN COURT

### TAPOL REPORT, 21 MARCH 1993

At a hearing of the Xanana Gusmão trial in Dili on 11 March, the presiding-judge announced that one of the witnesses, Saturnino da Costa Belo, who was to have appeared on that day, was 'too mentally disturbed' to appear. The prosecution was therefore given permission to read out the 'verbatim report' of his interrogation. [Kompas, 12 March 1993]

This is an outrageous abuse of Saturnino's basic rights. When Saturnino appeared in court on 4 March, he used the opportunity to shout pro-independence slogans, clearly signalling that he was refusing to testify.

The document read out in court has him 'testifying' about alleged attacks by guerrilla units in Baucau in 1984 when villagers were allegedly killed, their possessions looted and their houses burned to the ground. Saturnino allegedly also 'confessed' that he acted as a courier between the guerrillas and the clandestine movement.

The press report of Saturnino's "testimony" used in his absence does not say whether it was challenged by the defence lawyer, Sudjono, as a gross infringement of court proceedings. He may well have done so and the press was 'advised' not to report it. Testimony 'in absentia' can only be used in very exceptional circumstances. It is evident from what has happened that Saturnino's act of defiance spiked a hole in the prosecution's case, as evidence he was expected to give was lost. Having declared him "mad" and therefore "unfit to appear" a week earlier, the court knew very well that he would not be allowed to appear yet summoned him nevertheless then went through the farce of being told that he could not appear, so as to be

able to use his highly suspect interrogation report.

This incident again highlights the fact that Saturnino's life is in grave danger. TAPOL has been informed that a request by an International Red Cross delegate to meet Saturnino following his appearance in court on 4 March has been turned down.

TAPOL has today written to the British government asking that the Indonesian authorities be pressed to allow the International Red Cross immediate access to Saturnino.

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## NOTHING DELIBERATE ABOUT DELAY IN TRIAL

*Kompas 17 March 1993 Dateline: Dili Abridged*

*Comment: No doubt this denial is made to hide an embarrassing truth. I would link the timing rather to the forthcoming talks in Rome on 20 April. It may be that the regime does not want Xanana to speak in open court before the talks commence. – TAPOL*

The Public Relations chief of the Dili district court, Amir Pane, said that the court was not purposely dragging out the Xanana Gusmão trial. If things have slowed down, it is purely for technical reasons.

At first the court fixed a rapid timetable with four or five hearings a week but this happened only in the first weeks. Since then, hearings have been less frequent, first three times a week, then twice a week and now only once a week.

Defence lawyer Sudjono has told the presiding-judge that things are becoming slower and slower. Judge Godang says the court has other things to do and he himself who is chairman of the court has various duties that he cannot desert.

The timetable was only a plan and can change at any time and anyway the court wants to give the prosecution more time to summon witnesses. "They don't all live in Dili. Some live in Baucau, Lospalos, Same, Aileu and even Bali," said Pane

The court also needs to keep fresh. Haste will not give the court the chance to try Xanana properly.

But Pane is certain that the trial will end before the 120 days from Xanana's arrest runs out. \*) All that is left is to hear a few remaining witnesses and then some a-de-charge witnesses (for the defence). Then the defendant will be cross-examined, the prosecutor will read his summing-up and demand for sentence, then the defence will speak, after which will come the verdict.

"The court has cut down the number of witnesses to be heard from the original thirty as some are not relevant to the case."

The defence lawyer said he has no problem with the slower programme. "This

is a test of resilience and stamina. I am ready to deal with it. I am not asking the court to speed things up." His client, Xanana, whom he regularly meets, is also of the same opinion.

Sudjono confirmed that two a-de-charge witnesses will testify in court. The two men knew Xanana when he was a young boy. But Sudjono would not reveal their names. "I want everything to proceed smoothly," he said.

*\*There must be something wrong here. 120 days from 20 November ends on 18 March.*

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## XANANA TRIAL DRAGS ON

*Kompas 19 March 1993 Dateline: Dili Abridged*

*Comment: The list of prosecution witnesses revised from thirty down to 'about twenty' still listed Gregorio da Cunha Saldanha and Francisco Miranda Branco, both serving long sentences, as being due to testify. However, they will not after all appear in court as it was announced on 18 March that no further witnesses summoned by the prosecution would appear. The change of plan is likely to be because of Saturnino's act of defiance in court on 4 March, to avoid giving the chance to any other East Timorese to use the court in the same way.*

*Regarding the appearance of defence witnesses, Sudjono, the defence lawyer has spoken repeatedly of the reluctance of Timorese to appear for the defence. He has refused so far to divulge the identities of the two who are scheduled to appear. – TAPOL*

Witness Armando da Silva (23 years old) told the court hearing the case of Xanana Gusmão in Dili that the accused was sent an appeal by the Indonesian government, signed by governor Mario Carrascalao and military commander, Brig.Gen Warouw, to come down from the hills in 1990. This was discussed with his followers but his reply was that he could not surrender as he totally rejected integration. Xanana had also told him he could accept some other form such as autonomy.

Armando da Silva is described as a government employee and former head of FITUN, the clandestine organisation which maintained contact with Xanana in the hills. FITUN had 170 young members helping Xanana in the towns and providing a 'bridge' between the urban centres and the bush.

The witness told the court that every time he met Xanana he had been given instructions about organising a large-scale demonstration to welcome the visiting Portuguese MPs. But I didn't do this, he said, as by this time FITUN had broken up

and disbanded. He said he had asked Xanana what the purpose of the demonstration was and had been told that it was to show to the outside world that "we still exist." Xanana had always said the clandestine organisation should maintain discipline, not indulge in violence, maintain mutual respect and never act without permission.

The witness told the court he never implemented anything Xanana had asked him to do as he believed that none of this could be achieved and in any case, he dissolved FITUN in August 1991.

Xanana told the court he knew the witness and confirmed his testimony.

The court announced that it has completed the hearing of (prosecution) witnesses. The hearings will resume on Thursday 1 April to hear witnesses presented by the defence (a de charge).

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## DEFENCE WITNESSES HEARD

*wire services, 1 April 1993*

*Note that the court will convene on a Monday for the first time in weeks to hear the second defence witness. That will make it possible for Amos Wako to be present. Nice management! They could of course have heard the two defence witnesses on Thursday as originally planned but it is neat to have a hearing to convince the UN Sec-Gen's envoy just how 'fair' Xanana's trial is. - TAPOL*

The Dili district court hearing the trial of Xanana Gusmão, heard testimony from the first defence witness (a-de-charge). He was a 38-year old farmer, José da Conceição who told the court he was a member of Fretilin in the late seventies.

The witness told the court that Xanana Gusmão had always treated prisoners well, including members of the Indonesian army. He mentioned one occasion when Xanana Gusmão overruled other guerrillas who wanted to execute a captured army sergeant and how he had treated the sergeant's wounds.

The next court hearing will be on Monday, 5 April, to hear another defence witness.

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## EVENTS INSIDE EAST TIMOR

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### WHO'S WHO IN THE RESISTANCE

*Publico, Translated from Portuguese unabridged*

(Lisbon) In a document dated 28 November 1992, but which is entitled "20th November Statement" (date on which Xanana Gusmão was captured), the new Timorese leader, Ma'Hunu Bulerek Karathayano- Bukar (Antonio João Gomes da Costa, as he is named on his Portuguese birth certificate) made public the highest ranks in the Resistance and Fretilin. The text was received in Portugal via a recording transmitted by Radio Nova, but its written version arrived only now. It had been included in a package of documents delivered in Dili to the Independente and Publico reporters by "Corthe," spokesman for the interior's Clandestine Front.

In spite of the unclear formulation of some of the decisions taken, especially regarding the role of the Maubere Resistance National Council (CNRM), it would appear that "prisoner of war" Xanana Gusmão's functions as Resistance leader have been "frozen," and power within the territory has passed to a so-called Politico-Military Commission of the Resistance (CPM-R). This was described as a "tactical/operational mechanism" which takes action, while being the "arm of the Falintil commander concept on the ground." Its motto, just as it appears in the document, is "talks without pre-conditions, sponsored by the UN," in order to achieve "an internationally acceptable solution to the East Timor problem."

The other decisions point to the reappearance of Fretilin as directing structure of the struggle, (in contrast to Xanana, who in 1989 gave up the duties he was fulfilling in this party, Ma'Hunu has taken on its leadership) and to a strengthening of the position of José Ramos Horta, with whom Ma'Hunu now "coordinates" the struggle on the internal level. The non-partisan nature of the Falintil (armed wing of the Resistance) is maintained.

Leader of the Resistance & Falintil Commander: Kay Rala Xanana Gusmão (functions "frozen").

Maubere Resistance National Council (CNRM): Ma'Hunu.

CNRM Special Representative Abroad: José Ramos Horta

Politico-Military Commission of the Resistance (CPM-R): Ma'Hunu\*

Fretilin Directive Commission (CDF): Ma'Hunu (Secretary); Lu-Olo and Konis Santana (Vice- Secretaries).

Falintil General Staff: Taur Matan Ruak (subordinate to Ma'Hunu)

\*Responsible "for the struggle on an internal level," "in coordination with the CNRM Special Representative abroad.

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## CNRM CHRISTMAS MESSAGE

**Maubere Resistance National Council - CNRM**

**Fretilin Directive Commission - CDF**

20 December, 1992

Dear fellow Timorese and companions in the struggle of the armed front in the bush, in the clandestine front in the towns and cities of our violated country's soil, in the diplomatic front abroad, and friends of the Timorese people all over the world:

Following the imprisonment of our Commander Kay Rala Xanana Gusmão on 20 November 1992, I am addressing you, this Christmas time, to send you all our warm wishes for a Holy Christmas and Happy New Year 1993, and to ask that you continue to fight for the Christmas feast of the Timorese, for life, and the right to live as human beings, as a People and as a Nation.

For many, and above all for Indonesia, our fight for the Maubere People's rights suffered a considerable defeat on 20 November 1992, but for the true children of East Timor it was a day of great victory for our struggle, for the following reasons:

1. With the arrest of our companion Xanana Gusmão, the Maubere People's Resistance acquired a concrete symbol, in accordance with the 20th November Declaration, i.e. KAY RALA XANANA GUSMÃO, Symbol of Timorese Resistance.

2. The arrest of our companion Xanana Gusmão, and that of the many other companions of the Clandestine Resistance, as well as the publication by the invading authority itself of the names of thousands of Timorese in the clandestine front, including important public officials such as the current governor, Abilio Osorio, municipal and administrative post officials, soldiers, police, and the occupiers' own spies, demonstrates to the world and to the Indonesians themselves, the strength of the clandestine front, which truly represents the intimate will of a people.

3. The "surrender," or the reporting to the Indonesians of thousands of clandestine members, does not signify to us a defeat, but rather heroism, since the flame of love for one's country is not put out by a couple of songs, and their struggle will intensify, in

one way or another, to an ever greater extent.

4. The heathen form of taking an oath, drinking a mixture containing blood, is an attitude against the Catholic Church. Consequently, by forcing the Catholic Timorese to practice these heathen acts, the Javanese are forcing the faithful to violate their own Faith, weakening the "good relationship" (according to them) between Indonesia and the Catholic Church.

5. This all means condemnation of Indonesian policy itself, forcing itself to let go of Timorese soil, leaving this poor people to live according to its right.

So that we continue united, so that Jesus is born for the Timorese people, its right as a people and nation recognised soon, we would like to send the following messages to you:

1. A sincere thank you to all, without exception, big and small, rich and poor, for all the collaboration with regards our companion Xanana Gusmão, Symbol of Timorese Resistance, with a request that this collaboration continue and grow.

2. Everyone should bear in mind that our companion Xanana Gusmão's functions have been frozen, in accordance with the 20th November Declaration. For this reason, any statement which he makes must not be considered as coming from the CNRM.

3. To the prisoners and their families, as well as to those persecuted, especially to the young people, we extend to you our moral and spiritual unity, and urge you to muster up COURAGE, according to each individual's faith.

4. We wish to remind everyone that the Indonesians are Moslems, and they want to destroy the Catholic Church. Do not, therefore, give in easily to their proposals with regards the heathen practices or any other kind of collaboration.

I end with a big festive season embrace for all! The fight continues! To fight is to win! Victory is ours!

The mountain of our occupied motherland East Timor, 20 December 1992.

The CNRM

(signature) Ma'Hunu Bulerek

Karathavano (Bukar) Secretary of the CDF

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## STATE OF WAR: A DIARY

*Independente*, 19 February 1993

By Ines Serra Lopes. Translated from Portuguese. unabridged

### Wednesday, 3 February

The beauty of the island is unforgettable, and the approach by air exceeded all expectations. Timor is the loveliest of places.

I arrived in Timor today. I came with Rui Moreira (Lusa, Brussels) from Jakarta. I landed at Dili airport inside the cockpit of the plane, beside an Indonesian pilot who, after spending 2 years in Luanda, working for Taag, had acquired a considerable Portuguese vocabulary. The only subject which the pilots (there were two) would not talk about was politics. "I not like," said the one who spoke no Portuguese.

We were met at the airport by colleagues and authorities. We came straight to the Hotel Turismo. After a lunch of grilled fish, a long day began. They asked us to go to the Indonesian hotel, the Makhota, to be "introduced" (to report, in the original version) to the Indonesian who was to be responsible for us in Dili: Kosky Zakaria.

Zakaria, was insistent: if you want to return for the end of Xanana's trial, then you must not write anything against Indonesia. You have to stick to the "facts." And be quite objective. At the end of the conversation, on that Wednesday afternoon, Kosky announced that perhaps we would have to leave the following Saturday, just three days away. Basically, what he was saying was that it all depended on our behaviour. We would have the chance to realise that he meant what he said.

On my return from the interview, Adelino Gomes was waiting for me. We went to the cathedral, to the anniversary mass for Msgr. Ximenes Belo, Bishop of Dili. The cathedral was impressively full. Of sorrowful and poor faces. Then came the endless line of people wanting to greet the Bishop. Humble and barefooted, they kissed his hand and shyly congratulated him.

Outside I heard the first cry for help: "... The people of Timor are suffering. We are just waiting for Portugal. Only Portugal can help us.. All the Timorese people are going to die. When is Portugal coming?" The tone and content (to which there was no answer) was to be repeated from the mouths of old and young, throughout the coming days in Timor. The key words, repeated again and again were: The Portuguese man (the "malae") will be coming soon).

The "malae" did not come at the time of the "Lusitania Express." The "malae" did not come on a parliamentary delegation visit. But the Timorese wait and trust: the "malae" has to come. He'll be here soon...I felt a knot in my throat, a shiver, when I heard the question and the insistence: the Portuguese man is coming. Isn't he?

Teresinha believes that the Portuguese are not coming. She emigrated to Australia, and only came back to Dili to visit her family. She speaks perfect Portuguese, as did many people between the ages of 20 and 30 with whom we spoke. Teresinha does not want to talk about politics. She says

that in Timor there are both good and bad things. She admits she would prefer to keep quiet about the bad things. Of the good things, she laughs and can only remember her family that she left behind.

Back at the hotel, we scarcely have time enough to go to our rooms. Xanana Gusmão's lawyer is waiting for us to have dinner. We go to the restaurant. Sudjono takes along his two assistants. It is a long conversation. Sudjono confirms that he was indicated to Xanana by the police, but that Xanana could have chosen any other lawyer from among the seven that the police proposed to him. I don't know if I believe this. The man seems to be sincere. But faces, in these parts, are almost impenetrable.

There are two certainties: Sudjono knows very little about Timor and about the guerrilla. And we know nothing about the strategy of Xanana Gusmão's defence, except that, obviously, Sudjono knows that the Indonesian court is going to reject his objection on grounds of incompetence.

Sudjono is maintaining that, firstly, the anti-integrationist group to which Xanana belonged and in which he was accepted as leader, never recognised Indonesian sovereignty over the territory, formerly colonized by Portugal; secondly, until the present time, the international community, especially via the UN, has not recognised integration of East Timor; thirdly, that Xanana Gusmão's "activities" had begun before the facts described in the indictment, i.e., before 17 July 1976, the aim being not to attack Indonesia, but to achieve Timor's independence.

The lawyer assures me he will appeal against the decision which will be given the following week. He also says he believes it very important for us to stay and hear the testimonies, above all that of Xanana himself. I think so too.

### Thursday, 4 February

There is no trial session today. I am staying in Dili, even though a group of Portuguese journalists are going to visit Baucau. I want to try to make some contacts, and to make up for the loss of time - two precious days - caused by the visa delay in Amsterdam.

Straight after breakfast Petrus Suryadi appears. He is an Indonesian journalist, "Europe correspondent," for the Jakarta daily "Suara Pembaruan." He lives in Holland and used his considerable influence to get many of us over here, through his friend in Lisbon, Nuno Rocha, who untiringly helped us to get entry permits.

As well as being a journalist, Petrus Suryadi is a strong man of the Indonesian regime. His sister is married to one of Jakarta's most powerful generals. With even

more power, and one more star on his shoulder, than the well-known Armed Forces' spokesman, Brig. Gen. Nurhadi Purwosaputro, the famous General Nurhadi to whom we all turned when the visas threatened not to be forthcoming.

I could not have felt worse seeing Suryadi this morning, just when I thought I could have walk around on my own, to see and to hear. Worse was to come, however: Petrus announced that I had to report to Zakaria, my inquisitor of the previous evening.

Suryadi asked me what I would like to see. Off the top of my head, I said what seemed the most innocent - the Dili market place. When we arrived, I told Suryadi that it would be best to leave the car and driver and go in on foot. Petrus Suryadi did not agree. He ordered the driver to drive on into the market. Desperately sounding the horn, through narrow pedestrian paths. And I was feeling so bad, from on high, behind the smoked colored windows of the jeep. I forced him to stop, and said I would continue on foot. Petrus followed me and tried to make me go back to the jeep. I refused. To the relief of both of us, we left there for the Hotel Makhota, to meet up with Kosky. Even Kosky was preferable to visiting the market in a jeep. The Makhota is the Indonesian hotel par excellence, made by the Indonesians for the Indonesians. All prior advice we had received recommended us not to stay there. Even with the 50 per cent discount the hotel had offered us. At the Makhota, nobody is there just by chance: in the lobby there are at least half a dozen informers and Intel (Indonesian intelligence) agents. In the front garden, hidden among the trees and foliage, live the spies who, day and night, watch the comings and goings of the road to the hotel and the Dili diocese, just right next to it.

I went up to the first floor, with Suryadi, to Kosky Zakaria's room/office, where I had been yesterday with Rui Moreira. The Ministry of Information's representative - who had been introduced to me the day before as the person responsible for security in Timor during the trial of Xanana Gusmão - unreel his threats: no journalist would be allowed to return for the final week of the trial if s/he had been writing anything against Indonesia. Just as I had done the day before, I stuck to my ground: I repeated that I wanted facts and figures. The indictment, the objection, and the translations of the penal code and penal procedures code. I said I was going to the court, to speak to one of the judges. Kosky Zakaria said I could and, without realizing my surprise, wrote a letter, on government-headed paper, "ordering" the court through his spokesman, Judge Hitzbullah, to grant me trial

documents. We parted and I went off to the Dili court, escorted by Petrus Suryadi.

Hitzbullah is an Indonesian judge, of medium height, with mustache, and friendly appearance. He received us, listened to Suryadi attentively and smiled effusively. Then, more serious, he read the letter, and said no. A determined no, not very Moslem. A convinced no, which an hour of arguing and a bit of shouting did not manage to reverse. In the middle of the conversation, Hitzbullah left the office to talk to the presiding judge, and Petrus Suryadi went straight to the desk to look for the documents which the judge had refused me. A little later, Judge Hitzbullah, in almost non-existent English, offered his apology. It was nothing personal. I asked him how long he had been at the Dili court and, without waiting for the translation, he replied: 1986. "And how long do you expect to stay for now?," I kidded. He laughed and shrugged his shoulders. God, or the Indonesian Minister of Justice would have to decide. But he would not hand over the trial documents. "I'm sorry," he repeated.

With a copy of the indictment under Suryadi's arm, we went to the Resende Hotel to look for Espedito, the supposed translator of the indictment, to whom Suryadi was doing me the favour of introducing. I refused his services, in spite of Espedito's excellent arguments in his own favour. He had little more than primary school. But, to compensate, he has got a brother with a Law degree! The osmosis of family knowledge did not convince me and I rejected Espedito and his translations.

Suryadi, visibly annoyed, left me at the hotel. He had to go to Jakarta. I breathed a sigh of relief and left on foot. I passed by the Bishop's house, but D. Ximenes was not in and the reception was, to say the least, cold. I left a message saying that I would be back.

After a very long walk around the bay, I finally arrived at the Motael church. I was received by an employee, whose welcome made the previous one at the Bishop's house seem like it had been warm and intimate! None of the priests was in, and he did not know where they were. I went back to the diocese, the Ecclesiastic Tribunal. I crossed through the muddy side entrance, by the low wall (which encircles the whole block) looking right on to the spies in the next street - where the Makhota Hotel is. No priest was in there either. Through the kitchen window, two old employees, who only spoke the local dialect Tetun, discouraged me from waiting.

I left the diocese and saw the taxi driver, who had been following me since I had left the hotel on foot over an hour before. I gave in to tiredness and to the young driver's

persistence and, indicating that I surrendered, got into the car. I asked him where we were going. He didn't understand - he didn't speak Portuguese. I repeated in English. He, who had been following me, ought to know where it was that I wanted to and could go. The driver thought he understood: I was a tourist and wanted him to show me the sights of the city. He took me inside Dili, showed me the police headquarters, where Xanana was supposedly being held. He showed me the market, open 24 hours a day. It was a far more wild market than the one Suryadi had taken me to hours before. He took me to the house of the Osorio family, where the former leader was captured. Afterwards, inevitably, to the Santa Cruz cemetery. When he finally understood that I was a "wartawan" (journalist), he refused to stop at the cemetery so I could take photos, and we suddenly started back for the hotel. On the way he explained that, if the "others" were to see him, he would be arrested. With his hand hidden from the view from the street, he made the international sign for fear.

Once again I left the hotel on foot. I met a young boy scout, carrying books. He spoke to me in Portuguese and accompanied me as far as the Ecclesiastic Tribunal. Father José Antonio Costa wasn't in. Neither, apparently, was Father Leão. I could feel the stares of the informers on my back as I left. My companion apologised. I could not be walking around the streets of Dili as a foreigner, especially a journalist, and more especially being Portuguese. One of the spies followed behind the boy scout. Another overtook me, half turning around. He said "boa tarde" (good afternoon) to confirm that I was Portuguese, then disappeared around the next corner, only to appear again later.

I decided to go back and try one more time: the priest was having a nap. I sat down on the veranda that joins the two diocesan buildings. Three old and honest tables, each with four chairs, all in the shade. I decided not to move from there before speaking to the Vicar-General, Father José Antonio.

While I waited, I thought about a talk I'd had a few hours earlier, in another place enveloped by the stares paid by Indonesia. Amid a lion's mane of hair and a somewhat frightening face, a gentle smile appeared when I said who I was. "We knew you were coming," said the dark little lion, hidden behind a column of an old Dili building.

He told me how life was in the bush, where he had been until the month before. Far from the adventures one imagines, life in the mountains is spent in holes, very near the villages, sometimes inside the villages themselves, too near the Indonesians. In

holes dug in the ground, inside and outside houses, watched by the people who, in turn, are watched by Indonesia.

I showed him news from the previous day's *Diario de Noticias*. The headline read that Ma'Hunu, Xanana Gusmão's substitute in the leadership of the guerrilla, would give himself up within the next two months. The article had been based on statements made by the governor, Abilio Osorio. That was clear in the article, but the Timorese did not want to read more. With eyes filled with tears, he replied: "Lies! Lies! Lies!" I tried to explain that they were just the governor's statements. He was deaf to my words and repeated: "Lies!" He did not read on. He told me about his brother who had been "caught," and about whom there was now no news. He told me that in his village, when the soldiers hear that a certain Manuel is working for the resistance, they arrest, interrogate and torture all the Manuels, until they find the Manuel they are looking for. Many confess to deeds they know nothing of. Many die. "It's better to die for Timor," said the young man, like one who is explaining the inexplicable.

Father José Antonio awoke and received me in the same cane chairs. Cautious, he confirmed only what he could. He spoke a lot about the Timorese Church and teaching in Timor. Portuguese, which until a few years ago had been the language in which the young Timorese were taught, right from their first year at primary school, had been banned by Indonesia. Portuguese became the language of the Resistance, and of the anti-integrationists. José Antonio Costa is just another Timorese priest who knows the regime and prefers not to talk about it.

Later on, I would be told the story of a seminarist in Baucau, who started to teach his classes in Portuguese. When leaving after the first lesson, the seminarist was called by the Indonesian police. "He was left with a disfigured face," they told me. The lessons in Portuguese ended that very same day... When I interviewed the governor, Abilio Osorio, I told him the story. He did not even try to deny it, and insinuated with malice: "It couldn't only have been on account of the Portuguese..." Why such words, when the Bishop of Dili publicly affirms that torture is routinely used in Timor?

When Timorese start speaking to us in English so as to pretend they do not know how to speak the language detested by the Suharto regime...; when the Governor insinuates that torture is justified...; when all this happens, we are left with no doubts whatsoever: we are not in the 27th province of Indonesia. We are in East Timor, the territory occupied 17 years ago by Indonesia's force and violence.

### Friday, 5 February

In court in the morning, Xanana enters covering his face with his hand. He remains like this almost throughout the hearing.

A walk through Dili, with a carefully chosen itinerary, led to contact with someone who says he is in the resistance. He brought messages, communiqués from the Maubere Resistance National Council (CNRM), introducing himself as the new spokesman for the CNRM and for his leader, Ma'Hunu. He goes by the name of Corthe (taken from the initial letters in a phrase which, in English, means Reasoning elevates all men), and we talked for hours. We asked many intense questions. The replies were plausible. We had to be sure.

A further meeting was arranged for the next day, in a conveniently public place. Then we would see. The greatest risk was falling into an Indonesian ambush. You can't play games with these people.

On our way back to the hotel, over a dozen taxis refused to stop. Finally, one does. He speaks Portuguese, as usual, and says his name is Martinho. He asks if we are reporters. Whether we already know about the situation in Timor. On arrival at the hotel he looks through his wallet, saying that he has something for us. He doesn't find what he wants and suggests he delivers it the following day. At what time? As we had planned to go to the 6 am mass at the Cathedral, we tell him he could come and pick us up before six and take us to the Cathedral.

It has been quite a day, and the weariness is beginning to tell. But the day is not over yet. Henri Sobroto, yet another "journalist" which the Indonesian government sends to us as a "guide," calls a meeting with all of us Portuguese. The evening before, we had asked our "colleague" Sobroto to request the government to allow us to extend our stay. This would be the only way we could get to be present at a little of Xanana Gusmão's real trial. Until today, the sessions had only been procedural formalities. We insisted on the need to hear the witnesses and Xanana Gusmão himself. On orders from above, the visas, originally for 28 days, had all been transformed into 10-day permits. The first of us to arrive could now only stay until the Monday.

With a formal tone, Sobroto called the meeting, and announced that our stay could not be extended. In fact, all to the contrary - the Portuguese journalists would have to leave Dili and Indonesia in a few hours time, the following morning. Only one or two of us, as yet not named, would be allowed to stay on.

We asked what the reason for the expulsion was. The answer was immediate:

bad behaviour, both written and spoken, against Indonesia. We quickly came to the conclusion that the ones chosen to stay ought to accept that choice, and there should be no question of solidarity with the others leaving. It was more important that at least someone was staying in Dili. We calculated that the choice would be one of the televisions, one of the radios, or the Lusa news agency.

The hotel bill was paid. Some packed their suitcases. Around 3 am, General Nurhadi, Armed Forces' spokesman, called the hotel from Jakarta, stating that there had been some mistake, that no one would be expelled. Five minutes later, my old acquaintance Kosky Zakaria appeared, giving apologies, explaining that it had been nothing more than a "crossed wires," and that we could all stay in Dili for the agreed 10 days. Good night.

### Saturday, 6 February

I leave for the 6 o'clock mass alone and late. The taxi driver Martinho was waiting for me, as we had agreed, with engine running. He stops in front of the hotel the moment I come down the stairs. I get in and ask him to go quickly to the Cathedral. Martinho seems to be making a point of driving at a snail's pace. He asks about my colleague Adelino Gomes, with me the previous day. He wants to know whether we now have information, whether we have already been contacted. I do not like the conversation. I ask him to hurry up, and say that I have neither contacts nor information, and do not know what he is talking about. I remind him that the yesterday he had said he had something to hand over to us.

The driver becomes silent. I don't know exactly what I'm sorry about. Could it be that, yesterday, one of us said too much? I don't want to be afraid. I realise that we are traveling in the opposite direction to the cathedral. Irritatingly insistent, he once again asks about our contacts. I order him to stop the car. He carries on. He ignores me and then comes out with: "the clandestine network wants a meeting with you tonight." I tell him that I want no part of any meeting or clandestine network. I want him to stop the car. I want to go to the cathedral. I want to hit him. My insults have no effect. I am taken through streets in Dili which I don't recognise, far from the cathedral. I get the impression that we are almost on the outskirts of the city. I see two soldiers on the next corner and, at that moment, the sight of them is actually a relief to me. I open the door and say I'm getting out of the moving car. The soldiers look at us, and the driver stops near them. I leave the car, slamming the door behind me. I had spent 40 minutes being driven around Dili.

I get another taxi. He turns left in order to turn back. At the end of the street I see my taxi driver. He is talking through the window with a face I recognise: one of the diocese spies, with his lettuce- green T-shirt. I breathe a sigh of relief. The cathedral is empty and mass finished long ago. I return to the hotel. I've missed my meeting. I get a phone call; another meeting is set. Once again, I cannot go with the group. I need antibiotics as I have a sore throat - just as well, I'll tell less lies. I have a rest. The phone calls start at breakfast time: reporters from Associated Press and other agencies, and some newspapers, are looking for confirmation - were we expelled or not? A dispatch from Antara (Indonesian news agency) says that, not only were we not expelled, but that some of us had wanted to bring forward our departure date. The lie exceeds the limits, even in a hypocritical diplomatic perspective. The worst thing though, is that all past experience discourages making any statement to Indonesian journalists. In fact the headlines in today's "Voice of Timor" are about our expulsion, and we did not give them the story. I just make a short statement to AP.

Once again, the meeting fails to happen. But I am told about Maria. She is Timorese. She needs money. She has to have various surgical operations. She had been with the resistance and was arrested. She had sewn up her trousers, as she had been advised, only unsewing them once a day when she was alone. She went around unnoticed for a while, but her day arrived. She was repeatedly raped, in different ways. However, the final, merciless blow came when she was raped with a branch of a tree. Only God knows why he didn't let her die then. She is alive, and trying to reconstruct, through different surgery, what is left after the violence, the rest of her body, torn in pieces. Her belly has been cut and stitched together, and is to be re-cut and re-stitched, in an attempt to repair what the insane and unstoppable violence tried to destroy. Maria says it was God who spared her.

I try to find Corthe, the CNRM spokesman we met yesterday. It's impossible, and I cannot carry on now. I will just have to wait for a while.

### **Sunday, 7 February**

D. Ximenes Belo said mass at 6 am, in the gardens of his residence. Hundreds (maybe thousands?) have squashed themselves into the rooms, down the stairs, into the gardens. It is a sung mass. There is still the sensation that, just as all the other masses in Timor, this is also a mass for the souls of the dead. The only difference is that here, at the end, their names remain a secret. Suddenly, during the mass, dozens of

bicycle bells are heard. I don't know whether it is on purpose but, at the same time, the governor of Timor and his staff of several dozen people pass happily in front of the garden where the prayers are being said. They noisily ring the bells of their bicycles as they go. The praying Timorese don't even look around. No one seems to hear. They are used to being provoked.

A visit to the Motael Church at the time of the mass, said in Indonesian Bahasa, puzzles us somewhat. The Indonesian Catholics there appear, after all, as devotees as the Timorese. It is true, however, that there are far fewer spies around when this mass is over and people are leaving. It is also true that here the faithful are well dressed, and come and go in jeeps of the latest model. But it is also here that a family persuades a little child of three or four years old to come over and give me a picture of Jesus Christ in the countryside, without any message at all.

After a visit to the Santa Cruz cemetery, at which police and troops stopped us from taking any photographs, we went to yet another mass at the cathedral. In between the church visits, we had time enough for a short and illuminating talk with a young Timorese on the Areia Branca beach. He introduced himself as a teacher, and spoke very quietly. Regarding the situation of the Timorese, he said "Our silence says it all." He asked us to pretend we had been speaking in English to him and, as he left us, said in a good loud voice "Bye Bye" (in English).

### **Monday, 8 February**

We went up to Ermera, the old city, on the top of the mountain. There we met Domingos Soares, a 41-year-old priest, who does not hide the fact that the Indonesians do not like him. He explains that the occupiers tried to kill the people of Ermera, moving the town from the mountain top down to the valley, where the still rain waters, the heat and paludism would exterminate the population. He suggests that this particular battle was won by the people who, in spite of being forced on several occasions to go down to the new city, would return up the mountain to their old houses to sleep. Now, it seems that little more than some businesses are working down in the torrid valley of pre-fabricated houses. The mountain, in the Ermera zone, is beautiful. The magnificent view and the coffee trees that line the road under the mountain are really breathtaking. There is cassava, and incredible vegetation framing the way up the mountainside. Sometimes I have to try hard so as not to forget we are in Timor. On our way down, back to Dili, we stop briefly in a village of just a few houses called Rai Lako. To my surprise, the first person I approach

to speak to asks me in good Portuguese whether we are Portuguese. He shies away at the sight of our guide - a Timorese working for the Indonesians, which is obvious a mile away.

A woman comes forward with her son in her arms for a photograph. I took her to be the man's wife. Only later, through someone in the local resistance, I would find out that her husband has been missing since the 12 November massacre. The man in the village with her was her father, who for security reasons won't be identified. He has already been arrested, interrogated and tortured many times. So many times that now he says no more than "good afternoon" to me. Two tall, good-looking Timorese men approach from across the road. They speak very good Portuguese and, in contrast to the old embittered man, they want to talk. I ask one of them his name. The conversation is quick, and always under the watchful eye of our esteemed guide, Mr. Soares who has to submit a daily report on our comings and goings and contacts. I take note of the name the Timorese, but only later, once back in the car, do I realise that he said his name was Domingos da Silva Soares - the name of the priest with whom we had just spoken up in Ermera. Timor is like that!

### **Tuesday, 9 February**

I am thinking about Francisco, my most recent Timorese friend. I would like to be with him now, in the cemetery, to attend the funeral of his 6-year-old son. But my friend almost cried yesterday when I told him of my intention. "Please, don't go to the funeral!" This is because being Portuguese in Timor, and being seen next to a Timorese, could easily be reason enough to lead to interrogations, and to put someone's life at risk.

Later on, I have the good fortune to meet two remarkable people, about whom I can only say just that - that they are remarkable. For about an hour we spoke together very quietly - someone is always on guard at the window, watching outside. They are witnesses to the Santa Cruz massacre. Speaking softly, one of them described how the bodies of the young people were dragged along to uncovered trucks, some dead, and others only God knows if they were still alive. She confides that it is true, the bodies are in Tibar, a valley on the other side of the mountains, in front of which the Pope, John Paul II, prayed with the Timorese. It is not possible to go there. There is a detour in the road leading to Ermera, but the troops do not allow anyone to go that way. And, above the mounds that are common graves, next to a stream, five military posts, situated up on the neighbouring mountains,

are watching day and night for anything that moves.

Later that same day, I heard the most complete version of the massacre. After taking the bodies away from the cemetery, battalions of soldiers took away the young people who had been in the demonstration. Using the same system of uncovered trucks, they transported hundreds of Timorese to Tibar, on the night of 12/13 November. There they shot them in cold blood. The young people were seen in Comoro, sitting in the trucks escorted by the army troops. They numbered around 300, in addition to those who had already lost their lives in the cemetery itself, at least 180.

I was told about what was said in confidence by a remorseful Indonesian official, who was unable to sleep, had lost his peace of mind and conscience, and who had still not managed to get transferred away from Dili, away from the nightmare that pursued him.

Another witness recalls that, the evening before, and during the 12th November itself, the Timor radio station Loro Sae, controlled by the Javanese military, invited the young Timorese to join in the walk to place flowers in the cemetery. The Suharto regime seems to have been preparing to catch the resisters all in one go.

### Wednesday, 10 February

It was by chance that we met once more with the CNRM spokesman, Corthe, in the presence of a sponsor to vouch for him. The sponsor was a reliable one, worthy of credit. Corthe was genuine. For hours Corthe and his companions told us about the days in Dili, stories about the mountain, the state of the resistance. They spoke about Xanana Gusmão, the plan to get him to New York last December to take part in the talks between Durão Barroso and Ali Alatas. They assured us that Boutros Ghali was not only aware of this intention but was sponsoring it. They said that Xanana let himself to be taken, precisely because he expected the UN Secretary General to intervene.

They told how it had all happened, and who had given the information which led to Xanana's capture: a girl by the name of Moniz, the girlfriend of Jorge Araujo, Abilio Araujo's nephew. After Xanana's arrest, she went on to Jakarta and never came back. It had been her van that had been used so many times by the guerrilla to carry guerrillas, provisions and messages back and forth. One of those present explained and dissected the various phases through which the resistance has gone: the armed stage, the period of strength of clandestine movement, the current phase of the diplomatic struggle abroad, in which associations, support

groups, etc. need to be encouraged to put pressure on the powerful countries. And he concluded, while Corthe lowered his eyes.: "Here, now, we are just trying to survive. Just that." After tense hours of murmured talk, Corthe and the others asked on behalf of Timor. They transmitted to us just one certainty: that without the international community and without Portugal, the days of Timor and the Timorese are numbered.

## FIGHTING AND ARRESTS IN FIVE MUNICIPALITIES

*Publico, 8 February 1993 Translated from Portuguese. unabridged*

The Timorese resistance unleashed a series of armed attacks on Thursday, 4th, in the Baucau and Los Palos (east), Viqueque (south east) and Same (central) municipalities, which resulted in at least two killed and an unspecified number of wounded among the passengers of a bus, belonging to the Indonesian company Nusantara, *Publico* learned. At around the same time, Indonesian security forces arrested three seminarists in Ermera.

### Fundraising

The confrontation in Viqueque took place among the Kabo, Baso and Lugaca villages, and is said to have been aimed at the collection of money and provisions. A religious source assured *Publico* that no Indonesian soldiers were killed, so contradicting information previously supplied by other sources. "No guerrilla has come down from the forest," says a well placed source, who wished to remain anonymous. He went on to explain that, in the repentance ceremonies, which take place in various parts of the territory, the military authorities use "town people."

The confrontations last week coincided with the third day of the trial of Xanana Gusmão, former resistance leader, who will only return to the courtroom next Thursday, 11 February, the date on which the judges will reply to the judicial incident introduced by the defence. He argues that the Dili Court and, by extension, all Indonesian courts, do not have the competence to try him.

In addition to Xanana's arrest, the resistance is said to have been weakened by the capture of hundreds of people, also on 20 November 1992, according to a Timorese who supports integration but is critical of the methods used by Suharto's armed forces. According to the same source, who was allegedly quoting an Indonesian official, the real number of those killed in the Santa Cruz cemetery in November 1991 was 500 - ten times more than the figure quoted in the official enquiry.

## ALIAS CORTHE

*Publico, 12 February 1993 By Adelino Gomes Original lang.: Portuguese. unabridged*

(Dili) A man with no face, no name and no age, Corthe comes down to the capital in search of the "four Portuguese journalists." News of their arrival had been passed through the resistance's grapevine to the mountain. He treads without leaving a track; he speaks without raising his voice; he passes in the street without any feature being evident, to linger in the memory. These characteristics are appropriate for the job he has done since 12 September last as the CNRM (Maubere Resistance National Council) spokesman in the interior, and link to the outside.

Corthe is the first figure that emerges from the resistance structure, reorganized following Xanana Gusmão's capture. He comes from the side of Ma'Hunu, the new guerrilla leader, pursued, surrounded, with neither clothing nor money, or enough weapons for the five Indonesian battalions hurled into an intensive search of the region in which he is believed to be.

Alatas wants his head before meeting with Durão Barroso on 20 April, just as he had Xanana's, before the 17 December talks. The troops had been within a hairbreadth of capturing him on the 5th - two weeks before the first meeting between the two ministers in New York - in a battle in which one of his most loyal men, Commander Ma'Luli, was killed.

Ma'Hunu lost communication equipment, weapon, left behind documents, but managed to escape. "The people are in his care," says Corthe, although it is not possible to know for sure whether it is the hunted leader's presence which gives the population confidence, or if it is the latter which protects and comes to the aid of the leader.

"You can tell the whole world that Ma'Hunu is not surrendering," says Corthe to the *Publico*, in response to Timorese Governor Abilio Osorio's recent statements in Dili, guaranteeing that surrender was imminent. He admits that the resistance never before went through such a period of weakness on the organisational level. But he rapidly resorts to complicated, worn out phrases to make his point, saying that "it is not only the CNRM which Jakarta will have to defeat in order to consolidate its presence here, but the entire population."

Just as the writers of the '50s, Corthe has chosen a principle of the Greeks for his life's maxim or guiding motto: "Reasoning elevates all men." And it is in these words that the mystery of his alias is unveiled:

“Corthe” consists of the first letter of each word of that sentence (in Portuguese). He faithfully repeats for the exterior the speech approved in September by the CNRM. It seems very far from the catastrophic vision which many, both in and outside the territory, continue provide of Xanana’s arrest. He repeats: Xanana was arrested as he prepared to flee from Dili on his way to New York. It was decided that his appearance at the headquarters of the UN, during the Alatas/Barroso talks, could constitute a psychological whiplash, capable of bringing a breath of fresh air to the international community.

Did Xanana betray? “If (Commander-in-Chief of the Armed Forces) Try Sutrisno, (General) Murdani, or even Suharto got into the hands of the CNRM, they would be making the same statements as Xanana.” Carried away by the propaganda speech, he even admits that victory will be theirs “soon.” But what prevail are formulae used by Timorese common sense when the resistance is being spoken of. Sprinkled with a certain fatal note like those of a people destined for great deeds: “Even if only one woman is left, she will not get lost half way along the road.”

The main question for the resistance today is how to wake up the international community. For Ma’Hunu’s adviser, Portugal has only to persevere to the very end with its statute of administering power. Why not share it with its ally the USA? Hunu wrote to Bill Clinton, says his spokesman, impressed by the fact that the US allowed “one people to invade another people.”

Corthe leaves us, as discreetly as when he arrived, but not without first taking an address book and odd bits and pieces, and dictating for the world four of the most immediate priorities: a tape recorder, medicines for the stomach and headaches, two dictionaries - English/Portuguese, the other just Portuguese. Somewhere in the Centre or East of the territory - the places in which the guerrilla leaders are to be found - Ma’Hunu will carry on hiding. “60 metres away from the enemy,” Corthe assures us. He did not delay in leaving for the interior. Silent and discreet.

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### VIDEO OF XANANA CIRCULATES AROUND TIMORESE SCHOOLS

*Publico 11 February 1993 Dateline: Lisbon  
Translated from Portuguese unabridged*

Yesterday, a Church source in Dili, quoted by the Lusa agency’s Rui Moreira, revealed that a video film containing pictures of and statements by Xanana Gusmão,

which was made after his capture, is being shown in schools in East Timor. The video, which started being shown on 11 January in schools and villages in the territory’s interior, was made by the Indonesian Armed Forces. It shows pictures of Xanana’s arrest, and different conversations between the former resistance leader and local authority officials, namely, Governor Abilio Osorio. The film also includes Xanana Gusmão’s appeal to the guerrillas, and another addressed to youngsters for them not to follow his example but to concentrate on their studies.

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### THE OLD MISSIONARY’S MONOLOGUE

*Publico 11 February 1993 Dateline : Dili  
Byline : Adelino Gomes Translated from  
Portuguese unabridged*

For nearly an hour, his voice breathy, he spoke of the Timorese, the Church he belongs to, the Pope, Indonesia. And of Portugal, from which, he says, the Timorese expect so much. Above all, that Portugal “does not ever recognise integration.” Like all the sources in East Timor, he will remain nameless and faceless. He will just be “a man in the heart of the Timorese,” as he says.

It’s like a spider on an insect. These people cannot do anything else. He fought 20 years, waiting for help to arrive. No one ever sent a bazooka, a missile, a mine here. The condemnation was timid, of a genocide in direct line with that of Pol Pot in Cambodia, and Hitler in Germany. I wish to say to Mario Soares, Durão Barroso, and the other ministers: How can we abandon thousands of Timorese? Are those 200,000 dead Timorese not 200,000 dead Portuguese - Timorese/Portuguese? In Portugal they say that they abandoned these poor things, and that Indonesia took the right action, otherwise communism would have installed itself here. The communist forces in Angola and Mozambique never carried out such butchery in those enormous countries.

Portugal should be stronger. The Government seems to ask for permission to speak each time it mentions the case. Portugal never officially left Timor. The departure of Lemos Pires (governor) was a wise move. Had he stayed, he would have been humiliated, like Vassalo e Silva (governor of Goa at the time of the Indian invasion). All the Timorese stood up for him, even today. Do we say that Portugal was delivered into Napoleon’s hands because João VI abandoned Lisbon and sought refuge in Brazil? It was our bad luck. Portuguese sovereignty was maintained there.

The government must never recognise it (integration with Indonesia). If it were to do so, it would be the greatest shameful act since the time Afonso Henriques proclaimed independence. It would be as mad as handing over a growing child to a savage beast. Let it never recognise integration. The idea of an autonomy along the lines of the Azores is being spoken of. That would be a contemptuous solution which would result in the people hating Portugal even more than Indonesia. Is it with betrayal that the Portuguese intend to preserve their culture and inheritance? It is true that (after Xanana’s arrest) a man with a name is lacking. But the people knows what it wants. Indonesia was condemned (by the UN Security Council) in 1975. Can we allow the criminal to be rewarded? We would not have done as much as this people has done, if we had been invaded by the Spanish or French. Neither would we have lived this historical experience with such faith.

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### BELO: TIMOR LIKE THE AZORES, MADEIRA, PUERTO RICO

*Publico, 12 February 1993. By Adelino  
Gomes. Translated from Portuguese. un-  
abridged*

(Dili) He acknowledges that “in a way” he is a resister. The repentance ceremonies are fabrications, he accuses. He confesses that he still has not understood Xanana’s radical change in prison. He complains of the silence from Soares, Cavaco, the Assembly, fellow dioceses in Portugal. He has abandoned the idea of a referendum and today supports a certain kind of autonomy. He is 45-year-old Carlos Filipe Ximenes Belo.

*Publico: During an interview by the  
SIC/TSF, Xanana Gusmão admitted he  
gave your name as being linked to the  
resistance. Have the Indonesian autho-  
rities reacted to that? In what way?*

Ximenes Belo: Xanana has the right to say that I belong to the resistance. Personally, I do not consider myself as belonging to the resistance, if we are referring to a political, armed, military resistance.

*Q.: What kind of resistance then?*

A.: It is more a statement of values. Spiritual values and a certain resistance, defending the religious, cultural, ethnic identity of the people. That, yes. As far as the Government’s reaction is concerned, they have not said anything to me until now.

*Q.: Has the human rights situation in East Timor improved or worsened since Xanana's arrest? How many have been arrested?*

A.: There are arrests in all the municipalities. I have no information as to how many; some. I cannot say that the human rights situation has worsened. It was always something continuous. Lately, what is more noticeable is the violation of people's consciences - forcing them to confess to being part of the clandestine network when they are not, never were, nor formally took any part in it. They forced people to sign their names, drinking goat's or dog's blood, like what happened in Baucau. This is authentic abuse.

*Q.: Have you visited Xanana since he was transferred to Dili?*

A.: Never.

*Q.: Why not?*

A.: I made attempts, asked for information. I was given to understand that it was out of the question.

*Q.: What about the other prisoners, among whom are Xanana's mother and one of his sisters, as well as the mother and nephews of Abilio Araujo?*

A.: Regarding the first ones, I have not visited them yet, but the vicar-general has. I visited the other group (Abilio Araujo's family) on 17 January, and even celebrated mass. They are awaiting trial, but are in good spirits. I have also visited Abilio Araujo's mother. She was on her own with eight grandchildren, plus all the nephews. One could see she is a morally resistant woman.

*Q.: What is your interpretation of Xanana's declaring himself Indonesian, and a "disturber of the peace" (the name the Indonesian military give to the guerrillas)?*

A.: I don't know what to say. It is a mystery to me. I try to ask and find out just to what extent he did, in fact, do an about-turn. All this is a game. We do not know, it is still a mystery.

*Q.: We have heard, in the street, some people saying that he is a traitor. Do you think this is so?*

A.: The simple fact that he left documents behind with people's names on, makes one think. A leader should not do that. All over the world, in Tamil, in Afghanistan, the leaders kill themselves or run, they react. He

didn't even react. He allowed himself to be caught just like that, with documents.

#### **Concessions on both sides**

*Q.: Xanana's capture meant a great victory for Indonesia. Governor Abilio Osorio has said he is convinced that within 2 months the same will happen to Ma'Hunu. If that were to happen, would it mean the end of the resistance?*

A.: I do not think so. Xanana is just a man. Maybe the armed resistance could finish. But this psychological, cultural resistance, as a people, takes time.

*Q.: Do you mean to say that, even if the guerrilla were to end, you could not say that the resistance in the territory had come to an end?*

A.: For as long as the people exist, no. The people will maintain its identity, with its legends, traditions, and its way of being.

*Q.: Ali Alatas and Durão Barroso are going to meet in April in Rome, under UN auspices. What advice would you give to each one if you were given the opportunity?*

A.: That they arrive at a solution. There have to be concessions, both on the Indonesian and on the Portuguese side. That they give some ground. I always say: Portugal and Indonesia should be on good terms and, then, that Timor should have peace and tranquillity. For this to happen, an effort must be made by both sides.

*Q.: What solution do you see, today, for East Timor?*

A.: An autonomous region. I have asked for information about the Azores and Madeira. I have already read what there is on Macau. It would be something of this nature. Or like Puerto Rico within the US.

*Q.: An autonomy which evolves towards independence, like what happened to Singapore?*

A.: Let's first get a certain autonomy. We have not got that far yet...

*Q.: In Indonesia's current situation, would the regime or the generals be in a position to make a concession of this kind without creating dangerous precedents?*

A.: There was an article in the Integration Law which gave Timor a special place for development later. If Indonesia wants to get rid of this stone in its shoe, it will have to reach this conclusion. It would also do the Timorese good to feel a little free, masters of their own land.

*Q.: Do you think that, if Portugal, Indonesia and the UN reached a solution of this kind, the Timorese would accept it?*

A.: You ought to ask the Timorese that question. The first step would be: a certain amount of autonomy, and then we could see about other things - the establishment of Portuguese culture, Indonesian culture. So we would be like a bridge linking Portugal and Indonesia.

*Q.: Why did you drop the "pure and hard" idea of the referendum? Was it not the theoretically most correct and fair solution?*

A.: In theory it is the most correct and fair. But I ask you this: How did Portugal view this referendum? President Mario Soares did not even dare to answer my letter. He did not reply at all. Therefore, it means that not even Portugal considered it.

*Q.: President Mario Soares never spoke to you?*

A.: He spoke to me when he was Prime Minister.

*Q.: In 1985.*

A.: In 1985, in the Nuncio's offices in Lisbon. But when I was there the last time, in 1990, he only sent an adviser to say that he had received my letter and thanked me. But I never received a written reply on the referendum.

*Q.: Did you have any contact on this issue with the present government of Prof. Cavaco Silva?*

A.: No, not up to now. Only in 1990, someone, what was his name, Queiroz... And he said that they were continuing to take the Timor problem to the UN. Nothing else.

*Q.: And did the Assembly of the Republic ever contact you?*

A.: Not until now. When I was there, I was also in touch with a Mr. Sousa Lara in Estoril. He also wanted information about Timor.

*Q.: There are indications that Indonesia is preparing to put the case of Timor to the vote of the UN General Assembly next summer. If this were so, it is admissible that Portugal could lose the vote. What would you do in that case? Would you advise the Timorese to conform, if that were the wish of the international community, expressed by that vote?*

A.: Before saying that they ought to conform, we too want some advantage points: an autonomous region. With regards con-

forming, history is in motion, and the people who might conform today might not conform in say 100 years time.

*Q.: Where did Indonesia go wrong in winning over the hearts of the Timorese?*

A.: Its basis was violence. And then, it did not consult the people. No matter how backward a people might be, it does have its dignity. Saying "Now you are all Indonesians" - people will not accept in this way.

*Q.: But, as you know, one of Indonesia's main arguments is that, in 1976, firstly, the majority of the population asked for the intervention, through the Balibo Declaration. Then, through its representatives, it accepted Timor as the 27th province. Was this a puppet show?*

A.: In 1976 I was in Macau. But in 1975 I went to Atamboia with the UDT and Apodeti refugees. I was a seminarist. They always say majority. But what majority? They have no facts to back this up. Who had elected that assembly which made the request for integration? If there were deputies, there ought to have been elections. Now I ask: were there election? And these deputies - who were they representing? As far as the 4 parties are concerned, I think that (the Balibo Declaration) was written out of fear. They were being ousted by Fretilin. They had no way out except to turn to Indonesia, who took them in.

*Q.: The masses said in Bahasa are well attended. Have you noticed an increase in the Indonesian faithful?*

A.: In Timor there are many Indonesians from the various provinces, like civil servants, teachers, soldiers, police.

*Q.: Is there real religious freedom in Timor?*

A.: There is freedom. However, what we see is that, as the military and the government recognise the strength of the Catholic Church's influence, they look for ways, and above all the military, of persecuting the Church in a veiled way: arresting catechists, brothers, the priests' intimate helpers in the parishes; stopping the young people from attending liturgical meetings and acts. In Bobonaro, a military commander even said: "And what are you going to do at mass? In the church they don't give you a sack of rice, as we do every Sunday."

*Q.: Are there indications that a transmigration policy is getting underway to solve the problem of Timor?*

A.: A transmigration program does, in fact, exist. Not only here in Timor. It is all over Indonesia. I do not think it is necessary to send people here to occupy vacant lands. The government should, in the first place, promote the Timorese here.

*Q.: Have any Church properties been confiscated?*

A.: Not up to now.

*Q.: The San José School has been closed, and Portuguese is practically no longer taught in Timor. Were you forced to take that decision?*

A.: I was not forced. The educational services published a closure decree. But I must confess that I have not originated any official document saying that it closed. There was a problem of the teachers, students' and parents' physical safety. There was a shortage of teachers for the schools. And finally, what was the diocese on its own doing here, organising the teaching, when it should be the Portuguese Government's responsibility? If it had wanted to defend Portugal's cultural and historic interests, then Portugal's presence here in Timor ought to have taken a few steps in that direction. Seventeen years have gone by, and nothing's been done in this respect. What we teach is still with books from 1972-73.

*Q.: What concrete initiative could Portugal take in order to spread its language and culture?*

A.: Perhaps the Foreign Ministry entering in contact with Indonesia, so as to maintain this official teaching, just as they maintain here the teaching of German and English, in the last years of high school.

*Q.: As you know, that was part of a package in negotiations 10 years ago at the UN. Nothing can advance on its own, without everything else going ahead too. With regards the Portuguese Catholic Church, what can it do specifically to help the Timorese?*

A.: It could organise a "twin" for the diocese of Dili, in order to with help the financial aspect, maintenance of schools, seminaries, health clinics, and, at the same time, with the recycling of our priests. Some have been here since 1972 and have never left. They could go for 3 or 6-month courses in Portugal, and return with more incentive for work.

*Q.: At the moment, the Vatican is taking some initiative on Timor. What suggestions would you give?*

A.: I do not know. I am no diplomat, and I do not know what the diplomatic corridors are cooking up for Timor. I always suggest that the Vatican bears in mind this aspiration of the people of Timor to be as it is. But, the world is so complicated that, sometimes, the Vatican cannot resolve bearing in mind aspects of the Indonesian Church as well as diplomatic aspects.

*Q.: Were you ever physically afraid?*

A.: No, not physically. I know that this is a place in which any day I could be found with a bullet in me. To die and stop speaking, and stop walking, I am not afraid of.

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## EAST TIMOR PADDY FIELDS NEGLECTED

*February 12 1993 Jakarta Post news brief  
Dateline: Dili*

*Remark: It is virtually certain that former tillers of this unused land are the tens of thousands of people driven into army-controlled settlements in the late 1970s. This report gives the lie to Jakarta's claims that Indonesian control has served the East Timorese better than Portuguese control. - TAPOL*

Some 48,000 hectares of rice fields built during the Portuguese colonial era in East Timor have been left uncultivated since Portugal left the region 16 years ago.

Chief of the provincial office of the Ministry of Agriculture Naek Haloman Nababan told the Jakarta Post here yesterday that the large number of idle paddy fields has contributed to the failure of the province to be self-sufficient in food. "East Timor still has to import 25,000 tons of rice from outside the province every year," he said.

Nababan confirmed that only 15,000 hectares of the 63,000 ha. of rice fields established by the Portuguese were cultivated by farmers.

The uncultivated rice fields have turned into unproductive land overgrown by coarse grass and shrubbery. Irrigation facilities built during the colonial era have also been overgrown.

## AROUND THE TRIAL

*Publico 12 February 1993 Dateline: Lisbon  
Translated from Portuguese abridged*

### Timor's Robinson Crusoes

They number 51 all told: 47 boys and 4 girls. They found refuge in the mountain after fleeing the 12 November 1991 massacre. With neither clothing nor medicines, they roam through Timor's green countryside like zombies, waiting for a time which never comes. Maria died in the fighting of 5 December, when the troops almost captured the new resistance leader, Ma'Hunu. Irmenegilde, Carla and Sandra are still left, living a fascinating experience for the past year, like oriental Robinson Crusoes, for whom the enemy's savagery makes surrender more feared than the thousand sacrifices they have to make as guerrillas.

### In the Line of Fire

Another group of youngsters are paying the price, a year later, of having been heroes in Santa Cruz on 12 November. There are 24 of them. The military have sent them to serve in the very front lines of the battalions which, in the territory's interior, have for some time been surrounding the weakened guerrilla. They have to go in first - right into the firing line. Greater cruelty could not be invented, claims an angry Church source. It is not known into which battalions they were enlisted.

## SIX TIMORESE REBELS SURRENDER WITH BOWS AND ARROWS

*Reuter, Jakarta, Feb. 16*

Six rebels armed with a gun, a grenade and bows and arrows surrendered to Indonesian troops in the former Portuguese colony of East Timor, a military spokesman said on Tuesday.

"They came to us and gave themselves up with their weapons," the spokesman told Reuters by telephone from Dili, capital of East Timor.

He said the six surrendered on Monday in Malisaga village, west of Dili.

The military spokesman said all were members of the Fretilin separatist group and had laid down arms in response to an appeal from their captured leader Xanana Gusmão.

Xanana, who was seized on November 20, is being tried for leading the campaign to win East Timor's independence from Indonesia. The charge carries a maximum penalty of life imprisonment.

Xanana issued a hand-written appeal to his followers shortly after his capture, ask-

ing them to give themselves up to the government which has declared an amnesty.

Human rights groups have expressed concern that the appeal might have been wrung from Xanana under pressure.

Fretilin was blamed by Jakarta for mass-murdering events which led to troops firing into a crowd of mourners in Dili in 1991. Witnesses said up to 180 people were killed in the firing, but Jakarta puts the toll at 50 dead and 66 missing.

Indonesia invaded East Timor in 1975 and annexed it the following year in a move which is still not recognised by the United Nations.

## RESISTANCE LEADERS ANSWER QUESTIONS

*The following document was produced by the National Council for Maubere Resistance in February 1993:*

The Resistance leaders of East Timor here answer some important questions often asked by journalists, academics, politicians, diplomats, students and many interested individuals. The responses of these three East Timorese leaders represent the official stand of the National Council of Maubere Resistance (CNRM).

They are:

- Mr. Xanana GUSMÃO, Resistance Leader of East Timor,
- Mr. Ma'hunu Bulerek KARATHAYNO (also known as BUKAR), deputy Leader of the Resistance (now Leader "ad interim" since the capture of Mr. Xanana Gusmão) and Commander of the National Liberation Armed Forces of East Timor (FALINTIL), and
- Mr. José RAMOS-HORTA, Special Representative of the National Council of Maubere Resistance.

### QUESTIONS AND ANSWERS

#### I. The National Council of Maubere Resistance - CNRM

*Question: What is the National Council of Maubere Resistance?*

Answer: The National Council of Maubere Resistance (CNRM) is based within East Timor and is the supreme organisation representing all East Timorese people. It comprises the Commander of FALINTIL, the Secretary of the Directive Commission of FRETILIN and the Executive Secretary of the CNRM for the Clandestine Front which encompasses a large number of underground groups that operate in the occupied cities and towns.

FRETILIN (Frente Revolucionaria de Timor Leste Independente) is the largest political force in East Timor today and is

based on social democracy. The next largest force is the UDT, the União Democrática Timorese (Timor Democratic Union) and this also opposes integration with Indonesia. There is no party in East Timor which supports integration.

The CNRM is a non-partisan, non-ideological body. It is equivalent to a coalition government, encompassing all East Timorese nationalist political parties and organisations struggling for self-determination and independence.

FALINTIL is a non-partisan army owing loyalty only to the CNRM and to no political group. This non-partisanship helps to consolidate national unity and guarantees that, as in all democratic states, the army swears loyalty only to the Constitution, the elected Parliament and the Government. It will not allow itself to be the tool of one group or another as happens in Indonesia today.

*Question: What is the role of the Special Representative?*

Answer: The Special Representative is the international spokesperson for the Resistance. He is vested with full powers to represent the CNRM internationally and appoints Resistance representatives for other countries. He also chooses personal aides to assist him in discharging his responsibilities.

Within the strategic consensus of the Resistance, the Special Representative undertakes diplomatic initiatives. In view of the special circumstances of the Resistance in East Timor, the Special Representative has exceptional powers to initiate policies without prior consultation and approval by the leadership within the country.

#### II. The struggle for self-determination: historical, diplomatic and legal foundations

*Question: What is the basis of your claims to Independence?*

Answer: East Timor has never been a part of what is today called the Republic of Indonesia: neither in the period of the Dutch and Portuguese colonisations of the region nor before the arrival of European powers. On independence, the Republic of Indonesia based itself on the area colonized by the Dutch, claiming the same political boundaries. But the Republic of Indonesia is in reality only a geographical term which encompasses over 250 distinct nationalities, thrown together by the Dutch for simple administrative expediency.

For 500 years, the people of East Timor were colonized by the Portuguese. With them they brought the Catholic faith together with their Latin culture and values, which combined with East Timorese animist

beliefs and rituals which had existed for over a thousand years. Throughout that period, there was little or no contact between the people of East Timor and the peoples and rulers in the remote islands of Java or Sumatra.

We are a different country and a different people: we have our own history and culture; our own languages and values; and our own religion and perception of material values.

Indonesia claimed to be the successor State to only the Dutch East Indies. This was the basis of Indonesia's claims to exist. However, through its invasion and annexation of East Timor which was never a part of the Dutch East Indies, Indonesia substantially weakened its own legal arguments. It laid itself open to the challenge by the West Papuans, who rightly consider that the Javanese colonialists have no more right to colonize them than did the Dutch, and by the people of Aceh (North Sumatra) who have absolutely nothing in common with the Javanese.

Last, but not least, our right to self-determination is well established in international law and in ten United Nations' resolutions. We refer only to the two binding Security Council Resolutions, Res. 384 (1975) and Res. 389 (1976), which reaffirmed our right to self-determination and independence.

*Question: Indonesia claims to have built roads, schools, hospitals etc. Aren't you satisfied?*

Answer: First of all, this is not a competition between the colonial rule of the Portuguese and that of the Indonesians. We are not here to choose one from the other, but to seek our own rule, as is our right.

Second, the Indonesian government, in building all these schools and roads and hospitals seeks merely to fool the outside world that East Timor is happily integrated with Indonesia. Ironically these are the very arguments that the colonial powers used in the past against their subjects who yearned for freedom. Indonesia seems to have learnt all the colonial tricks and are now practicing them on us.

Give us a thousand miles of freedom, rather than a thousand miles of roads, which our people cannot use anyway: to travel from one village to another we need a special permit. Allow us to build our own schools of thought and to care for our sick and elderly in hospitals that we build ourselves, as poor as they may be.

But above all leave us alone: we are not fighting for the Portuguese colonisers or for a better Indonesian neo-colonialist.

### III. The Resistance Peace Proposals

*Question: What is your negotiating stand for resolving the conflict?*

Answer: We again reaffirm our readiness to enter into a process of dialogue with Indonesia and Portugal under UN auspices and without pre-conditions. The aim of such a dialogue would be to explore all possible avenues conducive to an internationally acceptable solution to the problem of East Timor.

The CNRM Special Representative presented a comprehensive peace proposal to the European Parliament in Brussels in April 1992, to the Council on Foreign Relations in New York in May 1992 and later to the UN .

The Peace Proposal is in three phases:

\* Phase One, which would last for about two years, would involve all three parties working with the UN to implement a wide range of "confidence building measures." These measures will necessarily include a drastic scaling down of the presence of Indonesian troops and weaponry in East Timor, together with the introduction of a significant UN presence in the territory .

\* Phase Two, lasting between five and ten years, would be a period of genuine political autonomy based on ample powers vested in a local, democratically elected People's Assembly.

\* Phase Three, the final phase, would see a referendum to determine the final status of the territory.

This is our policy and remains valid. We believe that this represents the best possible prescription for a resolution of the conflict. It allows time for a cooling-off period in which all sides should try to prove their good-faith; it will also allow Indonesia to save face.

Indonesia should seize the olive branch we are now offering. It has only to gain. It is obvious now that the invasion of East Timor was a colossal mistake: the occupation has sapped so much of Indonesia's energy and resources. If Indonesia withdraws from East Timor, it would be able to regain its international reputation as a peace-loving country and not be threatening to its smaller neighbours such as Malaysia and Singapore. Moreover, an independent East Timor will be an asset for Indonesia, for ASEAN and the whole region in many ways.

### IV. Foreign Relations of an independent East Timor

*Question: Can you outline the foreign relations policy of an independent East Timor?*

Answer: We can assure everyone that the government of an independent East Timor will apply for membership in ASEAN and

the South Pacific Forum within days of our independence. This will be a top priority.

East Timor will maintain close ties with Portugal and the rest of Europe. We are a crossroads of three cultures and religions: Melanesian which binds us to our brothers and sisters of the South Pacific region; Malay-Polynesian which reminds us that many of our peoples trace their origins to South East Asia; and after five hundred years of Portuguese-catholic influence, we are a distinct nation-state in the region since we have a special understanding and relationship with the European Community. indeed an independent East Timor will be a valuable advocate of the region's interests in that forum.

The majority of East Timorese resident outside the country, are based in Australia. East Timorese have a special understanding of white Australians and this will serve as a bridge between Australia and the South Pacific island states as well as between Australia and South East Asia.

We will not have a standing army. For our external security, we will rely on a Treaty of Neutrality to be guaranteed by the permanent members of the Security Council. We will endeavor with the UN and our neighbours to declare the seas surrounding East Timor a Zone of Peace and work towards total demilitarization of the entire South East Asia and South Pacific regions.

### V. Domestic policies

*Question: What is your vision of an independent East Timor on a domestic level? Can East Timor survive economically?*

Answer: These two questions beg a long answer. We have divided up the responses according to the subject matter.

a. Rule of law First and foremost, we will endeavor to build a strong democratic state based on the rule of law which must emanate from the will of the people expressed through free and democratic elections.

b. Freedom of Expression We will encourage a free, independent, aggressive and responsible media as the voice of the people: a media that informs and educates. We believe that there can be no foreign interests controlling the local media. However, we are conscious that there will not be much private wealth to support an independent media. In order to avoid monopolies, we would try to incorporate an obligation on the State to allocate funds in support of the media written into the Constitution.

In order to ensure the independence of the media, the Constitution and the laws of the country should state that government interference in the editorial policies of the press and their day to day operations is inadmissible. In final analysis, we believe the

media should be as independent as the judiciary.

c. Human Rights From day one of independence, all international human rights treaties which would open up East Timor for international scrutiny will be submitted to the Parliament for ratification. We believe that human rights transcend boundaries and prevail over state sovereignty. No government can hide under the cover of "domestic jurisdiction" when it comes to human rights. We will actively work with like-minded countries, NGOs and the media to strengthen the UN human rights machinery. We will actively support the creation of an international human rights court.

We will seek the cooperation of UN human rights agencies as well as of NGOs such as Amnesty International, the International Commission of Jurists and Asia Watch to advise and assist us in our own efforts to promote respect for human rights and the rule of law in our country.

From the first, we will proclaim a general amnesty and national reconciliation. To be true to ourselves, we will forgive our worst enemies. For a society to be healthy, sane and happy, it cannot be based on hatred and revenge.

d. Economic policies and priorities East Timor is a relatively small country. But with an area of 18,889 km<sup>2</sup> and a total population of 700,000 (1974 figures), it is at least equal, if not larger, in size and population than at least 30 independent states members of the UN. For instance, it is almost ten times the size of Luxembourg and has twice the population. It is sixty times larger than the Seychelles.

In terms of natural resources, East Timor is potentially self-sufficient in most agricultural goods, meat and fish. It also has large oil reserves and other minerals.

On the economic front, we will channel our resources into food production in order to feed our people. We will seek the cooperation of the UN Specialized Agencies such as the FAO, World Food Program, UNDP. However, all our policies will be a result of close consultation with the people in each region, town and village in East Timor.

In addition, in cooperation with the FAO and other international bodies, we will initiate a massive reforestation program to replant our forests and save our environment.

Regarding the "Timor Gap Treaty" we will look at its terms, seek clarification and renegotiate if necessary. The sea boundary dispute will have to be settled through an international tribunal. We will seek international partnership in mineral explorations such as oil, but we will not sacrifice our own environment for short term gains.

The civil war in 1975, and the subsequent invasion, up-rooted thousands of peoples. Properties were abandoned, destroyed or sold at unfair prices. This situation will have to be redressed.

e. Education and health We believe in free education and health care for our people. The money saved from not having a standing army will be well used in these areas. At least 40% of our resources will be allocated to our best resource - our people - through massive investment in health and education.

With the cooperation of WHO we will seek to eradicate malaria, tuberculosis and other preventable diseases within a decade.

f. Indonesian settlers It is estimated that over 100,000 Indonesians are now living in East Timor. Most are poor Indonesians who came to our country looking for a better life. We would not be true to ourselves if we were to turn our backs on our poor neighbours.

Indonesian migrants in East Timor will be welcome to stay and, with us, build a better home for us all. They have brought with them the wealth of their culture which can enrich the whole community.

CNRM, February 1993.

## MA'HUNU VOWS TO CONTINUE THE STRUGGLE

Lisbon, Feb. 19 (IPS) – The guerrillas of the East Timorese resistance movement will continue the armed struggle against the Indonesian authorities, despite the capture and trial of their former leader, Xanana Gusmão, according to a rebel communiqué released here Friday.

In a letter addressed to "Portuguese journalists," the new leader of East Timor's rebels, Antonio João Gomes da Costa, or commander "Ma'hunu," denied recent claims by the governor of East Timor, Abilio Soares, that his group had abandoned the armed struggle.

The former leader of the Timorese resistance, Xanana Gusmão, who launched the armed struggle for independence from Indonesia in 1976, was arrested in the East Timorese capital, Dili, last November.

East Timor, a former Portuguese colony, was invaded by Indonesian troops in 1975.

In a statement filmed by the Indonesian army a week after his capture, Gusmão expressed regret for his actions, declared himself an Indonesian, and recognised Jakarta's claims on East Timor, despite the fact that these have not been recognized by the United Nations.

Gusmão's trial began in Dili towards the end of January, in the presence of foreign journalists.

In his letter to the press, the new rebel leader, Antonio Gomes, says he addressed his statement to journalists because "we're in the same trench defending Timorese rights" and fighting against a "barbarous occupation by the ASEAN hawks," a reference to the organisation of south east Asian countries.

The letter describes East Timorese governor Abilio Soares, a former sergeant in the Portuguese colonial army, as "an accomplice to genocide" (estimated at 210,000 people by amnesty international) and a staunch defender of Indonesian expansionism.

"Surrender, no. dialogue, yes. Because we're fighting for peace in East Timor," Gomes stressed.

The letter recalls that the Timorese resistance movement exists because Indonesia still refuses to abide by a 1975 U.N. security council resolution.

The resolution calls for Jakarta's withdrawal from East Timor and appoints Portugal as "administrative power in the territory until a referendum on autonomy is held."

The East Timorese resistance "reaffirms its support for the position of the administrative power and for the cause of peace and the right to self-determination" of the people of East Timor, concludes the rebel leader's letter.

## TEXT OF COMMUNIQUÉ

*Diario de Noticias 19 February 1993  
Original lang. Portuguese. abridged*

...

"Dear Portuguese Journalists,

You are going away from this blood-stained land, where the language of Camoes is still maintained. Our best wishes go with you. We are sure that, in the case of you four journalists, we are addressing people who speak on the same pitch as ourselves, that is, in defence of the legitimate Timorese cause. In fact, to remember the solidarity with East Timor of the Lusitanian soil and hearts is something which fills the humiliated but heroic Maubere People with pride, in their battle for the independence of this land, which cradled Xanana Gusmão.

I believe that the presence here of you four journalists constituted another facet of what was expressed last year by the Lusitania Express - a gesture of solidarity against the barbarous occupation of the ASEAN hawks and its disgraceful consequences. Following this line of thinking, I proposed to go ahead, address you four journalists, and request that you make public the attached document. On account of the time limitations and conditions surrounding my duties, I have been unable to approach at any length questions in which the

Resistance are engaged in the interior. However, it is my duty to let it be known about the developments, which are summed up by what Mr. Mario Carrascalao inferred, and I quote: "Annihilation of the Resistance is a complex matter." This puts paid to Mr. Abilio Osorio's view, in his contact with you, that: "Only two months are needed." The very presence in the territory of 15 operational battalions, and the rigorously carried out control by the military are, in themselves, a reflection of the evolution of the conflict. Osorio was merely playing the role of accomplice to the genocide, while a persistent defender of annexation and, above all, an acolyte of the hard line. We do admit our weakness in the military operations theatre. But the popular support behind independence, sets the dominant tone in the political situation of this occupied East Timor. Proof of this is the very location of Xanana's capture, i.e. Dili itself. Further evidence is the vast array of Timorese names contained in a list that surfaced following the arrest of Xanana. Another fact is the arrest in Dili in January 1992 of Mau-Hodu (José da Costa). This situation affirms that, if the occupiers violence is at its most, then Timorese nationalism is invincible. In other words, the tree of Our Country's Liberation continues to push out its roots through to succeeding generations. On the other hand, the no-boundary solidarity with Timor, for peace, is noticeable. I remind Paul Moore, lobby Bill Clinton. Other personalities have appeared on the scene from, e.g. the Anglican Church, South Africa and Northern Ireland. Portugal has, therefore, widened its support base for the Timorese cause. So peace is possible, because the annihilation of the Resistance is a complex matter.

I will finish here. I am sure that you four will understand the need to make public our (the CNRM's) thinking, contained in the 20 November Declaration and in the attached communiqué. In the name of the fighters for the Maubere People's Country, I take your stay here as a clear gesture of solidarity with Xanana, of which we are proud. Our best wishes accompany this letter.

With the greatest respect,  
Ma'hunu Bulerek Karathayano (Bukar).

In the CNRM and CDF communiqué, Ma'hunu analyses Xanana's trial and the statement made by the "eloquent Abilio Osorio Soares before foreign journalists, e.g. Portuguese." Abilio promised Ma'Hunu's surrender within two months, and his reply was not long in coming: "No surrender! We reject surrender because it is the language of the hard, militarist line, which Abilio Osorio upholds by maintaining the presence of the occupying troops in East Timor. Talks, yes!

This we do support because we fight for peace for East Timor and its people." The communiqué adds that the referendum for East Timor "should result from the indispensable involvement of Timorese representatives in the talks without pre-conditions, sponsored by the UN." Regarding the trial of Xanana Gusmão, the Resistance "demands Jakarta to immediately and unconditionally release the prisoner of war," appeals for Boutros Ghali's intervention in order to secure protection for Xanana by "legal, diplomatic and moral means," and "again reaffirms its recognition of Ray Kala Xanana Gusmão as the symbol of Timorese Resistance, his functions as Resistance Leader and Falintil Commander being frozen." The Resistance "reaffirms its wholehearted support for the administering power's position in favour of peace and the heroic Maubere People's right to self-determination."

### NEW BAR ON EAST TIMORESE GOING OVERSEAS?

UPI, Jakarta, Feb. 23 - Young people in the troubled province of East Timor will not be sent overseas for study or sporting events because of earlier defections by Timorese youths, a newspaper reported Tuesday.

The Media Indonesia newspaper said Tri Swartana, chief youth and sports official in East Timor, told reporters there were no plans to allow Timorese youths to go abroad.

Swartana was quoted as saying the move was made to avoid defections by East Timorese youths because it would "bring a bad image to the country."

East Timor, 1,500 miles east of Jakarta, is a former Portuguese colony annexed by Indonesia 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.

Indonesia suffered a major diplomatic setback when government troops opened fire on unarmed demonstrators in East Timor Nov. 12, 1991, killing at least 50 people by official count. Another 66 people remain unaccounted for following the incident, which brought widespread international criticism of the Jakarta government.

In 1991, four East Timorese soccer players defected from an Indonesian-sponsored soccer team visiting Darwin, Australia and sought political asylum through the Portuguese embassy in Canberra.

Two more East Timorese youths defected to Canada in 1992 during a student exchange program, Swartana said.

The defecting East Timorese soccer players said at the time they faced retribution by Indonesia's security forces if they returned to East Timor due to their political involvement.

### LIKE IT OR QUIT TIMOR, GOVERNOR TELLS PRIESTS

*The Age (Melbourne) 23 Feb. 93 Dateline: Dili, East Timor Byline: Lindsay Murdoch unabridged*

The East Timor Governor, Mr. Abilio Soares, has bluntly told Roman Catholic priests in the former Portuguese colony to leave if they opposed Indonesian policies.

Speaking in Dili, the East Timor capital, Mr. Soares said he would not resign or listen to complaints from church leaders such as Bishop Carlos Belo, who claimed in an interview last week that Timorese were being tortured and force succumb to the Indonesia's integration of the territory.

"If Bishop Belo thinks integration is being forced on the people, it is his opinion but not my opinion. If somebody does not agree with us they should go," said Mr. Soares, who was appointed Governor by Jakarta last year.

Bishop Belo, head of the Church in East Timor, said last week that Indonesian military was using "psychological torture" to force people to abandon support for the Resistance group Fretilin and agree with Indonesia's integration.

The methods used included forcing people to drink animals' blood, a version of a traditional Timorese peace pact among tribal leaders, he said.

More than 90% of East Timor's 100,000 people are Catholic.

In an interview this weekend, Mr. Soares denied that there was disharmony between the Church and the other two pillars of East Timor, the military and the provincial government.

"If there are some persons in the church who what they like we cannot categorize them as the Church as a whole," Mr. Soares said.

"You cannot say the Church is against or protesting because of the statements of the priests. The Church is made of both the congregation and priests."

Mr. Soares is a long time supporter of Indonesia's 1976 annexation of East Timor. One of his brothers was killed by Fretilin in the late 1970s.

Mr. Soares said Fretilin was now a spent force with only 60 armed men left in the jungle. He strongly defended the presence in East Timor of 10 Indonesian military battalions, saying they were necessary for the province's development (sic).

Mr. Soares said the military had informed him it intended to reduce its troop strength in East Timor beginning in March. But he said he would prefer that the troops remain to assist in projects such as irrigation and housing, particularly in remote areas.

"I don't know how many troops will leave," he said.

Bishop Belo said last week that troop withdrawals should be the first confidence-building measure to allow Timorese to feel free of repression.

Mr. Soares, asked if he would like to see East Timor get some sort of autonomy, said "I have no problem with the present conditions... (but) if we think we would like to ask for further autonomy I don't have to tell anybody know. It is our right to discuss autonomy with the Indonesian Government."

Some western diplomats have speculated that Jakarta is considering limited autonomy for East Timor as part of a settlement that would remove the question from the United Nations agenda. The UN does not recognise Indonesia's sovereignty of East Timor.

Mr. Soares said that if arrested the Fretilin leader, Mr. José "Xanana" Gusmão now on trial in Dili, was sentenced to death, the penalty should be carried out. But he said he did not think the court would impose the sentence as Mr. Gusmão was charged with rebellion not subversion.

Mr. Gusmão's trial is scheduled to resume tomorrow.

*The Sydney Morning Herald also carried a shorter version of the story.*

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## AUSTRALIAN INVESTS IN DILI GARMENT BUSINESS

*Jakarta Post 23 February 1993 unabridged*

An Australian investor, attracted by East Timor's cheap labour costs, has agreed to establish a business cooperation with a garment company in Dili.

Between 1,000 and 1,500 local people will be recruited for the project which is scheduled to start next month, director of CV Tira Octora, Fatmawati Sultan told journalists.

This will be the first Australian investment in East Timor.

She said her Australian business partner had stopped his business in Australia because he could not afford the high labour costs. He had to pay each worker the equivalent of Rp10,000 (US\$4.80) per hour in his country she said

She refused to say how much the East Timorese workers to be deployed would receive but she said the average minimum daily labour cost in Indonesia is about Rp2,500 (US\$1.2).

Fatmawati said that she was arranging her visa to enter Australia. She said a visit to the site could allow her to see her partner's machines which would later be sent to Dili after the cooperation accord was signed.

More than 50 East Timorese had been trained to operate the sewing machines but the project needs more skilled workers who cannot be found in the province, she said. Consequently she would have to bring skilled workers from outside East Timor. She said her partner would send designs.

Fatmawati said that the economic cooperation was sponsored by a minister of the Northern territory who had visited her stand in an exhibition in the south Sulawesi capital of Ujung Pandang recently. The minister was interested in her work and had invited her to visit Darwin she said.

Manuel Carrascalao head of the provincial chamber of industry and commerce, said on a separate occasion that the government encouraged local business men to cultivate economic cooperation with ones from Australia.

"If the government does not support such cooperation, the businessmen will never be able to invest in East Timor."

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## EAST TIMOR'S CATHOLIC PRIEST AGAIN DENOUNCES ABUSES

*Press release from CNRM at the Commission on Human Rights in Geneva, 1 March 1993*

Bishop Carlos Ximenes Belo, head of the Catholic church of East Timor, told Radio Australia on 28 February 1993 of his anger over public ceremonies where East Timorese are forced to renounce past links with the Independence movement. He repeated earlier charges that human rights continue to be abused in the former Portuguese colony.

Radio Australia's Ian MacIntosh in Dili quoted the Bishop as saying it was the church's moral and spiritual duty to speak out against human rights abuse and injustice.

At the ceremonies to which Bishop Belo was referring, East Timorese are required to drink chicken or animal blood mixed with wine, then sign an oath of allegiance. The Indonesian authorities say it is a traditional Timorese oath of peace. The Bishop said such ceremonies have taken place in all the districts of East Timor.

"For me and for us from the church, this is a form of pressure on the people, forcing them to say what they don't want to say."

He also told Radio Australia that beatings and torture were continuing. The church has collected data and he would soon write to the UN if the abuses continue.

The Bishop offered his own solution to break out of the pattern of violence that has plagued the territory for so long. "Give the Timorese some kind of autonomy. In Indonesia they don't like to talk about this but we must try to find a solution," he said.

Asked whether political events in Jakarta this month - when Suharto will be appointed president for a sixth term on 10 March - would provide impetus for change, the Bishop sounded pessimistic. He said that he held his present post for ten years during which time nothing had changed.

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## RESISTANCE GROUP DENOUNCES INDONESIAN ATROCITIES

*by victor ego ducrot*

Geneva, Mar. 4 (IPS) - Indonesian occupation forces have been forcing people in East Timor to drink human blood in a pledge of allegiance to the Jakarta regime, a Timorese resistance group told the United Nations Thursday.

The blood pledge is an ancient religious rite which had long fallen into disuse in the region. The vast majority of the Maubere (Timorese) are Catholics.

The charge made by the Maubere National Resistance Council (CNRM) was substantiated by a video cassette shown here by the Portuguese delegation at the UN Human Rights Commission.

The video, produced by the Indonesians themselves, showed people being forced to have their blood extracted.

The blood was blessed by the leader of an ancient religious cult before being emptied into a recipient where it was mixed with that of other persons and alcohol.

The Timorese were then forced to drink the mixture while an Indonesian official dressed in civilian clothing read a document stating that the act signified a pledge of loyalty to the Jakarta regime.

José Ramos-Horta, the CNRM's international representative, said that it was "a barbarous act through which the Indonesians are exposing the Timorese to contagion by aids (acquired immune deficiency syndrome) and other infections."

"After seeing this, the international community can no longer have doubts about doing something against the systematic human rights violations which the Indonesian authorities are committing," Ramos-Horta said Thursday.

The CNRM is a political and military organization which groups all the forces fighting for the self-determination and independence for East Timor.

Ramos-Horta said that the umbrella group was trying to get the international

community to condemn the "inhuman repression" perpetrated by the Indonesian regime against the Mauberes.

The CNRM spokesman is participating in the 49th session of the UN Human Rights Commission, which ends on Mar. 12.

He said the Council was trying to get the Commission to appoint a special rapporteur to investigate the human rights situation in East Timor.

On Feb. 25, a former inmate of Indonesian jails, Domingos Seixas, explained to the commission the mechanisms used by Jakarta to repress the Maubere population.

Seixas, who now lives in Portugal, revealed the cruelty to which political prisoners are subjected in Indonesian prisons and said that he and many others, who also testified before the United Nations, suffered reprisals and persecution.

Ramos-Horta recalled that the international human rights organization, Amnesty International, had reported that the Indonesian forces killed 200,000 people in East Timor between 1975, when they invaded the territory, and 1981.

This represents "almost a third of the population of East Timor," he said.

According to a document distributed here by the CNRM, Indonesia has subjected the territory to a colonial and repressive regime since the 1975 invasion. Jakarta annexed it in 1976.

East Timor was colonized by the Portuguese 500 years ago and there is no historical element linking it to what is now the republic of Indonesia, the document stated.

Portugal has expressed its support, at the United Nations, for the Mauberes' call for self-determination and has repeatedly asked the international community to take steps to end the repression.

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### PROPAGATION OF ISLAM IN DILI

*Jakarta Post, 13 March 1993. Brief news item, unabridged. Dateline: Dili*

For the first time in history, an exhibition of Islamic books is being held in East Timor, a predominantly Christian province (sic).

The three-day exhibition, organised by the Agency for the Development of Library of Indonesian Mosques, in cooperation with the An-Nur mosque in Kampung Alor, Dili, was opened Thursday by the chairman of the An-Nur Foundation, Umar Balafif.

He said that the exhibition which also features books on technology, was a new step in the propagation of Islam in East Timor, especially in Dili, Antara news agency reported.

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### INDONESIA TO CHANGE MILITARY ROLE IN EAST TIMOR

(Reuters, DILI, East Timor, March 15)  
Indonesia is preparing to end its special military command in East Timor and cut the number of troops in the Portuguese colony it invaded 17 years ago.

East Indonesian military commander Major General Suwardi said on Monday East Timor would soon change over to the ordinary military command used in the rest of the 16,000-island archipelago.

"If things are okay we can soon break it (the special military command) up," he told reporters after installing a new army commander in the local capital Dili.

There will only be eight battalions by next month and six by October, from 10 at the end of last year, military sources in Dili said.

A battalion has about 600 soldiers.

Since the invasion of East Timor and its subsequent annexation in 1976, Jakarta has faced constant international criticism of its human rights policy there.

It has tried to win international approval of its rule, still unrecognized by the United Nations. But world opinion turned further against it after Indonesian troops killed up to 180 people in Dili by firing into a crowd of mourners on November 12, 1991.

Jakarta says it is trying to develop the territory after centuries of Portuguese neglect and most East Timorese want to remain part of Indonesia.

With the arrest late last year of the leader of the Fretilin rebel movement, diplomats said the military could no longer justify the large numbers of troops in the impoverished territory.

Military commander Suwardi said a team of high ranking officers from Jakarta military headquarters were in East Timor to assess the situation.

"None of the remaining soldiers will belong to combat battalions. They will be from territorial units," an army officer said.

The territorial troops are meant to help with civilian projects and efforts to develop East Timor's economy.

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### MILITARY REDUCTION IN EAST TIMOR?

*Radio Australia, 2am news 17th March 1993 Dateline: Jakarta Unabridged*

*The following is a partial transcript of news broadcast. Material dealing with the UNHRC resolution is elsewhere.*

READER: Indonesia has rejected United Nations criticism of its human rights record

in East Timor... At the same time the military authorities in former Portuguese colony has taken what they say is a step towards winding up the Special Operation Command responsible for armed forces activities there since 1989.

IAN MacINTOSH:

But the Indonesian press has all but ignored the Geneva vote and the authorities appeared to be pressing ahead with steps they believe offer proof that the situation in the trouble province is improving. Whilst East Timor's Roman Catholic Bishop Monsignor Carlos Belo and other sources have recently accused Jakarta of continuing human rights abuses, the Indonesian military says its began the process of reducing its command presence and the troops strength in the former Portuguese colony.

I what might otherwise have been a routine event the local army commander just been rotated, with the officer-in-charge of the military region which includes East Timor, major general Suwardi who attended the hand over ceremony saying preparations had began to wind up the special command in charge forces of operations in the province for the past 4 years.

Officials says if things go smoothly and the security situation permits, that command, currently headed by Brigadier Theo Syafei should cease to function in coming weeks. And they say troop numbers are to be further reduced with 8 territorial and 2 local battalions remaining by next month. That would amount to just over 6000 troops. But western military analysts estimate that support personnel and other detachments still leave the total armed forces presence at closer to 12,000. Despite official claims that armed opposition to Indonesian rule in East Timor no longer represent a significant threat.

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### TIMORESE REBEL SURRENDERS TO INDONESIAN MILITARY

(Reuter, DILI, East Timor, March 18)  
Another East Timorese rebel has surrendered to Indonesian armed forces in the territory, military sources said on Thursday.

Sebastião Mariano, 37, a member of the Fretilin guerrilla movement, gave himself up to the army in the village of Same on Wednesday.

"He came to us with his rifle after roaming across hilly areas outside the capital Dili for some time," an army officer said.

The dwindling Fretilin group, which wants independence for the former Portuguese colony, has fought against Jakarta's rule for the past 17 years.

Indonesian troops invaded the territory in 1975 and annexed it the following year, a move not recognised by the United Nations.

Fretilin's top man Xanana Gusmão is currently on trial on charges of promoting separatism, which carries a maximum penalty of life imprisonment. Several other rebels surrendered following his capture last November.

The government says Xanana's movement masterminded events which led to an army massacre in Dili in November 1991.

Witnesses said up to 180 people were killed when troops fired into a crowd mourning the earlier death of an independence sympathizer. Jakarta put the death toll at 50 and listed 66 as missing.

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### FOUR INDONESIAN SOLDIERS KILLED BY "FRETILIN" (BBC)

*BBC 19 March 1993 Language : Indonesian (abridged)*

The Indonesian Armed Forces (ABRI) issued a statement saying that 4 Indonesian soldiers have been killed recently by Fretilin guerrillas in the area of Lospalos (eastern part of ET). General Edi Sudradjat, the Commander in Chief of the Armed Forces/Defence Minister reiterated that, despite this event, ABRI will proceed with the withdrawal of the special forces from East Timor as planned.

*This seems to me a new move as opposed to the usually reserved attitude from the military regarding issuing information to the public about their casualties. Is this just a tactic in response to the recent UNHRC resolution? On the other hand, this might be just another pretext/tactic to justify the delay of the 'planned withdrawal' of their special forces. I still recall that they've been talking about this plan since last year.*

– John MacD.

### REUTERS REPORT

(Reuters, Jakarta, March 19) East Timorese rebels killed four people including two soldiers in an attack in the former Portuguese colony, Indonesia's Antara news agency reported on Friday.

It quoted the military as saying the other two victims of Wednesday's attack were students doing field work in Los Palos, about 200 km (120 miles) east of the Timorese capital of Dili.

The rebels of Fretilin, which wants to set up an independent East Timor, have fought Jakarta's rule for the past 17 years.

Indonesian troops invaded the territory in 1975 after the departure of its colonial rulers and annexed it the following year, a move not recognised by the United Nations.

### AFP: TROOPS KILLED IN GUERRILLA AMBUSH

*Comment: Note that the Xanana Gusmão trial originally scheduled to end on 20 March is now likely to drag for at least another month. Hearings are now taking place only once a week, making it obvious that the authorities do not want it to end before the next round of talks between Indonesia and Portugal scheduled to take place in Rome on 20 April.*

*It is very likely that Indonesian casualties were higher than acknowledged in this report. – TAPOL*

According to an AFP report from Jakarta on 19 March 1993, two Indonesian soldiers and two students were killed in an ambush by East Timorese guerrillas in Los Palos on Wednesday. An army spokesman, Lt. Colonel Panggih, described the two students as being from a group carrying out field work but AFP said that according to sources in East Timor, the students, both from Java, were members of a student regiment. The army did not disclose the size of the group that mounted the ambush.

Armed forces commander-in-chief General Edi Sudradjat said that the ambush would not alter plans to disband the special military command, Kolakops, in East Timor. He declined to say when this would happen but said it would not be before the trial of Xanana Gusmão has ended. The trial is expected to end in late April at the earliest.

### CNRM: NINE SOLDIERS KILLED IN LOS PALOS

*News from protected sources inside East Timor, April 3.*

On March 29, 1993, guerrillas killed nine Indonesian soldiers in Los Palos, cutting their throats with knives in a nighttime ambush. No guerrillas were killed. The soldiers' weapons were taken to the jungle by the guerrillas.

The administrator in Los Palos, José Valente, mentioned the incident in the Indonesian newspaper, but he denied that people were killed.

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### EDI: TROOPS KILLED WON'T DELAY WITHDRAWAL

*By Ian MacIntosh, International Report, Radio Australia, Monday 22 March 1993.*

ANNOUNCER: The head of Indonesia's armed forces believes last week's attack on troops stationed in East Timor will not affect the government's plans to disband its Special Command in the province.

General Edi Sudradjat was speaking after being sworn-in to serve concurrently as Defence Minister in Indonesia's new Cabinet.

Ian MacIntosh reports from Jakarta ...  
MACINTOSH: Talking to reporters after his swearing-in by President Suharto, General Edi said the attack near the town of Los Palos in the eastern part of the Province on Wednesday night, would not change Jakarta's plan to reduce East Timor's special operational command. He said the incident was not a serious one.

He reiterated recent military claims that the pro-independence movement - Fretilin - no longer pose a serious threat and that the security situation in the former Portuguese colony was stable.

But it is known that small groups of armed rebels are still operating from East Timor's forest and mountains. The Los Palos attack appears to confirm this belief.

Earlier, a military spokesman reported that two soldiers and two university students were shot dead. They appeared to have been attacked, near the town, by what was described as elements of the pro-independence rebel movement.

A spokesman said the students who were named were from Java and had been involved in field work in East Timor. The dead soldiers were not identified.

According to reliable local sources, the four were killed when a van in which they were travelling was ambushed soon after they left evening prayers at a local mosque. And the sources had a different description of the dead students, some claiming they were members of a university military training corp.

The release of the armed forces statement just 24 hours after the attack contrasted with the time it normally takes for the Indonesian military to confirm such incidents.

That prompted some speculation that the latest bloodshed might affect the proposed downgrading of the military command to the size of a normal provincial military administration.

But General Edi's subsequent remarks prove otherwise.

The Armed forces commander and Defence Minister did not say when the command which begun in 1989, was to be disbanded. However, he indicated it would happen after the current trial of the East Timorese independent leader, Xanana Gusmão.

For many months now, Indonesian officials have also been foreshadowing a reduction in troop numbers as part of the plan. However, General Edi made no mention of the pullout when he made his comments.

Earlier last week, some officials had said the number of battalion stationed in East Timor would be reduced to eight with two local battalions, next month. That would amount to just over 6,000 troops.

However, military analysts estimate that with support personnel and other security detachments in East Timor, the total armed forces present would still be in the order of 10 to 12,000.

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## CNRM COMMUNIQUÉ ON XANANA, OSORIO

March 21, 1993. Translated from Portuguese; unabridged

Communiqué from the Maubere Resistance National Council (CNRM), Fretilin Directive Commission (CDF):

"The CNRM, based in the mountains of occupied East Timor, wishes to make public its position vis-a-vis the most recent developments concerning two questions: firstly, the trial of our companion Kay Rala Xanana Gusmão at the hands of Indonesian justice; secondly, the statement made by the eloquent Abilio Osorio Soares to foreign journalists, including, e.g., Portuguese.

With regards the Xanana Gusmão case, the CNRM rejects any kind of proceedings by the judiciary of our Motherland's occupier against prisoner of war Xanana Gusmão. Furthermore, it considers the argumentation, on which it intends to base the accusations against Xanana Gusmão, to be totally lacking in legal substance.

The basis of the CNRM's position is derived from the fact that the subject of East Timor, in which Xanana Gusmão's case is interwoven, is an international question, because of:

1. the UN's recognition of the Timorese People's right to self-determination and independence;
2. From Portugal's internationally recognised legal/political position, as administering power, it should be reiterated that:
  - a) it maintains the Timorese question under the protection of the UN Charter,
  - b) it reaffirms its position on the decolonisation process of East Timor, so brutally interrupted by the 1975 Indonesian invasion, while endeavoring in every way to achieve for the Timorese People the free exercise of their right to self-determination and independence, in accordance with the Constitution of the Portuguese Republic.
3. Xanana Gusmão's trial is implicated in the legitimate Timorese cause, to which the positions taken by certain well-known people with responsibilities con-

nected to the East Timor problem bear witness:

a) Portugal's Head of State, Dr. Mario Soares, demanding that Jakarta immediately and unconditionally release the Timorese Resistance leader Kay Rala Xanana Gusmão;

b) UN Secretary General Dr. Boutros Boutros Ghali advocating the involvement of the man, now a prisoner, incommunicado, in the hands of the Indonesian military, in the talks aimed at finding an internationally acceptable solution to the East Timor problem.

We have, therefore, strong evidence which questions the legitimacy of the Xanana Gusmão case, and makes both the prisoner's trial and Indonesia's argumentation void of any juridical value, as for example, the charge of "rebellion," as one of the pillars supporting the accusations against Xanana Gusmão.

It is from within this framework, therefore, that the CNRM drew its position:

1. It demands the immediate and unconditional release of the prisoner of war, symbol of Timorese Resistance, our companion and dear brother Kay Rala Xanana Gusmão.
2. It appeals to the UN Secretary General to use his good offices to secure the protection of Xanana Gusmão by legal, diplomatic and moral means.
3. It reaffirms its recognition of Kay Rala Xanana Gusmão as the symbol of the Timorese Resistance, his functions as Head of the Resistance and Commander of the Falintil being frozen.
4. It reaffirms that it fully supports the administrative power's positions in favour of peace and the right to self-determination for the Heroic Maubere People.

So, in answer to Abilio Osorio:

1. No surrender! We reject surrender because that is the language of the hard-line, the militarist line, which Abilio Osorio corroborates by maintaining the presence of the occupier's troops in East Timor.

2. Talks, yes! This we do affirm, because we are fighting for peace for East Timor and its People.

We reaffirm, therefore, our backing for the demands of the administering power's government (Portugal):

A REFERENDUM for East Timor, which should result from the involvement of Timorese representatives in the UN sponsored talks without pre-conditions. In this way, a fair and lasting peace can be achieved, in the Motherland of all Timorese.

Motherland or Death! The fight continues on all fronts!

Headquarters of the Maubere Resistance National Council, in this 18th year of

struggle against Indonesian occupation for a free and independent Timor.

CNRM  
(Ma'Hunu's signature)  
Ma'hunu Bulerek Karathayano (Bukar)  
Secretary-CDF"

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## MORE INDONESIAN DEATHS IN TIMOR

BBC, March 29

*Comment: It marks a new phase when reports of Indonesian casualties are coming from Indonesian sources, not the guerrillas. For reasons not unrelated presumably to their case for a continued presence in East Timor, the army has reversed its tactics about admission of casualties in the war.*

According to the BBC's Adam Brooks filing from Jakarta, military sources in Jakarta say that six soldiers serving in East Timor are missing, feared dead, after an ambush by pro-independence guerrillas last week. The attack took place near Iliomar and indicates that armed resistance is continuing despite army statements that the guerrillas no longer pose a threat to security.

While there has been no official confirmation of the report, senior military sources in Jakarta are quoted as saying the attack occurred early on 22 March, when a squad of nine soldiers was ambushed outside Iliomar. [Iliomar is on the south coast, some fifty kms south-west by road from Lospalos.] Three survived the attack while the other six are missing, feared dead.

Another report of the same incident claims that the nine soldiers were all stabbed to death while they were sleeping and that eight weapons were seized by the guerrillas during the attack. A local district chief, named Maukoni, was mentioned as the source of the report.

This comes little more than a week after the Indonesian army confirmed that four of their men were killed when their truck was ambushed near Lospalos.

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## NEW TORTURE CHARGED AGAINST INDONESIA

Letter to New York Times; March 31, 1993

To the Editor:

"Indonesia, Deservedly Rebuked" (Topics of The Times, March 17) commends the Clinton Administration's policy change on the situation in the former Portuguese colony East Timor. The Administration, unlike its predecessor, supported a resolution at the United Nations Human Rights Commission in Geneva expressing "deep concern" over human rights abuses in East Timor.

You note that the resolution "asks Indonesia to cooperate (which Jakarta says it will) with a U.N. inquiry into charges of torture and secret executions on the island," which is occupied by Indonesia. Such cooperation could not be more timely, but much more is needed. I have received information from authoritative sources with whom I made acquaintance when I visited the region in late 1989 that indicate severe abuse of East Timor's resistance leader Xanana Gusmão, who was captured by Indonesian forces last November and is on trial for political offenses.

There had been charges of torture and coercion of Mr. Gusmão, with the Indonesians having members of his family at their mercy. Now, my source say, "the Indonesians are trying to break down Gusmão, to the point of his losing his mind." Last month, the Roman Catholic Bishop of East Timor, Carlos Ximenes Belo, stated that people arrested in the wake of Mr. Gusmão's capture were being subjected to "all types of torture." This, and the situation of Mr. Gusmão, should be high on the agenda of the Clinton Administration and the United Nations as they pursue the East Timor matter with Indonesia.

(Rev.) Paul Moore Jr. New York,  
March 24, 1993

The writer was Episcopal Bishop of  
New York, 1972-89.

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## SYAFEI BECOMES UDAYANA COMMANDER

Sources: UPI, Jakarta, 31 March 1993 and  
Suara Pembaruan, Dili, 16 March 1993.  
Summarised only.

Brig. General Theo Syafei was today installed as commander of the Udayana regional military command based in Bali. This command covers East Timor.

Syafei has been commander of Kolakops in East Timor since the month after the Dili massacre of 12 November 1991. Shortly before Syafei's promotion to become regional military commander, the commandership of the Wira Dharma sub-regional command, 164/Korem in East Timor, changed hands from Colonel Duniya to Colonel Suntoro. This is reportedly in preparation for the dissolution of Kolakops, the special army command in control of East Timor.

At the installation ceremony in Dili of the new Korem commander, Theo Syafei's predecessor as commander in Bali, Major-General Suwardi, said that Kolakops is likely to be disbanded after the end of the Xanana Gusmão trial.

General Edi Sudradjat who was in Bali to install Syafei in his new post also said that

Lieut. General Wismoyo Arismundar, brother-in-law of President Suharto, will shortly be appointed chief-of-staff of the army, currently still being held by General Edi himself.

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## DEMONSTRATION PLANNED IN DILI?

Portugal's independent TV station, SIC-TV, announced last night (April 6) that young East Timorese were planning to hold a demonstration outside the Bishop's residence this morning, Wednesday, when UN envoy Amos Wako was scheduled to visit the Bishop. We have been informed that SIC broadcast the voice of someone in Dili expressing their determination to hold the demonstration.

It is disturbing to see that such an event, if indeed it was planned, should have been made public in such a way unless those in charge felt that giving it publicity might provide protection for the demonstrators.

No news has yet been received that any demonstration actually took place.

Other reports about the Wako visit say that he met Xanana Gusmão and Mau Hunu in Dili. We have also heard that he asked to meet Saturnino da Costa Belo (who shouted slogans of defiance in the Xanana trial courtroom on 4 March) but there is no news that Wako did actually meet him.

TAPOL

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## YOUNG PEOPLE DEMONSTRATE IN DILI

Publico 7 April 1993 Dateline : Lisbon  
Translated from Portuguese unabridged

According to a (Portuguese) independent TV channel (SIC) evening news program, Timorese Resistance sources reported yesterday that young people held a demonstration that morning in the area around residence of Msgr. Ximenes Belo, Bishop of Dili. The protest was reportedly connected with the capture on Saturday by the Indonesian authorities of Ma'hunu, Xanana Gusmão's successor as leader of the armed Resistance. The same sources added that the young people are prepared for anything, even to die.

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## ARMY CHANGES IN TIMOR

TAPOL report, 7 April 1993

The following is based on several media reports, mainly Tempo April 3 1993 and Jakarta Post April 1 1993. In the past few days a number of new army commanders have been appointed around the country, with special attention going to the changes in and around East Timor:

Particular attention is given to two changes in East Timor. First is the appointment of Colonel Soentoro to replace Colonel Duniya as commander of the East Timor sub-regional command, Korem 164/Wira Dharma. Prior to this appointment, Colonel Soentoro was intelligence assistant to the commander of the Udayana/IX regional military command based in Bali.

The appointment of Col. Soentoro is consistently reported as being a step in the direction of the disbandment of Kolakops, the special military command in East Timor of which Brig-Gen. Theo Syafei has been commander since December 1991.

In Bali, Brig. General Theo Syafei has meanwhile been appointed commander of the Udayana/IX regional military command, putting him in overall control of military operations in East Timor as this regional command covers East Timor. He has not handed over the commandership of Kolakops to anyone, meaning presumably that he will hang on to that post until its formal dissolution, when Colonel Soentoro will take full control in what some senior officers have referred to as a 'Korem-plus' or beefed-up Korem as compared with korems elsewhere.

Reporting these changes, Tempo of 3 April 1993 says of Theo Syafei that he has spent "most of his military career in East Timor."

Jakarta Post of 1 April 1993 quotes Theo Syafei, after his installation as Udayana chief, as saying the army will go ahead with its plan to dismantle its special operation [i.e. Kolakops] in East Timor despite the continued presence of armed resistance there. He said that both "territorial and organic" forces would be pulled out of East Timor gradually.

"By 1995 (sic) at the latest, all the affairs currently being handled by the military should already be transferred to the local government," he said, after the installation ceremony.

JP reports also that Theo retains his post as chief of the special operational command in East Timor to oversee the withdrawal of the combat troops which have been stationed there since 1976 (sic).

He said that there are 13 to 14 pockets of "security disturbing groups," possessing 104 weapons and spread out in five regencies but "militarily they are insignificant."

*For more information about the precise nature of the army's territorial operations in East Timor, as spelt out by Brig. Gen Theo Syafei himself, see "The true aim of territorial operations" in the latest issue of TAPOL Bulletin, No 116, April 1993.*

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## MA'HUNU CAPTURED

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*First reports, April 5*

According to ABC Radio National, broadcast just after 4PM Australian EST April 5, Indonesian forces captured Mau Hunu on Sunday.

According to an AFP report from Jakarta which we have not yet seen ourselves, Mau Hunu was captured somewhere in the interior on Saturday evening 3 April. Portuguese radio this morning broadcast an interview with José Ramos-Horta in Sydney who confirmed the report, saying that Mau Hunu had been betrayed.

(UPI, Jakarta, April 5) Veteran East Timor resistance fighter Ma Hunu has been captured and is undergoing interrogation, a military spokesman in the troubled province said Monday.

Hunu had taken over the leadership of East Timor's Fretilin guerrilla following the arrest late last year of the group's leader, Xanana Gusmão.

The 43-year-old Hunu was captured Saturday without resistance by Indonesian forces in a rural house with the help of local villagers, Maj. L. Simbolon said. The troops also seized a number of rifles and ammunition, he said.

Hunu was being interrogated in East Timor capital of Dili, Simbolon said.

With the capture of Hunu - who is the son of a Portuguese and originally was named Antonio Gomes Da Costa - Indonesia marked a major success in its bid to quell the last remnants of the Fretilin guerrillas.

Hunu reportedly was the last major Fretilin leader at large following the capture of top guerrilla leader Xanana in November.

(Reuter, Sydney, April 5) East Timorese rebels exiled in Australia, shocked by the capture of their second leader in five months by Indonesian forces, said on Monday the guerrillas had moved swiftly to find a replacement.

Indonesian officials said on Monday that rebel Fretilin leader Antonio Gomes da

Costa had been caught in a weekend raid of a safe house in Ainaro village, about 50 km (31 miles) south of Dili, East Timor's capital.

Rebel sources said that after the capture of da Costa, known by his nom de guerre Ma'hunu, the top post had been taken over by second-ranking Konis Santana, a former student in his 30s who had joined Fretilin in 1981.

"While it may be terrible news, the imprisonment of another of our leaders is not going to see the resistance collapse," said high-ranking Australian-based rebel official José Ramos Horta.

Da Costa, 44, intensified the war after Gusmão's capture. Rebels in January said they had killed at least 78 Indonesian soldiers and officers in six clashes between November 27 and December 23 last year.

Da Costa's capture was announced as Amos Wako, personal envoy of U.N. Secretary General Boutros Boutros-Ghali, began a visit to Indonesia for a fact-finding mission on the shooting.

The human rights group Amnesty International, expressing fears that Da Costa would be tortured, called on Jakarta to allow him immediate access to lawyers, his family and the International Committee of the Red Cross.

"There are grave concerns given the past ill treatment of Fretilin prisoners," said Amnesty's Australian director Andre Frankovits.

"It is our experience that the first 72 hours of incommunicado detention are the most dangerous."

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## QUESTIONS SURROUND MA'HUNU CAPTURE

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*'PM' ABC Radio (Australia) 5 April 1993 6pm. Jakarta correspondent Ian MacIntosh, Full transcript*

Ian MacIntosh:

Ever since the East Timorese independence leader XG was captured last November, Indonesian military officials have been insisting the network supporting Fretilin and other opponents of Jakarta's rule in the province were severely weakened. In early February East Timor's civilian governor, Abilio Soares, boasted to Portuguese journalists that the authorities knew the whereabouts of Antonio Gomes da Costa, XG's successor as Fretilin commander and predicted he'd surrender within two months. Last Saturday night, just two months later, the military says da Costa was captured alone in a hideout 55 km south of Dili after a tip-off from a local villager. Whilst the arrest of the man generally known by his nom de guerre, Ma'hunu, is

yet to be independently confirmed, it appears to represent another serious blow to East Timor's independence movement. According to sources close to Fretilin, Ma'hunu had served with the group's armed wing for much of the time since Indonesia annexed the territory 17 years ago. More recently he'd been XG's deputy, and as such was fully versed in the rebels' strategies and policies. The sources indicate that when Mr. Gusmão shifted his attention to seeking support in the towns in recent years, Ma'hunu was effectively in charge of Fretilin's armed operations in East Timor's forests and mountains.

But his reported capture has raised many questions, to which few answers have yet been provided. Colonel Suntoro, the military's deputy commander in Dili, has claimed that Ma'hunu had been holed up in his hideout since January and was separated from his men. If that is the case it raises the question of whether XG's successor was in effective command during a period when guerrillas carried out attacks on Indonesian troops which claimed the lives of at least eight soldiers. His reported arrest also comes at a time when East Timor is back in the international spotlight. A personal envoy of UN Secretary General Dr. Boutros Ghali, on a return mission to Indonesia to further examine the human rights situation in the province, travelled to Dili to today for two days of talks there. The envoy, Amos Wako, is to report back to the secretary general before Dr. Boutros Ghali holds talks on East Timor later this month in Rome with the foreign ministers of Portugal and Indonesia. And as the interrogation was beginning in Dili of the man local officials say is Antonio Gomes da Costa, alias Ma'hunu, his predecessor, XG, was back in court for the 14th session of his trial on rebellion, conspiracy, separatist and firearms charges.

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## ACTION ALERT TO PREVENT MA HUNU TORTURE

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*April 5 1993. Case IDN/TIM 050493*

The International Secretariat of OMCT/SOS-Torture calls upon you to intervene on behalf of the following situation in Indonesia/East Timor.

### **Brief description of the situation:**

According to information received from TAPOL, a member of our network, during the weekend the Indonesian Military arrested Mr. Antonio GOMES DA COSTA, 44, (also known as Ma'hunu), the leader of the FRETILIN movement in East Timor.

Mr. DA COSTA, who assumed leadership of FRETILIN following the arrest of its leader Xanana GUSMÃO in November

1992, was reportedly arrested in Ainaro Village, some 50km south of Dili, the capital of East Timor, following a weekend raid on a safe house.

Given that torture is regularly used against detainees, and particularly against members and suspected members of opposition groups, this arrest gives rise to genuine fears for the physical and psychological integrity of Mr. DA COSTA. In this context, it should be remembered that Xanana Gusmão, the jailed leader of FRETILIN, appeared on television shortly after his arrest bearing what some witnesses claimed to be signs of torture and ill-treatment.

The Indonesian authorities have accused FRETILIN of being behind the peaceful demonstration in November 1991, which ended in bloodshed when the Indonesian authorities opened fire on the demonstrators, killing some 180 and wounding many others. Following this massacre, the government jailed some civilians for up to 15 years while those actually involved in the shooting received very lenient sentences.

**Action requested:**

Please write to the Indonesian authorities immediately demanding that they ensure the personal safety of Mr. Antonio GOMES DA COSTA at all times and guarantee his physical and psychological integrity and urge that his family and international observers have access to him.

Insist that he be brought before a fair and impartial tribunal and that his procedural rights, including his right to legal counsel of his own choice, be guaranteed at all times in accordance with international standards. Demand that they ensure the respect for human rights and fundamental freedoms in East Timor at all times in accordance with international standards.

Please inform the authorities in your respective countries, the UN, the European Community and other inter-governmental and non-governmental organisations urging them to intervene both at the national and international levels so that appropriate measures are adopted to put an end to human rights violations in East Timor and to ensure the respect for human rights and fundamental freedoms in East Timor and Indonesia at all times. Urge them also to intervene in order to ensure that Mr. Antonio GOMES DA COSTA be brought before a fair and impartial tribunal and that his legal rights be guaranteed at all times.

**Addresses:**

President Suharto, Bina Graha, Jalan Veteran 17, Jakarta, Indonesia. Tlx 44469 Attn. pres. Suharto and Tlx : 44283

Let. Ismail Saleh, Minister of Justice, Jalan Rasuna Said, Kav 6-7, Kuningan,

Kuningan, Jakarta Selatan, Indonesia. Tlx : 44404 DITJENIM IA - Fax : 62 21 32 1625

General Kunarto, Chief of the National Police, Kepala Kepolisian RI, Markas Besar Kepolisian RI JI, Trunojoyo 13, Kebayoran Baru, Jakarta Selatan, Indonesia.

General Try Sutrisno, Commander of the Armed Forces, Markas Besar Abri, Cilangkap, East Jakarta, Indonesia. Fax : 62 21 36 1471 / 62 21 37 8144 / 62 21 35 6404

Ali Alatas, Minister of Foreign Affairs, Kementerian Luar Negeri, Jalan Tamam Pejambon 6, Jakarta, Indonesia. Tlx 44205

His Excellency, The Ambassador of the Republic of Indonesia, 8 Darwin Ave., Yarralumla (Ambassador to Australia)

**EAST TIMOR**

Abilio Osorio Soares, Governor of East Timor, Gubernur KDH Tk.1 Timor Timur, Jalan Inpantal D. Hendrikue, Dili, East Timor

Brig. Gen. Theo Syafei, Military Commander for East Timor, Markas Besar Korem 164, Dili, Timor Timur, East Timor Geneva, 5 April 1993

Please inform us of any action undertaken, (kindly quote the code number of our appeal in any related correspondence).

**STATEMENT BY JOSE RAMOS-HORTA**

*From the Special Representative of the East Timorese Resistance abroad, in Sydney. Original document, 5 April 1993*

News of the capture of Ma'hunu, the resistance leader of East Timor is now confirmed. As in the case of his predecessor, Xanana Gusmão, there are well-grounded fears that he will be tortured to extract confessions.

"I call upon the Indonesian government to provide immediate, unrestricted access to Ma'hunu by independent international organisations," Mr. Ramos-Horta said today. "Jakarta must abandon the show-trial methods they have been using to try to deal with the legitimate resistance of the East Timorese people."

As with the capture of Xanana, Ma'Hunu's capture in no way diminishes the strength and determination of the Resistance. With serenity and determination the leadership of the East Timorese resistance, both inside and outside the country, will continue the struggle.

On the diplomatic front, substantial gains have been made in spite of the capture of Xanana. The new arrest of another leader, if anything, will once again highlight the occupation and the need for a negotiated settlement of the conflict in East Timor.

Australia media inquiries for José Ramos-Horta: Margherita Tracanelli

(02) 369 2676 (phone) (02) 389 2488 (fax)

**FURTHER EXCERPTS FROM WIRES ON EAST TIMOR DEVELOPMENTS:**

*UPI, Jakarta, April 5*

In Lisbon, Portuguese authorities and supporters of Hunu said his detention by Indonesian troops would not end unrest in the area.

"The cause of East Timor is on-going," said Portuguese President Mario Soares. "When a people is sacrificed and is brutally treated by a cruel dictatorship, the people always win out in the end."

Portuguese Foreign Minister José Durão Barroso said in Luxembourg Monday that Hunu's arrest would not make negotiations any easier.

"Things were already difficult, so obviously this arrest will not help. Certainly it will create a less favourable climate for talks," he said.

**REACTIONS TO MA HUNU CAPTURE**

*Publico 6 April 1993 Dateline : Lisbon Translated from Portuguese unabridged*

Mario Soares (Portuguese President):

"This is not the end of the Resistance and, essentially, it changes nothing, i.e. the fact that Indonesia is a dictatorship and does not respect human rights in the territory of East Timor. (...) Portugal should continue to defend the application of international resolutions with regards the condemnation of Indonesia's behaviour."

Cavaco Silva (Prime Minister):

"I hope this is not one more of Indonesia's schemes, saying that on one side there are the politicians and diplomats and on the other there are the military. Something similar happened before the meeting in New York, with Xanana Gusmão's arrest (...) That would not be good for the negotiations between Portugal and Indonesia."

Durão Barroso (Foreign Minister):

"The news gives us no satisfaction, and just confirms that the situation in the territory gives rise to concern. (...) Any settlement for the question will be reached through diplomatic means and, therefore, the facts of the situation are unaltered by this arrest, just as it was by the arrest of Xanana Gusmão."

Adriano Moreira (Pres. Parliamentary Commission on East Timor):

“The arrest of Ma’hunu demonstrates that Indonesia is extremely active in eliminating the external signs of Resistance, because it links this outward show of reducing the Resistance to the international campaign to show that the population adheres to the invader, when there is no relationship between the two circumstances at all.”

Ramos Horta (spokesman for Maubere Resistance National Council):

“On the international front, the Resistance was unaffected by Xanana Gusmão’s arrest. Also, our diplomatic position was not affected. Therefore, neither will Ma’Hunu’s capture have a negative effect on our strategy. (...) Time, as well as international circumstances, are in our favour.”

Mari Alkatiri (member of Fretilin’s exterior delegation):

“The Indonesians were clearly in hot pursuit of Ma’hunu, especially bearing in mind the Amos Wako visit, but also on account of the forthcoming Rome negotiations. Nothing surprises me. The situation in East Timor is quite difficult, and when there is a 17-year long guerrilla war in such a small a territory, any commander is at risk of being captured.”

Vicente Guterres (Political Commission President of the Timorese Democratic Union - UDT):

“What has happened highlights an enormous military pressure of the Indonesian Government, namely on the UN, Portugal, the Resistance, and the Timorese people.”

Abilio Osorio (Governor of East Timor):

“You can almost say that he surrendered, because he came and hid in a house among the people, right in the town, and then they sent for the troops to come. They went there and he surrendered.”

Francisco Lopes da Cruz (Pres. Suharto’s special adviser on East Timor):

“Going on information from the people, and with the cooperation of that same civilian population, the armed forces easily located the place where (Ma’hunu) was and, naturally, arrested him.”

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## HARSH BLOW TO THE RESISTANCE

*Diario de Noticias 6 April 1993 Dateline : Lisbon Byline : Antonio Sampaio and João Pedro Henriques Translated from Portuguese abridged*

The Timorese Resistance suffered a further blow with the arrest of Xanana’s successor, Ma’hunu. Timorese leaders abroad are pointing at the almost unheard of

Konis Santana as the new leader. Again, Jakarta chose the eve of an Alatas-Barroso meeting to arrest the Resistance leader.

Ma’hunu, Xanana’s successor in the leadership of Timorese Resistance, was arrested on Saturday night in a house in Manufasi, Ainaro, 55 kilometres from Dili. He reportedly did not resist arrest, in spite of allegedly being in possession of a (US-made) M-16 machine gun and 60 rounds of ammunition. On Sunday he was taken to Dili.

Yesterday, Mario Carrascalao, former Governor of East Timor (appointed by Jakarta), told the *Diario de Noticias* (DN) that Ma’hunu was informed on by a Timorese, whose initials are said to be F.A.

However, the betrayal scenario - similar to that of Xanana’s capture less than 5 months ago - was denied by analysts of the situation in Timor, living in Australia.

These same analysts, contacted by the DN, stated that Jakarta could be “selling” this version of events in order to refute any claim that information which led to Ma’Hunu’s detention was obtained through torture of Timorese prisoners, while at the same time claiming to the world that the Timorese people are behind Indonesia, and not behind self-determination or independence, - just 15 days before a new meeting between Lisbon’s and Jakarta’s diplomatic chiefs.

According to Mario Carrascalao, it is unlikely that Ma’hunu (Timorese name of Antonio João Gomes da Costa) would take part in the same kind of repentance ceremonies as Xanana. The newly arrested Timorese leader “is a true man of arms,” contrary to Xanana, who is “much more sophisticated” and has “greater mental flexibility,” said the former Governor, who knows both men personally. “I do not believe that he will publicly show any repentance,” he pointed out.

The news of Xanana’s successor’s arrest hit Australia’s Timorese community like a bombshell, and there were some immediate reactions, especially since some of the main leaders of the Resistance abroad are living in Darwin and Sydney: Alfredo Borges Ferreira and Mari Alkatiri (both Fretilin), as well as José Ramos Horta (special representative of the CNRM).

In the wake of the news, and after time for confirming the reports, emergency meetings were organised, and it was then that the name of Konis Santana was indicated as Ma’Hunu’s successor. Mario Carrascalao told the DN he did not know the new leader: “That must be his nom de guerre. The only Santana I met in Timor was a priest of Indian origin,” he added.

Dead and Resisters:

Among the over 60 founding members of Fretilin, the following are still alive: abroad - José Ramos Horta, Mari Alkatiri, José Luis Guterres, Antonio Araujo, Antonio Barbosa, Francisco Joaquim Babo; inside Timor there are still - Filomena Paixao de Jesus, Alarico Fernandes, Abel Ximenes, Mariano Bonapartes Soares and Octavio Araujo.

Regarding those who have died, were imprisoned, or chose to go over to the Indonesian side: Xavier do Amaral, Alarico Fernandes, and Leopoldo, “betrayed” the Timorese and embraced pro-integrationist ideas; Borja da Costa, shot on Dili’s quay-side on 7 December 1975; Justino da Costa Mota, arrested in 1975, died later in Lisbon; Mariano Bonaparte Soares, arrested in 1975, released, later re-arrested, and still in prison; Joaquim Urbano Saldanha, Maria do Ceu Pereira and Afonso de Araujo, killed in 1979; José Sirilo Nunes, killed in Viqueque during a surround-annihilate operation in 1979; Afonso Redentor de Araujo, killed in 1979 after being arrested earlier that same year; Nicolau Lobato, killed on 31 December 1978; Eduardo dos Anjos, killed in action in 1980; Juvenal Inacio, disappeared in 1988; Ma’hunu, arrested on 3 April 1993.

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## MA’HUNU CAPTURED IN BATTLE

*Seminario 8 April 1993 Original language: Portuguese Storytype: abridged translation*

According to a report in *Seminario*, 8 April 1993, Ma’hunu was captured after a violent clash between guerrillas and the army. The information comes from José Ramos Horta who was contacted in Sydney by *Seminario*. He explained that he had received information from the interior which spoke of confrontation between guerrillas and a military platoon. The capture occurred last Saturday in Manufahi in the region of Ainaro, 56 km to the south of Dili, following a betrayal by a local inhabitant named Fernando Araujo (a well-known collaborator with the Indonesians).

According to Ramos Horta, Ma’hunu was together with 20 guerrillas. Following the betrayal, a platoon of 30-40 Indonesian soldiers surrounded the area and started firing. As a result, 7 guerrillas and 4 Indo soldiers were killed and Ma’hunu was captured.

Two months ago Abilio Osorio Soares told Portuguese journalists visiting the territory that Ma’hunu would be captured in 2 months time: he said he would surrender.

No successor to Ma’hunu has yet been designated. Mari Alkatiri, a Fretilin leader, told *Seminario* that there were 3 candidates,

Konis Santana, Lu-Ulo, acting Secretary General of the Fretilin Committee, and Ru Materuak.

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## **MORE WEAPONS FLOW TO INDONESIA**

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### **PORTUGAL PROTESTS LONDON-JAKARTA MILITARY PLANES DEAL**

*Diario de Noticias 5 February 1993  
Dateline : Lisbon Original Lang.:  
Portuguese abridged*

The *Diario de Noticias* learned that last week the Foreign Ministry sent a letter of protest to the British Government over the sale of 44 Hawk military aircraft to Indonesia. The protest was sent as soon as Portuguese diplomatic channels confirmed the completion of the contract. With regards the offer to Indonesia of 39 warships by Germany, a source contacted by the DN recalled that the Portuguese Government had made known its concerns to Bonn when the contract was first being negotiated in 1992. It was given guarantees that one of the contract's clauses would be that the ships would not be employed in military actions against East Timor.

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### **SOUTHEAST ASIAN NAVIES GROWING BIGGER**

*By Moses Manoharan*

(Reuter, Jakarta, Feb. 9) Southeast Asian navies are beefing-up in a strategic region made jittery by a power vacuum and a number of festering territorial disputes, analysts said.

Indonesia's purchase of 39 aging German naval vessels highlighted the trend in the region, where some of the world's busiest sealanes are located and a dispute over the Spratly islands is on the boil, defence analysts said.

Last month, Philippine President Fidel Ramos said the islands, in the South China Sea, were a possible flashpoint which had provoked "a mini-arms race of sorts."

A Japanese Defence Ministry official said there had been a vacuum in the area since the balance of power maintained by the United States and the former Soviet Union broke down.

"Border disputes that remained quiet under the presence of the two superpowers have now surfaced as sensitive issues. The buildup in naval power can be seen as a result of this," said the official, who declined to be named.

Kensuke Ebata, a prominent Japanese defence analyst, said Indonesia's acquisition was the latest move by countries in and near the Southeast Asian region to modernize the military.

"The purchase can also be explained in terms of the power vacuum left in the area," Ebata added.

The potentially oil-rich Spratlys, claimed by China, Vietnam, Taiwan, Malaysia, the Philippines and Brunei are the most likely trouble-spot in the region.

Chinese and Vietnamese naval forces had a brief clash over the islands in 1988. There was further tension last year when China announced plans to search for oil off Vietnam's shores, set up a presence on a small island in the Spratlys and seized Vietnamese cargo ships sailing near southern China.

Indonesia, which has no claim on the Spratlys, fears any military clash there could spill over to its Natuna island gas fields.

It says its recent acquisitions are aging vessels from the former East Germany, without any blue water capability, which will be used for pacific purposes like transporting food to the nation's far-flung islands.

Armed forces commander, General Try Sutrisno, told Reuters the 39 ships would operate only within territorial waters.

Jane's Defence Weekly said the 39 comprised 16 corvettes, nine minesweepers and 14 landing craft. Indonesia is also planning to buy two submarines to add to the two it has at present.

The purchases, the biggest by Indonesia in recent years, are matched by other countries in the region.

Singapore, whose 50-ship navy includes missile corvettes, landing ships and patrol planes, has four minehunters on order for 1994. The first of 12 new large patrol craft is also due for delivery next year, analysts said.

Singapore wants the United States to keep a strong presence in the region and provided the Seventh Fleet with a logistical headquarters after Manila closed the U.S. naval base at Subic Bay last year.

In the Philippines, analyst Julius Caesar Parnenas of Manila's Centre for Research and Communication said of the Indonesian purchases: "It might lead to an arms race, not because other countries could see Indonesia as a threat but because they would like to keep up with her."

Mak Joon Nam, a senior defence analyst at Malaysia's state-backed institute of strategic and international studies, said: "It is a quantitative purchase rather than a qualitative one... if Indonesia's intention was to match the defence capabilities of

either China or Japan, it would have bought five new frigates instead of the second-hand units."

Malaysia is buying two frigates from Britain and also considering purchasing 27 Russian-made MiG 29 fighters.

In Taiwan, arch-foe of Beijing, defence analyst Richard Yang said Indonesia's hardware purchases were aimed at resisting any threat from China and would increase pressure for a military buildup among Asian countries.

"Indonesia has its own fears about Beijing's military expansion. China is determined to be number one in Asia... The dispute over the Spratlys could lead to conflict," said Yang, of the Sun Yat-sen Centre for Policy Studies.

Taiwan has also been building up its navy in recent years to maintain a military balance with China, which claims sovereignty over the island and has refused to rule out the use of military force against it.

In Beijing, a spokesman at the state-run China Institute of Contemporary International Relations said: "Some describe China as a tiger, claiming that Beijing dreams of setting up a greater China which may turn into the biggest tiger.

"It seems that these people cannot go without an enemy."

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## **INDONESIA NO THREAT TO ITS NEIGHBORS**

*By Muklis Ali*

(Reuter, Jakarta, Feb. 11) Southeast Asian giant Indonesia, which is strengthening its military hardware, told its neighbours on Thursday it posed no threat to them.

"President Suharto stressed that neighbouring countries do not need to worry about our military development," State Secretary Murdiono told reporters.

He was quoting Suharto's comments during talks with Papua New Guinea Prime Minister Paias Wingti who is on a five-day visit to Indonesia with an entourage of nearly 200 businessmen, officials and politicians to promote economic cooperation.

The two countries have long had border problems in the huge island of New Guinea, which they share. The problems are now all but settled but a small rebel movement continues to fight Indonesian rule.

Suharto said Indonesia's security and defence doctrine was based on a state ideology and constitution which guaranteed that Jakarta would not pose a threat to its neighbours.

With a population of 180 million in over 16,000 islands, Indonesia is by far the largest country in Southeast Asia.

It recently bought 39 second-hand German naval ships and is negotiating to buy 24 Hawk trainer planes from British Aerospace. It also wants to add to its fleet of American F-16 warplanes.

From 1963-66, Indonesia crossed swords with Malaysia on Borneo island, which they share. British troops helped Malaysia defeat what was known as a policy of "Confrontation."

In 1975 Indonesian forces invaded the eastern half of Timor island, then a Portuguese colony recently abandoned by Lisbon. Jakarta integrated East Timor into Indonesia the following year, a move not recognised by the United Nations.

Political analysts say that while Indonesia is not now seen as a belligerent, some countries in the region consider it a latent threat because of its sheer size, if nothing else.

Suharto's government says it does not feel threatened by other countries but must remain on guard for dissent at home. There are at least three small armed separatist movements in the archipelago which is home to a wide variety of ethnic groups.

"But if Indonesia is disturbed certainly it will defend its honour," Murdiono said.

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## PORTUGAL PROTESTS AT GERMAN ARMS SALE

AFP in Bonn reported on 16 February that Portugal has formally protested to Germany over the sale to Indonesia of 39 second-hand surface warships and three new submarines, citing Indonesia's 'extremely regrettable' human rights record in East Timor.

The protest was made last Thursday but released Tuesday.

German officials justify the sale by saying Indonesia was entitled to receive military equipment from Germany and that the ships would be partially disarmed and could only be used for coastal patrols, minesweeping and fighting pirates.

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## GERMANY SELLS WAR SHIPS TO INDONESIA

Brussels, Feb. 24 (IPS/Bob Mantiri) – reports in the German press that Bonn will sell 39 war ships and three submarines to Indonesia raised a strong protest Wednesday from Portugal.

An official of the Portuguese foreign ministry in Lisbon said that Portugal will condemn Germany during the forthcoming EC foreign ministers meeting, scheduled for March 7 in Brussels.

"Indonesia will use the war ships to suppress the people of East Timor," the of-

ficial said. East Timor is a former Portuguese colony, which has been annexed by Indonesia since 1975. According to him the ships could also be used against people in Aceh and in Irian Jaya, who are also fighting for their independence from Jakarta.

The German embassy in Jakarta would not confirm nor deny the reports in the German daily 'die woche,' which revealed last week that the deal will be signed during the visit of chancellor Helmut Kohl to Indonesia, next week. Kohl is visiting Singapore at this moment.

A spokesman of the Indonesian ministry for security and political affairs in Jakarta, however, said that "negotiations on the delivery of German war ships had already started last year."

The talks with the Bonn government have been conducted by the Indonesian minister for science and research, professor Rudy Habibie, who is a member of the board of directors of German aircraft company messerschmitt. Habibie, who studied aviation technology in Germany, is often mentioned in the Indonesian press as the serious choice of president Suharto for the post of his country's vice-president.

The spokesman of the security and political affairs ministry, headed by Admiral Sudomo, denied that the Indonesian navy would use the ships against the East Timorese people.

There is still resistance against Indonesia in East Timor. Indonesian troops recently caught resistance leader Xanana Gusmão, who, according to Amnesty International has been tortured while in prison. In Nov. 1991 Indonesian soldiers killed, according to Amnesty International, more than 100 East Timorese students during an anti-Indonesian demonstration in the capital of Dili.

Portugal has effectively blocked a new economic cooperation agreement with the six countries of the association of south-east Asian nations (ASEAN), of which Indonesia is a prominent member.

It would only approve such an agreement if Indonesia promised not to violate human rights and allow a referendum, in which the people on East Timor could say whether they want independence or to remain an Indonesian province.

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## KOHL IN TOKYO CHASTISED FOR ARMS SALE

"Would You Sell Weapons to Iraq?" asks Japanese East Timor Support Group

From FETJC, Feb. 28, 1993

The Free East Timor Japan Coalition protested Germany's recent sale of frigates, submarines and other naval vessels to

Indonesia in a letter to Chancellor Helmut Kohl, currently on a 4-day visit to Japan.

Referring to the deaths of "at least 100,000 to 200,000 East Timorese since Indonesia's 1975 invasion of the former Portuguese colony, and the fact that "Indonesia continues its military occupation of the territory in defiance of eight United Nations General Assembly and two Security Council resolutions," the Japanese group compared the arms deal to "selling submarines and the like to Iraq," which has been subject to international sanctions since its short-lived invasion of Kuwait.

The deal involves 39 frigates, landing ships, and minesweepers, nearly a third of the former East German Navy, as well as three new submarines that Germany is building on order. The weapons transaction drew sharp criticism in Bonn earlier in the month. Norbert Gansel, Social Democratic Party spokesperson said: "Indonesia should not get any military support because of its involvement in East Timor,"

Akira Matsubara, secretary of the Tokyo East Timor Association, one of eleven grassroots organizations grouped in the Japanese coalition, conveyed the letter to the German Chancellor on February 27 through an official of the Germany Embassy in Tokyo. The letter cited a resolution passed by the Council of

Europe banning the export of weapons to Indonesia in view of the human rights situation in East Timor. It also recalled Germany's own legal restrictions on supplying weapons to non-NATO regions involved in conflicts. The recent sale, it stressed, "not only ignores these rulings, but also goes against the post-Cold War aspirations of the world to affirm human rights and disarmament."

While Bonn has sought to allay criticism with assurances that the ships would be "partially disarmed" and could only be used for coastal patrols, the Japanese group challenged this: "One wonders if Germany would have agreed to weapons sales to Iraq by a country that defended the sales with the same reasoning."

Free East Timor Japan Coalition c/o Tokyo East Timor Association Tel: 0422-55-7937 Fax: 0422-55-7768

## NGOS PROTEST WARSHIP DEAL TO KOHL

1 March 1993 Source: IMBAS

The following letter was sent on the 24 February to the German Chancellor, Kohl, protesting the sale of German war vessels to Indonesia at bargain prices.

Please direct send such a protest to the German embassy in your home country.

Dear Mr. Chancellor

We are writing to express our concern about reports we have received regarding the intended sale of 39 most modern NVA warships (from East German Navy) to Indonesia.

We wish to remind you that Indonesia has illegally occupied East Timor in defiance of numerous UN resolutions since 1975 and has waged a continuing war against the local population.

During this time up to 200,000 people have lost their lives and human rights abuses cause continuing and serious concern.

The deal was reported postponed after the Santa Cruz massacre when at least 273 people were murdered by the Indonesian military.

Since then the situation of human rights has not been improved and the repression inside East Timor is said to be as bad as in the late 1970s.

The Federal Republic of Germany, like the UN, has never recognised the Indonesian annexation, and claims that it does not sell weapons to countries at war. Because of the aforesaid, Germany is in breach of its undertaking.

We strongly condemn this deal.

Furthermore we note that the vessels under negotiation may be sold at prices significantly below their actual value. According to the press, all 39 vessels are said to be sold for an amount of US\$ 150 million only, whereas only one corvette values US\$200 million actually. This can only be regarded as covert military aid to a repressive regime.

We call on you to investigate this matter and look forward to your early reply.

Yours faithfully,

A Paz es possivel em Timor Leste, Portugal  
 Agir pour Timor, France  
 Aksi Setiakawan  
 Association Timor Oriental, France  
 British Coalition for East Timor, UK  
 CDPM  
 Coordinamento Italiano dei gruppi di  
 Solidarieta con il Populi Timorese, Italy  
 East Timor Action Network, USA  
 East Timor Alert Network, Canada  
 East Timor Group Holland  
 East Timor Solidarity Campaign, Ireland

Free East Timor Japan Coalition, Japan  
 Free Papua Movement  
 Front Demokrasi Indonesia  
 IMBAS, Germany  
 Indonesian Resources Information Project,  
 Holland  
 International Platform of Jurists for East  
 Timor  
 Japanese Supporting Committee for Darwin  
 East Timor School  
 Komitee Indonesia, Holland  
 Oporto University, Portugal  
 Osttimor Kommitten, Sweden  
 Paz e justicia para Timor Leste, Portugal  
 SOS Timor, Belgium  
 Tapol, UK  
 Timor Oriental a.s.b.l. Luxembourg  
 XminY Founding Agency, Holland

## PERPETRATORS OF VIOLENCE ARE UNLIKELY CHAMPIONS OF PEACE

*Vancouver Sun, 1 March 1993. From Stephen Hume's At Large column.*

A proposed United Nations tribunal on war crimes in response to the vicious civil war in the Balkans simply offers yet more proof that we're all prisoners of our own delusions.

There are as many white-collar war criminals among the righteous nations that now talk pompously about a New World order as there are blood-soaked rapists in Bosnia.

The atrocities in the Balkans are horrific, but are they more horrific than the butchering of one-third of the indigenous civilian population of East Timor by our Indonesian trading pals? There is one obvious difference that is not mentioned in polite society. The 10,000 victims in the Balkans were white Europeans, while the 200,000 killed in East Timor were not.

Indonesia's invasion of East Timor parallels Iraq's invasion of Kuwait. Iraq was bombed back to a pre-industrial state to enforce UN resolutions, yet since 1975 Indonesia has openly defied UN security council resolutions ordering it to withdraw.

At the time of the East Timor invasion, the U.S. supplied Indonesia with 90 per cent of its weapons while sitting on the same security council that condemned the aggression.

Since 1980, 33 per cent of the world's nations have indulged in state-sanctioned torture. One of those cited by Amnesty International is another security council member that enjoys delivering lofty sermons on human rights.

Britain's record of torture, tainted and miscarried justice and human rights abuses

in Northern Ireland leaves it in no position to instruct anyone else in proper conduct.

And what legitimate moral indignation over war crimes may we expect from China, where fractious students can be crushed under the treads of tanks and forgotten overnight?

In 1992, there were 24 wars going on around the world. They cost more than \$50 billion. Virtually all have been supported with weapons, military and economic aid from the sanctimonious members of the UN's security council.

In fact, while the value of development aid to the Third World from industrial nations between 1985 and 1989 was \$166 billion, the value of weapons sold there was \$195 billion. In other words, the rich nations made \$29 billion in the exchange.

So far, those killed in the continuing wars with the weapons and expertise provided by the people who say they want to punish war criminals – I'll only count the dead, not the maimed, mutilated and mentally impaired – amount to about 250,000, most of them civilian non-combatants, many of them children.

Since 1980, close to six million people have been killed in wars financed by the industrial giants of the First World. Seventy-five per cent have been non-combatants.

All this violence diverts money from education, health care and economic infrastructure at a rate of \$2 million a minute. In 1991, the world spent \$1 trillion to equip and maintain 66 million soldiers in preparation for war. In developing countries, soldiers now outnumber physicians by eight to one.

One of the biggest supporters of the butchers, villains and lunatics responsible for this carnage has been that loudest and most officious upholder of human rights, the United States.

I note that of the 14 high-ranking officers whose troops have committed "brutal human rights abuses" in El Salvador, 12 were trained by the U.S. military.

The Centre for Defence Information in Washington, D.C. estimates that the U.S. has supplied \$300 billion in weapons, military assistance and economic aid in the Third World since 1962. In all but two of the countries now racked by war, factions were armed, trained and given economic support by the U.S.

Uncle Sam is in Somalia milking our brain-dead media for every available ounce of high-mindedness about the noble purpose of its mission. But U.S. policy is responsible for much of the bloody chaos that convulses that sorry country.

It was the U.S. that provided dictator Siad Barre with \$700 million in military and

economic aid so that he could wage an unbelievably cruel campaign of state terror against his people.

Propped up by the U.S., this fool destroyed vital water supplies, slaughtered the herds of nomadic tribes and tortured and killed civilians on a grand scale. By the time he was finished, one in seven civilians had become a refugee.

Rank of the U.S. among all countries in arms sales to Somalia since 1985? Number one.

Today Somalia. Tomorrow Sudan. Between 1975 and 1985, despite incredible economic mismanagement and a campaign of state terror against non-Muslims that totally traumatized the country, fully two-thirds of U.S. military aid in sub-Saharan Africa went to the military dictatorship in Sudan.

The real crime is war and the most dangerous war criminals are those who subvert peaceful development by selling weapons and feeding the conflicts that create their markets.

## DEMONSTRATION AT BRITISH AEROSPACE

*From Peace News 2365 (April 1993).*

### Cherry trees for BAe

On Saturday 6 March, more than 30 demonstrators gathered at the British Aerospace (BAe) plant in Stevenage, Herts, in solidarity with Chris Cole (*PN* March 1993) and to protest against BAe arms sales to Indonesia. BAe is currently finalizing a deal to sell up to 144 Hawk strike attack aircraft to Indonesia, which has occupied East Timor since 1975 in defiance of more than 10 UN resolutions. Hundreds of thousands of Timorese have died as a result.

Protesters walked onto BAe property and at first met with no resistance, even when planting bulbs and a flowering Japanese cherry tree in the lawn in front of the main gate. A child-sized grave was dug in the lawn, with a paper headstone saying "Remember the dead of East Timor."

There were eventually seven arrests, and six were taken to the police station. Three trespassers crawled under a fence in front of a police officer and were chased through the site. Three other activists were pulled off a pillar inside a neighbouring BAe site as they were holding a banner saying "Hammer BAe swords into ploughshares."

One ARROW member was arrested near the main gate and driven out of town by the police. He refused to be dumped in the middle of nowhere and was driven back to the police station, where he was simply left by the side of the road. No charges were laid against any of the protesters who had been

detained, though there was some rough handling.

The mass trespass was organised by ARROW at the request of the BAe Ploughshares Support Group, with legal support by the Peace Movement Legal Support Unit. Our action was featured on Anglia and Carlton regional television news.

Emily Johns, BAe Ploughshares, c/o NVRN, 162 Holloway Rd, London N7 8DQ

## GERMAN EMBASSY REPLIES TO CANADA

March 18, 1993

*I think the letter speaks for itself and require no interpretation, ETAN/Ottawa*

Dear Madam, dear Sir,

with reference to your letter dated March 3, 1993 I would like to state the following.

It is true that the Federal Republic of Germany sold 39 ex-National People's Navy vessels to Indonesia. Although the term "warship" is technically correct, it might convey the wrong impression. The vessels in question are predominantly vintage-1960s coast patrol boats. Furthermore, the price you stated (US-\$150 million) is incorrect. Unfortunately I am in no position to inform you about the correct amount.

Under the terms of the contract, the 39 vessels will be de-militarized at the expense of the Indonesian government, i.e. all armory fixed to the vessels will be dismantled.

The vessels will be used by Indonesia to counter the threat posed by an increasing number of acts of piracy and drug-trafficking within its territorial waters. Because of the aforesaid, the contract for sale of those vessels does by no means constitute a covert military aid to Indonesia.

I would like to emphasize the fact that in the past the Federal Republic of Germany has repeatedly protested against the human rights infractions committed by the Indonesian government and has never recognized the annexation of East Timor. The Federal Republic of Germany is unequivocally in line with the numerous UN resolutions on that matter.

Furthermore, the contract for sale of the 39 coast patrol vessels was completed only after the European Community had explicitly stated that the human rights situation had significantly improved. If the Federal Republic of Germany had had any legitimate concerns, it would not have concluded that deal.

Yours sincerely,

(Rainer Sulzer), First Secretary

*This letter is dated March 18, 1993; with regards to the last paragraph, I guess*

*Germany didn't inform its embassies of the vote at the UN on March 12, 1993!!*

*I am curious though, of the other countries that wrote to their German embassies, did you receive a reply?*

## PROSPECTS FOR MORE HAWK SALES FROM BAe

*From TAPOL, April 8, 1993, Storytype: combined*

The Indonesian airforce needs nearly 100 more warplanes and could buy them from Britain if Jakarta's conditions are met, Research and Technology Minister Bacharuddin Habibie said on Wednesday [7 April].

The deal depends on British Aerospace giving 35 per cent of the manufacture of its Hawk aircraft to Indonesia's state-run Industry Pesawat Terbang Nusantara (IPTN) and helping Jakarta acquire Britain's Civil Aviation Authority airworthiness certificate for IPTN's 35-seat CN-235 transport aircraft, said Habibie. "These are our conditions," he said, adding that British Aerospace and the British government were showing a willingness to cooperate.

Talking only a day after British Foreign Minister Douglas Hurd visited Jakarta, Habibie said "It is normal that we need more fighter planes for our airforce. According to the planning . . . our airforce in the future could use six squadrons of Hawks. This means at least 96 planes," Habibie said.

Indonesia is currently negotiating with British Aerospace for 24 Hawks, worth about 500 million.

A British embassy spokesperson said that the planes were being sold as trainers and the company is adamant that the aircraft under discussion cannot be armed. Habibie, however, said "The planes will be used not only to train pilots but also for ground attack."

Any sale of military equipment to Indonesia is politically sensitive because of concerns over the country's human rights record. Two years ago Indonesian troops slaughtered more than 50 mourners at a funeral in East Timor.

Analysts predict a possible arms race since Indonesia, with 180 million people and an air force with five squadrons of combat aircraft, is now matched in its defence purchases by several countries in the region.

*Air Chief Marshall Siboen, head of the airforce, who has made a number of proud announcements about the Hawk deal in the last six months, was recently replaced in the new cabinet. Habibie seems to be back in control, driving a hard bargain for the benefit of both sides of Indonesia's aerospace industry - military and civilian.*

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**SUHARTO**  
**"RE-ELECTED",**  
**TRY IS NEW V.P.**

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**PETITION SUPPORT SWELLS**  
**FOR SUHARTO**

*The Straits Times, February 10, 1993*

SUPPORT for the re-election of President Suharto continues to swell as more groups filed petitions of support with the People's Consultative Assembly (MPR), according to a report in The Jakarta Post yesterday.

The All-Java Association of Youth and Student Action and a dozen organisation leaders from Irian Jaya were quoted as saying in Jakarta that they needed President Suharto to stay at the helm "to ensure the continuity of development."

They also supported the role of the armed forces in both defence and politics which, they said, had maintained national unity and safeguarded development successfully.

According to the newspaper, the petitions filed with MPR deputy speaker Achmad Amiruddin added to the long list of support for President Suharto's renomination in next month's presidential polls.

The five political organisations making up the MPR, the United Development Party (PPP), the Golkar political grouping, the Indonesian Democratic Party (PDI), the armed forces and the Regional Representatives, have endorsed the re-election of Mr. Suharto, who has been in power for 25 years.

The association's 10-member delegation, led by Mr. Aly Saleh, also backed armed forces chief Try Sutrisno for the vice-presidential post.

Mr. Saleh was quoted as saying that the decision to renominate Mr. Suharto and back General Try was taken at a recent congress in Linggajati, West Java.

The association requested that its members be given a more political role, claiming that the organisation had been an ardent supporter of the New Order regime under Mr. Suharto.

The group from Irian Jaya did not make any mention of the vice-presidential candidate.

But the group sought support for Mr. Jannes Johan Karubaba to replace Governor Barnabas Suebu, whose term of office would end in the near future.

MPR deputy speaker Amiruddin said that he could not endorse Mr. Karubaba's candidacy for governor as only the Home

Minister, Mr. Rudini, had the authority to do so.

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**ENVOY AT UN TOLD TO**  
**CAMPAIGN FOR TIMOR**  
**ACCEPTANCE**

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*Jakarta Post, 16 February 1993. slightly abridged*

(Jakarta) President Suharto said yesterday Indonesia must continue with its campaign in the UN to gain international acceptance of East Timor's integration into the republic.

Suharto told the Indonesian Ambassador to the UN, Nugroho Wisnumurti, that as far as Indonesia is concerned the question of integration has been settled and that the people of East Timor have already exercised their right to self-determination.

"It is then our task to inform the world of all the events that have taken place and of the real situation in East Timor," Nugroho said after meeting with the President at the Merdeka Palace.

The world body has yet to give its recognition of the 1976 integration of East Timor and instead continues to regard Portugal, the province's colonial master for four centuries until 1975, as the territory's administering power.

Nugroho said East Timor has remained in the UN agenda since the issue was raised in 1982 by Portugal which questioned the legitimacy of Indonesia's rule over the territory.

"But the issue no longer reverberates in the United Nations and does not attract too much attention," the diplomat said, noting that the world body was preoccupied with the problems in Bosnia, Somalia, Palestine and Cambodia.

He said Indonesia's explanation of the tragic incident in Dili in November in 1991 and the subsequent steps taken by the government were strongly appreciated by many UN members.

The tragedy, in which the government reported that 50 East Timor demonstrators were killed in clashes with troops, caused an international uproar, prompting Indonesia to take drastic steps to remedy the situation including the removal of two army generals from their posts.

**Vote**

Nugroho said if the East Timor question was put to a vote this year, "there is a very slim chance for Portugal to win."

Many of countries that had supported Portugal in the past have altered their view. Mozambique, which had been very vocal, no longer raises the East Timor question, he said citing an example.

Although still in the UN agenda, the East Timor question has been repeatedly postponed each year since 1982 to give Indonesia and Portugal a chance to resolve the issue under the auspices of the UN Secretary General.

The foreign ministers of the two countries last met in the United Nations in December. The two agreed to meet again on April 20 in Rome.

Several UN members, including some European Community states and Balkan countries have questioned Indonesia about East Timor but it was on the human rights situation in the territory and on the steps taken in connection with the Dili tragedy, Nugroho said.

The diplomat said he had just visited East Timor and met with local leaders including Bishop Carlos Ximenes Felipe Belo. He also held talks with José Alexandre "Xanana" Gusmão, the former leader of the Fretilin separatist rebel movement currently on trial on charges of armed rebellion.

**Non-Aligned**

Nugroho yesterday reported to the President about he recent UN General Assembly, specifically on the efforts of the Non-Aligned Movement (NAM), currently chaired by Indonesia, in fighting for its interests in the world body.

Nugroho said NAM's Coordinating Bureau, which includes all NAM members working through their representatives at the UN, is following up on the decisions taken at the NAM Summit in September.

NAM had also formed a working group, in compliance with the Summit's mandate, to specifically look into the current efforts to restructure the United Nations.

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**GEN. TRY KEEPS MUM**  
**ABOUT ACCEPTING V-P**  
**NOMINATION**

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*The Straits Times, February 18, 1993.*

*BYLINE: Paul Jacob, Jakarta Correspondent*

Jakarta -Indonesia's highly-respected army chief Edi Sudradjat will be appointed commander-in-chief of the country's nearly 500,000-strong armed forces (ABRI) tomorrow.

Outgoing ABRI chief General Try Sutrisno, who appears headed for unanimous nomination as Indonesia's next vice-president, made the announcement at the military's headquarters yesterday.

He said Gen. Sudradjat, who at 54 is the oldest man appointed by President Suharto to the powerful position, would hold the post of army chief until further notice.

Gen. Try said he had no immediate announcement to make on impending changes to the chiefs of the air force, navy and police.

He said that Gen. Sudradjat was chosen because he was the most senior of the service chiefs -all of whom hold four-star general rank -and because the army was the senior-most military service.

Gen. Sudradjat, a trim, tall figure, succeeded Gen. Try as army chief in February 1988 and was promoted to four-star rank the same day he took up the appointment.

Analysts said his elevation to commander-in-chief reflects not only the trust he enjoys from the President, the military and political leadership, but also demonstrates his political astuteness.

He will preside over an armed forces which exerts considerable influence over the country because of its historical dual-function as a security force and a sociopolitical organisation.

Analysts have long pointed out that one of the most, if not the most important factor Mr. Suharto uses to decide on the appointment, is the degree of "political confidence" he has in a nominee.

Some analysts said, however, that a possible recurrence of Gen. Sudradjat's throat cancer, which he appears to have overcome, could affect his tenure as ABRI chief.

One analyst said Gen. Sudradjat might be shifted to "a less strenuous ministerial position" once the new Cabinet is appointed towards the end of March.

Gen. Try said yesterday that a change at the helm of ABRI was long overdue. He himself should have stepped down in 1990 on reaching the retirement age of 55 but his term had been extended on a yearly basis since then. He said that he was now "preparing to enter pensionable service."

Though asked repeatedly by journalists, Gen. Try declined to give a firm response to whether he would accept the vice-presidential nomination.

The question has dogged him since the Indonesian Democratic Party, ABRI and the Muslim-based United Development Party announced that they were backing him for the position.

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### SUDRADJAT LOCALLY TRAINED

*The Straits Times, February 18, 1993.*  
 BYLINE: Paul Jacob, Jakarta Correspondent

Jakarta -General Edi Sudradjat, the Indonesian army chief who becomes armed forces commander-in-chief tomorrow, is most proud of one important fact.

"I'm a local army man," he once told journalists, referring to the fact that his entire military training had been done within Indonesia.

Gen. Sudradjat was among the first batch of officers to graduate from Indonesia's elite National Military Academy in 1960 and his appointment to the military's senior-most post comes just nine weeks short of his 55th birthday.

He also appears to have overcome a difficult obstacle which could have put paid to any advancement beyond his position as army chief.

It was only in 1990 that news first surfaced publicly that he had throat cancer. Now, however, he is said to have overcome the problem.

Journalists who covered his activities in those intervening years said that he never let it get in the way of his job.

He has also remained active in sports, and still plays golf and tennis once a week.

Last year, at a shooting meet attended by several senior ASEAN military officers, he walked away the champion in the rifle category.

His varied experience in command-and-field appointments was not unrecognized.

At a time when brigadier-general was the highest rank given to a regional military commander serving outside Java, he was one of the very few to attain the two-star rank of major-general.

He has served and commanded units of the elite Special Forces and Strategic Reserve Command, and also served in peacekeeping operations in Vietnam in 1973.

His most difficult task in recent years came when he appointed a panel to probe the military's conduct in the 1991 East Timor killings -and then meted out punishment to senior officers and servicemen found guilty of misconduct.

Gen. Sudradjat, a Muslim and married with four children, has been consistently described as a true professional. He is highly regarded for his integrity and reportedly has outstanding ties with subordinates.

"I do not think there is anyone who will argue that he is the right man for the job as ABRI commander. He is a true soldier, an outstanding commander and a respected leader," said a military attaché here.

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### NEW ABRI CHIEF A TIMOR VETERAN

*TAPOL report, 17 February 1993*

General Edi Sudradjat was today appointed commander-in-chief of the Indonesian Armed Forces (ABRI), in place of General Try Sutrisno who is the ABRI

candidate for vice-president. General Try reached the age of retirement a year ago and was due to be replaced anyway.

General Edi Sudradjat is from the elite red-beret Kopassus, which makes him a much tougher soldier than his predecessor who is from the corps of engineers. The new C-in-C is a Timor war veteran, having served in East Timor during the period of Operasi Seroja, from 1978. This is when the war to crush the armed resistance was at its height.

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### STUDENTS DETAINED FOR DEMO

(Jakarta, March 9 Kyodo) Indonesia's military and police detained several students who demonstrated Tuesday against President Suharto's unopposed nomination for a sixth five-year term, witnesses said.

Students from several big cities, carrying banners, marched to the front gate of the People's Consultative Assembly one day ahead of the legislature's reelection of Suharto.

The assembly was convened on March 1 and will end Thursday with the swearing in of the president. Retired Gen. Try Sutrisno is certain to be elected vice president.

The military has deployed 11,000 personnel to guard the assembly session.

'The assembly sessions are only a play act of democracy,' one banner read. 'For the future of the nation, we refuse Suharto,' said another.

Police and military personnel forced the students away from the assembly area and after some scuffles five were detained and taken away in two cars, witnesses said.

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### STUDENTS ARRESTED AS SUHARTO ACCEPTS TRY

*Green Left #92, March 17, 1993*

Forty students demonstrated outside the Indonesian parliament on March 10 to protest against the nomination and election of ex-general Suharto as president.

The demonstrators, carrying placards attacking recent price rises and rises in MPs' salaries, were arrested as soon as they unfurled their banners and raised their placards. The parliament had been surrounded by army and police units for over a week.

According to Green Left's sources in Jakarta, the students were released the next morning. Among those arrested was Yenny Damianto, who visited Australia in 1991 to participate in the Beyond Borders environmental tour of Victorian high schools.

Inside the parliament, the show proceeded as planned. This time, however, the

scenario was determined by the armed forces leadership rather than Suharto. The president was unable to get any of the parliamentary fractions to nominate an additional candidate for vice-president. The military's candidate, former armed forces chief Try Sutrisno, was therefore elected unopposed (as was Suharto).

The ongoing struggle between Suharto and the armed forces is now likely to focus on the appointment of the defence minister in the next Cabinet. The current minister is the main plotter against Suharto, ex-general Benny Murdani.

The other key position to be decided is chief of staff of the army, the second most powerful position after commander in chief of the armed forces. Sources in Jakarta say that the main candidates are Suharto's cousin-in-law, General Wismoyo, and General Feisal Tanjung, reputedly favoured by the anti-Suharto establishment.

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## SUHARTO STILL SILENT ON VICE-PRESIDENT

*Green Left #91, March 10, 1993. By Max Lane*

The Indonesian People's Deliberative Assembly (MPR) began meeting on March 1. It is expected to re-elect Suharto as president and to choose a new vice-president sometime between March 9 and 11.

The armed forces (ABRI) has now secured public statements of support for its candidate - outgoing ABRI commander in chief Try Sutrisno - from the four major groupings in parliament. At the same time, Suharto - who is more identified with monopoly business interests than with the army - has made no public statement on the question, continuing to fuel rumours that he may make a surprise announcement seeking support for an alternative candidate.

Dissension continues on this issue, especially inside Golkar, the government party. Several newspaper editors were summoned this week by politics and security minister Sudomo, who reprimanded them for reporting on the dissension and disruptions that occurred during a meeting of the Golkar fraction in the MPR.

According to journalistic sources in Jakarta, the Golkar caucus divided into a number of factions, and some speakers were heckled off the podium. In particular, the newspapers gave prominence to the charge by Mrs. Sudharmono, the wife of the current vice-president, that the caucus was no longer functioning democratically. There was no public airing, however, of what the internal disputes were about. Sudharmono is thought to be Suharto's first choice for vice-president.

Meanwhile, observers are wondering whether a statement of support for Try by Suharto's businessman son, Tommy Suharto, is a sign that Suharto is willing to do a deal with the army. According to Green Left's sources in Jakarta, Tommy also said that Suharto was getting tired of ruling. This was immediately rejected by Suharto's big businessman brother, Probosutejo.

It is now unlikely that Suharto will make his position on the vice-president clear until he has been confirmed as president for the next term. Announcing surprise candidates at the last minute is not a new tactic for Suharto, and there are reports that one of the country's most influential and well-connected Muslim figures is saying that Suharto wants to nominate the new ABRI commander in chief, Edi Sudradjat - a move that theoretically might split the leadership.

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## TRY SUTRISNO IS TRUSTED SUHARTO MAN, DEVOUT MUSLIM

(Jakarta, March 11 Kyodo) His defense in parliament of the Indonesian troops who shot dozens of demonstrators in East Timor in November 1991 did no harm within the Indonesian hierarchy to the reputation of former armed forces commander Try Sutrisno.

On Thursday, Try was officially 'elected' by acclamation by the 1,000-member People's Consultative Assembly, the country's highest authority, as the sixth vice president, and the fifth during the 27-year regime of President Suharto.

Prior to his election, all five factions in the assembly had already endorsed him as the sole vice presidential candidate.

Try, who retired last month as armed forces chief, is known as a close supporter of Suharto, as well as a devout Muslim.

Born in Surabaya, the capital of East Java, on November 15 1935, Try was brought up by Javanese parents close to the schools of Koranic studies, known as 'pesantren.'

Many leading Indonesian Islamic clergymen gave their backing for Try's election as vice president.

During the past few years, when still armed forces commander, Try was known to have visited various rural 'pesantren' and preached in mosques.

In the past two years, Suharto has undertaken some pro-Muslim measures, among his own first pilgrimage to Mecca in late 1991, bills to grant more time for Islamic teaching in the national curriculum, allowing Muslim girls to wear veils in class, and in late 1990 approving the creation of the

Indonesian Association of Muslim Intellectuals, known as ICMI.

In the military, Try's career to the top began when he became a leading light at an army seminar in Bandung, West Java, in the late 1960s, the early years of Suharto's New Order administration.

From 1974 to 1978, he was military adjutant to Suharto before being promoted to chief of staff of the Udayana military command and commander of the Sriwijaya military command, which oversees several provinces in Sumatra, in 1982.

He was later appointed commander of the Jaya military command which oversees Jakarta.

After being army chief, Try became commander of the armed forces prior to the convening of the People's Consultative Assembly in March 1988 to reelect Suharto for a fifth five-year term.

The weekly Tempo magazine described him as someone who is 'not so skillful' at giving statements to the press.

The English-language daily Jakarta Post said in its editorial on Wednesday that Try 'appears to be a rather shy, unassertive man.'

Try does not seem to have much tolerance of critics. He said in November that Indonesian advocates of human rights, democracy and the environment are the 'fourth generation of communists.'

He is married with seven children.

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## THE END GAME FOR INDONESIA'S SUHARTO

*By Jeffrey A. Winters, Ph.D., University of Michigan. 17 March 1993*

"The older a coconut gets, the more juice it has." Mrs. Tien ("ten percent") Suharto recalled this Javanese adage on the occasion of her husband's 71st birthday, just one day before Indonesia's carefully-staged plebiscite gave President Suharto's Golkar Party its most recent solid victory.

After Kim Il Sung of South Korea, General Suharto is the longest-reigning head of state in Asia today. The MPR, the combined houses of the Indonesian parliament, convened this month to hand him his sixth five-year term. The outcome was certain because Suharto directly appoints fully 60 percent of the 1,000 seats in the MPR. The remaining 400 were contested in the June 1992 general election, with Golkar winning just over two-thirds.

If Suharto has enough juice to hold on until 1996, he will round out three full decades at the helm of this island nation of more than 190 million people.

### The Price of Stability

One would think that the long and remarkable political stability under Suharto (purchased, in part, with the blood of upwards of a million people following a failed putsch in the mid 1960s) would be reason for calm. And yet, there is palpable unease among interested parties both in Indonesia and abroad.

The reasons for this are fairly straightforward. Since independence at the end of W.W.II, the country has had only two presidents, with the transfer of power between them going rather badly. Suharto has played a shrewd game of elite politics, while doing everything he could to de-politicize and de-mobilize the rest of the population. This allowed investors, both foreign and domestic, to feel safe and made the country's high real growth rates possible.

But the cost has been a striking absence of basic political development. Suharto, with his allies in the military, has managed the country's "politics of exclusion" personally, rather than through building strong political institutions which function no matter who is in power. This is what makes the prospect of the portly general's departure so disquieting. The legacy of Suharto's long and stable rule, ironically, is the real possibility of instability both as he leaves and when he is gone.

It is this realization which explains the tension. And the more one hears diplomats and business leaders proclaiming their confidence in Indonesia's ability to handle the coming succession, the less convinced and convincing they sound.

### Politics without Political Development

Indonesians are eager to demonstrate that they have matured politically since the tumultuous years under Sukarno. There has not, for instance, been even a hint that the armed forces might replace Suharto in a coup. The generals stress that this transition must proceed according to the constitution - at least on the face of it.

But no one quite knows what an election in Indonesia would be like if there were more than one viable candidate for president. Only the military and the government's Golkar party are permitted to operate at the village level. The Muslim party (PPP) and the Democratic party (PDI) would surely challenge this arrangement if they suddenly could back their own candidates for president. That said, most elites in Indonesia shudder at the thought of a return to contested politics involving the masses in anything beyond symbolism.

The election last June was instructive. The campaign among the three recognized parties lasted for the specified period of twenty-five days, followed by a week of

"cool down" (which was hardly needed). No policy issues were discussed or debated. The biggest draw at political rallies were not politicians and candidates, but rather performers offering the Indonesian equivalent of country-western music. Even Vice-Admiral Soedibyo Rahardjo, who stepped down in July of 1992 as head of the general staff of the armed forces, lamented the poor quality of the election campaign. "It was a lot of dancing and parading, with no political sophistication," he said in a private interview.

But should such behavior be surprising given that ordinary Indonesians only get to practice their political skills for one month in every five-year election cycle?

In the past, Suharto has always chosen a vice president who could not threaten him politically. Because most Indonesians cannot imagine a contested presidential election using the existing political institutions and practices, there has been much speculation, and hope, that Suharto will solve the immediate dilemma by breaking with the past and designating a clear successor when he chooses his next vice president. With a truly viable candidate in the number-two spot, Suharto could then step aside well before the 1997-98 election. This way the next president could assume power constitutionally and also have time to consolidate his position politically before having to face an election. With any luck, goes the thinking in elite circles, he might also block the emergence of opposing candidates. In short, if Suharto plays it the way powerful social groups hope he will, the vacuum problem could conceivably be pushed into the next century.

While this scenario allows for the Indonesian political system to escape being tested fully, it shifts the political heat from the late 1990s to the present.

It remains to be seen how the choice of former armed forces chief General Try Sutrisno as the country's vice-president will be played out. Some immediate observations are possible. First, because Sutrisno is a Muslim, a military man, and Javanese, he is clearly a viable candidate for the presidency. Indeed, of all Suharto's vice-presidents, this one has the greatest potential not only for ruling the country, but also for pushing Suharto out in the event the transition gets messy. Second, although Sutrisno is close to Suharto and enjoys the president's trust, there are indications that he may have preferred once again to have a weaker vice-president - perhaps the former VP, Sudharmono (who is hated by much of the military brass) or even the energetic Minister for Research and Technology, Habibie.

### Key Considerations

Three issues stand out most prominently in the dynamics surrounding succession. The first concerns important political divisions within Indonesia involving the military, the bureaucracy, the have and have-nots, and Islam. None of these can be separated cleanly from the others. Second is Suharto's own concerns about the security of his family once he is out of power. They have amassed a huge fortune, and their propensity for grabbing every business opportunity in sight is trying the patience of the country's middle and upper classes. And third, close attention must be paid to the role of international economic linkages. Indonesia's capital regime is one of the most open in the Third World, and signs of political instability would trigger a reaction from mobile capital which would destabilize the situation still further.

### Political Divisions

The single greatest threat to Suharto to emerge since the anti-Japanese riots of 1974 is General Benny Murdani, the recently retired Minister of Defense, the officer responsible for Indonesia's brutal invasion of East Timor in 1976, and the man behind the "mysterious killings" in the early 1980s. Murdani's strong influence within the armed forces has set up a divide between Suharto and the military that complicates the president's ability to manage the country's politics. To counter Murdani's power base, Suharto adopted a two-pronged strategy. The first was to depend more on Golkar and one of its leading figures, Sudharmono. But Golkar, although strongly supported by the civilian bureaucracy, has proven unable to draw mass support with its sterile, technocratic policy agenda.

Suharto has sought to compensate for this weakness by making overtures to long-excluded Muslim organizations, which have a far more substantial and dedicated popular base than Golkar. This second element of Suharto's strategy is significant for two reasons. First, it means the country's demobilized population might be re-mobilized, and second, it means the political role of Islam is being augmented considerably. Suharto, who is not known for his religious orthodoxy, made a showy pilgrimage to Mecca, supported the formation of ICMI, a Muslim intellectuals' organization (making Habibie its general chairman), and encouraged the formation of an Islamic bank in Jakarta. President "Haji Mohammad" Suharto also established personal links with Mohammad Natsir, an Islamic fundamentalist thought to have direct ties to the Middle East. Opening up to the Muslims has necessarily signalled a relaxation of political controls in general,

with the results that the dominant political role of the military has been challenged publicly.

The military do not like these developments. They displayed their lukewarm support for Sudharmono's Golkar machine by suggesting repeatedly during the June 1992 general election that people can vote for whomever they prefer. This was a first. Although Golkar's victory was secure, ten seats were lost in East Java and eight in Central Java. Suharto had instructed his Golkar point man in Jakarta that he wanted at least 60 percent of the vote in the capital. Golkar got a disappointing 50 percent. In response to calls that the military should properly be in the barracks, the armed forces made it clear last October that its social-political role is constitutional and a reduction in the number of seats in the parliament reserved for officers is not necessary. The generals also reiterated their conviction that the wider Indonesian population should not be re-politicized at the village level.

Meanwhile, Suharto's Muslim card has begun to backfire—in large part because religious tensions in the country are inseparable from economic and racial jealousies. Ethnic-Chinese Indonesians comprise just three percent of the population, but control more than 75 percent of the wealth. They also happen to be mostly Christian. Last November a series of attacks on churches began in East Java and North Sumatra, spreading most recently to Jakarta. The reaction by the military to these events, which moderate Muslim leaders claim were provoked in part by fundamentalist elements in ICMI, has been swift. Army troops were deployed when churches were set ablaze in Jakarta. If this violence spreads, it will enhance the position of Benny Murdani in his struggle against the president and Sudharmono.

### The Suharto Family

The greed of the president and his family emerged in the 1980s as a serious political liability, particularly as Suharto's six children dug themselves ever more deeply into the country's economy. Intelligence sources at the US embassy in Jakarta estimated in 1989 that Suharto himself was worth about \$15 billion. With his wife and children the total came to about \$30 billion. And if the president's circle of civilian and military cronies was thrown in, the total came to \$60 billion, which was roughly equivalent to the country's sovereign foreign debt. A good portion of this private wealth is, to be sure, held abroad in accounts in Singapore and Switzerland.

Indonesians do not get terribly ruffled about patronage. But they do object to bla-

tant nepotism when the family members involved are as insatiable as Suharto's children have proven to be. A little skimming is one thing. But entrepreneurs complain that it is practically impossible to do business in Indonesia without giving "the kids" a hefty cut.

Suharto can endure the criticism and defend his family's wealth as long as he is president. The constraint lies in what might happen if he steps down. He will certainly seek a commitment of protection from his chosen successor. But, as one retired general explained in a private interview, Suharto knows from his own experience trying to protect Sukarno and his family in the late 1960s that such guarantees tend to fall apart after a year or two.

An additional factor rarely noted when possible attacks on Suharto's children are discussed is that their business interests are not a strictly domestic matter. Joint-ventures with powerful international players have been forged. This means that any post-Suharto campaign to undermine the children's business conglomerates will necessarily involve confronting their highly influential global partners. An inexhaustive list of the companies with which Suharto's children have invested jointly would include: from the U.S., AT&T, General Motors, and Waste Management International; from Japan, Marubeni, Mitsui, Showa Denko, Toyo Engineering, and NEC; from France, Alcatel; and from South Korea, KIA Motors.

These arrangements raise the political and economic stakes of dismantling the First Family's conglomerates and represent a set of circumstances that had no parallel when Sukarno and his associates fell from power in the mid 1960s.

### International Linkages

The outside world constrains the political options in Indonesia in more ways than merely increasing the costs of seizing the assets of the president's overstuffed children. The country's deep involvement in international flows of goods and capital, and the ever-wider relocation options of those controlling crucial investment resources, mean that powerful political actors in Indonesia must weigh their moves carefully.

If capital is spooked – and this applies to all players, both foreign and domestic, who are mobile transnationally – Indonesia's political leaders must be prepared to endure the cascading destabilization that could result from capital flight, severe pressure on the rupiah, declining investment rates, slowed production, layoffs in industrial and service sectors, and a contracting tax base.

This is the tremendous, though often unwitting, structural power that mobile in-

vestors exert in today's international political economy. It is obvious that Suharto possesses a subtle understanding of these forces. It remains to be seen in the months and years ahead if those eager to replace him do as well.

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## SUHARTO ANNOUNCES NEW CABINET

*BBC, March 20, 1993, Saturday*

*Radio Republic of Indonesia in Indonesian*

*Excerpts from 17th March announcement by President Suharto on new cabinet; live*

In the name of Allah the Merciful and the Compassionate, honourable journalists, my fellow countrymen: Peace be upon you.

Tonight [17th March], I will announce my first step after my election by the People's Consultative Assembly [MPR] as president of the Republic of Indonesia on 11th March 1993. This pertains to the composition of a cabinet that I will lead...

The cabinet under my leadership will strictly adhere to Pancasila as the ideological foundation, the 1945 Constitution as the constitutional foundation and the 1993 Broad Outline of State Policies to be implemented during the Sixth Five-Year Development Plan and other MPR resolutions in force from 1993 to 1998, including MPR Resolution No 2/MPR/1978 on Guidelines on the Perception and Implementation of Pancasila or Eka Prasetya Pancakarsa [Sanskrit for "one loyalty and five aims"] as the operational foundation.

By understanding these foundations, seriously attending to the people's hopes and wishes and perceiving the spirit of the recent MPR General Session, I define the main duties and target of the cabinet in the next five years as follows:

1. To continue, enhance, deepen and broaden national development as a means to implement Pancasila on the basis of the trilogy of development and the archipelagic concept to enhance national resilience and self-reliance.
2. To enhance national discipline to be pioneered by the state apparatus with a view to establishing a clean and authoritative government that will render services to the Indonesian people.
3. To institutionalize the mechanism of national leadership on the basis of the 1945 Constitution, the Pancasila ideology, Pancasila Democracy and the Eka Prasetya Pancakarsa in state, national and social life.
4. To implement a free and active foreign policy based on the principles of peaceful coexistence in bilateral, regional and global

relations for the sake of national development.

5. To hold a direct, general, free and secret general election in 1997.

These duties are known as Panca Krida Kabinet Pembangunan [Five Duties of the Development Cabinet] and I name the cabinet the Sixth Development Cabinet...

In accordance with the constitutional provisions, the vice-president is an assistant to the President. In this regard, I assign the vice-president to plan and conduct supervision. Both internal and external supervision must be continuously enhanced until it is institutionalized. The internal supervision to be conducted by the Vice-President is to reach the first echelon of departments, offices of state ministers and non-departmental government agencies. In addition, the Vice-President is assigned to supervise large projects. Serious attention must be paid to ensure that external supervision proceeds in addition to internal supervision. For this purpose, the Vice-President's office will accommodate all kinds of information from the general public and subsequently process and use this as a resource for necessary measures.

Supervision is necessary to improve government control and the implementation of development programmes in general, and to prevent and suppress abuse of power, waste and misappropriations. The full composition of the Sixth Development Cabinet is as follows: Minister of Home Affairs Yogi S. Memet Minister of Foreign Affairs Ali Alatas S.H. [Master of Law] Minister of Defence and Security Gen. Edi Sudrajat Minister of Justice Haji [Islamic title] Utoyo Usman S.H. Minister of Information Haji Harmoko Minister of Finance Drs [Master of Arts] Mari'e Muhammad Minister of Trade Prof Dr Satrio Budiarjo Yudono Minister of Industry Ir [Master in Engineering] T. Aribowo Minister of Agriculture Dr Ir Syarifudin Baharsyah Minister of Mining and Energy I.G. Sujana Minister of Forestry Ir Jamaludin Suryohadikusumo Minister of Public Works Ir Radinal Mochtar Minister of Communications Dr Haryanto Danudirto Minister of Tourism, Posts and Telecommunications Joop Ave

Minister of Cooperatives and the Upbringing of Small Businessmen Drs Subiyakto (?Cakrawardaya) Minister of Manpower Drs Abdul Latief

Minister of Transmigration and Forest Settlements Ir Siswono Yudohusodo Minister of Education and Culture Dr Ir Wargiman Joyonegoro Minister of Health Prof Dr Suyudi Minister of Religious Affairs Dr Tarmizi Taher

Minister of Social Affairs Mrs Dra [Master of Arts] Endang Kusuma Intan

Suweno Minister/State Secretary Drs Murdiono

Minister of State and Cabinet Secretary Drs Sayadilah Mursid MPH [Master of Public Health] Minister of State for National Development Ir Drs Ginandjar Planning and Chairman of the National Planning Development Board Kartasasmita Minister of State for Research and Technology, Chairman of the Board for Technological Application and Research, and Head of the Strategic Industrial Board Prof Dr Ir B.T. Habibie

Minister of State for Food Affairs and Head of the Logistics Board Prof Dr Ibrahim Hassan

Minister of State for Population and Head of the National Family Planning Board Dr Haji Haryono Suyono

Minister of State for Investment and Chairman of the Investment Coordinating Board Ir Sanyoto Sastrowardoyo

Minister of State for Agrarian Affairs and Chairman of the National Land Agency Ir Sonny Harsono Minister of State for People's Housing Ir Akbar Tanjung Minister of State for Environment Ir Sarwono Kusumaatmaja Minister of State for Women's Affairs Mrs Mien Sugandhi Minister of State for Youth and Sports Haryono Isman Minister of State for Administrative Reform T.B. Silalahi

Coordinating Minister for Economics, Finance, and Industry and Development Supervision Prof Dr Saleh Afiff Coordinating Minister for Industrial and Trade Affairs Ir Hartarto Coordinating Minister for Politics and Security Susilo Sudarman Coordinating Minister for People's Welfare Ir Azwar Anas

In addition, there are state officials accorded ministerial ranks. They are: Governor of Bank Indonesia [Central Bank] Dr J. Sudrajat Jiwandono

Commander of the Armed Forces of the Republic of Indonesia Gen Edi Sudrajat Attorney General Singgih S.H.

I will swear in the ministers of the Sixth Development Cabinet, the Attorney General and the Governor of Bank Indonesia on 19th March 1993. Thank you and peace be upon you again.

## PROFILES OF KEY MEN IN NEW SUHARTO CABINET

*The Straits Times, March 18, 1993*

*BYLINE: Paul Jacob, Jakarta Correspondent*

*Excerpts*

The new Indonesian Cabinet line-up, named by President Suharto last night, is aimed at pushing forward his sixth-term goal

of maintaining tried and trusted policies for economic growth and political stability. The following are brief sketches of some of the key men in the line-up:

**Co-ordinating Minister for Political and Security Affairs: General Soesilo Sudarman, 64.**

A long-time Suharto ally and senior former military man, he was Ambassador to the United States from 1985 until his recall in 1988, when he was appointed Minister for Tourism, Post and Telecommunications.

A retired three-star general, he has served in key command positions throughout the country.

**Defence and Security Minister: Gen. Edi Sudrajat, 54.**

In appointing the Indonesian armed forces chief to the concurrent position of Defence and Security Minister, Mr. Suharto has reverted to the previous practice of having one man hold two jobs to ensure greater efficiency and effectiveness.

He is expected to eventually relinquish his post of army chief to deputy Wismoyo Arismundar.

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## ABRI REASSERTS SELF

*By Leah Makabenta*

(IPS, Jakarta, March 29) The Indonesian military is moving ahead to secure its stake on the national leadership as the country approaches the end of the Suharto era. Diplomats and analysts say the armed forces, known by the acronym ABRI, have succeeded in strengthening their position in the complicated maneuvering for the succession to aging President Suharto, who was re-elected to a probable last five-year term this month.

"The way ABRI pulled the vice-presidential nomination of (former ABRI commander) Try Sutrisno was masterful. Now it is in a position to take over when Suharto goes," said a Jakarta-based diplomat.

Suharto is only the second president in Indonesia's 48-year post-independence history, taking over from President Sukarno after crushing a alleged Communist-led coup attempt in 1965. Thousands of Indonesians were killed in the anti-Communist purge that followed, and Suharto has since ruled the world's fourth most populous country with an iron hand, with strong backing from ABRI. That partnership began to cool through Suharto's 27-year rule, however, as the president built up his own power base to secure his successive re-elections. Suharto had been the only candidate in each of the past six presidential elections.

The 72-year-old former general has won much credit for bringing political stability and economic prosperity to his country

after the turbulent rule of his charismatic predecessor. But Suharto's patronage of big business interests – mostly Chinese – and Muslim political forces worried ABRI, which has a strong belief in its role as guardian of a unified and non-sectarian state. Analysts say that around the time of the 1988 presidential election, ABRI had become concerned that Suharto's apparent disinclination to secure the succession would bring instability, growing unease over economic inequalities and agitation from the indigenous Muslim majority. Having failed to get Suharto to accept their vice-presidential choice in 1988, ABRI wanted to see its own man in place to ensure military dominance.

Their choice fell on Try, who was once Suharto's adjutant, but it is by no means sure that he will be the anointed successor. "Try is in the best position to succeed, but Suharto and even ABRI may have other ideas by then," said a politician from the Christian-backed Indonesian Democratic Party (PDI). The drive to reassert its authority comes at a particularly crucial time for ABRI. Since 1990, internal debates have been going on in ABRI over its dual role as a civilian and military organization. The military's role in politics is fiercely debated amid the dramatic social changes that Indonesia is undergoing. The country's increasing wealth has brought rising expectations, clamor for democracy and a more open political system. Many analysts who foresee a period of instability in the post-Suharto era say a military successor is not necessarily bad. Unlike in other Southeast Asian countries, the military is not the most conservative institution here, said one diplomat. "The level of education in ABRI is quite high. They think about the future; they could be a more progressive force than the politicians in the ruling Golkar party," he added.

Even those in anti-government and progressive circles agree that ABRI's success in putting its own vice-presidential candidate in place is a new, positive factor. "There is a faction in the army which is for social change, young generals of the post-Suharto generation," said a former political detainee. "They would like to keep the establishment intact, but want more democratic freedoms, less corruption."

Human-rights lawyer Adnan Buyong Nasution said that, "Suharto now has to reckon with another factor. Between the two forces, the people watch, they don't take sides, they see if there are any loopholes for change." ABRI has been known to support the Christian-backed PDI, one of two officially sanctioned opposition parties.

The other is the Muslim-led United Development Party (PPP). Ben Mardun, a

PDI representative in the People's Consultative Assembly (MPR) says that from his discussions with the military, he believes ABRI would be more open to democratization. "They want to anticipate the democratization process. They know that too much power would be very dangerous for them, they have to democratize," he said. But analysts say ABRI has its own internal problems, including that of discipline.

Many members are said to be engaged in business, though only on an incidental scale, and there are many more who reportedly misuse their power. When it wants to do something, however, ABRI can do it, said the diplomat. If it wants to promote democracy, it can do so, he added. The organization is also deeply divided, although Adnan believes it is very well united at present. Said Adnan: "The fact that ABRI was able to influence all the other factions in the MPR (behind Try) – the Muslims, the PDI, the Golkar and the regional representatives – showed that the army is a very united force now."

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## SUHARTO EXCLUDES ARMY FROM CABINET

*By Max Lane, Green Left News, March 30*

After having being forced to accept the armed forces (ABRI) vice-presidential candidate, Try Sutrisno, President Suharto has chosen a new cabinet which deliberately excludes figures close to ABRI. It comprises a select few older political cronies who have neither a political base nor any political authority in the eyes of the political elite and the mass of the population.

The two key political positions went to retired generals of Suharto's generation who owe their long and unspectacular careers to Suharto. The former transmigration minister, retired General Soesilo Sudarman, replaces aged retired Admiral Sudomo as minister for political and security affairs. The former governor of West Java, retired General Yoggie Memet, has been appointed minister for home affairs.

Green Left Weekly's Jakarta sources say that ABRI lobbied unsuccessfully for a senior political appointment for General Harsudiyono Hartas, ABRI's chief spokesman on political and social affairs.

By excluding people with ABRI connections, Suharto is prolonging the conflict with military headquarters. This guarantees that ABRI will continue its oppositional role and will most likely use its representation in parliament to raise issues that embarrass Suharto. Thus the military will continue its contradictory role of being vocal in support of modest democratic reform in parliament

and in Jakarta while implementing repressive measures against grassroots activism and against the movement for self-determination in East Timor.

Most of the senior cabinet appointments in the economic and technocratic ministries have gone to close associates and collaborators of Suharto's initial choice as vice-president, industry and technology minister Habibie. These appointments serve Suharto in two ways.

First, they keep power away from ABRI by concentrating control over government departments in the hands of those most personally loyal to Suharto. Second, they remove from the cabinet those economic ministers closest to the World Bank and IMF and who have operated as a brake on the extravagant commercial activities of Suharto's children and cronies.

In particular the former senior economic ministers, such as Ali Wardhana, fought to postpone or even cancel many mega-projects initiated by the Suharto children or cronies and which relied on massive commercial loans from private foreign banks. The IMF-World Bank-oriented ministers always tried to keep foreign borrowing within the limits set by the consortium of imperialist governments that decides annually upon new credits for Indonesia.

The new ministers have a record of supporting state-guaranteed business mega-projects.

So far ABRI has remained silent on the cabinet. Economists supporting deregulation and privatization (excluding privatization into the hands of the children and cronies) have stated their concerns about the cabinet.

At the grassroots level, most concern and contempt has been expressed towards the new minister for labour, Abdul Latief. Latief, 53, was the founder and first chairman of the Young Businessmen's Association in 1972-3. He is now the millionaire managing director of a major Jakarta department store business. This is the first time a prominent Jakarta capitalist has been appointed labour minister.

*Comment from John MacDougall: The headline is misleading. There are nine Armed Forces members in the Cabinet, 7 Army, 1 Navy, 1 Air Force.*

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## SUHARTO TO ATTEND G7 SUMMIT?

*[Radio Japan/NHK 12 Mar 93]*

The Japanese government has decided to propose to the Group of Seven industrial countries that Indonesian President Suharto be invited to Japan just before the Tokyo summit in July. The government will make the proposal on Friday in the Group of

Seven three-day working-level meeting in Hong Kong. Japan will propose to invite President Suharto to Tokyo prior to the summit to consider the views of the Non-Aligned Movement, of which the President is chairman, but some industrialised nations are reluctant to invite Mr. Suharto to Tokyo as a formal participant in the summit.

#### FROM BRUNO KAHN, MARCH 20:

According to a source, G7 members have no intention to invite Suharto to attend the G7. The (non-) move is directed against the NAM, which is not supposed to "play in the big ones' courtyard." Inviting Suharto in Tokyo a few days before the summit is merely a face-saving gesture.

#### CANADA'S BARBARA MCDOUGALL: INDONESIA WILL NOT BE AT G7

*Letter from Barbara McDougall, Secretary of State for External Affairs of Canada, to East Timor Alert Network/Toronto. Full text*

*Comment: McDougall has decided not to seek the leadership of the Conservative party, now up for grabs, and will be retiring from politics this year. However, she seems to still be toeing party line on Indonesia.*

March 9, 1993

Thank you for your letter of December 9, 1992, regarding Indonesia.

Indonesia has not been invited to the G-7 summit in July. In its capacity as current leader of the Non-Aligned Movement, Indonesia has requested attendance, but to date this has not been accepted by this year's host, Japan.

At the 1992 meeting of the United Nations Commission on Human Rights (UNCHR), Canada was instrumental in achieving a strongly-worded consensus text condemning Indonesian actions in East Timor and demanding an appropriate response. Canada intends to take a similar approach in concert with other like-minded countries during the current UNCHR in Geneva. This was clearly expressed to Foreign Minister Alatas in the context of the Association of Southeast Asian Nations Post Ministerial Conference in Manila last July.

Indonesia has announced that in the spring of 1993 it will establish a National commission on Human Rights. Canada views this as a positive step, but is awaiting further information about the financing of this commission and the extent of its independence from the government.

Thank you once again for writing to express your concerns.

Yours sincerely,  
Barbara McDougall

#### SUHARTO INTENDS TO ATTEND SUMMIT

*Japan Times April 8, 1993, Unabridged*

Indonesian President Suharto is determined to visit Tokyo to address leaders of the Group of seven nations in July, despite Japanese pressure to stay away, government sources said Tuesday.

Japan sent Deputy Foreign Minister Koichiro Matsuura to Jakarta last weekend for secret talks, and proposed Suharto meet Prime Minister Kiichi Miyazawa as soon as possible.

But Suharto, who wants to attend the summit as leader of the Nonaligned Movement and present its views, did not accept the offer.

#### INDONESIA'S NEW AMBASSADOR TO INDIA

##### Bio-data on Lieutenant-General Adolf Sahala Radjagukguk, Indonesian ambassador to India

*From TAPOL, March 26.*

In February 1993, Lieutenant-General Sahala Radjagukguk, was appointed Indonesia's ambassador to India. It is important for the international community to know that this general's hands are stained with the blood of the East Timorese people. An East Timorese refugee who was held as a captive at Radjagukguk's headquarters for several years described him as "one of the most murderous Indonesian officers to do service in East Timor."

Adolf Sahala Radjagukguk graduated from the National Military Academy in 1961 and rose through the ranks as an infantry soldier and company commander. He served as commander of the sub-regional military command, Korem 164/Wira Dharma, covering the territory of East Timor, from March 1979 until late 1982. From 1986 until August 1987, he again held responsibility for East Timor, this time as commander of the regional military command, Kodam IX/Udayana, based in Bali, whose territory includes East Timor. Thereafter he became commander of Kostrad, the Army's Strategic Command which controls special, rapid-deployment infantry battalions for use in 'troublespots,' including East Timor. His last army post before becoming ambassador to Indonesia was as deputy chief-of-staff of the army.

He is widely recognised to be a close associate of General Benny Murdani who commanded the invasion of East Timor and has been deeply involved in the military campaign against East Timor ever since.

Radjagukguk's tour of duty as 164/Wira Dharma military commander from March 1979 until late 1982

During the period when Lt. General, then Colonel, Radjagukguk commanded the East Timor military command, Indonesia's war against the East Timorese resistance underwent significant change. When he took over, the leadership of Fretilin's armed resistance had just been all but destroyed, culminating in the murder of Nicolau Lobato, chairman of Fretilin on 31 December 1978.

However, Fretilin forces quickly regrouped under their new leader, Xanana Gusmão and by early 1981 were again posing a serious challenge to the army of occupation, now commanded by Radjagukguk. The armed resistance was fighting under very different circumstances however; by now, after some 200,000 East Timorese had been killed during the army's ground and aerial 'encirclement and annihilation campaign' of the late 1970s, most of the surviving population had been driven into encampments (pemukiman) under army control. Fretilin forces, now fighting a classic guerrilla war with highly mobile units against the army of occupation, were able to establish a network of contacts with the encampments where the population was forced to live.

By early 1981, Fretilin forces had again become such a threat that Radjagukguk launched a huge fence-of-legs [pagar-betis] campaign against the guerrilla forces. During this campaign, tens of thousands of East Timorese men over 14 years old were forced to participate in a mass encirclement. A huge circle was created, covering much of the countryside, using East Timorese who moved forward in order to drive the guerrillas back and eventually corner them. As a military operation, Radjagukguk's fence-of-legs was a failure, largely because the East Timorese required to take part did what they could to help guerrillas escape, rather than handing them over to the army.

However, pagar betis caused serious hardship and more casualties for those forced to take part, many of whom returned home ill and exhausted through lack of food. The absence of men from their homes also had a devastating impact on food production in and around the pemukiman.

It was this campaign that caused the then Apostolic Administrator of Dili, Msgr. Martinho da Costa Lopes, to start speaking out against the forces of occupation, leading to his eventual enforced retirement in 1983. Later, after leaving East Timor, Msgr. da Costa Lopes told TAPOL: "During the three months of July, August and September (1981), all the people, all the males from young boys to men in their fif-

ties, were away on these operations. They returned home weak and exhausted. As a result, the fields were not prepared for planting new crops... Indeed there was a serious shortage of food during those years, 1981 and 1982." [TAPOL Bulletin, No. 59, September 1983]

The East Timorese refugee quoted above, Cristiano Costa, who is now living in Australia, had been captured by the army in 1979 and was one of those forced to take part in the pagar betis campaign.

After the failure of this campaign, the army under Radjagukguk's command developed a new strategy to isolate the guerrillas in the bush from the centres of population under Indonesian control. The details of this strategy became known through the capture of nine secret military documents which were smuggled to the outside world. Some of the documents were signed by then colonel Radjagukguk and some by his chief of intelligence, Major Williem da Costa. They explained how the population must be monitored at all times, prevented from travelling out of the pemukiman, and forced to reveal the whereabouts of relatives fighting with the resistance. One document instructed troops on the conduct of interrogation teams towards captured guerrillas and the use of torture. This document [PROTAP/B-1/VII/1982], which was signed by Colonel Radjagukguk himself, became the basis for a major campaign by Amnesty International, exposing the officially-endorsed use of torture by the Indonesian army of occupation in East Timor.

All nine documents were reproduced in English translation, in *The War Against East Timor*, by Carmel Budiardjo and Liem Soei Liong, Zed Books, 1984.

Hence, Lt-General Radjagukguk's two major contributions to Indonesia's campaign to crush the East Timorese resistance were the 1981 pagar betis campaign and the campaign to control centres of population. The latter campaign continued to be the backbone of Indonesian strategy in East Timor for many years after Lt. General Radjagukguk ended his tour of duty as 164/Wira Dharma Korem commander.

London, 26 March 1993

*East Timorese wherever they are who have personal experience or recollections of Adolf Sahala Radjagukguk are kindly requested to write this down and send it as a response to this topic or, if they wish to maintain their anonymity, to send it in confidence to TAPOL, 111 Northwood Rd, Thornton Heath, Surrey CR7 8HW, UK*

## **HUMAN RIGHTS: BACKGROUND PAPERS**

### **INDONESIA/EAST TIMOR A NEW ORDER? HUMAN RIGHTS IN 1992 (AI)**

*Due to space limitations, we cannot reprint the 20-plus page report, dated February 1993. It is designed as AI Index: ASA 21/03/93, and is available from Amnesty International offices around the world. A few sections follow.*

#### **INTRODUCTION**

In the past year the Indonesian Government has taken a number of unprecedented initiatives which appear to signal a positive shift in its attitude toward human rights. Yet the grim factual record of human rights practice in 1992 tells a different story. Political killing, "disappearance," torture, arbitrary detention, political imprisonment and the use of the death penalty have continued without significant interruption, despite intermittent changes in the level and nature of violations reported in particular regions. The violations have not been confined to East Timor but have occurred throughout the territory under Indonesian rule.

Government forces extrajudicially executed and "disappeared" scores of alleged supporters of independence in Aceh and East Timor in 1992, as well as criminal suspects in Jakarta and other cities. Torture and ill-treatment of political detainees, peaceful demonstrators and criminal suspects continued to be common and resulted in some deaths. Hundreds of people were arrested and held without trial for up to two years as suspected opponents of the government. More than 180 suspected government opponents were prisoners of conscience, including some 30 sentenced during the year. At least 300 political prisoners, and possibly many more, continued to serve lengthy sentences imposed after unfair trials. Twenty-two political prisoners were judicially executed between 1985 and 1992, most after serving more than twenty years in jail, and seven political prisoners remained on death row.

This report examines the record of human rights practice in Indonesia and East Timor since the Santa Cruz massacre of November 1991. It finds that there has been no fundamental change in the government's repressive posture toward political dissent, and that basic human rights continue to be violated in the name of national security, stability and order. It also finds that the

government's human rights initiatives, while certainly a step in the right direction, have not addressed the root causes of human rights abuse. The report concludes that human rights abuse has become institutionalized in Indonesia and East Timor, and that concrete measures are urgently needed to remedy the problem. To this end, Amnesty International offers a number of practical recommendations to the Indonesian Government and to the United Nations Commission on Human Rights which, if implemented, it believes would contribute to the future protection and promotion of human rights.

#### **1. AN OVERVIEW OF HUMAN RIGHTS IN 1992**

The gravest violations of human rights reported to Amnesty International in the past year have occurred in the context of counter-insurgency operations in East Timor and Aceh, where the government has continued to face both peaceful and armed opposition to its rule. In these areas, military authorities have been free to employ virtually any means - including unlawful execution, "disappearance," arbitrary detention and torture - in the interest of maintaining national security, and destroying what the government calls *Gerakan Pengacau Keamanan* (Security Disruptors Movements). Yet, as the evidence in this report demonstrates, the human rights problem is not confined to areas of rebel activity. Serious violations occur throughout the country, including on the most populous island of Java and in the major cities. Here, too, it is the logic of national security which is frequently used to justify violations by government security forces.

The most widely reported human rights abuses have occurred in East Timor, the former Portuguese colony invaded by Indonesia in 1975, and still occupied in defiance of United Nations General Assembly and Security Council resolutions. In Amnesty International's view, the human rights situation there has not improved since the Santa Cruz massacre of 12 November 1991, in which at least 100 peaceful demonstrators, and possibly many more, were killed by Indonesian forces. While there has been no single incident on a comparable scale in the past year, the overall pattern of human rights violations - encompassing short term detention, torture and ill-treatment of suspected political opponents, intermittent political killings and "disappearances," long-term political imprisonment after unfair trials, and the intimidation of relatives and human rights workers - has continued unabated.

Far less well known, and certainly less widely reported, has been the pattern of

grave violations in Aceh, where an armed secessionist movement, *Aceh Merdeka*, has been active since early 1989. *Aceh Merdeka* is reported to have committed some abuses against the civilian population; Amnesty International condemns these unreservedly. However, human rights violations by government forces in Aceh have been both more systematic and more widespread. An estimated 2,000 civilians, including children and the very elderly, have been unlawfully killed, sometimes in public executions; hundreds, possibly thousands of villagers have been arbitrarily arrested on the merest suspicion of supporting *Aceh Merdeka*; many of those detained have been held incommunicado for long periods, and subjected to ill-treatment and torture to extract confessions or political intelligence; and more than 50 have been sentenced to lengthy prison sentences after unfair trials, including some who neither used nor advocated violence.

The absolute level of political killings and other violations reported from Aceh has subsided somewhat in the past year. However, in Amnesty International's view, it would be wrong to conclude from this evidence that there is no longer a serious human rights problem in the area, or that the situation does not warrant urgent international concern. There are at least three reasons why.

First, as the evidence in this report suggests, grave violations do continue, even if on a reduced scale. That the cases of political killing, "disappearance" and arbitrary arrest reported in 1992 were in the scores rather than the hundreds or thousands is small consolation to the victims, or to the relatives of those killed or still missing. Second, the relative "peace and order" which now prevails in Aceh does not appear to reflect any significant change in the policies or practices of the Indonesian security forces. It reflects, rather, a significant decline in open opposition to the government and a pervasive fear of government retribution on the part of ordinary people living in areas of suspected rebel activity. Under the circumstances, a pattern of grave and widespread violations may quickly re-emerge in the event of renewed opposition to Indonesian rule. Third, thorough, independent and impartial investigations of the violations committed over the past four years have not yet been carried out, nor have the suspected perpetrators been brought to justice. Not only does this leave unresolved the fate of thousands of victims, it sends a clear message to the perpetrators that such violations can be committed with impunity, thereby making future violations even more likely to occur.

The same combination of factors which has given rise to serious violations in Aceh and East Timor has also been evident outside the areas of rebel activity. Taken together, the pervasive rationale of national security, the preponderant influence of the military, and the failure to investigate abuses and bring the suspected perpetrators to justice, has contributed to the institutionalization of a pattern of grave human rights abuse throughout the country.

...

## 9. CONCLUSIONS AND RECOMMENDATIONS

The Indonesian authorities have stated that the November 1991 Santa Cruz massacre in East Timor was an isolated incident, an unfortunate aberration in an otherwise acceptable pattern of behaviour by government security forces. However, the information available to Amnesty International indicates that this is far from the truth. In the quarter of a century since the current regime came to power, the Government of Indonesia has been responsible for a staggering range of violations of human rights, of which the November 1991 massacre was only one of the most widely publicized examples. Extrajudicial execution, "disappearance," political imprisonment, torture and the death penalty have become part of an institutional repertoire for dealing with political dissent and other perceived threats to national security, stability and order throughout the country. Amnesty International believes that, unless concrete measures are taken promptly, there is every likelihood that this pattern of abuse will continue.

Amnesty International offers the following recommendations which, if implemented, it believes would contribute toward the future protection of basic human rights in Indonesia and East Timor. Most of the recommendations are based on the principles and standards enshrined in international human rights law, particularly the International Covenant on Civil and Political Rights (ICCPR) and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT). Some of the recommendations are also based on standards set out in the following United Nations (UN) instruments: The Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, adopted by the UN General Assembly in December 1988; and The Principles on the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions, adopted by the UN Economic and Social Council in May 1989.

## Recommendations to the Government of Indonesia

To prevent the occurrence of extra-judicial execution, Amnesty International urges the government to:

1. prohibit by law all extra-legal, arbitrary and summary executions and ensure that any such executions are recognized as criminal offenses and are punishable by penalties which take into account the seriousness of such offenses;
  2. invite the UN Special Rapporteur on summary or arbitrary executions to visit Indonesia and East Timor in order to conduct a full investigation of the human rights situation there;
- To protect detainees against torture, other ill-treatment or "disappearance," Amnesty International urges the government to:
3. ensure that all detainees, including those held for suspected national security offenses, are permitted prompt and regular access to legal counsel of their choice and to doctors and relatives;
  4. establish and maintain centralized public registers of all people detained in all parts of the country, to be updated on a regular basis and made available to detainees, family and lawyers;
  5. prohibit explicitly by law, all forms of torture and other cruel, inhuman or degrading treatment or punishment; and ensure that all such acts are recognized as criminal offenses and are punishable by appropriate penalties which take into account the seriousness of such offenses;
  6. take all necessary steps, including the effective enforcement of existing legislation and the introduction of further legislation, to ensure that statements extracted under torture cannot be admitted as evidence during legal proceedings, except against a person accused of torture as evidence that the statement was made.
  7. invite the UN Special Rapporteur on Torture to conduct a follow-up visit to Indonesia and East Timor, to assess implementation of the recommendations set out in the report of his November 1991 visit.

To ensure that national security interests are not and cannot be invoked to imprison, or justify execution of, people for the peaceful exercise of their right to freedom of expression, Amnesty International urges the government to:

8. conduct a thorough review of all legislation pertaining to national security and public order, and promptly repeal the Anti-Subversion Law;

9. release immediately and unconditionally all those held solely for the non-violent expression of their political or religious views;
- 10 take immediate steps toward the abolition of the death penalty, including the suspension of its application and commutation of all sentences currently imposed.  
To ensure that members of the security forces cannot commit human rights violations with impunity, Amnesty International urges the government to:
- 11 bring to justice before a civilian court all members of the security forces suspected of committing human rights violations;
- 12 ensure that all those suspected of committing human rights violations are immediately disarmed and removed from active service;
- 13 establish an independent and impartial body whose duty is to initiate prompt and thorough investigations into all reports of human rights violations.  
To demonstrate commitment to international human rights standards, and to encourage their full and effective implementation, Amnesty International urges the government to:
- 14 ratify or accede to the International Covenant on Civil and Political Rights (ICCPR), as well as the (first) Optional Protocol of the ICCPR, which permits the Human Rights Committee to receive individual complaints;
- 15 ratify or accede to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) and recognize the competence of the UN Committee against Torture to receive individual complaints (article 22), and to hear inter-state complaints (article 21);
- 16 permit the regular and unhindered monitoring of human rights in Indonesia and East Timor by national and international humanitarian and human rights organizations, including Amnesty International;
- 17 Welcome international observers at political trials.

#### **Recommendations to the UN Commission on Human Rights**

In view of the grave concern about human rights in Indonesia and East Timor expressed in a consensus statement at the 48th Session of the UN Commission on Human Rights, and in Resolution 1992/20 of the 44th Session of the UN Sub-Commission, Amnesty International urges the UN Commission on Human Rights to:

1. seek a systematic follow up, through the UN Commission on Human Rights, to the January 1992 report of the Special Rapporteur on Torture on his visit to Indonesia and East Timor;
2. seek a full report to the UN Commission on Human Rights by the UN Secretary-General regarding the results of the visit to East Timor in February 1992 by his emissary Mr. Amos Wako;
3. encourage the Government of Indonesia to invite the UN Special Rapporteur on summary or arbitrary executions, and the Working Group on Arbitrary Detention, to visit Indonesia and East Timor in order to conduct full investigations of the human rights situation there;
4. seek effective means whereby the regular monitoring of the human rights situation in Indonesia and East Timor under UN auspices can be assured.
5. urge the Indonesian Government to permit the regular and unhindered monitoring of human rights in Indonesia and East Timor by national and international humanitarian and human rights organizations, including Amnesty International;
6. encourage the Government of Indonesia to ratify or accede to the International Covenant on Civil and Political Rights (ICCPR), as well as the (first) Optional Protocol of the ICCPR, which permits the Human Rights Committee to receive individual complaints;
7. encourage the Government of Indonesia to ratify or accede to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) and recognize the competence of the UN Committee against Torture to receive individual complaints (article 22), and to hear inter-state complaints (article 21).

### **THE HUMAN RIGHTS CRISIS IN EAST TIMOR: REGIONAL AND GLOBAL PERSPECTIVES**

*From Newsletter, February 1993, published by the Student Union of Hannover University, Germany*

*by Shambhu Chopra, Jurist, member of the International Council of the International Platform of Jurist for East Timor*

#### **Introduction**

In this paper, I have thought to focus upon some of the regional and global perspectives of the human rights crisis in East Timor and to offer some suggestions for

finding a peaceful solution to this highly vexatious issue. The array of highly distinguished jurist, professors and intellectuals assembled here at this august gathering have, studied the various dimensions of the Indonesian occupation of East Timor and would be placing their analyses, deductions as well as their suggestions for ending the occupation within the scope and ambit of international law and the applicable international instruments concerning this subject.

In my humble view, apart from the other legal perspectives, the human rights perspective is perhaps the most vital significance as it would also encompass the relevant legal questions and issues concerning us today, which may be brought up for discussion by other learned speakers.

I have attempted to briefly focus first upon the human rights dimension, and then on the regional and global dimensions, and, finally, have tried to put forward for consideration some suggestions which could form the basis for deciding about a possible course of action for finding a permanent, peaceful and negotiated settlement of the human rights crisis in East Timor.

At the very outset, I wish to be pardoned for my rather simplistic approach to this subject, which has indeed drawn the attention of very eminent jurists and scholars and has been studied in-depth from almost all angles and perspectives. As a public interest lawyer and as a human rights activist, it is rather difficult not to get emotionally affected whenever one thinks of the terrible sufferings of the East Timorese people and of their sad plight especially at a time when we are fast approaching the 21st Century.

#### **The Human Rights Approach**

It is a self-evident truism that almost all the international instruments on human rights existing today including the Universal Declaration of Human Rights, the two Covenants, the U.N. Charter, as well as the various U.N. Security Council and General Assembly Resolutions and Declarations have been violated by Indonesian Occupation Forces, blatantly and with impunity in East Timor.

Thousands of men, women and children have been killed, injured or tortured ever since the occupation began and despite worldwide condemnation, the atrocities being committed upon the innocent people there continue unabated. The recent farcical trials of the youth arrested in November 1991, agitations and demonstrations resulting in the Santa Cruz Massacre, have shown without any shadow of a doubt that the Indonesian Authorities have no desire to give up their hold over, and control of East Timor.

In my perception and to the best of my knowledge, the current situation in East Timor represents a human rights tragedy with few parallels in human history. The denial of the Right to self-determination and the denial of the Right to development has reduced the people of East Timor since the past four centuries, first under Portuguese rule and later under Indonesian rule, to a state of virtual slavery. Apart from the legal, political, economic and other considerations, the human rights crisis in East Timor remains a matter of the gravest concern and the world community should focus its attention upon it as well as to make efforts to stop forthwith the violations of the human rights of the people of East Timor. It is indeed a very sad commentary that despite the several international instruments of human rights in existence today, there are still certain peoples on this earth who are still suffering under colonial yoke. Any discussion on the legal questions of Indonesia's occupation of East Timor must necessarily, therefore, embrace and encompass the human rights perspective since any strategy for its liberation from colonial rule, must take into account the full restoration of all the human rights of its native population.

#### **Colonization by former colonies**

To a keen observer of history and of international affairs, it would be apparent that almost all post world war II attempts at colonization have been made by countries which were former colonies themselves. We have the example of Tibet occupied by China, a former colony of Japan and England, and, of Western Sahara by Morocco, a former colony of France. East Timor is a colony of Indonesia and so is West Papua and West Irian, which was itself a colony of Holland. Colonization by Western Powers ended in the aftermath of World War II, following the independence of India in 1947. Soon thereafter, as if by cue, one after another almost all former colonies became independent. However, China's occupation of Tibet is a little different from Indonesia's occupation of East Timor. Tibet was an independent sovereign country with the Dalai Lama as its Head of State, before China forcibly occupied it. East Timor, as we all very well know, was under Portuguese control and the election process was underway before Indonesia occupied it. We also have the example of some former European colonies which after independence, got absorbed into, or merged with larger or bigger former colonies. For example, Goa's merger with India, the cessation of certain French enclaves with India like the enclave of Pondicherry and Dahomey's incorporation of the Portuguese

enclave of Sao João Batista de Ajuda. However, it must be noted here that absorption appeared to be the only logical result for these enclaves, although, a small size or lack of economic viability cannot detract from the right of a former colony to achieve independence. And East Timor by no stretch of imagination, could be said to be an "enclave" of Portugal, just as the assumption of control over Hong Kong and Macao by China cannot be said, by the same yardstick, to be a part of Chinese territory, and their peoples cannot be viewed as not having any rights to self-determination. As Judge Nagendra Singh noted in the Western Sahara Case:

"Thus even if integration of territory was demanded by an interested state, as in this case, it could not be had without ascertaining the freely expressed will of the people - the very sine qua non of all decolonisation." (Western Sahara, Advisory Opinion, I.C.J. Reports 1975, Page 12 at 81).

The Declaration on the Granting of Independence to Colonial Countries and Peoples in 1960 adopted by the General Assembly vide G.A. Resolution No. 1514, 15 UN GAOR, Supp. (No. 16), UN DOC A/4684 (1960) first evolved this principle which was premised on the "necessity of bring to a speedy and unconditional end colonialism in all its forms and manifestations" (See preamble, para 2 Resn. No. 1514).

Ten years later in 1970, the legal questions arising in the Declaration on Colonial Countries were further clarified in the Declaration on Principles of International Law concerning Friendly relations and Cooperation among States in accordance with the Charter of the United Nations (G.A. Resn. 2625, UN. Doc. A/5217 (1970) at 121. Here, too, it was clearly premised that the future status of the territory should be determined by the free and genuine expression of the will of its contemporary inhabitants. Based on all these considerations, it is my firm view that international law is hospitable to, and sanctions, claims of self-determination and independence by an ethnic community like East Timor which fulfills all the requirements for "self-governance," as envisaged by general Assembly Resolution No. 1541 (XV) and General Assembly resolution No. 1514 of the United Nations.

#### **East Timor - A Regional Perspective**

The world is witnessing today very fast moving changes. The break up of the Soviet Union and the fall of the communist regimes in Eastern Europe on the one hand and the emergence of Namibia as an independent sovereign state, are harbingers of a new era

in international affairs. The dismantling of the remaining bastions of apartheid in South Africa is another positive development in this direction. The firm U.N. reaction to Iraq's occupation of Kuwait and the Security Council's resolutions permitting military action to drive out Iraq's occupation forces is an example of swift reaction to attempts or re-colonization.

Like Iraq's false and baseless claims of historical bonds with Kuwait, Indonesia too has tried to mask its occupation of East Timor on similar false and unjustifiable grounds. In all fairness, it should be noted that the U.N. General Assembly called for the withdrawal of Indonesian troops from East Timor and reaffirmed East Timor's right to self-determination (See G.A. Resn. 3485, 30 UN GAOR, Supp. (No. 34) 118, UN Doc. A /10034 (1975); SC Resn. 384, 30 UN SCOR, Resolutions and Decisions 10, UN Doc. S/Resn./384 (1975). Yet East Timor continues to remain firmly in control over it with no signs of any let up despite world-wide pressure and condemnation.

While governments, scholars and diplomats may debate the legal questions arising from Indonesia's occupation of East Timor, and whether or not it is limited to colonial situations, the ground reality is that East Timor continues to reel under foreign yoke. The sad tragedy of the situation is the East Timor is nobody's baby. It holds no special economic or strategic interest for Western Powers, like Kuwait does so as to precipitate military retaliation to them. It also bears no security or humanitarian risks for any neighbouring country like Bangladesh which eventually gave birth to a new nation in Asia. Moreover, East Timor cannot also be said to be part of any larger territory of some sovereign state in order to bring about a merger or absorption into it as was the case with Goa, Daman and Diu, which being an integral part-and-parcel of India since ancient times, finally merged into India after liberation from almost four centuries of Portuguese occupation.

Perhaps the nearest comparison to the East Timor situation could be made with that of the forcible occupation of Tibet by China. International law experts could well find several legal or other parallels in the two fact-situations, although prior to the Chinese occupation, Tibet was an independent country. China's long occupation of Tibet since 1949-50 and its ethnic cleansing of Tibetan culture and religion has provoked consistent world reaction. Yet, there has been no tangible outcome of the outcry against human rights violations in Tibet. The Government of India, unfortunately, and for reasons perhaps known best to it, has termed China's political domination and subjugation of Tibet as

China's own internal matter although it has provided political asylum to the Dalai Lama and thousands of Tibetan refugees in India. Hence, it would be significant to note here that, given its special responsibility of monitoring peace and liberty world-wide, unless the United Nations takes upon itself the onerous task of freeing all occupied territories on this Earth, fortified as it is with several General Assembly resolutions, declarations and mandates under its own charter, countries like East Timor, Tibet, Western Sahara, West Papua and all other colonized territories would continue to suffer the same fate which scores of newly independent countries once had to suffer in the colonial era.

### The Role of the United Nations

While it is not my desire or intention to comment upon the functioning of the United Nations at this forum or even to offer a critique of its many successes and failures, I perceive that there is undoubtedly an urgent need today to review and to reconsider the question whether the World Body has adequately subserved the fundamental interests of the entire world community instead of only those few select nations which are in a strong position either to dominate or to influence the decision-making processes inside the UNO. Perhaps the question of enlarging the membership of the Security Council to make it more representative of the world community, as is being raised in many quarters, and in particular, by India, Germany and Japan, does not seem to be without sound reasoning or proper purpose. It might well provide some food for thought for the distinguished gathering here to seriously consider as to how can the Security Council be made, not only be more representative of peoples from all the continents on this globe, but also as to how could it be made more reflective of fulfilling the needs and aspirations of the millions of poverty-stricken, impoverished and subjugated peoples in many parts of the world. It should not, in this age and time, become the handmaiden of a few powerful western colonial power-brokers.

### A Global Perspective of the East Timor Crisis

Against this backdrop, it would perhaps be more appropriate to view the East Timor issue not in isolation, but from a global perspective, as part of any international effort to bring about the liberation of men and women kept in bondage anywhere in this world. In this era of globalization, it is virtually impossible to keep silent anymore. The farcical trials of East Timorese youth in Jakarta following the Santa Cruz Massacre is no more the internal matter of Indonesia and East Timor alone, just as the ethnic

cleansing of Muslims in Bosnia-Herzegovina is no longer the internal matter of the Serbs, Croats and Bosnians. Law and social justice, cannot be allowed to remain distant neighbours anywhere and at any time. It is for us, international lawyers and jurists and informed intellectuals to provide the healing touch to the victims of human rights violations, wherever it might occur, as true citizens of the world. And it is for this reason, perhaps more than anything else, that an internationally acceptable, effective, permanent solution must be found to free all occupied territories in the world. This can be brought about, in my view, by adopting a global perspective towards this whole question of liberation of East Timor rather than viewing it as an isolated issue alone. A global approach as opposed to a narrow or parochialistic approach is the need of the hour, in this age of globalization.

### Suggestions and Conclusions

In my presentation, I have sought to highlight the human rights dimension of Indonesia's occupation of East Timor. It is my perception that the humanitarian and human rights concerns of the East Timor issue also broadly encompass the various legal questions and aspects relating thereto. No matter how much we debate and discuss the legal and juridical issues or questions from the perspective of international law, the quintessential question that continues to stare us in the face is that the battle of freedom that these poor people have been relentlessly waging against a much stronger adversary must be won for it is a battle for freedom and truth. As Lord Byron has said in one of his immortal poems:

*"For Freedom's battle once begun,  
Bequeathed by bleeding syre to son,  
Though baffled oft is ever won."*

It maybe perhaps be easy for the participants in this seminar to talk about the right to self-determination, about decolonisation, about human rights and freedoms available under the many covenants and conventions, declarations and resolutions of the United Nations General Assembly and the Security Council, but for the man who suffers under foreign and an alien regime, all such talk of human rights, liberty and dignity is but like a teasing illusion, like water is to a thirsty man in a desert. To me, it seems no real fun for us men of law to go on holding seminars and conferences on legal issues while ought remains to be done. The time to act in realistic and concrete terms has now come. Mahatma Gandhi once told someone that if you want to do something, do it. If you don't want to do it, go to a lawyer and he will tell you one hundred ways of how not to do it. So let us now put on our think-tanks and do some brain-storming as to how

we could evoke and raise world public opinion against the many atrocities being committed upon the innocent people of East Timor. Perhaps the most unfortunate reality in the present-day civilized world of ours, is, that despite having so many rights and freedoms guaranteed to us in as many international covenants, instruments and conventions, there is a total lack of international fora where these fundamental rights and freedoms could be enforced. They remain rights only on paper without any forum, court or tribunal where they could be enforced or implemented. For rights, undoubtedly, raise the whole question of remedies, and human rights, of whatever nature they may be, keep getting further enlarged under more and more international instruments; yet, sadly enough, no forum exists at the international level, leave alone the choice of choosing one's forum, for enforcement of these rights, the most basic of which remains the right to exercise self-determination. I am convinced in my mind, after having considered all the approaches and dimensions relating to the East Timor issue, that our collective efforts should be aimed at devising mechanisms and lobbying strategies to bring about a peaceful, negotiated and bloodless transfer of power in East Timor. By influencing world public opinion on the one hand and by highlighting the emancipation cause of the East Timorese people and on the other, at all international and regional forums, a situation for isolation of Indonesia could be created. An updated status report on the effects of Indonesia's encroachment upon East Timor's sovereignty should be prepared highlighting the continued human rights violations there. An emergency meeting of the Security Council should be summoned for the immediate and unconditional withdrawal of Indonesian occupation forces and for initiating a United Nations sponsored peace talks for installing an interim government in East Timor.

The independence of East Timor is not only an idea whose time has come, it is now a race against time. Let us be guided in this battle for truth by the noble motto of "Satyamev Jayate," which when translated from Sanskrit, means, "Truth alone shall triumph," for, in the eternal battle of good with evil, sometimes good wins over evil and vice-versa, but, in the ultimate analysis, it is truth and truth alone, that always triumphs.

## BACKGROUND TO THE CURRENT HUMAN RIGHTS SITUATION (FROM CANADA)

*Canada Asia Working Group to UN Human Rights Commission.*

East Timor achieved international prominence for the first time since the 1975 Indonesian invasion on 12 November 1991, when soldiers opened fire on a crowd of unarmed civilians at the Santa Cruz cemetery in Dili, the capital of East Timor. At least 100 people, and possibly as many as 273, were killed in the Santa Cruz massacre. [1] However, the Santa Cruz massacre was just one instance of a series of similar violations.

Since Indonesian troops invaded the territory in December 1975, and illegally annexed it in July 1976, a third of the population has died as a result of killings, bombings and famine brought on by the war. According to Amnesty International, the death toll is 200,000; sources in East Timor's Roman Catholic Church put the number at as many as 300,000 killed. [2] Figures compiled by the Canadian Institute for International Peace and Security peg the death rate at more than twice that of Cambodia under Pol Pot. [3]

Armed resistance to Indonesian occupation continues, although the focus has shifted to non-violent clandestine actions in cities and villages under Indonesian rule. At midyear, there were around 10,000 Indonesian soldiers in East Timor – half of them in territorial battalions, where their job is to keep control of Timorese civilians. [4] Brig.-Gen. Theo SYAFEI, new armed forces commander in East Timor, stationed between 40 and 60 soldiers in every village in the territory. [5] Repeated United Nations (UN) resolutions in the General Assembly have affirmed the right of the East Timorese to a free and fair act of self-determination, and have called for Indonesia to withdraw its troops from the territory. [6] In February 1991, the UN Commission on Human Rights made a consensus declaration calling on Indonesia to improve the human rights situation in East Timor and allow free access to the territory for humanitarian organizations and international human rights groups.

Despite this call, access to East Timor was increasingly limited in 1992. There have been no official delegations allowed in since a brief February mission by UN envoy Amos Wako. [7] In 1992, requests from American, Australian and European parliamentarians to go to East Timor were turned down, while Amnesty International and Asia Watch was banned from the territory. East Timor was closed to the media

throughout the year, with the exception of a BBC team during Indonesian elections in June and a Reuter correspondent in November. [8] Several journalists and ordinary tourists were expelled from East Timor during the year.

The "opening" of East Timor declared by President Suharto in 1989 seems to have finally come to an end. Despite the media blackout, however, information continued to reach the outside through tourist accounts, and sources in the Catholic church, and the East Timorese resistance. Reports signalled an increase in repression in the year since the Santa Cruz massacre, despite promises to the international community.

"Far from putting an end to the violations, the official reaction to the incident has been accompanied by commission of further serious violations, including arrest for political reasons, torture, ill-treatment and extra-judicial executions," Amnesty International has noted. [9] The appointment of a new governor for East Timor, José Abilio Osorio SOARES, signalled a harder stance. Soares, a leader of the pro-integrationist Apodeti party before 1975, is much more closely associated with the Indonesian military than was his predecessor, Mario Viegas CARRASCALAO. He began his rule by telling reporters that "In my opinion, there should have been more people killed (at Santa Cruz). Why did only that number die? Why not all the one thousand?" [10]

On 2 October, the United States ended its \$2.3 million International Military Education and Training (IMET) aid to Indonesia to protest against continuing denial of human rights in East Timor. [11] On the other hand, aid to Indonesia funneled through the Consultative Group on Indonesia (CGI) increased to \$4.94 billion. [12] Canada's suspension of \$30 million in aid remained in place.

### Violations of Individual and Collective Rights

Amnesty International reports that "In East Timor a pattern of short term detention, torture and ill treatment of alleged political opponents continues to be reported." [13] Widespread arrests were reported before major events to prevent pro-independence demonstrations. The last week of October, for instance, saw the arrest for short periods of 1,000 people, a staggering figure in a territory Indonesia says is pacified. [14] The arrests, announced by Governor Soares, were just part of a campaign to prevent demonstrations on the first anniversary of the Santa Cruz massacre, which also included the expulsion from Dili of anyone without proper identification

cards, house-to-house searches, and a pervasive military presence in the streets. [15]

Short term detentions of suspected dissidents invariably include intensive interrogation. "Forms of torture and ill-treatment include: electrocution; slashing with razor blades and knives, including inside the mouth; beating on the head, shins and torso with fists, batons, iron bars, bottles, rocks and lengths of electric cable; sexual molestation and rape; kicking with heavy military boots; burning with lighted cigarettes; threats and deliberate wounding with firearms; immersion for long periods in fetid water, isolation and sleep deprivation." [16]

One recent detainee was beaten with a wooden club, after which a soldier thrust a ballpoint pen into his penis. He was then kicked and beaten during interrogation, along with a group of 30 others. His experience is by no means untypical. [17]

Intensified repression was also reported around other significant dates. "Scores" were arrested in February as the Indonesian military went on full alert to prevent the landing of a Portuguese ship carrying 100 students and journalists who planned to lay flowers at Santa Cruz cemetery. [18] Hundreds of fully-armed riot troops patrolled Dili during the Wako visit and arrested several people who had been planning to demonstrate, including village chief Jacob FERNANDES. [19]

Security also tightened during the Non Aligned Movement summit in Jakarta. Thirty-three people (mostly high school students) were arrested in Dili during the summit [20], with a further 17 arrested in Viqueque. [21] Twenty-five were arrested in Maliana and underwent 120 hours of indoctrination. [22] Sunday mass was cancelled to prevent a march on 6 September, when 1,000 people gathered at Dili cathedral. [23]

News of earlier atrocities continued to come to light in 1992. In one example from 1990, Eurosia DA SILVA ALVES, a 15-year old student, was killed after her genitals were cut off and placed in her mouth and her breasts cut off and placed one in each hand. [24] Another report tells of 20 human hearts being found in a box by villagers outside Dili in November 1991. [25]

In October 1992, soldiers in Belo summarily executed Domingus AIKARAK and his relative Alcino Freitas BELO. At the same time, several dozen others were arrested. Five more people were killed the following day. [26] Another family member, Saturnino da Costa BELO, was arrested earlier with two of his brothers and an uncle near Baucau earlier. He was tortured daily until his ears, mouth and nose bled. [27] Seven young men in Viqueque were reportedly beaten until "their faces were

black” during a two-week period in detention. [28]

On 20 November, Indonesian troops captured Xanana GUSMÃO, leader of the armed resistance. Human rights organizations have expressed concern that he may have been tortured and drugged while in captivity. Access was not granted for the International Committee of the Red Cross until 7 December. [29] At least 60 of his family and associates were arrested over the following month in Manatuto, Dili and Same. [30] At least one of those detained, Jorge Manuel ARAUJO SERRANO, has reportedly been tortured to death. [31]

Indonesia holds at least 122 East Timorese political prisoners (tahanan politik), and probably far more. [32] According to resistance sources, more than 500 young Timorese are being held in camps and the homes of military officers “which are in fact slave houses and torture centres.” [33]

East Timorese continue to face jail simply for asking questions about government policy. Lucas Wilson BAUMA was arrested for writing a letter to the Indonesian press that disagreed with local government development priorities. [34] Yoanita de Yesu VIEGAS GALOCHU was charged with slander when she wrote a letter to the governor asking him to protect the life of her imprisoned husband. [35]

Freedom of association has also become more restrictive as authorities moved to crack down on independent youth groups that have sprung up in the last two years, a period when government policy officially aimed at winning the “love” of the Timorese. In November, the Young East Timorese Catholic Students Organization and Fitun (Tetun for “star”) officially dissolved themselves – almost certainly a result of government threats. [36] Both groups had been part of a youth federation that organized the 12 November 1991 demonstration.

### Thematic Concerns

#### 1. Right to development

Indonesia has used “development” as the chief argument justifying its rule over East Timor. However, the “development” under way in East Timor seems aimed more at the development of infrastructure to reinforce Indonesian rule than at “the constant improvement of the well-being of the entire population” described in the UN’s declaration on the right to development. Further, it ignores “the right of peoples to self-determination ... [and] sovereignty over their natural wealth and resources.”

Indonesian-built schools teach in Bahasa Indonesian rather than Tetun; roads facilitate the movement of Indonesian troops more than they do the movement of a tradi-

tional mountain-based society; hospitals and administrative systems benefit Indonesian settlers while doing little to help most East Timorese. Indonesia’s highly coercive population control program in East Timor has been criticized as “tantamount to genocide” by the (US) National Conference of Catholic Bishops.

All these things are considered “instruments of subjugation by the Timorese,” according to Peace is Possible in East Timor. “Economic development is, for the most part, dominated by monopolies which are in the hands of a few generals who practice an outdated colonialism.” [37]

The right to control of resources is violated by the Timor Gap treaty between Indonesia and Australia, which divides the oil reserves (estimated at one billion barrels) under the Timor Sea. Drilling in the gap was expected to begin in December 1992. [38]

#### 2. Impunity

In an unprecedented move after the Santa Cruz massacre last year, President Suharto promised that “no matter who they are, those found responsible for the shooting will be dealt with by the courts.” [39] However, no criminal charges have been laid against any of the soldiers who opened fire on an unarmed crowd or their commanding officers. Twelve soldiers were court-martialled, but the charges were disciplinary rather than criminal and, as Asia Watch noted, the sentences meted out were “ludicrous.” [40]

One corporal, Marthin ALAU, received a 17-month sentence. An eyewitness reports seeing him kill two wounded men at Santa Cruz by repeatedly stabbing them. [41] He is also accused of cutting off the ear of one protester. Nine other soldiers were also court-martialled, and received jail terms that ranged from 8 months to 18 months.

In contrast, East Timorese survivors of the massacre received long jail terms under Indonesia’s anti-subversion law. Gregorio da Cunha SALDANHA received a life sentence for subversion, while Francisco Miranda BRANCO was jailed for 15 years. Carlos dos Santos LEMOS was sentenced to 8 years for taking photographs of the demonstration. Filomeno da Silva FERREIRA was sentenced to 5 years, 8 months for translating Portuguese newspaper articles about East Timor. Ten more Timorese in Dili have been jailed for up to 10 years. In a related case, two men and a woman were jailed for three to five years for sending “secret” military papers (an interview with Governor Carrascalao) abroad. [42]

Five Timorese students studying in Indonesia were also jailed under the anti-subversion law for organizing a demonstra-

tion in Jakarta on 19 November 1991, including Fernando de ARAUJO, chair of the National Resistance of East Timor Students (RENETIL). Araujo received a 9 year sentence; he has been awarded the Reebok Human Rights award. Four other RENETIL members in Jakarta were also sentenced to as much as 10 years imprisonment. [43]

#### 3. Internally displaced persons

Almost the entire population of East Timor has been uprooted since the 1975 invasion. Thousands fled to the mountains in the late 1970s. When they surrendered to Indonesian troops they were often prevented from returning to their ancestral villages or moving freely about the countryside. Many were forced to take part in Indonesian military operations against guerrillas. Virtually all rural Timorese are now living in resettlement villages, which they describe as “concentration camps.” [44]

#### 4. Minority and religious rights

Annexation reduced the East Timorese to a tiny minority within Indonesia. The displacement of traditional villages has made room for as many as 100,000 Indonesian settlers and transmigrants, who threaten to swamp the East Timorese demographically. [45] “It is the new Indonesian civilization we are bringing. And it is not easy to civilize a backward people,” said one former army commander. [46] Bishop Belo has said that “we continue to die as a people and as a nation.” The sheer numbers killed in East Timor since the Indonesian invasion qualify as genocide against the Timorese, but the people are also subjected to cultural genocide: deliberate attempts to destroy their indigenous culture and their future as a distinct people in their own land. A full generation has now grown up cut off from their rich cultural heritage. East Timor’s 12 separate languages now stand on the brink of extinction. Traditional languages, religions and ceremonies are now banned. Sacred lulik sites and objects have been destroyed.

For many years, the Catholic church stood as the one tenuous source of protection from Indonesian repression, despite restrictions on its operations. An estimated 90 per cent of the East Timorese are now Catholics. Since Bishop Belo’s 1989 letter to the UN to ask for a referendum on self-determination in East Timor, however, Catholic priests and churches have increasingly come under attack. A raid on the San Antonio de Motael parish church on 28 October 1991 (in which two men were killed) was the precursor to the Santa Cruz massacre.

“Priests and nuns have been pressured, closely monitored and threatened by military personnel as they carry out their pas-

toral duties," according to the Indonesian Front for the Defence of Human Rights (Infight). [47] The intimidation starts with Bishop Belo himself, who this year was publicly warned by the armed forces to stay out of politics. [48] Belo has said that he fears meeting the fate of murdered El Salvador Archbishop Oscar Romero.

The vicar-general of the diocese, Father Alberto RICARDO, spent the early days of 1992 under intensive interrogation. By the end of the year, he had been sent back to Rome. [49] Father Hilario MADEIRA and a travelling companion were arrested while returning to East Timor from a trip to Java. They were threatened with guns and have been harassed ever since as suspected dissidents. [50] In Ermera, armed soldiers interrupted mass to arrest worshippers, and later arrested one of the parish's priests at his home at 3 a.m. [51] Foreign missionaries invited by Bishop Belo have been forced to choose between leaving East Timor and becoming Indonesian citizens. In October, Fathers LOCATELLI, BALTAZAR AND João DE DEUS were accused of "being behind" dissent in Baucau and given this choice. Ever since, they have been required to report daily to local military headquarters. [52]

#### Conclusions and recommendations

In February, the government of Indonesia undertook to the UN Commission on Human Rights to improve the human rights situation in East Timor. Instead, it has intensified human rights violation in a bid to crush dissent. At the same time, however, the support for East Timor from within Indonesia's democracy movement has never been higher than today. A statement by student senates throughout Java following the Santa Cruz massacre called on the government of Indonesia to withdraw its troops from East Timor and allow a free and fair act of self-determination, and called on foreign governments to impose "an arms embargo and possible economic sanctions" on Indonesia. [53]

The leadership of the Timorese resistance movement has effectively passed to a new generation of activists, most of whom grew up under Indonesian rule. It should be clear that Indonesia will not win their loyalty. Instead, it is time to accept the calls for peace talks that include the East Timorese people. Bishop Belo's proposal for a referendum on independence, or a new peace plan offered by the resistance this year that would delay independence for 7 to 12 years, are both ideas worth a hearing from Indonesia. [54] The capture of resistance leader Xanana Gusmão offers an opportunity for dialogue. If released to a third country, he could make a valuable

contribution to talks on East Timor taking place between Indonesia and Portugal under UN auspices as a representative of the East Timorese themselves.

The government of Canada, along with most western countries, has not recognized the de jure incorporation of East Timor into Indonesia. Accordingly, we recommend that the Canadian government:

1. pursue initiatives towards the implementation of UN Resolution GA 37/30 (1982);
2. call for a withdrawal of Indonesian occupation forces from East Timor and demonstrate support for the right of the people of East Timor to a free and fair act of self-determination, as affirmed by repeated UN resolutions;
3. call for the release of East Timorese political prisoners imprisoned solely for their opposition to Indonesian occupation of East Timor; At the United Nations, Canada should:
4. encourage the Secretary-General of the UN to include representatives of the East Timorese people, including the National Council of Maubere Resistance, in talks held under his auspices, in accordance with UN resolution GA 37/30 (1982); At the 49th session of the UN Commission on Human Rights, Canada should:
5. call for the publication of Amos Wako's report on his February 1992 visit to East Timor and Indonesia ;
6. under agenda items 10 and 11, raise the serious concerns of Canadians about the human rights situation in East Timor;
7. under agenda item 12, support a resolution calling for full respect for human rights in East Timor; With regard to humanitarian concerns, Canada should:
8. help apply international pressure on the Indonesian government to give free and unrestricted access to international relief and independent human rights agencies to work in East Timor, particularly Amnesty International.

#### Notes

- [1] Amnesty International, East Timor: After the Massacre, 21 November 1991. The figure of 273 killed (with another 376 wounded) is from a study by East Timorese activists released by the Lisbon-based ecumenical coalition Peace is Possible in East Timor (cited in Tapol Bulletin, October 1992).
- [2] Amnesty International, East Timor: Violations of Human Rights 1975-1984; Peace is Possible in East Timor, East Timor: The Santa Cruz Massacre (Lisbon, 1992).

- [3] Dave Todd, "Canada mum on massacres of East Timor civilians" in Kitchener-Waterloo Record, 28 November 1991.
- [4] Reuter, June 5.
- [5] Tempo, Jakarta, 22 February 1992.
- [6] General Assembly Resolution 3485XXX has been reaffirmed seven times. Security Council Resolution 384 has been reaffirmed twice.
- [7] Asia Watch, Asia Watch Overview, December 1992. Wako's report has still not been made public, despite a request by the Human Rights Sub-commission on 1 September 1992.
- [8] *ibid.*
- [9] Amnesty International, Santa Cruz: the Government Response, 6 February 1992.
- [10] Linda Hossie, "Massacre merits more than a slap on the wrist" in The Globe and Mail, Toronto, 13 November 1992.
- [11] East Timor Action Network/US, news release, 3 October 1992.
- [12] Tapol Bulletin, August 1992.
- [13] Amnesty International, Indonesia/East Timor: The Suppression of Dissent, July 1992.
- [14] David Webster, "Canada puts profits before rights" in Toronto Star, 12 November 1992.
- [15] Reuter, 26 October 1992.
- [16] Amnesty International, The Suppression of Dissent.
- [17] *ibid.*
- [18] Jakarta Post, 21 February 1992.
- [19] Editor, Jakarta, 22 February.
- [20] "The poll that Indonesia dares not hold," in The Economist, London, 19 September 1992.
- [21] Tapol report, 23 September 1992.
- [22] Jawa Pos, 15 September 1992.
- [23] Tapol report, 7 September.
- [24] Pascoela Barreto testimony to Sub-commission on Human Rights, Geneva, 14 August 1992.
- [25] National Council of Maubere Resistance, news release, 19 February 1992.
- [26] Tapol report, 27 October.
- [27] Diário de Notícias, Lisbon, 25 April 1992.
- [28] Tapol Bulletin, October 1992.
- [29] Amnesty International Urgent Action, 10 December 1992.
- [30] Amnesty International Urgent Action, 18 December 1992.
- [31] Amnesty International Urgent Action, 4 December 1992.
- [32] Tapol Bulletin, October 1992.
- [33] Interview with José Ramos Horta, "Hidden terror in East Timor" in Newsweek, international edition, 1 June 1992.
- [34] Jakarta Post, 3 April 1992.
- [35] Jakarta Post, 15 June 1992.
- [36] Suara Karya, 24 November 1991; Jawa Pos, 19 November 1992.

- [37] East Timor: the Santa Cruz Massacre.  
 [38] Reuter, 5 November 1992.  
 [39] AFP, 7 February 1992.  
 [40] Asia Watch Overview.  
 [41] Tapol report, 7 June 1992.  
 [42] War Resisters International, 1992  
 Prisoners for Peace Honour Roll,  
 November 1992.  
 [43] Amnesty International, Fernando de  
 Araujo: Prisoner of Conscience, May  
 1992.  
 [44] Mark Seddon, "Long-forgotten victims  
 of an Asian invader" in *The Times*,  
 London, 20 April 1991.  
 [45] Hugh O'Shaughnessy, *Irish Times*,  
 Dublin, 27 April 1991.  
 [46] Colonel Kalangi, quoted in *Camel  
 Budiardjo and Liem Soei Liong, The War  
 Against East Timor* (London: Zed Books,  
 1984).  
 [47] Inflight report, 26 June 1992.  
 [48] Reuter, 29 June.  
 [49] Reuter, 13 November 1992.  
 [50] Amnesty International, *The Suppression  
 of Dissent*.  
 [51] Tapol Bulletin, December 1992.  
 [52] Tapol report, 27 October 1992.  
 [53] Communications Forum of Student  
 Senates, Bandung, 23 November 1991.  
 [54] José Ramos Horta, speech to European  
 Parliament, 27 April 1992.

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## INDONESIA'S JUSTICE SYSTEM VIOLATES BASIC RIGHTS

*NEWS RELEASE from the Lawyers  
 Committee for Human Rights, Feb. 25*

*For Further Information Contact: James  
 Ross, (212) 629-6170, ext. 140*

Today, the New York-based Lawyers  
 Committee for Human Rights issued *Broken  
 Laws, Broken Bodies: Torture and the Right  
 to Redress in Indonesia*, a 90-page report  
 that details serious failings of the Indonesian  
 criminal justice system. The Lawyers  
 Committee found that torture of detainees is  
 "pervasive" in Indonesia and that  
 procedures for redress are "ineffectual."

According to Michael Posner, Lawyers  
 Committee Executive Director:

"Rights violations apparent in the  
 prosecution of Fretilin leader Xanana  
 Gusmão and others in East Timor,  
 such as incommunicado detention, are  
 by no means exceptional in political  
 cases. While the details of Gusmão's  
 treatment are still not known, the  
 routine mistreatment of political  
 detainees in Indonesia and East Timor  
 has raised international concern.  
 Victims of torture find that the

protections set out under Indonesian  
 law mean very little in practice."

*Broken Laws, Broken Bodies* details the  
 enormous hurdles victims of torture and il-  
 legal detention face in seeking redress for the  
 violations of their basic rights. Detainees,  
 particularly those accused of political  
 offenses, often find their right to legal  
 counsel denied, effectively preventing them  
 from raising claims of ill-treatment.  
 Lawyers will be blocked by the police and  
 military from meeting with clients. The  
 authorities have also threatened and har-  
 assed lawyers, as well as lawyers' groups,  
 involved in human rights work.

In 1981 the Indonesian government  
 promulgated a new criminal procedure code  
 that included greater protections for the  
 rights of criminal suspects and detainees.  
 Innovative provisions sought to reduce the  
 likelihood of torture in Indonesian detention  
 centers. "More than a decade later," the  
 Lawyers Committee's report finds, "the  
 aims of the criminal procedure law have yet  
 to be fulfilled: torture and mistreatment of  
 criminal and especially political detainees  
 remain endemic; the likelihood for mean-  
 ingful redress for such abuses remains slim."

The main avenue of redress under  
 Indonesian law is the pra-peradilan ("pre-  
 trial"), a form of habeas corpus hearing.  
 Except in rare instances, the pra-peradilan  
 has been unsuccessful in upholding the  
 rights of those illegally arrested, detained or  
 mistreated. Moreover, as evidenced by last  
 year's trials of military personnel implicated  
 in the November 1991 Dili massacre, the  
 government is unwilling to seriously  
 prosecute members of the military and  
 police responsible for human rights viola-  
 tions.

Indonesian authorities commonly take  
 actions amounting to the obstruction of  
 justice in order to prevent detainees from  
 bringing claims of torture before the courts.  
 Prosecutors knowingly fail to stop torture  
 during police interrogations. They also hin-  
 der access of non-government physicians to  
 detainees, making torture difficult to prove  
 in court. Particularly in political cases, they  
 have threatened detainees and their families  
 who file petitions for a pra-peradilan  
 hearing.

The absence of an independent judiciary  
 in Indonesia is perhaps the greatest hurdle  
 to effective redress for ill-treatment. As civil  
 servants functioning under the Justice  
 Ministry, judges lack any real independence.  
 In practice, judges see themselves as another  
 arm of the government, rather than as  
 impartial adjudicators of fact and law. As a  
 result, except in a few non-political cases,  
 Indonesian judges have gone to great lengths  
 to decide in favor of the government in pra-  
 peradilan hearings.

The Lawyers Committee makes a number  
 of recommendations to the Indonesian  
 government, including urging the ratification  
 of international human rights treaties, the  
 repeal of the much-abused Anti-Subversion  
 Law and specific changes to the criminal  
 procedure code. The report notes, however,  
 that:

"The political structure of the state is the  
 fundamental obstacle to the prevention of  
 torture and the right to redress in Indonesia.  
 Until there is a recognition of the  
 importance of constitutionalism, the  
 realization of separation of powers and, at  
 the most basic level, government respect for  
 the rule of law, there is little chance that the  
 problems addressed in this report can be  
 substantially met."

*Broken Laws, Broken Bodies* is based on  
 a month-long Lawyers Committee fact-  
 finding mission to Indonesia in June and  
 July 1992 and research conducted since that  
 time. The Lawyers Committee delegation  
 travelled to Jakarta, Bandung, Yogyakarta  
 and Surabaya and met with lawyers, human  
 rights activists, legal scholars, former and  
 current political prisoners, journalists and  
 embassy officials. In October 1992 the  
 Lawyers Committee made a written request  
 to the Indonesian government to send a  
 delegation to Jakarta to meet with  
 Indonesian officials, but to date has not re-  
 ceived a reply.

Copies of *Broken Laws, Broken Bodies:  
 Torture and the Right to Redress in  
 Indonesia* are available for \$10 from LCHR,  
 330 Seventh Ave., New York, NY 10001.

Since 1978, the Lawyers Committee for  
 Human Rights has worked to promote in-  
 ternational human rights and refugee law and  
 legal procedures in the United States and  
 abroad. Its work is impartial, holding each  
 government to the standard affirmed in the  
 International Bill of Human Rights.

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## PRISONERS FACE TORTURE, SAYS HUMAN RIGHTS GROUP

Washington, Feb. 25 (IPS) – the  
 Indonesian police and army continue to  
 torture and mistreat prisoners, the New  
 York-based Lawyers Committee for Human  
 Rights (LCHR) charges in a report.

"Torture pervades the criminal justice  
 system of Indonesia," says the report re-  
 leased here Thursday.

The LCHR bases its report, 'Broken  
 Laws, Broken Bodies,' on its month-long  
 mission to the southeast Asian nation last  
 year and research conducted since then.

The group says the prosecution of the  
 alleged East Timorese guerrilla leader who

was captured in November and put on trial has been flawed by rights abuses.

LCHR director Michael Posner charges that Xanana Gusmão, a founder of the revolutionary front for an independent East Timor (Fretilin), was held incommunicado for more than a month after his arrest in Dili.

His treatment and televised repentance in December prompted charges by some human rights groups and Portuguese president Mario Soares that his captors had tortured him.

Posner said that "while the details of Gusmão's treatment are still not known, the routine mistreatment of political detainees in Indonesia and East Timor has raised international concern."

More than 60 of Gusmão's relatives and alleged associates have been detained and held incommunicado since his arrest, says Posner, who stressed that Gusmão's treatment was "by no means exceptional in political cases."

The government of Indonesian president Suharto denies that Gusmão was tortured.

The administration recently took steps to improve its human rights image which was tarnished in Nov. 1991 when army troops machine-gunned pro-Fretilin demonstrators at Dili's main cemetery.

Suharto last month announced plans to form a national human rights body and hosted a U.N.-sponsored workshop on human rights in Jakarta.

He, however, denounced western countries for using Indonesia's human rights performance as a criterion for aid.

Several countries cut assistance to Jakarta after the Timor massacre, and the U.S. congress last year cut its military training programme for Indonesia to protest the Dili killings.

The new LCHR report deals primarily with the hurdles which the victims of torture face.

It found that detainees, particularly those accused of political crimes, are often barred from contact with their lawyers who themselves are often threatened and harassed by the police and military authorities.

The report notes that in 1981, Jakarta adopted a new criminal code which included greater protections for the rights of criminal suspects and detainees.

The study found that more than a decade later, "the aims of the criminal procedure law have yet to be fulfilled: torture and mistreatment of criminals, and especially political detainees, remain endemic."

Moreover, the government has shown itself unwilling to seriously prosecute members of the police and military responsible for rights violations, according to the report.

In addition, the authorities often take steps to prevent detainees from bringing torture claims before the courts, the report charged.

"The greatest hurdle to effective redress for ill-treatment," however, is the "absence of an independent judiciary in Indonesia," the report says.

"In practice, judges see themselves as another arm of the government, rather than as impartial adjudicators of fact and law," it adds.

"Until there is a recognition of the importance of constitutionalism, the realization of separation of powers and, at the most basic level, government respect for the rule of law, there is little chance that the problems addressed in this report can be substantially met," the report says.

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## HUMAN RIGHTS LAW BODY RECEIVES AWARD

New York, Mar. 18 (IPS) - a Jakarta-based human rights law organisation Thursday received the International Roger Baldwin Medal of Liberty Award here.

The New York-based Lawyers Committee for Human Rights (LCHR) presented the Indonesian Legal Aid Foundation with the award which recognises outstanding commitments to the causes of civil liberties and human rights.

The foundation provides legal aid in criminal and civil matters for persons unable to obtain a private lawyer. Most recently, it represented persons arrested in connection with the Nov. 12, 1991 massacre East Timor.

Sukardjo Adidjojo, chair of the foundation's board of trustees, and executive director Abdul Hakim Nusantara accepted the award for the foundation.

The LCHR noted that both are lawyers who have worked to promote respect for human rights in Indonesia and for standing up for the rights of political detainees. And the LCHR charged that the foundation, known locally as Lembaga Bantuan Hukum (LBH), has been the target of government harassment.

The lawyers' committee noted that because the LBH receives foreign funds as a registered non-governmental organisation (NGO), the Indonesian government has accused it of serving foreign interests and of damaging Indonesia's name abroad.

"This year, the government has sought to put pressure on LBH by banning all Dutch assistance to Indonesian non-governmental organisations and tightening the laws on non-governmental institutions," said the LCHR.

The foundation was founded in 1971 and has 13 branches nationwide. Together with the Indonesian bar association, its lawyers have defended persons who have been arrested in connection with demonstrations against the East Timorese massacre.

East Timor, a former Portuguese colony was invaded by Indonesian troops in Dec. 1975, and annexed the following year.

International human rights groups such as Amnesty International charge that in subduing East Timor, the Indonesian army killed as much as one-third of the Timorese population, or 200,000 people.

The United Nations has sought to negotiate East Timor's status in talks with Indonesia and Portugal. In Nov. 1991, Indonesian troops fired on hundreds of Timorese demonstrators in the capital, Dili, killing more than 100 people, according to the catholic church.

Indonesian president Suharto dismissed several high-ranking officers implicated in the massacre, following a government commission's findings.

But the recently concluded session of the human rights commission in Geneva said it regretted that the Indonesian investigation had failed to identify clearly the people involved in ordering the massacre.

The commission called on the Indonesian government to honour fully its human rights commitments and to ensure that the East Timorese in custody are treated humanely.

According to the Lawyers' Committee, the LBH has been widely involved in promoting human rights through education. The LBH has sponsored community legal education programmes to teach people about land, labour and civil rights, and to spread awareness about human rights.

Asked to comment on the award, U.N. ambassador Wisnumurti of Indonesia said the recognition was testimony to the strength of the legal system in Indonesia.

"Although we don't agree with everything they (LBH) say, the existence of this organisation is important to the development of our society as a whole," Wisnumurti said.

The Indonesian government funded the Foundation for the first eight years of its existence.

Actress Sigourney Weaver presented the award at a reception Thursday evening.

The award is presented in alternating years by the American Civil Liberties Union (ACLU) for civil liberties advocacy in the United States, and by the LCHR for work in advancing human rights worldwide.

The tribute is named after Roger Baldwin, the founder of the ACLU who died in 1981, and who was a major figure in the civil liberties and human rights movements.

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## **UN HUMAN RIGHTS COMMISSION PASSES STRONG RESOLUTION**

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### **THE JAKARTA REGIME AND ITS GENEVA COMMITMENTS**

*Publico 8 February 1993 Dateline : Lisbon  
Byline : A.M. Original lang.: Portuguese  
unabridged*

"Jakarta had the opportunity of demonstrating its willingness to cooperate with the UN. A year later, it is worth analyzing the results." This was said on 4 March last year by the Chairman of the UN Human Rights Commission (HRC) in his statement, according to which Indonesia guaranteed it would comply with a set of demands made by the HRC on East Timor. A year later, the ecumenical association Peace is Possible in East Timor examined those commitments made in Geneva.

In a publication presented yesterday, the association reveals the contrast between the various measures agreed to by Jakarta, and the real situation in the territory.

The "clarification of the final outcome of the massacre" in Santa Cruz on 12 November 1991 confirmed 18 dead, admitting later that there were 50 victims. However, lists of names drawn up by humanitarian organisations - already published by Publico (see 12 November 1992 edition) - confirm 271 dead, 250 missing, and 382 wounded.

The commitment to ensure the "fair treatment of Timorese prisoners" and the "general improvement in human rights in Timor" has been met with the contrast between the "severe sentences" passed on the Dili demonstrators, and the vague references to "punishments" given to those responsible for the massacre.

Also, Indonesia's guarantee to facilitate access to Timor by humanitarian and human rights organisations was contradicted by the "tightening up of the blockade."

In addition to the final figures, the document publicly divulged yesterday gives a complete list of those killed, missing and wounded following the Santa Cruz massacre. The aim of the publication is to enable the Human Rights Commission - the 49th session of which is meeting in Geneva - and the UN to use "other means" of achieving the objectives proposed in last year's statement.

The document "East Timor after Santa Cruz - Indonesia and the International Order," edited in a bilingual brochure (French and English), was presented during a seminar held in Lisbon to study possible

lines of action in relation to the Timor problem. The seminar, attended by about two dozen Timorese and people connected with solidarity groups, took place in the For Timor forum, which has been granted by Lisbon's Town Hall to the Maubere People's Rights Commission (CDPM), which also helped to organise the weekend.

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### **EAST TIMOR REBEL LEADER PLEADS FOR U.N. SUPPORT**

Geneva, Feb. 25 (IPS/Victor Ego Ducret) - Rebels fighting for the right to self-determination in East Timor issued a statement here Thursday calling on the Indonesian government to stop its military and political repression against the Timorese population.

A spokesperson for the resistance movement in East Timor José Ramos-Horta said: "the Maubere national council for resistance (CNRM) in East Timor calls on the international community to support the Timorese fight for independence and self-determination and to condemn the inhumane repression of Jakarta."

Ramos-Horta, who is the international representative of the CNRM, is in Geneva to participate in the 49th ordinary meeting of the United Nations (UN) Human Rights Commission.

He has issued a statement requesting the Commission to appoint a special rapporteur to investigate the situation in East Timor, which has been under Indonesian occupation since December 1975.

Dominique Seixas, a former Indonesian prisoner, testified before the commission Thursday and described the repressive measures used by Jakarta against the Timorese population.

He spoke of the cruel treatment and persecution that political prisoners such as himself had been subjected to. Seixas, who is now living in Portugal, offered his testimony to the commission through the auspices of the international federation of Christians for action to abolish torture (IFCAAT), a non-governmental organisation based in Geneva.

Ramos-Horta reminded the commission Thursday that the humanitarian organisation Amnesty International (AI) stated that between 1975 (the beginning of the CNRM's struggle) and 1991, 200,000 Timorese were killed through the repression.

He said that this amounted to almost a third of the population of East Timor. He added that it would be a great boost for the CNRM if the international community would take effective measures, even if only to stop Indonesia from torturing more of the Timorese population.

However, he said, countries like Germany and France continue to give economic support to the Jakarta government. He said: "recently, Germany sold them 30 battle ships and France is Indonesia's third most important source of aid, after Japan and the United States."

Portugal, Ireland, Luxembourg, Greece and the former Portuguese colonies in Africa - like Angola and Mozambique - support East Timor's demand for self-determination and independence. In September the United States Congress pronounced it was against giving economic aid to Indonesia, according to a document that was distributed in Geneva by the CNRM, Indonesia dominates East Timor through a colonial and repressive regime.

"East Timor was colonized by the Portuguese 500 years ago and there is not a single historic element to tie it to the present Indonesian republic," the document states.

The government in Lisbon has backed the Timorese demands for independence and self-determination in various letters and statements directed at the United Nations secretary general Boutros Boutros-Ghali.

The letters have been included in a report on the situation in East Timor that was presented to the U.N. human rights commission by Boutros Boutros-Ghali this month.

This document also contains the reports from a Human Rights Commission work group on disappearances, executions and torture in East Timor. Reports from AI and the International Lawyers Commission (ICJ) have also been included.

Boutros-Ghali's document also contains letters and statements from the government of Indonesia in which it denies the reports on the violation of human rights in East Timor.

In one of these letters, dated Jan. 4, the authorities in Jakarta confirm the arrest of CNRM leader Xanana Gusmão, on Nov. 20 last year. It also states that the request by the International Red Cross to be allowed to see him will be answered at a later date.

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### **URGE YOUR GOVERNMENT TO SUPPORT EAST TIMOR AT THE UN HUMAN RIGHTS COMMISSION**

#### **ACTION ALERT FROM THE EAST TIMOR ACTION NETWORK / U.S.**

*March 2, 1993*

A resolution on the "Situation in East Timor" is being introduced today at the UN Human Rights Commission (UNHRC) annual meeting in Geneva. The resolution, whose text is appended, was initiated by the

12 European Community countries. The United States, Australia, and many Third World countries are being asked to sponsor it.

This is a strong resolution, and would be a tremendous improvement over the "consensus declaration" from last year. There will be a vote early next week. At this point, the US delegation in Geneva has not determined its position, with different members having different views. Urge them to sponsor, advocate and vote for the resolution. Last year, the US opposed strong action on East Timor, and was instrumental in sabotaging a meaningful resolution by the UNHRC.

Indonesia is now the head of the Non-Aligned Movement and was elected a regional vice-chair of the UNHRC. They have a large delegation in Geneva which will strongly oppose this resolution. We must urge our governments, both in the US and other countries, to support the passage of this moderately-worded resolution to show Indonesia that the world community does not accept their ongoing genocide, occupation and repression in East Timor, and to encourage them to participate seriously in negotiations with Portugal which resume next month in Rome.

In the United States, please contact the following: Your Congressperson and Senators, who should call the State Dept. 202/224-3121 Peter Tarnoff, Undersecretary of State for Policy. (202)647-2417 Sandy Berger, Deputy Asst. to the Pres. for Nat'l Security Affairs. 202/456-2883

## TEXT OF THE PROPOSED RESOLUTION

### SITUATION IN EAST TIMOR

The Commission on Human Rights

Guided by the Universal Declaration of Human Rights, the International Covenant on Human Rights and the universally accepted rule of international law;

Bearing in mind the statement on the Situation in East Timor agreed by consensus by the Commission on Human Rights at its forty-eighth session (Doc.E/CN.4/1992/84, par a. 457) following the violent incident of the 12 November 1991 in Dili;

Recalling resolution 1992/20 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities of 27 August 1992;

Gravely concerned at continuing allegation on serious human rights violations and noting with concern in this context the reports of the Special Rapporteur on Torture (Doc.E/CN.4/1993/26); of the Special Rapporteur on Extra-judicial, Summary or Arbitrary Executions

(Doc.E/CN.4/1993/46), of the Working Group on Enforced or Involuntary Disappearances (Doc.E/CN.4/1993/25);

Bearing in mind the Body of Principles on the Protection of all Persons subject to any form of detention or imprisonment endorsed by the General Assembly in its resolution 43/173 and the Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions, endorsed by the General Assembly in its resolution 44/162;

Concerned at the fact that the Indonesian authorities did not respond to the provisions of the statement on the situation of East Timor agreed by consensus by the Commission on Human Rights at its forty-eighth session;

Disappointed by the frequent denial of access to the territory of East Timor to human rights organizations as well as to some other relevant international observers;

Having examined the report of the Secretary-General on the situation in East Timor (Doc.E/CN.4/1993/49);

Recalling the relevant United Nations resolutions concerning East Timor

1. Expresses its deep concern at the reports of continuing human rights violations in the territory of East Timor;
2. Recalls that the Commission has commenced the decision of the Indonesian government to set up an enquiry Commission but regrets that the Indonesian investigation into the actions of the members of its security personnel on 12 November 1991, from which resulted loss of life, injuries and disappearances, failed to clearly identify all those responsible for those actions
3. Expresses its concern over the lack of clear information about the number of people killed on 12 November 1991 and over the persons still unaccounted for;
4. Regrets the disparity in the severity of sentences handed to those civilians not indicted for violent activities - who should have been released without delay - on the one hand, and to the military involved in the violent incident, on the other;
5. Calls upon the government of Indonesia to honor its commitments undertaken in the consensus Statement adopted on 4 March 1992 by the Commission on Human Rights at its 48th session;
6. Calls upon the Indonesian Government to ensure that all the East Timorese in custody, including main opposition figures, be treated humanely and with their rights fully respected, that all trials be fair, just, public and recognise the right to proper legal representation, in accordance with international humanitarian law, and

- that those not involved in violent activities will be released without delay;
7. Renews its call on the Indonesian authorities to allow access to East Timor for human rights organisations and additional humanitarian organisations;
  8. Encourages once again the Indonesian authorities to take the necessary steps to implement the recommendations presented by the Special Rapporteur on torture in its report (Doc. E/C.4/1992/17/Add.1) following his visit to Indonesia and East Timor and to keep the Special Rapporteur informed of the progress made towards their implementation;
  9. Urges the Government of Indonesia to invite the Special Rapporteur on Torture, the Special Rapporteur on Extra-judicial, Summary or Arbitrary Executions, the Working Group on Arbitrary Detention and the Working Group on Involuntary Disappearances to visit East Timor and to facilitate the discharge of their mandates;
  10. Invites the Secretary-General to transmit the full report of his Personal Envoy, Mr. Amos Wako, to the Commission on Human Rights;
  11. Welcomes the resumption of talks about the question of East Timor and encourages the Secretary-General to continue his good offices for achieving a just, comprehensive and internationally acceptable settlement of the question of East Timor;
  12. Decides to consider the situation in East Timor at its fiftieth session on the basis of the reports of the Special rapporteurs and Working Groups and that of the Secretary General, which would include an analytical compilation of all information received from, among others, Governments, intergovernmental and non-governmental organisations.

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## CLOSED EYES ON EAST TIMOR

*Editorial, The Boston Globe, Friday, March 5, 1993*

During the presidential campaign, Bill Clinton lamented the "unconscionable" indifference previous administrations displayed toward Indonesian violations of human rights in the occupied territory of East Timor. He promised a change in American policy if he were elected.

Whether because of inertia, the confusion of a transition or a change of heart, US policy under Clinton seems to be no different from what it has been since the

Indonesians first invaded and occupied East Timor in 1975.

Since then, as many as 200,000 Timorese, out of a population of 700,000, have perished, victims of Indonesia's genocidal repression. Though the United Nations never recognized Indonesia's annexation of East Timor, successive US presidents bestowed arms, military training and diplomatic support on the Indonesian executioners.

Sad to say, US delegates to a meeting of the UN Human Rights Commission in Geneva reportedly lobbied this week against a resolution on East Timor prepared for the European Community by the Portuguese delegation. The EC resolution calls on Indonesia to cease its abuse of human rights in East Timor, to honor its previous commitments, to allow access to human rights organizations and "to invite the special rapporteur on torture, the special rapporteur on extrajudicial, summary or arbitrary executions, the working groups on arbitrary detention and the working group on involuntary disappearances to visit East Timor."

Following policy guidelines established last fall by the Bush administration, the American delegates in Geneva left other nations' delegates in no doubt that they found the Portuguese resolution too strong and instead wanted a mild "consensus statement" like the one produced last year.

Indonesia's crimes against humanity are no less repugnant than those committed in Bosnia or Iraq. If Clinton truly wants America to become a protector of human rights, he must change the Bush policy on East Timor.

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## UNHRC STATEMENT OF CONSTANCIO PINTO

*FOR ANTI-SLAVERY INTERNATIONAL*

*Forty-Ninth Session, UN Human Rights Commission, Item 12 Geneva, 5 March 1993*

Mr. Chairman Distinguished members of the United Nations Commission on Human Rights

First, I would like to introduce myself. My name is Constancio Pinto and I am Timorese. I am one of the people who organized the peaceful demonstration on 12 November 1991 in Dili, the capital of East Timor, where the massacre took place. Fortunately I escaped from Dili on 16 May 1992 to Indonesia and then to Lisbon in Portugal on 11 November 1992.

Today I am here as an eye-witness of the abuses of the human rights of my people which continued after the 12th of November massacre 1991. But while I am reading this

statement I am concerned about the life of my wife and my son who is only one year old as well as the lives of my parents. To guarantee their safety I would like to hand over to this commission the list of their names.

Mr. Chairman,

Since I left them on 2 November 1991, I have not seen or communicated with my family. I do not even know if they are alive or not.

I wish the United Nations Commission on Human Rights to take this into consideration. If not, I am sure my wife, my child and my parents will be subjected to repression by the Indonesian army. Repression is a tradition of Indonesia which is practiced in East Timor.

I was one of the young people who suffered ill-treatment in Indonesian custody. When I was arrested on 25th January 1991 at 9.30am, I was beaten by many policeman at the station. I was beaten for over 14 hours until blood came from my mouth, my nose, my eyes and my ears. After that, I was taken into the "Senopati II" prison where I was interrogated by Captain Edy Suprianto and Let Colonel Gatot, the head of Intelligence in East Timor. In Senopati II I was interrogated and threatened for 4 days. Unfortunately I met with 13 other prisoners that had been detained three months before. David Aleong (20), Talof Moniz (23), José Antonio Galucho (40), Abilio Sarmiento (25) and Francisco Dias (55). most of them were young people. David, Talof, and José Galucho are now in prison together with Alexio Gama, Grigorio Saldanha, Francisco Miranda, Filomena Ferreira, Juvenio Martins, Jacinto Alves, Carlos Lemos and many others. These people were subjected to all kinds of torture: punched and slapped, electric shock, burnt with cigarettes, cut with blades. As a consequence Abilio Sarmiento had his jaw broken and Talof suffered mental trauma.

One week later I was released but on the condition that I present myself to Captain Edy and Colonel Gatot three times a week. Even then, I was continuously monitored by their intelligence police. That was my life from January to October 1991.

At the times I had to present myself, I was threatened to make me denounce the position of Xanana Gusmão and the activities of the underground organisations. In the beginning of October 1991, one of the soldiers of Captain Edy Suprianto said to me "Let's see who will be the hero: you or me?" In this case he failed. This intimidation happen to all Timorese people, especially the young.

On 29 October, when the Indonesian army ambushed Motael church and killed Sebastião Gomes, many young people were

detained, among them Alfonso Rangel who was then sentenced to 5 years in prison.

As a result of the torture some of the detainees were forced to say that I was their leader. That is why on 1 November 1991 at 5pm Martino Alau, an intelligence policeman, held a meeting in his house with other intelligence officials. The purpose of the meeting was to arrest me again and possibly to execute me. Fortunately I was informed about the meeting.

Then, on 2 November at 3am I left my wife, who was 5 months pregnant and my parents to go into hiding around Dili, moving from house to house during the night and sometimes sleeping in the jungle, without knowing the situation of my family.

After the November massacre, my picture was distributed to all the intelligence police and army, my name was published in the newspaper and announced over the television. Fortunately I had the opportunity to escape to Portugal.

Mr. Chairman,

In the massacre of 12 November 1991, the Indonesian army killed more than 200 people, most of them young people, and wounded at least 382.

Indonesia, after killing 200,000 Timorese people over the past 17 years are still not satisfied. From 1989 until the present day, the presence of a strategy to exterminate the Timorese people has clearly emerged, starting with the extermination of the youth.

From 12 November massacre to the present day, many young people have been persecuted: some of them have been arrested and imprisoned; some of them are still persecuted. Because of that, they have had to leave their family, their jobs and their schools.

Now with the isolation of East Timor from the eyes of the international community, the Timorese are being forced to bend to the will of the Indonesian army, our persecutors and executors. As an example are the trials of Mr. Xanana Gusmão's trial and of the many others. Xanana Gusmão, who before his capture always proposed to negotiate with Indonesia under UN auspices without pre-conditions, is now the victim.

Mr. Chairman,

The military Commander of East Timor, Theo Syafei, continues to use "Operasi Tuntas" (operation thoroughness or operation once and for all). The victims of this operation are and will continue to be the young Timorese people. Hence, the extermination of the Timorese youth will be the extermination of the next generation of Timorese people.

To conclude, I would like to say that, this time, my people are following the Commission of Human Rights with great expectation and hope for its success in re-

gard to the continuing human rights violations in East Timor. On the other hand, my people would like to hear the response of the Commission in the light of the Consensus statement made by this Commission on Human Rights in March 1992, dealing with human rights violations in East Timor. Does this Commission think that Indonesian government has had any respect for that decision?

Thank you Mr. Chairman.

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## UNHRC STATEMENT BY ABE BARRETO SOARES

*Geneva, 8 March 1993*

I am grateful for the opportunity I have to address this Commission on behalf of the International Peace Bureau.

My name is Barnabé Barreto Soares, a fourth-year English student from the well-known Gadjah Mada University in Yogyakarta, Central Java, Indonesia.

Talking about human rights abuse in East Timor is like "pulling a scab off an old wound." For any East Timorese like me who experienced the brutal invasion and occupation of their country by the Indonesian military, it is hard to make a decision to choose between speaking out or not speaking out about human rights abuse in East Timor. I chose the latter and so I am here free to talk about my experience.

Even though I am free to speak out about conditions in East Timor since the invasion in 1975, I feel rather scared as it might cause trouble to my family back home: my family could be harassed by the Indonesian military because of my being out-spoken. But that is a risk that I have to face. I was nine years old when East Timor was invaded by the Indonesian military on December 7, 1975. I had to flee to the countryside with my family to avoid the Indonesian military onslaught. I started a new life under Indonesian occupation in my father's hometown after 1975 and I went to primary school under the Indonesian education system.

Already while still a small boy living in my father's hometown I began asking: "If the Indonesian military say that we are brothers and sisters, why do they kill people in the jungle, kill people who surrender, kill innocent people who know nothing about politics?" Let me tell you what I personally experienced about human rights violations during my childhood and while I was a teenager:

- \* people who I knew in my father's hometown 'disappeared' after surrendering to the Indonesian military;

- \* relatives of mine lost their livestock; a close relative of my father's discovered that

his buffaloes had been killed by Indonesian soldiers. Because he protested he was accused of being a Fretilin member. This frightened him so much that he decided to remain silent about anything else that happened to him;

- \* the troops often steal our people's livestock to feed themselves, saying that this 'helps them carry out their duties in East Timor; such a thing often happened to the inhabitants of the town where I spent my childhood;

- \* our people had to carry a travel document whenever and wherever they go;

- \* people were not allowed to listen to foreign broadcasts. If they did, they were punished;

- \* people's houses were raided in the early morning or late at night;

- \* people suspected as members of Fretilin were arrested and put in prison.

But one incident stands out vividly in my memory. One afternoon as I was playing football with my friends in the street, I saw an army truck drive past full of Hansip soldiers (army-trained militia). The men were shouting and singing and holding high so that everyone could see, the severed heads of several guerrillas. This was meant as a warning to all of us not to support the resistance. I can tell you, I felt very scared when I saw this terrible scene.

When I moved to Dili in 1981 and went to high school, I continued to hear more and more stories about the atrocities committed by the Indonesian army.

In 1985, before leaving for Java to continue my studies at university, I had to take a screening test, to indicate whether I was part of Fretilin or not.

In 1989 I went back to East Timor for a holiday. I attended the Mass celebrated by the Pope John Paul II in Tacitolu, on the outskirts of Dili. Right after the Mass, there was a pro-independence demonstration. I saw the demonstrators being beaten up by Indonesian security forces. Later I heard that the demonstrators were put in jail for interrogation.

I returned to East Timor again in 1991. My movements were closely monitored by the Indonesian secret police. I felt very uneasy in Dili. I asked myself: "If the Indonesian military claim that everything is fine in East Timor, why is there always all this surveillance?"

I left for Canada to participate in a cultural exchange program for three months in September 1991. The massacre of November 12 1991 in Santa Cruz, Dili, East Timor took place just as I was about to finish my program. A week after the massacre, I realized that the situation in East Timor was becoming worse and worse. I also realized that my friends who joined the

East Timorese students' organisation (Renetil), the group which I was associated with, had been arrested for conducting a peaceful demonstration in Jakarta, the Indonesian capital. They had been protesting about the massacre and human rights abuses since the invasion in 1975.

I began to feel afraid about going back to Indonesia. Finally, I made up my mind to stay in Canada. That was the hardest decision I have ever made in my life.

In my view, human rights abuses in East Timor cannot be separated from the East Timorese struggle for self-determination and independence. There will be more human rights abuses in East Timor as long as there is no peaceful solution for the East Timor problem. I really hope that the this UN Commission will take meaningful initiatives to put an end to the human rights violations in East Timor.

The people of East Timor feel helpless in their own homeland. They look to you to do everything in your power to help them.

Thank you.

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## CNRM UPDATE

*March 8, 1993*

As we launch into Week 6, the tactics, moves and strategising are poised to come into play again. I hardly need to say how important these next few days are... From our last Memo, you saw clearly the double faces of both the US and Australian delegates, and how the Indonesians are always ready to capitalize. Wheeling and dealing will continue to be the order of the day this week.

We have had great press activity from friends in the US, with pressure on the government there. But we need a continuous intensive attack this week. The vote for the Resolution is due Wednesday. Please lobby your home governments.

Now I will let the governments and NGOs speak for themselves... So far, East Timor has been raised over 22 times under item 12...and the item is still not closed.

The permanent representative for Denmark, Jacob Esper Larsen, spoke for the European Community expressing the concern over "the lack of clear information about the number of people killed and over the persons still not accounted for, about the disparity of the sentences given to civilians on the one hand and the military on the other, and by the denial of access to the territory by human rights organizations." The European Community went on to "urge the Indonesian authorities to honour their commitments and to respond fully to the consensus statement on East Timor."

The Community also "trust" that all those in custody, such as Xanana Gusmão, will be treated humanely with their rights fully respected, that they will have fair trials and that the ICRC will have full access. It is extremely important that an EC policy statement mentions individual cases: the personal mention of Xanana is therefore very significant. The Community also reiterated its support for the talks under UN auspices "with full respect for the legitimate interests and aspirations of the East Timorese."

The head of the Canadian delegation, Anne Park, concurred, adding that access for international human rights activists and journalists to the territory should be expanded.

Switzerland considered East Timor "an occupied territory" which is in fact the very first time a western country has used such blunt diplomatic and legal language. They also stressed the importance of the input of both NGOs and UN special rapporteurs in exposing the desperate human rights situation in East Timor. Sri Lanka, Bangladesh and the new Czech Republic expressed deep concern over the situation in East Timor in their submissions.

The Australian delegation, remaining true to its allegiance to all things Asian, dwelt on the positive steps made by Indonesia in regard to East Timor. After praising President Suharto, the national commission of inquiry, the troop reductions, the access to the territory, Australia recognised that the "human rights situation in East Timor remains of concern." After their actions last week we would not really have expected much more.

As is to be expected, Ambassador Shunji Maruyama, heading the Japanese delegation, declared the measures taken by the Indonesian government since the massacre as "positive." The Islamic Republic of Iran, in a swinging attack on western imperialism generally and in particular in the field of human rights, said that Portugal's interest in East Timor was purely because it "has lost residuals of colonial interests there."

Our Timorese friends spoke passionately. Speaking for Anti-Slavery International, Constancio Pinto described the brutal torture to which he was subjected by Indonesian intelligence police and he spoke of his fears for his family because of his presence here. Abé Barreto Soares (International Peace Bureau) described the day to day violations of basic rights endured by the Timorese people. "In my view, human rights abuses in East Timor cannot be separated from the Timorese struggle for self-determination and independence."

José Ramos Horta (National Aboriginal and Islander Legal Services Secretariat)

dwelt on "certain half truths, distortions and outright lies" made by the Indonesian delegation: "the return to 'normalcy' in East Timor ... is the on-going practice of torture, arbitrary arrest and detention." Mr. Horta asked "Is this the progress since the Consensus Statement of last year's Commission?"

Siswa Santoso, an Indonesian (MRAP), spoke of "the culture of violence" which dominates society in his country, concern over the human rights situation in the occupied territories of Aceh and East Timor, while Alexandra Reis spoke on behalf of her fellow East Timorese women. She called on the Commission to "pay special attention to the sufferings of our womenfolk, especially the atrocity of rape."

Support for the Timorese came from NGOs, both South and North. Dr. William Wipfler of the Anglican Consultative Council, spoke solely on the question of East Timor, describing how "the world has observed in virtual silence, the incredible, massive and barbaric genocide of that tiny nation." The human rights violations in East Timor were also raised by Amnesty International, the International Indian Treaty Council, the International League for the Rights and Liberation of Peoples, the Commission of the Churches on International Affairs and the International Commission of Jurists.

Keep up the struggle!

## INDONESIA SUFFERS HUMILIATING DEFEAT AT UN

*The following press communiqué was issued in Geneva on Thursday, 11 March 1993 by the National Council for Maubere Resistance (CNRM):*

Indonesia was dealt a humiliating defeat at the United Nations today, the penultimate day of the Commission on Human Rights, as 22 member states voted in favour of a resolution on East Timor.

The Indonesians, who this year claimed to have been "licking their wounds" after the massacre of hundreds of East Timorese in Dili in November 1991, will be doing so again this afternoon.

They seriously miscalculated the strength of support behind the people of East Timor, where the violations of human rights by the Indonesian forces of occupation are well-known.

The Commission room was packed as governments and NGOs alike awaited the outcome. The resolution, which had been postponed since Wednesday in order to try and reach an expected consensus, created the biggest stir yet in the Commission.

## No action vote defeated

Last minute attempts to negotiate failed as Indonesia, a vice chair of the Commission and head of the Non-Aligned Movement, remained intractable to the last. Finally the resolution, sponsored by 24 governments from the European Community, the United States of America, the Nordic states, Angola, Guinea-Bissau, Mozambique, Costa Rica and Canada, was put to the vote.

The Asian and Islamic countries tried to avoid any action by the Commission, but the motion present by Malaysia met with defeat. This is the first time a motion of non-action has been defeated at the Commission for four years.

In the voting on the resolution, the victory for East Timor was resounding with 23 votes to 12 in favour with 15 abstentions. Angola, Guinea-Bissau, USA, Canada, Russia, Costa Rica, Austria, Poland and Denmark all spoke out in support of East Timor. This spread of support was the key to success of the East Timor strategy. It successfully challenged the block vote of the South which has been used in the Commission to defeat resolutions on human rights in China and Tibet.

## "Stone in the shoe"

Despite all the Indonesian delegation's attempt to get rid of the "stone in their shoe," the stone remains firmly entrenched. This will be much to the chagrin of President Suharto, who has been elected to a sixth term this week. It is clear that the leaders of the armed forces in Indonesia (ABRI) forced the delegation to adopt a hard position in the negotiations. ABRI ensured the appointment of Try Sutrisno, former commander-in-chief of the Armed Forces, as vice-president.

"In the end only dictatorships like Iran, Sudan and China stood with Indonesia. All the democracies of the world supported us. Equally important, and indeed it sets a precedent for other issues, East Timor destroyed the myth of the Asian block. There were Latin Americans and Africans voting with us and important Asian and Muslim states that abstained," said José Ramos Horta after the voting.

The strongly-worded resolution on East Timor comes close on the heels of the consensus statement on East Timor at last year's Commission. In it, the Commission expresses its "deep concern" at the reports of continuing human rights abuses in East Timor and calls on Indonesia to honour the commitments it made under the consensus statement of the Commission last year.

*The resolution was adopted word-for-word as introduced by the EC Twelve (see above).*

### Country voting breakdown on 11 March Human Rights Commission resolution on East Timor:

23 In favour: Angola, Australia, Austria, Barbados, Brazil, Bulgaria, Canada, Chile, Costa Rica, Czech Republic, Finland, France, Germany, Guinea-Bissau, Mauritius, Netherlands, Poland, Portugal, Russian Federation, United Kingdom, USA, Uruguay, Zambia.

(Uruguay added its vote on the next day, having been out of the hall during the vote.)

12 Against: Bangladesh, China, Cuba, Gambia, India, Indonesia, Iran, Malaysia, Nigeria, Sri Lanka, Sudan, Syria.

15 Abstentions: Argentina, Burundi, Colombia, Cyprus, Gabon, Japan, Kenya, Lesotho, Mauritania, Mexico, Pakistan, Peru, Republic of Korea, Tunisia, Venezuela.

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### AUSTRALIA'S UN VOTE 'A SURPRISE'

13 March. *Canberra Times*. Unabridged

Melbourne: In an unexpected move, Australia has backed a strongly worded United Nations Rights Commission resolution questioning Indonesia's human-rights record in East Timor.

Despite its vote on Thursday, the Department of Foreign Affairs said yesterday that Australia planned to make statement to the commission saying would have preferred if there had not been any vote on the issue.

In a resolution applauded by human-rights groups and the East Timorese independence movement, the UNHRC in Geneva said it was "gravely concerned" at reports of continuing violations by Indonesian forces in East Timor and criticised light sentences on soldiers involved in the 1991 Dili massacre.

Australia - which initially had lobbied against any resolution at the commission - voted with 22 other countries in favour of the resolution, which was backed by the European Community, the United States and a number of Third World countries.

Twelve voted against and 15 abstained.

Earlier this week, a spokesman for the East Timorese independence movement, José Ramos Horta, accused Australia of trying to soften a resolution critical of Indonesia.

"It's pathetic that this little country can be so servile to Indonesia," Mr. Ramos Horta said.

On Monday, a spokesman for the Department of Foreign Affairs denied the allegation, but said Australia preferred that a consensus statement on East Timor be made

by the commission chairman, rather than the issue's going to a vote.

He said yesterday that Australia, after following the arguments, had decided to vote with the resolution, even though this was not its preferred option.

He said Australia intended to explain its decision in a statement at the UNHRC last night.

Australia had supported the resolution because it was consistent with support for fundamental standards.

It would have preferred a consensus outcome "which more adequately acknowledge the positive steps" taken by Indonesia since the commission met a year ago, the spokesman said.

In a statement issued yesterday in Geneva, Mr. Ramos Horta described the resolution as a humiliating defeat for Indonesia. The Australia Council for Overseas Aid, often a critic of Australia's stance on human rights in East Timor, "warmly endorsed" the vote.

"This vote will do much to restore public confidence that Australia is even-handed and non-selective when it comes to grave violations of universally accepted human rights," the executive director of ACFOA, Russell Rollason, said.

Thursday's vote followed intense behind-the-scenes lobbying.

The Associated Press newsagency, in a report from Geneva, said it was a blow for Jakarta, which had managed to avoid criticism by the commission last year and had campaigned hard for support from developing countries during this year's six-week session.

Human-rights activists in the meeting chamber greeted the result with jubilation. Indonesia's representative described the charges of violations as "unwarranted sweeping allegations."

*NB: The Melbourne Age and The Weekend Australia had similar stories.*

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### UN SLAMS DILI KILLERS' JAIL TERMS

*Sydney Morning Herald 13th March 1993 Unabridged*

GENEVA, Friday, AP: The UN Human Rights Commission today voiced concern at reports of continuing violations by Indonesian forces in East Timor and criticised light sentences against soldiers involved in 1991 massacre of pro-independence demonstrators.

The commission urged Indonesia to allow UN experts on torture, executions and disappearances to enter East Timor and to increase access for other human rights monitors.

The resolution was passed by 22 votes to 12. There were 15 abstentions. Western governments on the 53-member commission, including Australia, voted in favour. Most of Indonesia's neighbours, including Japan, either voted against or abstained.

The vote was a blow for Jakarta, which last year managed to avoid criticism by the commission and had campaigned hard for support from developing countries during this year's six-week session.

Indonesia described the charges of violations as "unwarranted sweeping allegations."

Human rights groups estimate that up to 200 people were killed when Indonesian troops fired on mourners at a funeral in the East Timorese capital in Dili in November 1991. Officially, the toll was 50.

Ten soldiers were sentenced to up to 18 months in jail for their role in the shootings. East Timorese involved in the demonstration, in contrast, received sentences from five years to life.

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### U.N. CRITICIZES INDONESIA ABOUT EAST TIMOR

*By Paul Lewis. New York Times, Sunday March 14, 1993.*

UNITED NATIONS March 13 - Reflecting a shift in United States policy, the United Nations Human Rights Commission has adopted a resolution expressing "deep concern" at human rights violations in East Timor for the first time since Indonesia annexed the former Portuguese colony in 1975.

With 22 nations voting in favor, 12 voting against and 15 abstaining, the Human Rights Commission also agreed on Thursday in Geneva to ask Indonesia to allow United Nations officials to visit the island to investigate allegations of torture, secret executions, religious persecution and continuing detention of citizens by the Indonesian authorities.

East Timor was seized by Indonesia 18 years ago, just as Portugal was preparing to grant the colony independence. Reports have persisted ever since of mistreatment of the territory's mainly Roman Catholic inhabitants by the predominantly Muslim Indonesian police and armed forces.

The issue drew international attention in November 1991, when the Indonesian security forces opened fire on a crowd of mourners at the funeral of a supporter of East Timorese independence. The government estimated that 50 died, but witnesses and local officials said troops killed at least 180 and possibly dozens more.

While the European Community has repeatedly tried to bring the matter before the

Human Rights Commission, it is the first time a resolution criticizing Indonesia for its conduct in the territory has succeeded in passing.

Diplomats and human rights campaigners said a crucial difference this time was a change in policy introduced by the Clinton Administration which threw Washington's weight behind the European drive last week. Under the Bush Administration, the United States joined Australia and Japan last year in blocking a resolution criticizing Indonesia.

This time Australia also voted in favor of the measure criticizing Indonesia while Japan abstained.

"This vote was long overdue," said Reed Brody of the Washington-based International Human Rights Law Group who attended the meeting. "Despite Indonesia's power and the heavy diplomatic pressure it exerted, the international community has finally gathered the courage to speak out."

The commission's stance on East Timor seemed to signal a more aggressive attitude in denouncing human rights violations around the world at the annual meeting, which ended Friday. The commission, which can only bring diplomatic pressure on offenders by drawing attention to abuses, commented unfavorably on the human rights performance of a record 29 countries, compared with 21 last year.

It also dealt with human rights abuses for the first time in Papua New Guinea, Estonia, Georgia, Latvia, Rwanda, Tajikistan and Togo.

The commission broke new ground in its efforts to protect individuals by voting to station human rights monitors on the ground in Iraq to monitor any abuses as well as in former Yugoslavia. It also voted to keep human rights monitors in Cambodia after elections are held there late this spring and the United Nations peacekeeping force withdraws.

But the United States suffered a setback when a resolution criticizing China for political repression and other rights abuses was blocked by China's allies. The outgoing Bush Administration had sought to shield Beijing from such criticism, but the Clinton Administration took a more aggressive position in partnership with the 12 European Community countries.

The commission deplored the human rights situation in Myanmar, formerly Burma, after its investigator was denied access to Aung San Suu Kyi, a Nobel Peace laureate who has been under house arrest since 1991.

It also criticized Cuba for refusing to admit its special investigator and adopted resolutions criticizing the human rights record of Togo, Zaire, Sudan, Afghanistan,

Equatorial Guinea, Iran, and the truncated Yugoslav federation, as well as Israel's military activities in southern Lebanon.

The Commission also voted to offer aid to El Salvador, Guatemala, Georgia and Somalia to improve their justice and police systems.

## INDONESIA REJECTS UNHRC RESOLUTION ON ET

*Radio Australia News (abridged), 15 March 1993*

The leader of the Indonesian delegation to Geneva, Mr. Wiryono, has stated that Indonesia rejects the resolution of the UNHR Commission on East Timor adopted last week against Indonesia. He expressed his view about the resolution saying that Indonesia has been 'unfairly treated.' He also said that Indonesia was disappointed with Australia who chose to vote this time against Indonesia.

*Indonesia is obviously upset with the overwhelming support of the big powers in favour of ET, including Australia, which has always lobbied in its favour. My question is: what is the main reason which pushed Australia this time to support the resolution? Was it a genuine move? Or more likely, like Canada, it was also 'forced' to back the resolution because of Indonesia's intransigence to negotiate? I understand that France, and lately the USA, has been in favour of a strong resolution, but not Australia. Moreover, with the reelection of Keating, I don't see any good prospects for a fundamental change in Australia's position regarding ET. I might be wrong, but, assessing from his previous policy to push Australia towards Asia, it doesn't seem too encouraging.*

## JAKARTA 'REJECTS UN RESOLUTION' (BBC)

*Comment: It is significant that it took four days for Jakarta to come up with an official response to the UN resolution condemning Indonesia for human rights abuses in East Timor and calling for investigations by UN special rapporteurs. We have not yet seen Indonesian press reports there about the resolution though sources say the resolution was widely reported in the Indonesian press last Friday.*

*From the unfolding of events surrounding negotiations in Geneva in an attempt to adopt a chairman's statement this year instead of adopting a resolution, the impression is that a hardline position adopted by the military back home made it impossible for diplomats in Geneva to offer any concessions at all. It is likely that there are mutual recriminations in Jakarta between the foreign ministry and the military over who should be held responsible for this serious setback to Indonesia's diplomacy over East Timor.*

— John MacD.

According to a BBC World Service report from Jakarta on 15 March, a senior foreign ministry official has called the UN Human Rights Commission resolution on East Timor "unfair and unacceptable."

The official, Wiryono Sastrohandoyo, told journalists on Monday that Indonesia has been unfairly treated. He said the move was against the spirit of cooperation achieved last year when the commission issued a milder document - a chairman's statement.

This year, Mr. Wiryono said, Indonesia had been working for a similar outcome but could not accept the wording of a draft chairman's statement and the Commission instead voted through a harsher resolution.

But he added that the resolution was not binding and that Indonesia rejected it. In a clear reference to Portugal, Mr. Wiryono said he felt that some European countries were openly engaged in scoring points off Indonesia and wanted to perpetuate the issue of East Timor. Among those who voted for the resolution were Portugal, the UK, France, the US and Australia.

## INDONESIA REJECTS UN CONDEMNATION (AUSTRALIAN TV)

*ABN TV (ATVI), 12.30am 16th March 1993. Transcript of news item.*

READER: Indonesia has rejected last week's United Nations condemnation of its human rights record in East Timor. A senior Indonesian official has described the

resolution of the Human Rights Commission in Geneva as "unfair and unacceptable."

IAN MACINTOSH REPORTS FROM Jakarta: The leader of Indonesia's delegation of the Geneva meeting B. Sastro Handoyo (*his real name is Mr. Wiryono Sastrohandoyo*), said his government had been "unfairly treated." According to Mr. Handoyo Jakarta had been working for a statement by the commission chairman similar to one adopted last year, which he said his government had acted upon. However, Mr. Handoyo said Jakarta would respond favorably to a further visit to Indonesia and East Timor by the UN official and he expressed disappointment over Australia's support for the strongly worded European community-sponsored resolution finally adopted. He said Indonesia had expected Australia to vote differently.

### INDONESIA SLAMS UN REPORT, WILL CLOSE SPECIAL EAST TIMOR COMMAND

Jakarta, March 15 (AFP) - A high-ranking Indonesian official said Monday his country had been treated unfairly in a U.N. Human Rights Commission (UNHRC) resolution condemning Indonesia's record in East Timor, as the military announced plans to close a special military command there.

"We have been treated unfairly by the commission," said Wiryono Sastrohandoyo, policy director at Indonesia's foreign affairs ministry, adding that Indonesia found the resolution "unfair in its content and harsh in its language."

In Geneva last Thursday, the U.N. body adopted a resolution condemning Indonesia for human rights abuses in East Timor, saying it was deeply troubled about continuing violations.

In a related development, the Indonesian military said it was taking steps toward disbanding its special command in East Timor.

Major General Suwardi, who heads the Bali-based Udayana Military Command that oversees security in East Timor, said preparations were under way to wind up East Timor's Military Operational Command, set up in 1989.

He did not say, however, when the command would stop operating in the former Portuguese colony, whose control by Indonesia is still not recognized by the United Nations.

If carried out the move would leave security arrangements in East Timor on par with those in the country's other provinces.

The Indonesian military has said the operational command will be disbanded when

the fighting troops in East Timor have all been replaced by territorial units.

The UNHCR resolution, supported by 22 countries with only 12 opposed, also expressed "concern at the lack of information about the number of people killed" when the Indonesian army opened fire on a crowd of pro-independence demonstrators in Dili, the East Timor capital, in November 1991.

### HUMAN RIGHTS CRITICISM DRIVING INDONESIA INTO A CORNER, SAYS GENERAL

DPA (official German news agency) 16 March 1993 Dateline: Jakarta Abridged

*Comment: This could be a taking a swipe at Suharto for "having done so much" (after Santa Cruz) to no avail. Edi chaired the Military Tribunal that meted out some 'punishment' to his close buddies, causing quite some humiliation in army circles. It is more evidently a swipe at the Indonesian diplomatic corps for failing to "tell the outside world about our efforts." - TAPOL*

Criticism of Indonesia's human rights record is driving the country into a corner, armed forces commander, General Edi Sudradjat said Tuesday.

Indonesia had done its best to uphold democracy, human rights and environmental protection but international criticism of its rights policies was still pouring in, he noted.

"The criticism has driven Indonesia into a corner," Edi said and added that the country had done its best "which is better than many other countries. The problem is, we haven't told the outside world enough about our efforts."

The general said many countries had only limited knowledge of Indonesia. The UN last Thursday adopted a resolution condemning Indonesia for human rights abuses in East Timor. Political observers said the resolution was a blow for Jakarta after the country held an international conference on human rights last month.

### INDONESIA, DESERVEDLY REBUKED

*The New York Times, Editorial Page, March 17, 1993 Full text. "Topics of the Times"*

An old injustice was redressed at the United Nations last week, thanks to a timely policy shift by the Clinton Administration. The U.N. Human Rights Commission voted to express "deep concern" over human rights abuses in East Timor, the former Portuguese colony that Indonesia invaded in 1975 and then annexed. That's the first such rebuff administered to powerful and populous Indonesia by the commission.

Last year the Bush Administration joined Australia and Japan in derailing a similar resolution to avoid offending an influential third-world state. But with a different signal from Washington, Australia voted in favor, Japan abstained and others found their courage. The result: 22 nations favored, 12 opposed and 15 abstained on a resolution that asks Indonesia to cooperate (which Jakarta says it will) with a U.N. inquiry into charges of torture and secret executions on the island.

Few paid much attention to East Timor until November 1991, when Indonesian soldiers killed as many as 180 mourners at the funeral of a Timorese opponent of Jakarta's tough military rule. When President Suharto, just elected unopposed to a sixth term, subsequently spoke at the United Nations he volubly condemned Israel for its occupation of Arab lands - but said not a word about East Timor. Thanks to the Clinton Administration, it will be harder now for him to pretend that no problems exist in his own backyard.

### ACTION ALERT ON INDONESIAN RESPONSE TO UNHRC RESOLUTION

Dear Friends:

Tapol has prepared this statement about Indonesia's avowed rejection of the resolution passed by the UN Commission on Human Rights. We have today sent a copy to Douglas Hurd, the UK Foreign Minister, and we ask readers to press their own governments along the same lines.

Thanks...

TAPOL, 17 March 1993

### EAST TIMOR: COMMISSION ON HUMAN RIGHTS RESOLUTION: NO E/CN.4/1993/97

Since the resolution on East Timor was passed by the 49th Session of the UN Commission on Human Rights, the Indonesian authorities have been claiming that the resolution is not binding and that Indonesia therefore rejects it.

Mr. Wiryono Sastrohandoyo, Director-General for Political Affairs at the Foreign Ministry, headed the Indonesian delegation to the United Nations in Geneva. He told members of the press that the move was against the spirit of cooperation achieved in last year's Commission through the milder Chairman's statement and that, this year, Indonesia had been working for a similar agreement but could not accept the wording of the draft presented by the resolutions' co-sponsors.

While this is not the first time a State has taken this stance, the United Nations needs to take a positive stand in order to confirm its central role in, and its terms for, maintaining world harmony and peace in the "new world order." In the light of this, the remarks of the Indonesian authorities are extremely disquieting. We take this opportunity to outline our concerns.

1 Challenge to the United Nations System: Statements to the domestic and international press, claiming that the resolution is not binding, present a serious challenge to the whole foundation of the United Nations human rights mechanism. If such arguments are allowed to persist uncontested, resulting in a fundamental undermining of international law, the whole role of the United Nations and, in particular here, the Commission on Human Rights, will be threatened. The United Nations is of course founded in principles of international law and therefore must treat resolutions of the Commission as binding on the parties involved.

2 Membership: Indonesia is a member of the Commission. In becoming a member, and embracing the Universal Declaration of Human Rights, a state explicitly and implicitly becomes a promoter of human rights principles through the international mechanisms. Therefore, as a member Indonesia is obliged morally, to respect and honour the decisions taken by the Commission, even when those decisions are against its own interests. Without the acceptance of this basic principle by members states, the Commission cannot function in any true sense.

3 Moral obligation: Whether or not this is accepted, at the very least, the reaction of the Indonesian authorities should cause grave concern to those 23 governments who voted in favour of the resolution as well as the 15 who abstained. Even if the legal obligation remains open to discussion, the moral obligation cannot be disputed.

4 50th Session: Indonesia is under an obligation to carry out the terms of the resolution E/CN.4/1993/97. In particular its obligations appear under operative paragraphs 5, 6, 7, 8 and 9. Since in operative paragraph 12, the Commission decides to consider the situation in East Timor on the basis, *inter alia*, of the reports of the two special rapporteurs and two working groups, the Indonesian authorities are obliged to allow the UN officials free access in order to be able to furnish such reports.

President Suharto explained recently to Chancellor Helmut Kohl of Germany that "Indonesia was committed to meeting the requirements imposed by the United Nations" (Jakarta Post, 25.II.1993). By rejecting the resolution of the Commission as

unfair, unacceptable and not binding, the Indonesian authorities are intimating that they do not consider international law to be binding and that the Commission, that is the 53 member governments, has no authority.

Contrary to the statements of President Suharto, the Indonesian authorities' have repeatedly threatened the authority of the Commission: they have not honored the terms of the Chairman's Consensus Statement of the 48th Session with which they did agree, they have stated that they will not implement proposals contained in the report by the United Nations Special Rapporteur on Torture, Mr. Peter Kooijmans, and now they reject the resolution.

If this is their position, we have to ask the reasons for Indonesia's membership of the Commission and whether, if they do not ever intend to honour decisions of the Commission and do not regard international law as binding on them, they should remain as such?

Indonesia defends its right to reject the resolution on the grounds that it tried to negotiate a second consensus statement on East Timor and that co-sponsors of the resolution acted unfairly and were "merely trying to score points off Indonesia" by perpetuating the East Timor issue. The member states of the Commission will have their own views on the attempted negotiations. But clearly attempts to claim that the resolution is not binding because negotiations failed, cannot be entertained.

When countries only use the Commission, and concern for human rights, as a political tool, the future of all peoples throughout the world becomes more and more precarious. Stances like that of Indonesia, if they go unquestioned, threaten to make a mockery of the Commission. In addition, member states who are genuinely committed to the protection and upholding of human rights and international law become incapacitated.

The reality of the "new world order" is that membership of the Commission is increasingly important, especially politically: A serious consideration for the Commission. For the Commission to strengthen the vital role it has in the world, member states must be expected and required to honour the Commission and its decisions and not merely reap the undoubted benefits of membership.

#### **COMMENT FROM BRUNO KAHN, AGIR POUR TIMOR**

Mar 18, 1993

Although I fully agree we should react along the broad lines of TAPOL's statement, I am uncomfortable with a few details in this proposal:

*The United Nations is of course founded in principles of international law and therefore must treat resolutions of the Commission as binding on the parties involved.*

I am not sure if this is true. "Binding" is a legal term and I don't know if it applies in this case. Remember the Security Council resolutions on Kuwait, which were binding because they were under chapter 4 of the UN Charter (or something like that), while the media pointedly recalled that those concerning the Occupied Territories were not. Similarly, I bet the two SC resolutions on East Timor are not "binding," and that is an excuse why no action is taken. I would be very surprised if this HRC resolution were legally binding for Indonesia. Last year's Consensus Statement looks much more binding, because Indonesia agreed to it. So I feel it is a safer ground to demand that Indonesia at least respects its own commitments.

*Indonesia is under an obligation to carry out the terms of the resolution E/CN.4/1993/97. In particular its obligations appear under operative paragraphs 5, 6, 7, 8 and 9. Since in operative paragraph 12, the Commission decides to consider the situation in East Timor on the basis, *inter alia*, of the reports of the two special rapporteurs and two working groups, the Indonesian authorities are obliged to allow the UN officials free access in order to be able to furnish such reports.*

Same remark. I am not sure of the value of the term "operative." It seems to me that the only "operative" paragraph is #12, where the word 'decides' appear. Just as in a trial, a ruling of the court may not be sufficient to force the loser to do something. A further 'executive' order may be necessary to implement the ruling if the loser is recalcitrant.

On the contrary:

*Therefore, as a member Indonesia is obliged morally, to respect and honour the decisions taken by the Commission, even when those decisions are against its own interests.*

This moral side is a quite safe ground, because it doesn't touch legal points that can be challenged by experts. Just as the 'grave concern' of those governments who voted for the resolution.

I may be wrong in my reservations, but I'd rather have some advice from an international jurist.

## INDONESIA LOSES GENEVA VOTE

*Southam News Service (Canada), 19 March 1993. By DAVE TODD*

*Comment: Southam News feeds most major Canadian dailies. Todd wrote several hard-hitting pieces on East Timor following the Santa Cruz massacre, accusing the government of complicity in genocide; his criticisms of Canadian "quiet diplomacy" are toned down substantially in this piece.*

OTTAWA Indonesia suffered a humiliating political defeat Thursday at the United Nations when it rejected Canada's advice and tried to legitimize its control of East Timor.

Authority over the island of Timor, north of Australia, has been disputed since the mid-1970s when Indonesia invaded the eastern half of the former Portuguese colony it inherited through post-colonial force.

A series of bloodbaths over many years followed Indonesia's invasion of the tropical enclave.

Ultimately these led to a confrontation in the capital, Dili, two years ago in which government troops killed more than a hundred protesters and innocent bystanders and provoked an international incident by drawing international attention to what happened.

On Thursday, the UN Human Rights Commission in Geneva was asked to vote on what the world body should do about such concerns. One choice was to censure Indonesia by placing the country under a UN human rights watch.

Instead, the government of Indonesia, part of the 53-member UN Human Rights Commission at present, chose to raise the stakes by pushing a proposition that no action be taken.

Canada, which tried hard to prevent matters coming to a head and feels itself under particular pressure because of a strong East Timor lobby in its own backyard had no choice.

It was forced to help vote down the Indonesian initiative.

A second vote chastized Indonesia's actions in East Timor, but fell far short of calling for a UN human rights monitor to go in.

The Canadian government has worked hard to achieve a balance between human rights concerns in its dealings with Indonesia and the reality that the country represents one of the brightest prospects in Asia, in terms of Canadian commercial interests.

But diplomatic sources say that has nothing to do with this decision, which in any case was inevitable.

Indonesian President Suharto was "elected" to yet another term in office this week. That, as much as anything, accounts for the sudden, intransigent stance in Geneva.

## SELECTIVE FOCUS ON HUMAN RIGHTS CRITICISED

*From Third World Network, Mar 16, 1993*

Geneva 13 March (Chakravarthi Raghavan) – The United Nations Human Rights Commission ended Friday its six-week session marked by old East-West focus being replaced by an emerging North-South one.

This was evident in the debates and resolutions, both on issues of general focus and those relating to individual country situations and how they were handled.

Some Third World delegations noted a tendency for the industrialized countries, without any specific overt coordination, by and large acting or voting together, though an individual country or group of them might be taking the lead in tabling resolutions or negotiating on them.

The discussions and debates at the UN body which oversees and monitors implementation of the Universal Declaration of Human Rights and various international covenants has long been marked by the East-West ideological battles during the Cold war and even the détente, with each side picking on the other as well as the other's key supporters in the South.

These went on side by side with the efforts within the UN system to focus on various aspects of the human rights – civil, political, economic, social and cultural – and seeking to expand international cooperation to make the rights and their enjoyment meaningful.

But with the end of the cold war, new battle lines appear to be forming.

In the just concluded 49th regular session, the North-South divisions came to the fore not only over questions like 'right to development,' external debt and structural adjustment issues, the global macroeconomic environment and its impact on enjoyment of human rights but also over some individual country situations as well as the future orientations and procedures of the Commission's work and of the way several of its activities are conducted.

On the latter, the developing countries pushed through two resolutions one asking for a report on the original mandates of various treaty and non-treaty mechanisms for supervision and monitoring of the implementation of the instruments as well as international legal standards and norms of existing non-treaty mechanisms, the norms

and criteria used by them in their procedures, as well as the criteria used by the Centre for Human Rights (the secretariat) on how in practice it channels communications on these subjects to existing public bodies or confidential procedure mechanisms.

They also got adopted another resolution underscoring the need for non-selectivity, objectivity and impartiality in the promotion, protection and full protection of human rights and fundamental freedoms and to ensure that the UN and international cooperation efforts in this area are not used for political ends.

The first was adopted by a roll call vote of 33 against 16 (mainly the western countries, while the second was adopted without a vote.

The countries of the South also got a resolution adopted on the right of development and for setting up a thematic working group on this issue, and two others on poverty and debt and human rights.

The attempts of some of the major western countries to pressure individual Third World countries to fall in line and 'vote' or 'speak' according to their desires which, with the end of the Cold war appears to have become more blatant in some capitals, figured at the final plenary when Malaysia spoke up on this.

The Malaysian delegate told the Commission that while Malaysia welcomed "friendly and constructive consultations" on the work of the delegation at this and future sessions, "we take strong exceptions to approaches made by representatives of certain Western countries to our authorities in Kuala Lumpur that in any way question the integrity of our national positions on issues before this Commission or the underlying purpose of our membership in the Commission.

"The Malaysian delegate declined later to elaborate on this or name any names.

In this speech, he made a reference to Malaysia having moved a 'no action' resolution on the Portuguese-EC sponsored resolution against Indonesia over East Timor (which failed), and voting for another no-action motion (which was adopted) against a US sponsored one against China.

Earlier, the Malaysian delegate, in explaining the Malaysian votes on a number of decisions and actions had underlined the delegation's "serious concern over the increasing tendency at politicization of human rights issues where certain Western countries use double standards and selectiveness" in the Commission's work.

"We believe," the Malaysian delegate said, "that confrontational and adversarial approach, accompanied by various forms of pressure tactics by certain Western countries, is not conducive towards enhancing

the work of the Commission in protecting and promoting human rights.

We are also against politically motivated moves to bypass well tested procedures within the Commission such as the Confidential procedure (under which complaints against individual countries are handled in closed sessions and meetings)."

"We are also concerned," the Malaysian said, "over the tendency on their part to push through resolutions that could well go beyond the competence and mandate of the Commission, while also contravening the UN Charter, particularly Art 2 (7) on non-interference in the domestic affairs of sovereign states.

We fear that whole credibility of this Commission could be affected.

"Malaysia also regretted that in initiating a number of resolutions on country situations, the same group of countries did not "deem it fit to conduct serious and adequate consultations" on the substance of their resolutions with developing countries, regional groups and members of the Non-Aligned Movement.

"It is on the basis of a combination of all the factors that the Malaysian delegation did not go along with their resolutions on a number of country situations," he said referring to the Malaysian sponsoring of a no-action resolution on East Timor and voting for a no-action resolution on China.

In the case of East Timor, where last year the Indonesians had agreed to a Chairman's statement and had been cooperating with UN Secretary-General, the Portuguese pushed through a resolution against Indonesia.

the no-action motion was turned down by a 15- 22 vote and the resolution itself carried by 22 to 12.

Most of the western countries, except for Japan which abstained, voted with the Portuguese sponsored resolution against Indonesia which, among others asked that country to receive as many as three thematic special rapporteurs.

Several of the Third World countries who voted with Indonesia had complained at the way the attempts to have a compromise Chairman's statement, which would have adequately reflected the cooperation of the Indonesian authorities and the actions they had taken, had been thwarted.

Even Australia which voted against Indonesia, in explaining its vote clearly recognized the positive steps that Indonesia had taken and its regret that it had not been possible to agree upon a Chairman's statement.

On the effective functioning of the various human rights mechanisms, the Commission in a resolution asked the UN Secretary-General to submit to its next

session, as also to this year's World Conference on Human Rights, a report on:

\* the original mandates assigned to various treaty and non- treaty mechanisms for supervision, investigation and monitoring of implementation of the provisions of the international legal instruments and standards,

\* the international legal norms and standards on which existing non-treaty mechanisms now base their activities, as well as the conceptual framework, methods of work and procedural rules that each have deemed it advisable to apply in the discharge of their mandate,

\* the norms, criteria and practices established by each of the various existing mechanisms on the admissibility of communications as well as their preliminary consideration and evaluation, their referral to interest parties and the subsequent course followed, and

\* the criteria used in practice by the Centre for Human Rights to channel communications received on these issues either to existing public machinery or to bodies provided in the confidential procedure established under the ECOSOC, together with the legal foundations for such criteria.

Several of the cosponsors said that over a period of time the varying standards and criteria adopted, both by the mechanisms as well as by the secretariat itself, have become glaring and appears to be weighted against the countries of the South depending on their relationships with the leading Western powers.

In another resolution on strengthening of UN action in field of human rights through international cooperation, the Commission, among other things,

\* reiterated that by virtue of equal rights and self- determination of peoples, "all peoples have the right to determine freely, without external interference, their political systems and to pursue their economic, social and cultural development" and every State has the duty to respect that right within the provisions of the UN Charter, including respect for territorial integrity,

\* reaffirmed that promotion, protection and full realization of all human rights and fundamental freedoms should be guided by the principles of "non-selectivity, impartiality and objectivity and should not be used for political ends,"

\* called upon all Member States to have their activities for promotion and protection and full realization of human rights and fundamental freedoms, including development of further international cooperation in this area, on the UN Charter, the international covenants on Human rights and other relevant instruments and "refrain from ac-

tivities inconsistent with this international legal framework,"

\* underlined the "continuing need for accurate, impartial and objective information on the political, economic and social situation and events in all countries,"

\* requested all human rights bodies within the UN system, as well as special rapporteurs, special representatives, independent experts and working groups appointed or set up as special procedures "duly to take into account the contents of the present resolution in carrying out their mandates."

The resolution also called upon the UN Secretary-General, on the basis of comments made by governments, to prepare and submit to the Commission at its next session, a comprehensive report on various ways and means of promoting international cooperation and strengthening UN action in the field of human rights "in accordance with the principles of non-selectivity, impartiality and objectivity."

The developing countries also turned back an Austrian attempt to get the Commission approval for a resolution calling for the June World Conference in Vienna to discuss "an emergency mechanism" to address serious cases that arise in between the Commission's ordinary annual sessions."

The near unanimous opposition of the developing countries to what was seen as a move to bypass the normal procedures and set a Northern agenda, resulted in the adoption of a resolution in effect remitting the issue to the ECOSOC for its consideration.

Asian diplomats explained that Third World nations had rejected the proposal because they sensed that the underlying intention was to weaken the Commission as a deliberative body.

*Comment: While I don't agree with the interpretation, and the description of the vote on the ET resolution ignores the fact that several countries of the South voted against Indonesia, and key Asian countries (Japan, Pakistan, South Korea) abstained, this article still raises some issues that need consideration. – Charlie Scheiner, ETAN/US*

#### **RESPONSE FROM BRUNO KAHN, CHARLIE SCHEINER, OTHERS**

*This is a draft being circulated among Malaysian and other Asian activists*

We were interested to read Chakravarti Raghavan's account of new North-South antagonisms appearing in the 49th session of the UN Human Rights Commission.

Without commenting on the substance of his report as a whole, we would like, as supporters of the struggle of the East

Timorese people for self-determination, to address the part of this report which refers to the vote of a resolution condemning Indonesia for its repression in occupied East Timor. We feel this part amounts to disinformation and would like to kindly ask you to post the following clarification.

Sincerely yours,  
(signatures)

1. East Timor was militarily invaded by Indonesia at the end of 1975. This invasion, which blatantly violates the UN Charter, was condemned by two Security Council resolutions and eight General Assembly resolutions. The annexation that followed is not recognised by the United Nations, nor by most countries in the world. East Timor has been, and still is, on the list of non self-governing territories since 1961, and is discussed every summer at the UN Decolonisation Committee.

2. Continuing reports of grave human rights violations in East Timor by the Indonesian armed forces, including the death of at least one third of the population since the invasion, testimonies of large scale massacres, disappearances, atrocities, tortures, rapes and other ill-treatments have been available for several years from East Timorese refugees and the East Timorese Catholic church. They have been publicized by respected human rights organisations, such as Amnesty International and Asia Watch.

3. On 12 November, 1991, Indonesian troops opened fire on a peaceful demonstration in Dili, killing at least 271 unarmed civilians, according to exact lists of names covertly compiled by the East Timorese resistance. This massacre was witnessed by foreign journalists, who all stress its peaceful character and were beaten up by Indonesian troops. A video of the massacre was smuggled out of the territory and was widely shown under the title 'Cold Blood,' including by the Malaysian television.

4. Now regarding Mr. Raghavan's report: *"In the case of East Timor, where last year the Indonesians had agreed to a Chairman's statement and had been cooperating with UN Secretary-General, the Portuguese pushed through a resolution against Indonesia."*

Disinformation #1: the draft resolution was sponsored not just by Portugal but by 24 governments, including governments from Europe and North America, but also Angola, Guinea-Bissau, Mozambique and Costa Rica. (For the uninformed reader, Portugal is the UN recognised administering power in East Timor, as former colonial power which has to carry through its process of decolonisation, interrupted by the invasion).

*"Most of the western countries, except for Japan which abstained, voted with the Portuguese sponsored resolution against Indonesia which, among others asked that country to receive as many as three thematic special rapporteurs."*

*Several of the Third World countries who voted with Indonesia had complained at the way the attempts to have a compromise Chairman's statement, which would have adequately reflected the cooperation of the Indonesian authorities and the actions they had taken, had been thwarted."*

Disinformation #2: Mr. Raghavan conveniently fails to mention that 9 countries of the South voted in favour of the resolution (see country breakdown below).

Disinformation #3: the resolution requests the Indonesian government to let the mentioned special rapporteurs visit, not Indonesia, but illegally occupied East Timor.

Disinformation #4: according to our sources, the reason why the move towards a consensus statement failed was not intransigence of the Western countries, but Indonesia's own intransigence, which hampered attempts of its allies to water down the resolution into such a consensus statement.

Disinformation #5 (the most serious): the 'cooperation' of the Indonesian authorities. Last year's consensus statement, agreed on by Indonesia, asked inter alia:

a) "further investigation into the action of the security personnel on November 12, 1991, and into the fate of those unaccounted for (to) clarify the remaining discrepancies, namely on the number of people killed and those missing,"

b) "that those brought to trial are assured of proper legal representation and those not involved in violent activities are released without delay,"

c) (that the Indonesian government) "facilitates access to East Timor (to) additional humanitarian organisations and human rights organisations," and

d) (that Indonesia) "improves the human rights situation in East Timor."

Relatively to these points, we would like to observe that:

a) The Indonesian government still uses an official number of 50 victims and about 90 'missing'; the families of the victims have yet to know where the latter were buried. A house-to-house survey, necessarily carried out in secret, found 271 names of people killed at Santa Cruz, 382 wounded, 250 'disappeared' and 364 arrested.

The reader may be interested by the following quotes of prominent Indonesians, showing their remorse:

General Try Sutrisno, then Commander in Chief of the Armed Forces, now Vice-President: "Delinquents like these agitators

must be shot, and they will be, whenever that is necessary."

General Theo Syafei, new Commander for East Timor after the massacre: "Under my command, the number of victims would probably have been greater."

General Herman Mantiri, new Commander for Udayana (Eastern Indonesia) after the massacre: the shooting was "appropriate."

Abilio Osorio Soares, the new "Governor" of East Timor, a civilian: "In my view, in fact many more should have died. Why only that much? Why did not all the thousand die?"

b) Demonstrators from November 12 were convicted and given sentences as harsh as life imprisonment for merely participating to or organising a peaceful demonstration, while the few low-ranking soldiers convicted in court martials got sentences of two years or less under typical charges of "firing into the crowd without orders to do so."

c) Amnesty International was refused access to East Timor twice since the consensus statement: once in November 1992 and once in January 1993. Asia Watch has also been refused.

d) The human rights situation has seriously worsened since the massacre, the territory being closed officially to foreign journalists and de facto to foreign visitors; according to reports from inside, repression and violations reached an unprecedented level last November/December, at the time of the capture of Xanana Gusmão, the head of the East Timorese resistance. The latter is currently enjoying a show trial in Dili, where he could be sentenced to death. Portuguese journalists admitted to observe the trial were ordered to leave after less than a week.

It is a mockery to talk about the cooperation of the Indonesian authorities when, instead of respecting their own commitments, they do exactly the opposite.

*"Even Australia which voted against Indonesia, in explaining its vote clearly recognized the positive steps that Indonesia had taken and its regret that it had not been possible to agree upon a Chairman's statement."*

Disinformation #6: Mr. Raghavan fails to mention that Australia is a faithful ally of Indonesia, the only country in the world that recognises the annexation of East Timor de jure. It is currently preparing to exploit the oil reserves of the Timor Sea in concert with Indonesia, effectively robbing the people of East Timor of their natural resources, although a case pending in the International Court of Justice would invalidate the Australia-Indonesia Timor Gap treaty. It is not surprising that such an ally

should defend Indonesia; on the other hand, the fact that Australia felt compelled to vote for the resolution shows the dilemma that the Indonesia government's conduct in East Timor creates for Jakarta's supporters.

Appendix 1: text of the UNHRC resolution adopted 11 March 1993.

Appendix 2: country voting breakdown.

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## UN ROUND-UP OF UNHRC SESSION

HR/CN/453, Official UN Press Release  
(Excerpts) 17 March 1993

### FORTY-NINTH SESSION OF HUMAN RIGHTS COMMISSION

GENEVA, 1 FEBRUARY-12 MARCH

Appoints Special Rapporteurs on  
Occupied Territories, Sudan, Equatorial  
Guinea, Racism and Freedom of Opinion;  
Expert on Somalia

GENEVA, 12 March (UN Information  
Service) – Following six weeks of intensive  
debate on the situation of human rights in  
the world, and the adoption of 98 resolu-  
tions and 16 decisions on a wide spectrum  
of human rights issues, the Commission on  
Human Rights concluded its forty-ninth  
session at Geneva this afternoon.

...

The Commission also expressed deep  
concern over the situation in East Timor and  
called on Indonesia to step up efforts to  
identify those killed and unaccounted for in  
East Timor, to find and punish those re-  
sponsible, and to solicit visits to the island  
by the Commission's Special Rapporteurs.  
Further, the Commission expressed its deep  
concern at the serious human rights viola-  
tions in the Sudan, including summary exe-  
cutions, detention without due process,  
forced displacement of persons and torture.  
It also expressed its deep concern at con-  
tinuing reports of violations of human rights  
in Iran, including the high number of  
executions, torture, the lack of guarantees of  
due process of law, and discriminatory  
treatment of certain groups of citizens for  
their religious beliefs, notably the Baha'is.

#### Resolutions Adopted

With regard to the situation in East  
Timor, the Commission expressed its deep  
concern at the reports of continuing human  
rights violations, regretted that the  
Indonesian investigation into the actions of  
the members of its security personnel on 12  
November 1991 had failed to clearly iden-  
tify all those responsible for those actions,  
and expressed its concern at the lack of in-  
formation about the number of people killed  
on that day and those still unaccounted for.

It called upon the Government of  
Indonesia to honour fully its human rights  
commitments, and called upon it to ensure  
that all the East Timorese in custody be  
treated humanely and with their rights fully  
respected. It urged the Government to invite  
the Special Rapporteur on the question of  
torture, the Special Rapporteur on extra-  
judicial, summary or arbitrary executions,  
the Working Group on Arbitrary Detention  
and the Working Group on Enforced or  
Involuntary Disappearances to visit East  
Timor and to facilitate the discharge of their  
mandates; and welcomed the agreement  
given by the Government to the proposal of  
the Secretary-General for a new visit to  
Indonesia and East Timor by his Personal  
Envoy in the coming months.

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## EUROPEAN POSITIONS AT UNHRC

*From Bruno Kahn, Mar 27, 1993*

According to a diplomatic source, the EC  
countries which tried most to obstruct the  
drafting of a resolution on East Timor at the  
UN Human Rights Commission were The  
Netherlands, Great Britain and France.  
Denmark was the most supportive.

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## U.S. CONCERN OVER EAST TIMOR MAY SIGNAL ASIAN POLICY CHANGE

*Los Angeles Times, April 2, 1993, By  
Charles P. Wallace, Times Staff Writer*

*[Most of this article was also published in  
the London Guardian April 3, under the  
headline CLINTON SHIFT ON EAST  
TIMOR SENDS RIPPLES AROUND ASIA.]*

(DENPASAR, Indonesia) The remote  
territory of East Timor has been a thorn in  
the Indonesian government's side for years.  
Now a Clinton Administration decision to  
adopt a tougher stance on human rights  
violations there is being seen as a possible  
precursor to a fundamental change in U.S.  
human rights policy in Asia.

The departure came late last month in a  
little-noticed action when the United States  
joined in supporting a resolution of the U.N.  
Human Rights Commission expressing  
"deep concern" over rights violations in East  
Timor, a former Portuguese colony annexed  
by Indonesia in 1976. Under former  
Presidents Ronald Reagan and George Bush,  
the United States helped block similar  
resolutions condemning Indonesia's be-  
havior in East Timor.

Indonesian government officials were  
reported by Asian diplomats to be stunned  
by the Clinton Administration shift.

Further, other countries, such as China and

Malaysia, have flatly warned the United  
States that adopting tougher human rights  
positions could cost America jobs at home  
because of probable retaliation by Asian  
countries.

As a result, the decision on Timor is  
being studied widely around the region.

The U.N. action called on Indonesia to  
allow international experts on torture, exe-  
cutions and disappearances to visit the is-  
land to investigate allegations against  
Indonesia's military. Indonesia condemned  
the charges as "unwarranted sweeping al-  
legations."

The Indonesian government has permit-  
ted selected diplomats and observers to visit  
the island recently to attend the carefully  
stage-managed trial of José Gusmão, 45, the  
leader of Fretilin, East Timor's tiny  
independence movement.

Gusmão, known by his nom de guerre,  
Xanana, is charged with fomenting revolu-  
tion and weapons offenses. A televised con-  
fession that he gave before the start of the  
trial prompted diplomats to wonder  
whether he had been tortured or threatened  
by the military.

Diplomats who have visited Timor – ac-  
cess to the island is controlled by the gov-  
ernment – say Fretilin probably has fewer  
than 100 fighters after nearly two decades of  
Indonesian military rule.

Indonesia's annexation of East Timor has  
never won the acceptance of the United  
Nations, which has repeatedly called for the  
people to decide their own future. West  
Timor has been part of Indonesia since  
Indonesian independence after World War  
II.

Tensions between the military and the  
local population reached a high in  
November, 1991, when troops opened fire  
on a crowd at a funeral in Dili, killing 60 to  
100 people. Four officers and six enlisted  
men were court-martialed for the killings.  
But the longest sentence handed out was 18  
months. The military has never admitted  
that more than 19 people were killed. But a  
government-appointed investigating com-  
mission said at least 50 people had died.

Most diplomats expect that Gusmão will  
be given a severe sentence, which will be  
commuted by the government as a sign of its  
leniency and flexibility.

But diplomats cautioned that, with res-  
tore populations elsewhere in the archipel-  
ago, it is unlikely that the government in  
Jakarta will go beyond that cosmetic gesture  
and grant the Timorese any degree of  
autonomy.

*GRAPHIC: Map, Indonesia, VICTOR  
KOTOWITZ / Los Angeles Times*

## SOME TIMORESE BEING GROOMED FOR INDONESIA

*From John A. MacDougall, April 2, 1993*

It's no secret that Indonesian officialdom has been grooming an increasing contingent of educated East Timorese for its own 'development' purposes inside East Timor and 'diplomatic' purposes abroad. Perhaps sometimes the East Timorese involved have indeed become 'convinced,' as in the expression 'a convinced Friend.' But more often than might be thought, the East Timorese involved might just have been caught up in survival dilemmas from which they see no easy way to extricate themselves.

I was reminded of this latter possibility when seeing an Indonesian Observer article dealing mainly with the recent U.N. Human Rights Commission proceedings.

Salvador Ximenes, a Golkar DPR member from East Timor, is quoted as saying Indonesia fulfilled the EC's demand to allow foreign journalists and international organizations to come to East Timor.

The same article quotes then Interior Minister Rudini as saying "the first young Indonesian diplomat, also hailing from East Timor, Leonardo Gutierrez, now Third Secretary at the Indonesian Embassy in Geneva" spoke at the UNHCR session. He is reported to have said charges by Portugal and NGOs re human rights in East Timor were out-of-date.

Two other East Timorese representatives, Rui Gomes and Florentino da Cruz, also reportedly took the floor to respond to NGOs. Both gave explanations "similar to those given by the Indonesian delegation that there had been no violation of human rights in the province."

What are we to make of these various remarks by East Timorese? Have they become 'convinced Indonesians,' or are they consciously engaging in yet another 'sandiwara' not unlike those in the Dili trials?

### COMMENT FROM AN ANONYMOUS AUSTRALIAN FRIEND

If "Rui Gomes" is the Ruis Gomes I know he is a strange character. His father is a Pentecostal minister in Dili who says he is completely apolitical. Rui has been a student of psychology and theology in Semarang and Salatiga. He was always distrusted by other ET students, spent a lot of time learning self-defence. Works at the National Planning Board office in Dili, but confesses his job description is "something like spying." Always has plenty of money, and travels overseas fairly frequently on unexplained missions. Yet he has a brother

in Sydney who has had to undergo major surgery on his head for torture inflicted on him by the Indonesian military - he was apparently a Fretilin supporter there till his escape 2 years ago.

This story indicates not only the opportunism of many individuals, it also illustrates the lonely life that these opportunists have to lead among their own people. Secondly it indicates the phenomenon of families that stretch across strongly divergent political loyalties - as in the Carrascalao family and many others. I think also of prominent Irianese families like Kaisiepo. My feeling is that the balance of advantage is still to the resistance in such cases, because of the access they have to "the system" through these opportunistic individuals, whose betrayal must be limited by blood loyalties. Of course ABRI intel are aware of these risks, and that is what makes the life of an opportunist so much more miserable.

## INDONESIA ASKS NON-ALIGNED COUNTRIES TO SUPPORT REPRESSION

*From ETAN/US April 5, 1993*

Indonesia is trying to portray the struggle for human rights in East Timor as an effort by Western countries to undercut the sovereignty of the Third World.

At a meeting of Non-Aligned countries this morning (April 5) at the UN in New York, Indonesia distributed a letter dated 15 March from the UN Representative of Malaysia to the UN Representative of Indonesia. Attached to the letter was a statement delivered by Mr. M. Redzuan Kushairi (Alternate Leader of the Malaysian Delegation) at the conclusion of the UN Human Rights Commission Session in Geneva on March 12, as well as the "No-Action" motions made by Malaysia in that Commission regarding East Timor and China. (The eight pages of attachments are too long for me to type, but I will fax them to anyone who can type or scan them for broader circulation.)

Some Non-Aligned countries are reluctant to go along with Indonesia, and there is no consensus within the Non-Aligned Movement. Please do what you can to convince Third World governments that human rights - such as freedom from murder, genocide, and colonial domination - are just as valid for people in the Non-Aligned world as they are for anyone else, regardless of the political, economic and ethnic composition of the oppressing nation.

Certainly, human rights include economic rights for the people of the developing countries, and there must be major changes

in the international economic order. But as we work for global economic justice, we must also work for the rights, indeed the survival, of people in territories unfortunate enough still to be dominated by military or totalitarian regimes.

### The letter reads as follows:

Permanent Representative of Malaysia to  
the UN  
New York, 15 March 1993

H.E. Mr. Nugroho Wisnumurti,  
Permanent Representative of Indonesia  
Your Excellency,

Malaysia participated for the first time as a member of the Commission on Human Rights at its 49th Session in Geneva which concluded on Friday, 12 March 1993.

As a developing country and member of the Non-Aligned Movement, the Malaysian delegation witnessed with serious concern the politicization of the Commission by certain Western countries. Practice of political selectivity and double standards was often accompanied by various forms of pressure tactics including those at the capital. All this prompted the Malaysian delegation to make a general statement of explanation at the conclusion of the 49th Session of the Commission on Human Rights which I am attaching herewith for your attention.

As the statement raised issues that are of concern not only to Malaysia, but to other developing countries and members of the Non-Aligned Movement, I shall be most grateful if you could circulate the statement to members of the Non-Aligned Movement for their information.

In addition, in the light of the challenges faced by developing countries and members of the Non-Aligned Movement at the Commission on Human Rights, I thought it would be useful if a meeting of the Coordinating Bureau of the Non-Aligned Movement could be convened at an earliest convenient date to exchange views on the 49th Session of the Commission on Human Rights, which amongst others also touched on the World Conference on Human Rights to be held in Vienna later in June. I hope our suggestion will receive a favourable response from you, in your capacity as Chairman of the Coordinating Bureau of the Non-Aligned Movement.

Please accept, Excellency, the assurances of my highest consideration.

Razali Ismail  
Ambassador

### Excerpts from Malaysia's statement at the close of the Human Rights Commission:

We believe that with the end of the Cold War and East-West ideological rivalry the

time is opportune for the international community to approach the question of protecting and promoting human rights in the spirit of constructive dialogue and cooperation on the basis of objectivity, non-selectivity, and non politicization of issues. We also believe that the time has come for the Commission to take a more holistic approach to human rights and not to be too preoccupied with questions of individual rights and freedoms under the International Covenant on Political and Civil Rights. This would require the Commission to give serious and focused attention on efforts towards implementing the Declaration on the Right to Development, whose realization would facilitate the fulfillment of the goals of both the International Covenant on Economic, Social, and Cultural Rights as well as the International Covenant on Political and Civil Rights.

...  
While we welcome the spirit of constructive dialogue and cooperation to enhance the work of the Human Rights Commission, the Malaysian delegation would like to take this opportunity to underline our serious concern over the increasing tendency at politicization of human rights issues where certain Western countries use double standards and selectivities in the work of the Commission. We believe that confrontational and adversarial approach, accompanied by various forms of pressure tactics by certain Western countries, is not conducive towards enhancing the work of the Commission in protecting and promoting human rights. We are also against politically motivated moves to bypass well tested procedures within the Commission such as the Confidential Procedure 1503. We are also concerned over the tendency on the part of certain Western countries to push through resolutions that could well go beyond the competence and mandate of the Commission, while also contravening the UN Charter particularly on Article 2 paragraph 7 on non interference in the domestic affairs of sovereign states.

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### **CHAIRMAN OF COMMISSION ON HUMAN RIGHTS ANNOUNCES SEVEN SPECIAL RAPORTEURS**

*UN Press Release, 2 April 1993, Abridged.  
Biographical Note BIO/2763*

GENEVA, 2 April (UN Information Service) – The Chairman of the Commission on Human Rights, Mohamed Ennaceur (Tunisia), this morning announced the designation of seven country or thematic Special Rapporteurs, as decided by the

Commission at its recently concluded forty-ninth session.

They are as follows:

– Robert Dossou (Benin), as Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance

– Nigel S. Rodley (United Kingdom), as Special Rapporteur on torture (resolution 1993/40 of 5 March). Mr. Rodley is the doyen of the Faculty of Law of Essex University, former legal counsellor for Amnesty International and author of numerous publications relating to human rights.

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### **TIMOR CONTROVERSY AT BANGKOK HUMAN RIGHTS MEETING**

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#### **ROW OVER NGO ACCREDITATION**

*From Jean Inglis, International Federation for East Timor. March 30, 1993*

The issue of East Timor has been aired prominently in the two Thai English dailies, The Nation and The Bangkok Post, for a week, thanks to a row over NGO accreditation for the Asian Regional Meeting of the UN World Conference on Human Rights which opened in Bangkok on March 29 and to hitting remarks by East Timorese José Ramos Horta at an Asia-Pacific NGOs conference that preceded the UN meeting and at the Regional Meeting itself. The NGO in question, the International Federation for East Timor, was unable to be accredited for the UN meeting due to the strong objection of the Indonesian government. I have just returned from Bangkok and will try to post a sampling of the press that this issue got. Most encouraging has been the overwhelming support of other NGOs in Bangkok for the conference. As pressing as the various issues of the other NGOs obviously are, the spirit at Bangkok was one of insisting on the urgency of lobbying on the East Timor issue. The UN conference winds up Friday, and I will post you on the outcome when my IFET colleague, Kiyoko Furusawa, returns. The NGOs in Bangkok are very strong, very united, and very determined to win every bit of ground possible in Bangkok with a view to maximizing the possibilities for the Vienna meeting.

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### **GROUPS PLEDGE TO BOOST EAST TIMOR FIGHT**

*Sydney Morning Herald, Monday March 31, 1993. By Lindsay Murdoch, Herald SE Asia correspondent. Unabridged. Similar article in Melbourne Age, 29 March.*

(Bangkok, Sunday) East Timorese independence activists have won support from more than 100 non-government organizations for a public campaign in Asia against Indonesia's rule of the former Portuguese colony.

A Timorese leader, Mr. José Ramos Horta, said today the campaign would turn the East Timor conflict into a regional issue for the first time.

"Previously we have had support in Australia and Europe but not in Asia. This is a breakthrough," he said. The campaign will culminate with a three-day seminar on the human rights situation in East Timor in Manila in November.

The E. Timor independence lobby was buoyed early this month when the UN Human Rights Commission in Geneva condemned Indonesia for its inaction on human rights in East Timor. The strength of the criticism surprised Jakarta, which in January agreed to the setting up of national commissions to protect human rights.

The organizations meeting in Bangkok this weekend before a UN-organized meeting of the 49 Asian governments on human rights said in a statement that East Timor "must be made into an Asian issue." The campaign would be geared towards negotiations to end the conflict under the auspices of the UN and on the basis of a genuine act of self-determination.

However, strong Indonesian objection has prevented a major lobby group, the Tokyo-based International Federation of East Timor, being accredited at the governments meeting which is to prepare Asia's position ahead of a world human rights conference in Vienna in June.

The forum, one of the largest of its kind held in Asia, issued a declaration urging governments to agree to strengthen UN action on human rights, including the creation of a UN human rights commissioner with wide powers.

It said that UN attempts over 10 years had made little progress in eradicating gross violations of human rights around the world, many of them perpetrated by Asian governments.

The meeting of Asian governments is expected to close ranks against the critical West on human rights. Australia will attend this week's meeting only as an observer, without voting rights, because several Asian governments objected to its participation on

the basis that Canberra would bring a critical Western perspective to the meeting.

## HUMAN RIGHTS MEETING IN BANGKOK - IS IT A SHAM?

*From the South East Asian Information Network, Chaingmai- Thailand, 29 March*

The Asian agenda for the upcoming World Human Rights Conference to be held in Vienna from June 14-25, is being set at an inter-governmental meeting which begins in Bangkok today.

The meeting has been organised by the Economic and Social Commission for Asia and Pacific (ESCAP). There are 49 governmental delegates representing the Asia Pacific region and will for the first time attempt to formulate an agreed agenda for the conference in Vienna.

On the discussion table are proposals to set up a regional mechanism to monitor, protect and promote human rights. The proposal surprisingly came from Indonesia, who recently hosted a pre-meeting to discuss human rights in the Asian region.

Given that the Indonesian Government describes those of us that aim to raise issues such as democracy, openness, the environment and human rights as "fourth generation communists" it is vital that the voice of the international communities representing the people are heard.

Prior to the meeting being opened today by Thailand's Prime Minister Chuan Leekpai, there was a 4 day Asia-Pacific Non Government Organisation (NGO), conference on human rights held in order to assert the people's position which will be presented to the inter-governmental meeting.

240 representatives of more than 110 NGOs from 26 countries in the region have put forward a detailed human rights agenda for the 1990's and beyond.

Yesterday afternoon 30, NGOs which have applied to participate in the intergovernmental meeting including the South East Asian Information Network were still rejected as negotiations between the United Nations organizers continued into today. There were 234 NGOs from the region that applied for participation by the March 4th deadline.

The 4 day conference ended with a declaration from all participating delegates which also included challenges and recommendations.

"We affirm our commitment to the principle of indivisibility and interdependence of human rights, be they civil, political, economic, social or cultural.

The Protection of human rights concerns both individuals and groups. The enjoyment

of human rights implies a degree of responsibility to the community.

There must be a holistic and integrated approach to human rights. One set of rights cannot be used to bargain for another.

### Major Recommendations:

Governments of the region must accede without further delay to the principal United Nations conventions and human rights instruments:

These governments must without further delay remove reservations on those agreements to which they are a party, particularly the Convention on the Elimination of Discrimination Against Women; and:

These international agreements must be given force not only in domestic law but in practice.

For an establishment of a UN Special Commissioner for Human Rights as a new high-level political authority to bring a more effective and rapid response, coherence and co-ordination to the UN's human rights effort.

Improvement of current treaty monitoring bodies and mechanisms; and

Support of a regional human rights mechanism subject to explicit guarantee of independence, effectiveness and public access, including NGOS.

There is great concern of the blatant blocking of NGO participation by certain governments of the Asian meeting. The governments concerned have made it known that certain NGOS which have been overly critical of their human rights policies be excluded.

Some NGOS have been given accreditation to attend sessions, however a majority of the meetings will be held in camera. As for the access to delegates, the main tactic will have to be approaching a delegate in the corridors of the ESCAP building, the venue for the session.

If the United Nations and ESCAP, do not allow the voices of their constituents to be heard then the whole human rights commission will be nothing than a waste of tax payers money and bureaucratic nonsense.

And what of the people who every day suffer from the brutality of oppressive regimes. The people of East Timor who were invaded by Indonesia in December 1975 are not only having to deal with their loss of sovereignty, but in this process of a human rights venue have to deal with Indonesia being the Chair of the Non-Aligned Movement . A government who has not been made accountable for its crimes and massive human rights abuse, will ensure to block any move for such process to take place.

And what of the people in Burma? Whilst the State Law and Order Restoration Council (SLORC) continues its brutal hold on the country, with mass relocations of ethnic nationalities, rape, military offensives, and mass tortures within their cities and rural areas? Will the ESCAP meeting hear their voices?

The NGO community in Asia has made massive moves forward to ensure their governments start taking the issue of human rights seriously. At times with great risk, having to face their own military and forcing regimes to resign. It is crucial we keep the pressure up and ensure that the governments of the region understand that human rights are universal.

The South East Asian Information Network (SAIN) is an NGO based in Chiangmai-Thailand. Its mandate is to expose the human rights and environmental abuses in the region.

## HUMAN RIGHTS VALUES – EASTERN, WESTERN OR UNIVERSAL?

*by Kunda Dixit*

Bangkok, Mar. 26 (IPS) - Differing definitions of human rights threaten to polarize an Asia-Pacific regional meeting on human rights that begins here Monday.

At the heart of the dispute is the argument that western definitions of human rights emphasize individual choice and civil liberties, while oriental cultures attach more value to community welfare and respect for elders.

Irritated by what they say is neo-colonial western attitudes about democracy, Asia's newly-affluent nations look set to use the Bangkok meeting to push for new yardsticks for human rights that are more rooted in their own culture and values.

But the region's activist groups, who are holding their own parallel meeting here this week, say concepts of democracy and human rights should be universal.

Although the two views need not be mutually exclusive, it is expected to be divisive for the 49 countries and more than 250 groups attending as observers. The Bangkok meeting will prepare for the world conference on human rights in Vienna in June.

Leading the debate are South-East Asia's newly-affluent authoritarian capitalist states like Singapore, Indonesia and Malaysia, and nations that espouse market socialism like China.

They bristle when human rights and democracy are measured by what they say are standards set in Europe and the United States. They say a community's right to

food, shelter and basic health care is more fundamental than its right to vote.

A society must first be able to achieve a decent standard of living for all its people – something, they say, is not possible in Asia's rambunctious and chaotic western-style democracies.

But activist groups maintain that a distinction between individual and community rights is absurd. They say the suppression of opposition parties in Burma or the absence of basic freedoms in North Korea must be condemned by any yardstick.

"The argument that the people can have bread now and ballot later is a false dichotomy," argues Clarence Dias of the International Centre for Law in Development. "There is a danger that the people will end up having neither bread nor ballot."

Dias says vigorous calls by third world governments at international fora in defence of economic and cultural safeguards for the underprivileged is not reflected in their domestic record.

Ross Daniels of Amnesty International agrees. He told a forum in Bangkok last month it made little difference to the victim to be tortured in a western way or an Asian way.

"Rape is not something that is done in Asia. Rape is rape, torture is torture, and human rights are human rights," he said.

Other activists feel that although several Asian countries have emerged from totalitarianism to elect their own leaders, multi-party democracy has in many cases legitimized the interests of the ruling classes.

"Multi-party systems have simply camouflaged democratic dictatorships and legitimized new forms of authoritarianism," says Gopal Sivakoti of the Katmandu-based International Institute for Human Rights, environment and development. "Free election is not the only apparatus to protect human rights."

Dazzled by the glittering economic success of their neighbours, people in some poorer Asian countries seem to yearn for stronger rule and agree with Singapore's Lee Kuan Yew who has repeatedly told them too much democracy is keeping them poor.

Conference host Thailand restored civilian democracy after a student-led uprising last year and is caught between joining fellow members of the Association of South-East Asian Nations (ASEAN) to oppose the west and to shore up its own commitment to democratic values.

"Braving batons and bullets, Thais fought for a government free from the domination of the military. Against this backdrop ... the human rights conference is a time endeavor,"

said Bangkok's the Nation newspaper on Friday.

Nut human rights activist groups say inter-governmental meetings like the world conference in Vienna will be little more than a rubber stamping exercise since nation states will not allow discussion of rights violations of another member country.

"There is no room for discussing specific national issues at these meetings, that is why the activities of non-governmental organisations is so important," says Dias. "They are the only ones who can raise abuses like East Timor, Bhutan or Burma."

Asian non-governmental groups are holding their own forum at Bangkok's Chulalongkorn university this week to prepare a common strategy for the Vienna conference and are coming up with a conference statement highlighting their concerns.

Vitit Muntarbhorn of Chulalongkorn's law faculty says the theory that economic development should precede democracy is flawed, and so is the argument that human rights is a western concept or that it is a country's own business.

Sums up Vitit: "no, economic development and democracy have to go together. We say no, human rights is universal. And no, human rights is not a nation's internal affair: it joins hands across borders, it is a human solidarity issue."

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## NGOS BANNED FROM ASIAN MEETING

*The Nation (Bangkok), March 30, 1993*

*Slightly Abridged by Jean Inglis*

### **Organizers side with Indonesia in East Timor row**

*Comment: Only one of the two NGOs mentioned, IFET, actually applied. The "rejection" of the other NGO, Free East Timor Coalition (sic), is, I would guess, a rejection from a list of NGOs in the area which the UN Centre drew up on its own initiative and presented to the governments. Evidently 30 NGOs in all were rejected, and efforts are being made to find out who they are. – Jean Inglis, FET-JC*

Two Japan-based non governmental organizations (NGOs) campaigning for East Timor have been barred from participating in the Asia Regional Meeting for the Second World Conference on Human Rights that started in Bangkok yesterday.

John Pace, the World Conference's coordinator, without naming any countries, admitted that "one government" had opposed their participation while another supported their presence at the conference.

It was, however, understood that the opposing party was Indonesia and the proponent was Japan.

"It may not be an amicable solution to ban their participation but the organizing committees felt it was a necessary thing," said Pace without elaborating.

One of the NGOs barred is the International Federation for East Timor, which is associated with the United Nations Department of Public Information. The NGO consists of 17 organizations from 12 countries with an interest in the decolonization process in East Timor. The other organization is the Free East Timor Coalition.

Both NGOs had initially obtained accreditation from the United Nations to attend the Asian Meeting.

Informed sources at the conference said Indonesia threatened to walk out of the conference if representatives from these NGOs were allowed to join the meeting.

The sources added that the organizers bowed to the requests of the Indonesian government because they did not want to jeopardize the chances of UN Special Representative Amos Wako, assigned by UN Secretary General Boutros Boutros Ghali to investigate human rights abuses in East Timor.

A Timorese delegate attending the conference as an adviser to the International Services for Human Rights called the Indonesian government's opposition to the presence of the two NGOs a tactical mistake.

"Why are they so afraid of little girls from Japan who are innocent and can do no harm?" asked José Ramos Horta, referring to the representatives of the two human rights groups.

At the conference, Malaysia rallied together with Indonesia and warned Western countries against imposing their standard of human rights on Asian countries.

In response, Horta said if other government representatives were stronger in their commitment to protect human rights, such an "embarrassment" on the part of Indonesia would not have occurred.

The five-day regional meeting with representatives from 49 countries will seek to formulate an Asian agenda for the forthcoming World Conference on Human Rights in Vienna between June 14-25.

The meeting will also try to form an intergovernmental Asian Human Rights Commission. The Asia-Pacific region currently stands out for not having a mechanism to address and protect human rights.

The head of the Indonesian delegation, Wiryono, yesterday called on Asian countries gathered at the Asia Regional Meeting

to adopt a balanced approach to human rights issues.

Wiryono, director-general of the Indonesian Foreign Ministry's political department, urged the Asian group to promote and protect human rights as suggested at the last Human Rights commission, meeting by taking fully into account the level of political, economic, social and cultural development of each country in the region.

He emphasized that NGO activities should be confined to human rights concerns and not those involving political motives.

Addressing the plenary session yesterday, Wiryono said the balanced approach, which he claimed to be in accordance with the principles embodied in the Universal Declaration on Human Rights, should express a symmetry between respect for the fundamental freedom of individuals on one hand and respect for the individual's duties and responsibilities to society and the State on the other.

"Without the balance, the right of society as a whole is rendered moot and this could lead to social upheaval and even anarchy," he said.

"The view that is prevalent in Asia is that the human being is both an individual and a member of society. His existence therefore can only become meaningful when he functions in a social environment," he said.

He stressed that Jakarta subscribed to social responsibility as well as to human rights.

Wiryono also rapped the international community for its lack of sensitivity to political, economic, social and cultural diversity in the world.

"When this diversity is disregarded, as it often is, then we are confronted by imbalances in the expression of human rights concerns which are characterized by politicization, selectivity, double standards and discrimination," he said.

He attacked the West for using human rights as a condition for economic cooperation.

"The full realization of civil and political rights without the enjoyment of economic, social and cultural right is impossible," he argued.

He said human rights questions were essentially ethical and moral in nature and any approach to these questions which was not motivated by a sincere desire to protect the fundamental rights, but by disguised political purposes, could not be justified.

José Ramos Horta of the East Timor resistance, referring to Wiryono's statement that human rights must take into account cultural diversity, said it was an old argument that had been used time after time by

Jakarta to freely arrest, kill, imprison and to rob their own people with impunity.

José said he agreed with Jakarta's argument that human rights issues should not be misused to protect a country's economic interests, but he suggested that Indonesia could retaliate against those countries by halting oil and gas sales to other countries that violated human rights.

The East Timor resistance leader stressed that claims made by Third World leaders that food was needed before freedom was just an excuse for dictators to remain in power.

"In many cases, and in many countries of Asia, the governments mortgage the well-being and the future of their countries to multilateral lending agencies," he said.

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### NEED FOR REGIONAL HUMAN RIGHTS MECHANISM STRESSED

Bangkok, Mar. 30 (IPS) - Amid the sharp exchanges between Asia-Pacific governments and human rights groups meeting here this week, there seems to be much agreement, for contrasting reasons, on the need to set up a regional mechanism to promote human rights.

The Philippine delegation to the Asia-Pacific regional conference on human rights, now on its second day in Bangkok, argued this was a matter of enlightened self-interest.

Because Asia does not have a regional mechanism to redress human rights violations when national institutions fail, such complaints are brought to the notice of the world at large, said ambassador Hector Villaroel.

"We may not like it ... but we cannot see how we can prevent this situation when we do not have a regional arrangement, like the Latin American and African groups, to interpose between us and the world at large," he said.

The Indonesians, who have taken a tough stance on the human rights issue, favour the idea of setting up such "regional arrangements."

Delegation head Ambassador S. Wiryono underscored in his speech Monday the resolutions of the U.N. Commission on Human Rights encouraging Asia-Pacific countries to establish a mechanism to promote and protect human rights in the region.

This enthusiasm for a regional human rights formula comes in part from the realization that the Asia-Pacific is the only region in the world without such an international arrangement.

This also highlights the region's "disappointingly poor" rate of adherence to international human rights conventions.

According to Amnesty International, more than half of Asia-Pacific countries have not ratified the two international human rights covenants or the convention against torture. Only eight countries in the region have ratified all three.

In their 'Bangkok declaration,' non-governmental groups which held their own regional meeting here last week urged Asia-Pacific governments to accede to the main U.N. human rights agreements without further delay.

The declaration added these international instruments must be given force not only in domestic law, "but more importantly in practice."

There was also widespread support for the view that national mechanisms are crucial to effective implementation of international human rights pacts.

"The first line of defiance for human rights is on the national level and I believe we should focus significant attention on how to strengthen national human rights protection," said Ibrahim Fall, U.N. assistant secretary-general for human rights.

"It is essential to remain clear that the effective promotion and protection of human rights depends on the commitment of governments to pursue them," said Villaroel.

But the matter of national responsibility has two sides and continues to provoke much debate.

On the one hand, this underscores the principle of national sovereignty which Asian governments prefer to stress.

This means, as Indonesia puts it, that regional human rights mechanisms must take fully into account "the geographical complexity, diversity and vastness of the region, as well as their stability, economic development and social progress."

Non-governmental groups prefer to emphasize the accountability of governments to the international community.

"Human rights is a matter of international concern, an international responsibility," said Amnesty International's Ed Garcia.

National sovereignty is not an adequate defence when gross human rights violations and abuses are taking place, he added.

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### HUMAN RIGHTS: INDONESIA HITS BACK AT CRITICS

by Yuli Ismartono

Bangkok, Mar. 30 (IPS) - Indonesia, often targeted as one of south-east Asia's worst human rights offenders, is hitting back at its critics saying freedom from hunger and illiteracy should precede political freedoms.

"The full realization of civil and political rights without the enjoyment of economic, social and cultural rights is impossible," said S. Wiryono, head of the Indonesian delegation to this week's Asia-Pacific meeting on human rights in Bangkok.

"How can one express one's opinions freely if one is illiterate? How can one enjoy the right to property if one languishes below the poverty line? And how can one exercise his right to free association in a labour union if one is unemployed?" he asked.

Wiryono said concern over human rights should go beyond simple condemnation and should address the root causes of such violations, hence the importance attached by Asian countries to the right to development.

International forums, in his view, mostly emphasize the civil and political aspects of human rights at the expense of economic, social and cultural aspects.

Wiryono decried the misuse of human rights conditionalities for economic cooperation and assistance.

"This practice does not only mitigate against the right to development, it also presupposes that human rights violations happen only in the recipient countries and never in the donor countries," he said.

Last year, the Suharto government ceased all aid programmes from the Netherlands because of Dutch criticism of its policy on East Timor.

Jakarta also disbanded the Netherlands-led international governmental group on Indonesia (IGGI) which had been crucial in mobilizing economic aid to Indonesia following the 1965 event which left the country close to bankruptcy.

A new consultative group led by the World Bank and the Manila-based Asian Development Bank (ADB) now coordinates development aid to Indonesia.

Along with other member states of the Association of South-East Asian Nations (ASEAN), Indonesia recorded an impressive economic growth in the past two decades.

Wiryono said international concerns on human rights are often expressed without taking into account political, economic, social and cultural diversity, causing imbalances marked by "politicization, selectivity, double standards and discrimination."

"Too often, Asian countries have been the target of unfair censure," the Indonesian delegate said.

He said there is a need for a balanced approach in accordance with the universal declaration on human rights, but there should be a symmetry between respect for the fundamental freedom of individuals on one hand and respect for the individual's duties and responsibilities to society and the state on the other.

The prevalent view in Asia, according to Wiryono, is that the human being is both an individual and a member of society.

"Therefore it is imperative that the Asian group urge the world human rights conference (to be held in Vienna in June) to effectively ensure once and for all the indivisibility and interdependence of all aspects of human rights," said Wiryono.

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## ASSISTANT S-G FOR HUMAN RIGHTS STRESSES ASIAN CONTRIBUTION TO WORLD CONFERENCE

*UN Press Release, 1 April 1993*

BANGKOK, 1 April (UN Information Service) – Ibrahima Fall, Assistant Secretary-General for Human Rights and Secretary-General of the World Conference on Human Rights, today addressed a number of issues linked to the World Conference on Human Rights and its preparatory process, at a press conference held at the new United Nations Conference Centre.

The World Conference, preceded by three regional meetings (the first held in Tunis in November 1992, the second in San José in January, and the third taking place this week in Bangkok) and four sessions of the Preparatory Committee, will be held in Vienna from 14 to 25 June.

Mr. Fall outlined the main objectives of the Conference, which are as follows:

- To review and assess the progress made in the field of human rights since the adoption of the Universal Declaration of Human Rights in 1948;
- To identify obstacles which have hindered this progress;
- To examine the link between development and the enjoyment of human rights; and
- To make proposals for the improvement of human rights standards and instruments, for an increased effectiveness of United Nations methods and mechanisms and to ensure adequate resources for United Nations human rights activities.

Mr. Fall emphasized the important impact that the result of the Asian meeting would have on the final outcome of the World Conference. The significance of that contribution was due in part to the timing of the Asian meeting, which followed the two other regional meetings and could, therefore, benefit from their experience, and preceded the last session of the Preparatory Committee, scheduled for April in Geneva. It was also linked to the diversity of the Asian continent and to the different levels of development reached by the countries participating in the meeting.

That diversity would enrich, in particular, the debate on the relation between development, democracy and human rights.

Mr. Fall stated that while controversy in the field of human rights could not be avoided, the present argument opposing proponents of civil and political rights on one side and advocates of economic, social and cultural rights on the other was unfounded since neither set of rights could exist without the other. Stressing the indivisibility of human rights, he pointed out that, originally, there was to be only one International Covenant on Human Rights. Political considerations had led to the adoption of two separate Covenants, one on Political and Civil Rights, and the other on Economic, Social and Cultural Rights. A legitimate point for discussion, however, was the lack of optional protocols to the second Covenant.

Mechanisms had been proposed to enhance the implementation of existing human rights instruments, he said, among them, the creation of an international penal court and the appointment of a United Nations special commissioner for human rights. Referring to the Secretary-General's "An Agenda for Peace" report and its recommendations for the application of preventive diplomacy, Mr. Fall also mentioned the possibility of setting up a rapid and flexible system by which the United Nations would respond to cases of massive human rights violations. Such a system could include a roster of independent experts whom the Secretary-General could use at short notice.

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## BANGKOK DECLARATION

*Adopted 2 April 1993*

*This is the full text of the Declaration adopted by the Ministers and representatives of Asian States, who met at Bangkok from 29 March to 2 April 1993, pursuant to General Assembly resolution 46/116 of 17 December 1991 in the context of preparations for the World Conference on Human rights.*

Emphasizing the significance of the World Conference on Human Rights, which provides an invaluable opportunity to review all aspects of human rights and ensure a just and balanced approach thereto,

Recognizing the contribution that can be made to the World Conference by Asian countries with their diverse and rich cultures and traditions,

Welcoming the increased attention being paid to human rights in the international community,

Reaffirming their commitment to principles contained in the Charter of the United

Nations and the Universal Declaration on Human Rights,

Recalling that in the Charter of the United Nations the question of universal observance and promotion of human rights and fundamental freedoms has been rightly placed within the context of international cooperation,

Noting the progress made in the codification of human rights instruments, and in the establishment of international human rights mechanisms, while expressing concern that these mechanisms relate mainly to one category of rights,

Emphasizing that ratification of international human rights instruments, particularly the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, by all States should be further encouraged,

Reaffirming the principles of respect for national sovereignty, territorial integrity and non-interference in the internal affairs of States,

Stressing the universality, objectivity and non-selectivity of all human rights and the need to avoid the application of double standards in the implementation of human rights and its politicization,

Recognizing that the promotion of human rights should be encouraged by cooperation and consensus, and not through confrontation and the imposition of incompatible values,

Reiterating the interdependence and indivisibility of economic, social, cultural, civil and political rights, and the inherent interrelationship between development, democracy, universal enjoyment of all human rights, and social justice which must be addressed in an integrated and balanced manner,

Recalling that the Declaration on the Right to Development has recognized the right to development as a universal and inalienable right and an integral part of fundamental human rights,

Emphasizing that endeavours to move towards the creation of uniform international human rights norms must go hand in hand with endeavours to work towards a just and fair world economic order,

Convinced that economic and social progress facilitates the growing trend towards democracy and the promotion and protection of human rights,

Stressing the importance of education and training in human rights at the national, regional and international levels and the need for international cooperation aimed at overcoming the lack of public awareness of human rights,

1. Reaffirm their commitment to the principles contained in the Charter of the

United Nations and the Universal Declaration on Human Rights as well as the full realization of all human rights throughout the world;

2. Underline the essential need to create favourable conditions for effective enjoyment of human rights at both the national and international levels;

3. Stress the urgent need to democratize the United Nations system, eliminate selectivity and improve procedures and mechanisms in order to strengthen international cooperation, based on principles of equality and mutual respect, and ensure a positive, balanced and non-confrontational approach in addressing and realizing all aspects of human rights;

4. Discourage any attempt to use human rights as a conditionality for extending development assistance;

5. Emphasize the principles of respect for national sovereignty and territorial integrity as well as non-interference in the internal affairs of States, and the non-use of human rights as an instrument of political pressure;

6. Reiterate that all countries, large and small, have the right to determine their political systems, control and freely utilize their resources, and freely pursue their economic, social and cultural development;

7. Stress the universality, objectivity and non-selectivity of all human rights and the need to avoid the application of double standards in the implementation of human rights and its politicization, and that no violation of human rights can be justified;

8. Recognize that while human rights are universal in nature, they must be considered in the context of a dynamic and evolving process of international norm-setting, bearing in mind the significance of national and regional particularities and various historical, cultural and religious backgrounds;

9. Recognize further that States have the primary responsibility for the promotion and protection of human rights through appropriate infrastructure and mechanisms, and also recognize that remedies must be sought and provided primarily through such mechanisms and procedures;

10. Reaffirm the interdependence and indivisibility of economic, social, cultural, civil and political rights, and the need to give equal emphasis to all categories of human rights;

11. Emphasize the importance of guaranteeing the human rights and fundamental freedoms of vulnerable groups such as ethnic, national, racial, religious and linguistic minorities, migrant workers, disabled persons, indigenous peoples, refugees and displaced persons;

12. Reiterate that self-determination is a principle of international law and a universal right recognized by the United Nations for peoples under alien or colonial domination or foreign occupation, by virtue of which they can freely determine their political status and freely pursue their economic, social and cultural development, and that its denial constitutes a grave violation of human rights;

13. Stress that the right to self-determination is applicable to peoples under alien or colonial domination or foreign occupation, and should not be used to undermine the territorial integrity, national sovereignty and political independence of States;

14. Express concern over all forms of violation of human rights, including manifestations of racial discrimination, racism, apartheid, colonialism, foreign aggression and occupation, and the establishment of illegal settlements in occupied territories, as well as the recent resurgence of neo-nazism, xenophobia and ethnic cleansing;

15. Underline the need for taking effective international measures in order to guarantee and monitor the implementation of human rights standards and effective and legal protection of people under foreign occupation;

16. Strongly affirm their support for the legitimate struggle of the Palestinian people to restore their national and inalienable rights to self-determination and independence, and demand an immediate end to the grave violations of human rights in the Palestinian, Syrian Golan and other occupied Arab territories including Jerusalem;

17. Reaffirm the right to development, as established in the Declaration on the Right to Development, as a universal and inalienable right and an integral part of fundamental human rights, which must be realized through international cooperation, respect for fundamental human rights, the establishment of a monitoring mechanism and the creation of essential international conditions for the realization of such right;

18. Recognize that the main obstacle to the realization of the right to development lie at the international macroeconomic level, as reflected in the widening gap between the North and the South, the rich and the poor;

19. Affirm that poverty is one of the major obstacles hindering the full enjoyment of human rights;

20. Affirm also the need to develop the right of humankind regarding a clean, safe and healthy environment;

21. Note that terrorism, in all its forms and manifestations, as distinguished from the legitimate struggle of peoples under colonial or alien domination or foreign occupation, has emerged as one of the most dangerous threats to the enjoyment of hu-

man rights and democracy, threatening the territorial integrity and security of States and destabilizing legitimately constituted governments, and that it must be unequivocally condemned by the international community;

22. Reaffirm their strong commitment to the promotion and protection of the rights of women through the guarantee of equal participation in the political, social, economic and cultural concerns of society, and the eradication of all forms of discrimination and of gender-based violence against women;

23. Recognize the rights of the child to enjoy special protection and to be afforded the opportunities and facilities to develop physically, mentally, morally, spiritually and socially in a healthy and normal manner and in conditions of freedom and dignity;

24. Welcome the important role played by national institutions in the genuine and constructive promotion of human rights, and believe that the conceptualization and eventual establishment of such institutions are best left for the States to decide;

25. Acknowledge the importance of cooperation and dialogue between governments and non-governmental organizations on the basis of shared values as well as mutual respect and understanding in the promotion of human rights, and encourage the non-governmental organizations in consultative status with the Economic and Social Council to contribute positively to this process in accordance with Council resolution 1296 (XLIV);

26. Reiterate the need to explore the possibilities of establishing regional arrangements for the promotion and protection of human rights in Asia;

27. Reiterate further the need to explore ways to generate international cooperation and financial support for education and training in the field of human rights at the national level and for the establishment of national infrastructures to promote and protect human rights if requested by States;

28. Emphasize the necessity to rationalize the United Nations human rights mechanism in order to enhance its effectiveness and efficiency and the need to ensure avoidance of the duplication of work that exists between the treaty bodies, the Sub-Commission on Prevention of Discrimination and Protection of Minorities and the Commission on Human Rights, as well as the need to avoid the multiplicity of parallel mechanisms;

29. Stress the importance of strengthening the United Nations Centre for Human Rights with the necessary resources to enable it to provide a wide range of advisory services and technical assistance programmes in the promotion of human rights to requesting States in a timely and effective

manner, as well as to enable it to finance adequately other activities in the field of human rights authorized by competent bodies;

30. Call for increased representation of the developing countries in the Centre for Human Rights.

### **ASIAN GOVERNMENTS ADOPT BANGKOK DECLARATION ON HUMAN RIGHTS**

*UN Press Release, 2 April 1993. Excerpts*

BANGKOK (United Nations Information Service) – Concluding an unprecedented regional meeting on human rights, Asian Governments here have produced the “Declaration of Bangkok,” a consensus document reflecting their positions on a range of human rights issues. The 30-point Declaration, which will be submitted to the Preparatory Committee for the World Conference on Human Rights (Vienna, 14-25 June), emphasizes the primary responsibility of states in protecting and promoting human rights, while recognizing the crucial role of international cooperation in achieving these goals.

The Declaration, which was drafted by representatives of 40 Governments from West Asia to the Pacific under the chairmanship of Mr. Mohammad Javad Zarif (Islamic Republic of Iran), was adopted at the plenary session of the regional meeting which was chaired by Mr. Pracha Gunakasem of Thailand. Mr. Pracha Gunakasem said that the Declaration was prepared in record time, reflecting the spirit of cooperation among the delegations. “We are pleased to make this Asian contribution to the World Conference on Human Rights,” he said, noting that the document would be considered together with the African and Latin American and the Caribbean Declarations at the fourth and final Preparatory Committee meeting in Geneva, 19-30 April.

Speaking after the final plenary, Mr. Ibrahim Fall, Secretary General of the upcoming World Conference, said that the Declaration of Bangkok, reflecting the enormous social, political and cultural diversity of the Asia and Pacific region, has particular significance as it completes the overview of the concerns and proposals of the three developing regions. “There are many similarities in the three Declarations,” he pointed out. “But their differences will prove to be complementary within the framework of the World Conference.”

#### **NGO Response**

For their part, the NGOs attending the regional meeting as observers, said they had demonstrated their unity and that their voices had been heard. “The meeting has

allowed us to come together for the first time ever around human rights issues,” said Cecilia Jimenez, spokesperson for the more than 170 NGOs represented. “We did not come here to confront governments but to encourage dialogue at the local, national and regional levels.” The Declaration represented a step forward, she said at a press conference, in that governments had recognized a number of issues such as the rights of women and children. She regretted however, that the Declaration had failed to “give proper recognition to the most fundamental rights of indigenous peoples.”

A positive point, Ms. Jimenez said, was that the Declaration had acknowledged the importance of the contribution of NGOs. “The governments of the Asia/Pacific region can no longer belittle or deny our right to be part of the protection and promotion of human rights.”

Ms. Jimenez expressed concern at the emphasis placed in the Declaration on “regional specificities” and what she perceived as the absence of an unequivocal statement regarding the universality and indivisibility of human rights.

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### **ASIA-PACIFIC STATES SET STRONG AGENDA**

*by Kunda Dixit*

Bangkok, Apr. 2 (IPS) - The first-ever gathering of Asia-Pacific countries on human rights that ended here Friday approved a declaration that counters western pressures and blunts the concerns of the region's activist groups.

The three-cornered tussle at the conference between Asia-Pacific governments, human rights NGOs (non-governmental organisations) and the west, has ended with some of the more powerful Asian states seeming to gain the upper hand.

These countries have come under growing pressure lately from industrialised countries to adhere to what they see as western commandments on human rights, democracy and the environment.

The Bangkok declaration is a document that prepares a common Asian stand for the U.N. world conference on human rights to be held in Vienna in June.

It was crucial for some Asian countries to draw up a paper that deleted or diluted references to civil liberties, political pluralism or NGO participation.

And they seem to have got what they wanted. The final document considerably enhances their negotiating power for Vienna.

Even though some south-east Asian nations have been the most vocal lately about western pressures on human rights and democracy, they showed more sophisti-

cation. Singapore wanted the toughly-worded first draft toned down because it could have given the impression that Asia condoned human rights violations.

Conference sources said China and Vietnam were most adamant in deleting all direct references to torture and NGO participation. South-east Asian countries tried to strike off phraseology on self-determination as a principle of international law and wanted to insert the right of all nations to "control and freely utilize their natural resources."

In the end, the final document reflected the growing clout of Asia's newly-affluent nations. The few voices speaking out for civil liberties and pluralism belonged to the region's ailing economies like India, the Philippines and Nepal.

The notable exceptions were South Korea, which recently elected its first civilian president in three decades, and Japan, the only developed country that attended the meeting.

Japan strongly objected to an item in the declaration that discourages attempts to use human rights conditionalities to development aid, saying it was not compatible with Japan's overseas development assistance (ODA) charter.

Japan also echoed the western emphasis on civil and political rights. "Human rights are universal ... these are values common to all mankind and they are a matter of legitimate international concern," said Japan's Seiichiro Otsuka.

The final declaration drew mixed reactions from activists who were here to lobby for a stronger government commitment to civil and political liberties and the protection of minorities.

Said Evelyn Serrano of the Philippine Alliance of Human Rights Advocates: "we are a bit disappointed that the states have eroded the NGO recommendations."

"It was one step forward and one step back," said Cecilia Jimenez, spokesperson of a regional conference of human rights groups held here last week.

Asia-Pacific NGOs felt the five-day Bangkok meeting was a historic occasion that united them for the first time as a region. Many of them are now looking forward to Vienna, and linking up with other rights groups in Latin America and Africa.

But they also lost out when some key concerns were ignored, such as indigenous people's rights. Said Jimenez: "we achieved some points, like reference to women's and children's rights but the resolution's weakness and drawbacks far outweigh the gains."

Governments were for the most part happy with the final version. "the resolution was a balanced one. it reaffirms our

commitment to the Asian point of view," said Singapore's Bilahari Kausikan. "This is an important achievement. we will go to Vienna with a coherent voice."

The five-day Asia-Pacific human rights meeting had several glaring blind spots. some parts of the region got over-exposed while others got left out in the dark.

High-profile crises like those in East Timor and Burma were spotlighted by aggressive activist groups who knew their way around with the media. Proximity to the venue of the meeting meant Burmese exile groups had a strong contingent.

Other human rights hot spots that did not even register a blip on the conference radar screens in the past week were north Korea, Tibet and Kashmir. The middle east was represented only by groups from Palestine and Kuwait.

China, home to one-fifth of the world's population, had a lone activist who created ripples by addressing the plenary in Chinese. Central Asian states, still suffering an identity crisis, did not even show up.

"China and Tibet were both off screen. there was no major group pressing attention on human rights violations in China," says Sidney Jones of the U.S.-based Asia Watch. "And Tibetan groups should have been here. It was an unfortunate lapse."

Given the concerns about safeguards to democracy and human rights in Hong Kong in the run-up to the 1997 handover of the British colony to China, it was surprising that only one Hong Kong NGO came to Bangkok.

"Hong Kong groups are very concerned about 1997 and want a venue for discussion, but they are not so sure about their level of participation in Vienna. Intervention-wise it is problematic," says Tan Meng-Kiat of the Hong Kong-based Asian Centre for the Progress of Peoples.

But the question of Hong Kong's absence in the Bangkok meeting was raised at this week's legislative council meeting in Hong Kong, and the government's answer was that Hong Kong will be present at the Vienna conference.

Pro-democracy activists in Hong Kong are concerned that governor Chris Patten's battle with Beijing over reforms in the composition of the legislature does not go far enough.

Said one activist: "Hong Kong NGOs are for a totally elected legislative council. but (Patten) knows this would be too radical for China."

Human rights groups from the South Pacific island states were also under-represented. A Bougainville group tried hard to get the media interested in the Papua New Guinea military's ongoing suppression of a separatist struggle in the copper-rich island.

Also striving hard for attention were other marginalised groups like India's untouchables. The little-known abuse of some 200 million victims of south Asia's caste system probably makes this numerically the world's most widespread rights violation, "yet you hardly hear of untouchables in international fora," said one activist.

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## BBC ON BANGKOK DECLARATION AND TIMOR

*The BBC World Service's Newshour at 1pm GMT on Friday, 2 April 1993 carried the following report on the Bangkok meeting of Asian governments held in preparation of the UN World Conference on Human Rights in June this year. It also interviewed Indonesia's chief delegate, Wiryono Sastrohandoyo in Bangkok, and José Ramos-Horta in Sydney:*

*The following is an unabridged transcript of the programme which came in two sections:*

The Bangkok meeting was called to agree a common Asian position ahead of the World Conference on Human Rights due to be held in Austria in June. From Bangkok, here's our Southeast Asia correspondent, Jonathan Burcher:

"The Bangkok Declaration describes itself as setting out the human rights aspirations and commitments of Asia. Its contents reflect the reservations of many Asian governments over what they see as the increasing dominance of western concerns with individual, civil and political liberties. The Declaration opposes in particular attempts to tie aid to a country's human rights record. It says rights should not be promoted through the imposition of what the Declaration calls 'incompatible values.' And at a time when the United Nations is growing increasingly interventionist, the Declaration stresses the importance of national sovereignty and the principle of non-interference in internal affairs.

"Asian non-government human rights groups represented at the Bangkok meeting welcomed some parts of the Declaration, in particular sections on women's and children's rights which had been absent from the initial draft.

"In a statement, the NGOs accused the Asian governments of seeking ultimately to protect themselves from a too critical examination of their own human rights record."

The second report drew attention to the forthcoming talks between Portugal and Indonesia on the question of East Timor:

The dispute between Indonesia and Portugal which is the former colonial power in East Timor has exploded into open con-

frontation. Portugal has led the European Community in getting the UN Sub-commission (sic) in Geneva to condemn Indonesia for its treatment of the East Timorese. While for his part, the Indonesian Foreign Minister, Ali Alatas, says such comments could ruin talks scheduled to resume in Rome on April 20.

In the meantime Indonesia and 46 other Asian nations have been attending a conference on human rights in Bangkok where delegates were sharply critical of western intervention on the subject. But the head of the NGO delegation to the conference Cecilia Ximenes of the Philippines was not happy at the outcome:

"They are still continuing to try to limit the scope of international monitoring of the violations of human rights in the region. And this can be seen by the emphasis on the principle of national sovereignty, the principle of non-interference in internal affairs, etc. This has been interpreted by these Asian-Pacific states as the need not be accountable for the human rights violations occurring."

So, with East Timor in mind, what position has Indonesia been taking at the conference? Bill Barnes asked the government representative there, Mr. Wiryono, whether Asian countries were firmly rejecting western notions of human rights:

"Of course, human rights are universal. We accept that. But we also have to accept the fact that the world is very diverse. And Indonesia, for a country I must stress, our motto is Unity in Diversity. We are a nation of 350 ethnic groups. In the United Nations we have now about 179 nations and I think they are all different but we are all committed to the universality of human rights. But I think we must not try to contradict each other but to find common ground. I think this is the voice of reason and I think we must be seriously considered by the western countries in particular because, many times, Asian countries have been the target of censure and criticism and often attack."

Bill Barnes: "Your critics in the West would presumably argue that you can have economic development, you can have progress with the sort of western rights that they would like you to adopt. And you're are saying that you can't have this."

Wiryono: "I am not saying that we can't have both. We must strike a balance between individual rights and the obligations of the individual to society. And in Indonesia as well as in many other Asian countries, communal rights are sometimes considered to be superior, to be given more importance. I think both economic, social and cultural rights as well as civil and political rights are important and are to be seen

in an integral way. That is, I think, our views."

BB: "You say that human rights have to be ...[compatible?] in the country in which they are being applied, but couldn't people argue that some of the people at least, calling for human rights within Asia are people living in those countries?"

Wiryono: "I think that the NGOs are our partners and they can express their views but I think sometimes, I hate to say it, they reflect more the western views rather than the their own countries' cultural heritage. If they simply make blunt voices and take for themselves the role of both judge and jury, I don't think that it's very useful. And governments I think represent the people. They represent their organisation and their organisations are given a certain status within the UN and they play their roles but they must also observe the same principles dealing with human rights as I have explained, in the spirit of the UN Charter and in the spirit of cooperation."

Bill Barnes: "So how do such comments go down with Fretilin? This is the rebel group campaigning for independence in East Timor where tens of thousands of people are thought to have died fighting since Indonesia annexed the territory in 1975. Fretilin spokesman is José Ramos-Horta who spoke to me from Sydney, Australia, and I asked him whether he accepted the view that developing countries should have their own human rights values:

Horta: "I come from a third world country, East Timor, which in fact is fourth world. So I have legitimacy to talk about the problems of the South. When I hear Mr. Wiryono criticizing, or saying that NGOs in the South are detached from the reality or that they reflect more the western views, I find it perplexing, because the NGOs of the South are deep-rooted in the villages, in the small towns, in the countryside. They in fact reflect the true aspirations, the true desires of the people of the South, not the elite that play golf and mortgage the future of their own countries with the West."

Barnes: "But it has to be said that the South does have different values from the West and Wiryono did make the point for example that in Indonesia you do have 350 different ethnic groups. How can you possibly put individual rights ahead of the communal good?"

Horta: "First let me say that there are universal standards in terms of the right to life, the right to education, the right not to be afraid of being arrested. In Indonesia student protests against lack of education, lack of health care or low wages and so on, are arrested, so what kind of economic rights

is the Indonesian government talking about?"

Barnes: "So on East Timor, are you putting your faith in the second visit of Amos Wako to East Timor?"

Horta: "Not entirely. First we hope that his first report is made public. The UN Human Rights Commission in Geneva called on the UN Secretary-General to publish his first report which I believe is very damaging on Indonesia and calls for the respect for self-determination in East Timor. Now let us see, what will be his second report. And we hope that he will stay there longer than in the previous visit. His visit was only one day. What kind of investigation is that when you go to a country to stay only one day in the country? So we hope that he will stay longer and publish his two reports as has been requested by the Commission."

Barnes: "What prospects are there for a political settlement? Talks are to resume on April 20; meanwhile Indonesia and Portugal are criticizing each other's stand over East Timor. The prospects don't look too good, do they?"

Horta: "It is not Portugal that invaded East Timor. Portugal left East Timor in the hope that East Timor would achieve self-determination and independence. It is Indonesia that has to make the gestures. What kind of gesture can they expect from Portugal? On our side, the East Timorese, I have stated repeatedly that we are prepared to bend backwards to accommodate Indonesia's concerns, its legitimate security interests. We are prepared to work out a formula that would help Indonesia extricate itself from East Timor with honour, with dignity, without losing face. All we want is for the UN, working with Portugal and Indonesia, to organise a referendum in East Timor through which the people of East Timor will decide whether they want independence, whether they want to be a free associated territory with Portugal or to be integrated with Indonesia. That's all we are asking."

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## JOSÉ RAMOS HORTA SAYS HE PLANS TO RETURN TO EAST TIMOR

*Report on SBS TV program Dateline, Friday April 2, 1993.*

*Interview with José Ramos Horta. Interviewer Paul Murphy. (slightly edited).*

PM: East Timor wasn't on the agenda at the Bangkok Asia-Pacific Human Rights Conference this week but it scored a victory in early March at the UNCHR when a motion highly critical of Indonesia was carried overwhelmingly. One of East Timor's best

known activists, José Ramos Horta, is back in Australia after attending the Conference in Thailand.

José Ramos Horta, East Timor wasn't on the agenda at Bangkok but was it talked about in the corridors of the conference ?

JRH: ET was not on the agenda like many other issues because it was a conference dealing with diplomatic procedures, standard setting and so on. I must say that ET dominated the whole conference, particularly the NGO conference which preceded the official conference.

M: Right, but the official conference was dominated by countries like China, Iran, Indonesia. Countries not known for their progressive attitude on human rights.

JRH: Yes the conference was dominated by Iran, China, Indonesia, Iraq and so many other dictatorships that I said to one of the Asian delegates that the only thing missing was having Pol Pot as one of the rap-porteurs.

PM: So you didn't achieve anything in Bangkok ?

JRH: Not in terms of standard setting, adoption of forward looking instruments to protect human rights, that would go beyond existing instruments such as the Covenant on Civil and Political Rights. But in terms of East Timor we succeeded in obtaining from the NGOs, more than 100 NGOs, from all over the region the adoption of ET as a country situation to campaign on this year.

PM: Now in Geneva in early March the UNCHR adopted a very strong motion against Indonesia. No doubt you would claim that as a victory but what really would even that achieve ? What effect would that have on Indonesia ?

JRH: Well first of all let me say again that Indonesia went to Geneva as President of NAM, leader of the North-South dialogue, member of the Islamic Conference and it was also a Vice-President of the Commission itself. So all the odds were against us but as it turned out Indonesia got only one fifth of the membership of the Commission. In terms of practical achievements I must say yes because right now the special envoy of the UN Secretary General is flying to East Timor.

PM: But he's the Kenyan Attorney General. They're not known for their performance in human rights are they ?

JRH: That's true but on the other hand we know of the first report he wrote. This report has been locked up at the office of the UN Secretary General because as we understand it is very damaging to Indonesia and it is also recommending that the UN must look at the root causes of the problem in East Timor.

PM: Its been 18 years since Indonesia annexed East Timor. What have you

achieved really ? The struggle has gone on but being pragmatic what have you achieved ?

JRH: Well the fact we have kept the issue alive, on the agenda, that was a major success. The fact that we persuaded the US Congress to cut military training to Indonesia. The fact that now we have ET high on the agenda of the UN and of the US Congress and the Clinton administration. These, I believe, portend good news for East Timor in the next few months, 2 years, 3 years for ET.

PM: Would you risk going to ET yourself ? Would you want to ? Do you think that it would be worth the risk ?

JRH: Yes, I have all intentions to go there, sooner rather than later. The Indonesian military commander, Theo Syafei, in a sarcastic manner said that my boss Xanana Gusmão was there already so I am most welcome to come. The puppet governor of East Timor also said that he would pick me up at the airport himself. These are threatening remarks but I still intend to go.

PM: Even though there is danger.

JRH: Yes there is danger, I just remember what they did to Ninoy Aquino in the Philippines. Much more easier to shoot me but I still intend to go.

PM: When will you go ?

JRH: I don't know. I have to look into the logistics.

PM: This year ?

JRH: Yes, I hope so. This year, within a few weeks, a few months, we are making arrangements with some international personalities to travel along with me.

PM: Final question, do you think Xanana Gusmão was tortured when Indonesian troops grabbed him ?

JRH: Absolutely, he was tortured. I showed the footage of the first interview which Indonesia displayed on national TV to a specialist group of the UN, the Working Group on detention and torture and everyone, 5 specialists from 5 parts of the world, they all confirmed yes, Xanana Gusmão was physically and psychologically tortured.

*Before the interview SBS showed extracts from a play, 'The Voices of Souls,' based on Michelle Turner's book "Telling East Timor" which is due to open in Melbourne in 2 weeks. (Theatre Works, St Kilda). Extracts from the play included interviews with the Timorese 'actors,' traditional dances & songs and a dramatization of part of the story of Fatima Gusmão in the book.*

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## **CONTINUING TALKS BETWEEN INDONESIA AND PORTUGAL**

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### **JAPANESE GROUPS URGE UN SECRETARY-GENERAL TO REDOUBLE EFFORTS**

*From Free East Timor Japan Coalition,  
Feb. 18.*

Letters calling on UN Secretary-General to take new initiatives to solve the East Timor issue were delivered to Dr. Boutros Boutros-Ghali, who is currently on an official visit to Tokyo. Eda Satsuki, member of the Lower House, conveyed the letters at a reception for the UN chief on Feb. 17.

A letter from the suprapartisan Diet Members' Forum on East Timor expresses Japanese lawmakers' concern that representatives of the East Timorese be included in negotiations on the issue being conducted under the Secretary General's auspices. The missive also calls on the UN to "put forth a strategy ...including as one possibility the holding of a popular referendum" in order to carry out the two Security Council and eight General Assembly resolutions on East Timor. Such a strategy, the legislators say, is "absolutely consistent with goals which the United Nations is most energetically pursuing at the moment, namely, peacekeeping in regional disputes and support for democratic elections."

After the Indonesian invasion of the former Portuguese colony of East Timor in 1975, the UN passed resolutions calling on Indonesia to withdraw its troops and affirming the East Timorese' right of self-determination. The U.S., Japan and other Western Powers closed their eyes to Indonesia's illegal takeover of East Timor until Nov. 1991 when journalists witnessed Indonesian troops shoot down hundreds of mourners at a cemetery in Dili. In spite of heightened international concern, the UN has failed to take any new initiative to break the 17-year deadlock over the East Timor issue.

The Diet Members' letter concludes by urging Dr. Boutros-Ghali "to request the all-out cooperation of Japan and the Japanese Government in achieving a solution of the East Timor issue. Japan, which is the largest donor of economic aid to Indonesia, has deep economic ties with that country, so that it can be said that the issue of East Timor represents a veritable test of Japan's human rights diplomacy."

A second letter, from the Free East Timor Japan Coalition, representing eleven

local organizations, urges the UN chief to "redouble efforts to ensure that opportunities for a solution are not lost." The "favorable international climate" that has prevailed since the demise of the Cold War and the "greatly enhanced awareness" of the issue are cited as opportunities.

"The gravely deteriorating situation" in East Timor itself is also given as a "pressing reason for a new concerted initiative." Referring to a recent letter from the Catholic Bishop of East Timor Ximenes Belo, the Coalition says that many people have been arrested and tortured in the wake of the arrest of resistance leader Xanana Gusmão in November of last year. Quoting Mr. Gusmão's words after his arrest, the letter says that the only ray of hope lies in "a global solution for East Timor." The scenario for such a solution would center on the Secretary-General and, the Coalition opines, should involve the cooperation of the Japanese Government.

Further Information: Jean Inglis  
Fax:0823222684 Tel:0823220962

## CHURCH TO MEDIATE TIMOR TALKS?

*Diario de Noticias 11 March 1993 Dateline:  
Lisbon Byline: Carlos Albino Translated  
from Portuguese unabridged*

Jakarta and Lisbon may accept intervention of the St. Egidio Community:

After the Catholic Church offered three times to serve as mediator between Portugal and Indonesia, through the St. Egidio Community, it is now believed that Jakarta and Lisbon will accept a formula for a first round of formal negotiations in September on the future of East Timor.

The acceptance of the Church's mediation could be the only concrete result of the talks scheduled for 17 April in Rome between Durão Barroso and Ali Alatas, a Community diplomatic source assured us, stressing the fact that Portugal is not going to desist from its veto on the third generation agreement between the EC and Indonesia.

The same source added that Community officials were expecting Portugal to withdraw from or moderate its position, especially after Germany turned a deaf ear to the UN resolutions and to the process developed by SG Boutros-Ghali, in its sale of war materials to Jakarta.

The response, however, was quick in coming and Durão Barroso ended up going to Strasbourg to personally counter the spreading news of an impending softening in Lisbon's negotiating attitude towards Jakarta.

We are assured from Brussels, besides, that Indonesia was aware of the possible moderation in Lisbon's stance. So Minister Durão Barroso's statements in Strasbourg, namely containing a "first step" criticism of Germany, took by surprise the Europeans, who put business dealings with Jakarta before everything else, even though the latter are no more than "diplomatic old iron," as was the case in which Bonn involved itself, encouraging Indonesia.

Yesterday, high up Portuguese diplomatic officials who, in the Foreign Office, are following the case of Timor, drew a curtain of total silence over the dossiers being prepared for Rome, and refused to speak about the case. Nevertheless, it is known that the scheduling of the Rome meeting between Durão Barroso and Ali Alatas was, from the beginning, linked to the admissibility that the St. Egidio Community could have a mediating role. Also, the 20 April date was set on account of the ending of the discussion on Timor at the UN Human Rights Commission in Geneva.

Jakarta always expected a neutral result. Yesterday, however, the US made a 360 degree alteration to its traditional stance, when it subscribed to the draft resolution sponsored by the EC, Angola, Switzerland, Liechtenstein, Sweden, Norway, Iceland, Finland, Guinea-Bissau, Mozambique and Brazil. Diplomatic observers believe that, in spite of this being a first sign from Washington, it has signified a serious setback for Jakarta, but goes no further than being a warning.

It is in this context that the Catholic Church's mediation, through the St. Egidio Community, already seen as Vatican diplomacy's "worldly goal," arises as a viable option.

To the already well-known formula of "an internationally acceptable solution" for Timor, Portugal now adds the hope of solving the problem when the Jakarta dictatorship falls once and for all, giving way to a democratic regime, for which Lisbon appears to be definitely prepared to wait for as long as it takes.

It should be said that the Rome negotiations scenario will not be influenced by the forthcoming episodes of the Xanana case, in which there should be new developments on 19 or 20 March, with the reading of the sentence of the Indonesian court, set up in Dili.

## ST. EGIDIO CONFIRMS MEDIATION

*Diario de Noticias 12 March 1993 Dateline:  
Lisbon original lang.: Portuguese  
unabridged*

Father Matteo Zuppi, Director of the St. Egidio Community, confirmed there have

been contacts with regards mediation between Portugal and Indonesia on the question of Timor, according to news carried yesterday by the *Diario de Noticias*. Father Zupi told our Rome correspondent, Manuela Paixao, that "the St. Egidio Community expressed its total willingness, when contacted in connection with possible mediation in the future peace process in Timor, to take place some time, somewhere." Father Zuppi added that "No official request has yet been made by the two parties. This is very likely to happen when the Indonesian and Portuguese ministers meet in April."

## TIMOR: VATICAN WANTS TO MEDIATE

*Expresso 13 February 1993 Dateline:  
Lisbon Byline: Mario Robalo Translated  
from Portuguese unabridged*

A Church source in Rome yesterday assured the *Expresso* that the St. Egidio Community, in Rome, is going to appear as mediator in the search for a solution to the problem of East Timor. As from next week, this Catholic movement, which led the mediation process between Renamo and the Mozambique Government, will initiate a series of contacts with the Timorese Resistance and the Jakarta Government, with "the committed consent of Vatican diplomacy," with a view to finding a political model to resolve the differences which have dragged on since December 1975.

According to the same source, the St. Egidio Community will not as yet be contacting Portuguese diplomacy, "given the urgency of Indonesia's acceptance of Timorese presence at the talks." The Portuguese and Indonesian Foreign Ministers' decision, at the end of the inconclusive December meeting, to schedule a new round of talks for Rome on 20 April next, is probably connected to this attitude taken by the Church. However, Minister Durão Barroso's office does not confirm this version: "The meeting was set to be held in Rome because of the agenda problems faced by the three parties involved."

Meanwhile, statements made by the Bishop of Dili, Msgr. Ximenes Belo, referring to East Timor becoming an "autonomous territory" of Indonesia, confirm reports that the Holy See is making diplomatic efforts to get the Suharto Government to agree to concede autonomy to the former Portuguese colony.

Having until now supported a referendum through which the Timorese could express their wishes regarding their political future, on Thursday the prelate unexpectedly admitted to Portuguese reporters, covering the Xanana Gusmão trial, that "the

most realistic solution" for the territory would be to achieve autonomous region status. This statement connects with what the *Expresso* published in its 30 January edition, regarding the Vatican's efforts in the search for a solution which "does not lessen the Indonesian nation's prestige but which, at the same time, satisfies the Timorese population." Msgr. Ximenes Belo must have received the same message that the Apostolic Nuncio in Jakarta, Msgr. Pietro Sambì, delivered to General Suharto.

In spite of the Indonesian President having stated to the Catholic Church's diplomatic representative that the proposed model could mean the disintegration of the nation, Msgr. Belo becomes, now, the Vatican's spokesman. It may be recalled that, last year, the Holy See admitted officially that it would agree to the Msgr. Belo's presence at the meetings between Portugal and Indonesia, as mediator.

### ST. EGIDIO WITH TIMOR

*Expresso 13 March 1993 Dateline: Lisbon Translated from Portuguese unabridged*

The St. Egidio Community has established contacts with the Timorese Resistance abroad, with regards becoming mediator in the East Timor conflict.

An ecclesiastical source in Rome assured the *Expresso* yesterday that in the past two weeks Father Matteo Zuppi, the Catholic movement's leader, has met with members "with responsibilities for representing abroad the command of the Maubere struggle," so that the Community's willingness to make efforts to establish contacts between the Resistance and the Jakarta Government could be transmitted to the new Timorese guerrilla leader, Mau Hunu.

As the *Expresso* reported in its 13 February edition, the St. Egidio Community, "with the committed consent of Vatican diplomacy," is interested in leading the reconciliation process between Timorese and Indonesians, just as it did the process of mediation between Renamo and the Mozambique Government. This attitude on the Church's part is certainly not unconnected with the fact that the next round of talks between Portugal and Indonesia will be taking place in Rome next month, at which time Msgr. Ximenes Belo, Bishop of Dili, will be travelling there.

Meanwhile, Indonesia unexpectedly suffered an unprecedented defeat on Thursday at the Human Rights Commission in Geneva, when the draft resolution proposed by the EC Twelve was passed. 22 votes were cast in favour (EC, US, Australia and PALOP - Portuguese-speaking African nations - among others), against the 12

countries that sided with Jakarta, which always rejected a consensus solution. Now Suharto has to agree to four UN rapporteurs visiting East Timor, to investigate issues connected with torture, disappearances and summary executions. The resolution further demands clarification by the Indonesian authorities of the 12 November massacre.

### ROME AWAITS THE TIMORESE

*Diario de Noticias, March 22 Dateline : Lisbon Translated from Portuguese unabridged*

Before Durão Barroso and Ali Alatas meet in the Italian capital, Timorese representatives, both in favour of and against Indonesia, will be meeting in Rome under the mediation of the Catholic Church. This objective led to contacts in Lisbon between informal representatives of Indonesia's interests and Timorese resistance leaders. The holding in Rome of the meeting, however, is a certainty.

Yesterday, observers assured the *Diario de Noticias* that the St. Egidio Community was not involved in the attempted convergence which should, however, be taking place under the mediation of the Church. The presence of the Bishop of Dili, reportedly as moderator, is almost certain.

The same sources reported that the mediation is going to be a fundamental instrument for the political debate between Lisbon and Jakarta, in which Indonesia is said to have already given signs of being less intransigent, especially after the setback it suffered in Geneva. In this way, Durão Barroso and Ali Alatas will be able to discuss formulas for mediation at the highest level, since they will be in possession of elements which, until now, were not available and which could only be filtered from discussions between the Timorese themselves. Furthermore, the definitive alternative profile of the most appropriate Catholic institution (and this role may not fall to the St. Egidio Community, as a diplomatic source assured some days ago, and which was later confirmed by Father Matteo Zuppi himself) will depend, eventually, on the success or failure of the meeting of Timorese and whether the Church's mediation is formally accepted by the ministers. Specifically, it is now known that Father Mario Marisi of the St. Egidio Community was given the task of examining the mediation process in more depth.

There are reportedly four points on the agenda for the meeting of the Timorese, said to be scheduled for the second week of April: the pacification of Timor; demilitarization; reconciliation; consultation on self-

determination or not. The postponement of Xanana Gusmão's trial to 1 April could be linked to the subjects to be discussed by the Timor integrationists and pro-independence groups, since the pacification process would imply the release of all political prisoners.

### VATICAN MEDIATION NOT CONFIRMED BY FOREIGN OFFICE

*Publico, 24 March 1993. By Joaquim Trigo de Negreiros, Translated from Portuguese, unabridged*

(Lisbon) Yesterday, the (Portuguese) Foreign Office (FO) broke its silence on the alleged Vatican mediation in the talks on Timor. The FO does not endorse the statements and continues to stake everything on Boutros Ghali's role.

The Portuguese FO continues to back the current negotiating format of the talks on East Timor - under the auspices of the UN Secretary General, with the personal involvement of Jakarta's and Lisbon's diplomatic heads - and does not confirm any change regarding the Vatican taking on the role of "mediator," - a role played today by the UN.

The official FO position on the matter was made public for the first time yesterday by way of a

"clarification" released hours after a Lusa agency dispatch reached the newspapers, containing statements by a non-identified "Portuguese diplomatic source," according to which the Portuguese Government would look favorably upon the mediation of the Vatican, "the world's best diplomacy."

Dismissing the possibility of the St. Egidio Community eventually assuming the role - and thereby contradicting the view which had been insistently put forward on other occasions - the same source argued the advantages of the entrance on scene of the Vatican, "which would carefully ponder each step to be taken."

It was the military commander of East Timor, Theo Syaifei, who first floated the idea of Vatican mediation. Members of the Timorese Church, linked to the Resistance, expressed their opposition to the idea to the *Publico's* envoy, at the start of the Xanana Gusmão trial. They argued that the Vatican favours an autonomy solution for the territory.

The rumours about the Holy See being given a more active role started straight after last December's meeting between Ghali, Barroso and Alatas in New York, when it was announced that the next meeting would be held in April in Rome, in order to suit the Secretary General's agenda commitments.

Since then, the FO has kept silent about the reported "news" of the Vatican's greater involvement, a silence only broken yesterday by the "clarification," stating that "no authorised Portuguese diplomatic source made the comments" contained in the Lusa agency's dispatch, and that "no comments whatsoever were made by this Ministry's officials regarding the news carried by the Portuguese media concerning the alleged offers by the Holy See and the St. Egidio Community to mediate on the matter of East Timor." The "clarification" goes on to refer to Lisbon's "full and constructive collaboration" with "the efforts being made by the UN Secretary General in the process of dialogue between Portugal and Indonesia."

In this way, in the usual cautious diplomatic style, Portugal rejects any attempt to substitute the UN, today at the vertex of the negotiations triangle. The presence of Dr. Boutros Ghali at the negotiating table guarantees the internationalization - and an international visibility - of the Timor problem, fitting into Lisbon's way of seeing the matter. Minister Durão Barroso himself does not miss an opportunity of saying that the so-called "Timor question" is not a difference between Portugal and Indonesia, but a contentious issue between Jakarta and the international community. In this perspective, it would not make sense to give up the UN's role through its Secretary General's good offices and the most discreet contacts maintained by high-ranking UN officials.

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### ALATAS STEPS "BACKWARD" TOWARDS ROME ?

*From an East Timorese, posted anonymously. March 26.*

This only a brief insight in the perspective of Rome bilateral meeting - Portugal and Indonesia - on the East Timor problem.

Although Indonesia has given its green light to hold a bilateral talk with Portugal in Rome concerning ET question under UNO auspices, there still remain some questions on its position.

Whether Indonesia will "soften" its hard line towards the ET question? Several months ago (soon after their first meeting) Alatas stated, ".....Please go fishing if Portugal wants a referendum in ET....."

That shows an impossible solution will be taken from their talks. On the other hand ET people will continue to be oppressed under Theo Syafei's crucial actions.

However, I personally wouldn't believe that such statement was Alatas original thinking. As a Diplomat with a high inter-

national reputation, he wouldn't have hardly issued such statement, then who was behind the scene ? It is not difficult to figure out...

Overall, Indonesia's willingness to attend that meeting and the deliberate delay of "Xanana Kay Rala Gusmão" trial implies Indonesia's seriousness to face the meeting.. Or is it simply a lure to handle the concerns of human rights abuses and the Geneva conference last couple of weeks ago?

Hopefully, Suharto will take such matters (and his status as NAM's leader) into his consideration to achieve a proper acceptable solution for all parties involved.

The outcome of the Rome meeting, I think, will depend on Indonesia's good will and its consciousness concerning the question, whether it is favourable to Indonesia to keep on occupying that territory which refuse to be integrated ?

Otherwise, Alatas will step "backward" towards Rome.

Comments welcome.!!!!!!!!!!!!!!

With all the best.

We will fight them under their own shadows.(Xanana)

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### INDONESIA SAYS PORTUGAL UNHELPFUL OVER TIMOR

(Reuters, Jakarta, April 2) Indonesia has accused Portugal of damaging the atmosphere ahead of talks this month to try to settle the troubled issue of East Timor.

"We have to say the atmosphere of the second meeting has not been helped much by what Portugal has been doing in Geneva lately and in other forums," Indonesian Foreign Minister Ali Alatas told reporters on Thursday.

"The real intention (of Portugal) was not the betterment of human rights in East Timor but to score political points," he said of Portugal's procedural maneuvering during the U.N. human rights conference in Geneva last month.

Portugal praised the 12 European Community member states for sponsoring a resolution approved by the U.N. Human Rights Commission that condemned Indonesia for violations of human rights in East Timor.

"The adoption of this resolution represents a very significant victory in the fight which has been taken in defence of the rights of the Timorese people, which have been systematically and brutally violated by the illegal and forced occupation of East Timor by Indonesia," the Portuguese foreign ministry said in a statement.

Alatas and his Portuguese counterpart Durão Barroso are due to meet on April 21 in Rome to discuss East Timor, which was invaded by Indonesia in 1975 shortly after

the Portuguese colonial rulers of three centuries had left.

In an interview this week with the Indonesian daily, Suara Pembaruan, Barroso said Portugal considered its former colony a non-autonomous territory with the right to self-determination.

Indonesia says the East Timorese have already chosen to come under Jakarta rule.

The head of the East Timor guerrilla movement which has been battling Jakarta for 17 years is currently on trial in the local capital Dili on charges including being involved in inciting an army massacre in late 1991 when witnesses say up to 180 people were killed.

Jakarta puts the toll at 50 people dead and 66 missing.

Alatas said he was hopeful that there would be some move forward in finding a solution to the issue.

"But you need two hands to clap. When you start negotiating means that both sides understand that there should be give and take on both sides," he said.

The United Nations does not recognise Jakarta's rule over the territory but Secretary General Boutros Boutros-Ghali is sending his personal envoy to Indonesia this weekend to report on East Timor.

"(The visit) will be a good opportunity for us to explain what is actually going on there because sometimes there is still misinformation and exaggerated reports on East Timor," Alatas said.

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### DIPLOMACY VERSUS LOGIC OF WAR

*Publico 6 April 1993 Dateline : Lisbon  
Byline : Joaquim Trigo de Negreiros  
Translated from Portuguese unabridged*

Alatas, who arrived in New York with Xanana's capture in his pocket, will get to Rome with Ma'hunu in prison. It is "fait accompli" logic, which Portugal strikes out against with international condemnation of Jakarta. The reality reveals other ambiguities, under the clear argumentation of both parties.

The arrest of Ma'Hunu, which occurred just over two weeks away from another round of talks between Lisbon and Jakarta on the so-called "Timor question," and which will take place in Rome under the auspices of the UN Secretary General, has made even clearer the content of Indonesian Minister Ali Alatas's argument, in preparation for voicing before Durão Barroso and Boutros Ghali at the negotiating table: the Timorese Resistance is becoming extinct, the few guerrillas still in the mountains have their days numbered, life in the territory is getting back to normal.

To counter this argument, Portugal will have at its disposal a different kind of weaponry to that used by Ma'Hunu's captors: when Ali Alatas presents a picture of "normality" - exemplified by the recent imprisonment of Xanana Gusmão's successor - Durão Barroso will counter with the international condemnation of Jakarta - exemplified by the equally recent resolution on Timor passed by the UN Human Rights Commission, with the active "complicity" of the always decisive US diplomacy.

It will, therefore, be a clash between Indonesia's bet on the "fait accompli," and Portugal's efforts to make international pressure on Jakarta prevail,

mainly on the basis of human rights arguments. The first "round" is set for today, at a meeting (scheduled before Ma'Hunu's capture) between representatives of Portugal and Indonesia at the UN.

In Rome, the two ministers, under the watchful eye of Boutros Ghali, will probably try to get across a clear picture of their respective positions. That is to say, Ali Alatas will tend to overrate the arrests of Xanana and Ma'Hunu in order to demonstrate the relinquishment of the opponents to integration, while Barroso will probably press more insistently on the international condemnation button.

The reality - or the "realities" - behind the arguments of the two ministers is not, however, quite so clear.

Although it is difficult to evaluate with any accuracy the current state of the Resistance in Timor, the guerrilla actions carried out after Xanana's arrest, as well as the size of the Indonesian military presence in the territory, show that the "mountain men" are still a cause for concern for Jakarta. On the other hand, there is no indication that Indonesia's repression has managed to destroy the so-called "clandestine network," especially in Dili. It is, therefore, an exaggeration to say that the Resistance is finished.

With regards the international community's position on East Timor, ambiguity reigns. Indonesia is condemned in Geneva for violating human rights in Timor; a month later, Indonesia is a candidate for representative of the developing countries at the next G7 summit meeting - Germany, which had voted in favour of the condemnatory resolution at the UN Human Rights Commission, immediately supported Indonesia's candidature, as did Japan. So, to say that the world condemns Indonesia is, therefore, an exaggeration.

The statements of British Foreign Minister, Douglas Hurd, (who, since yesterday, is in Jakarta) are symptomatic. Hurd, who is expected to clarify the British position vis-a-vis Jakarta's participation in

the G7 summit, told journalists that there is "still" concern about Indonesia's behaviour in Timor, and chose to emphasize the disproportion between the sentences passed on the military involved in the Santa Cruz massacre and sentences received by the civilians on that occasion - a point which can hardly be considered crucial in the framework of the situation as it is today in the territory.

While Douglas Hurd had talks with the Indonesian authorities in Jakarta, Kenyan Amos Wako (Boutros Ghali's Special Envoy to Timor) arrived in Dili. "Please, don't be afraid of me," Wako said, on arrival. "my door is open to all those who wish to speak to me." But it is surely not Amos Wako who the Timorese fear.

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## **AMOS WAKO RETURNS TO EAST TIMOR**

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### **SECRETARY-GENERAL TO SEND PERSONAL ENVOY TO INDONESIA AND EAST TIMOR**

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#### **TO ASSESS IMPLEMENTATION OF RECOMMENDATIONS**

*UN Press Release, 31 March 1993*

Secretary-General Boutros Boutros-Ghali has decided to send Amos Wako, Attorney-General of Kenya and an international authority on human rights, to Indonesia and East Timor as his Personal Envoy. This will be a follow-up to a similar visit which he undertook on behalf of the Secretary-General in February 1992.

Mr. Wako's mission will begin on 2 April and will last for approximately one week. Mr. Wako will examine the implementation of the recommendations which he had following his first visit, and will apprise the Secretary-General of his impression of the overall human rights situation in East Timor. Upon completion of his mission, he will report to the Secretary-General.

Mr. Wako will be accompanied by two officials of the United Nations Secretariat.

#### **AMOS WAKO TO VISIT TIMOR AGAIN**

*Wire services, 1 April 1993*

UN Secretary-General Boutros-Ghali has announced that he is to send his special envoy, Mr. Amos Wako, the attorney-general of Kenya, to Indonesia and East Timor on a second visit this week. Mr. Wako is due to arrive in Jakarta Saturday 2 April for a week's visit. He is expected to spend at least two days in East Timor early next week, where he will have meetings with the

governor and Indonesian military commanders in the territory.

Mr. Wako visited East Timor in February last year but his report to the Secretary-General has remained confidential. He will be accompanied by two UN officials. The follow-up visit is intended to apprise the Secretary-General of the human rights situation in East Timor and to review implementation of the recommendations which he made following his first visit. The forthcoming visit is also in preparation for the next round of talks between the Indonesian and Portuguese foreign ministers in Rome on 20 April, under the auspices of the UN Secretary-General.

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## **JAKARTA ASKED TO REVEAL ALL FROM PROBE OF 1991 DILI INCIDENT**

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*Jakarta Post 3 April 1993. Abridged*

*This call for the facts about the Dili massacre was well-timed to appear on the day Amos Wako, UN Secretary-General's special envoy to investigate the Dili massacre, arrived in Jakarta for his second visit to East Timor. Franz Hendra Winarta was one of the lawyers who defended the East Timorese on trial in Dili last year.*

- TAPOL

(Jakarta) Human rights activists called on the government yesterday to divulge all the findings from its investigation of people reported missing following the clash (sic) between military and protesters in Dili in 1991.

"The government has promised to investigate the case and we, the people, want to know the results of the investigation," lawyer Franz Hendra Winarta told Jakarta Post.

He said the government should reveal the entire findings of the investigation even if these could be used by developed countries to criticize Indonesia. He said it should be remembered that human rights abuses occurred throughout the world, in both developed and developing nations.

Human rights lawyer Mulya Lubis said that openness was required for the improvement of the human rights situation in the country. "If mistakes were made in the past, let's correct them," Lubis said.

## JAKARTA'S HANDLING OF THE AMOS WAKO VISIT

*Antara news agency reports date 6 April datelined Jakarta and Dili, and Jakarta Post report of 2 April, datelined Jakarta. All abridged to leave out background information.*

*As compared with a visit of inspection by the International Red Cross (ICRC), a visit by the UN Sec-Gen's envoy seems to offer the worst of both worlds. With an ICRC inspection visit, the Indonesian government would not dare to publish its own version of what the ICRC was told. The rules of operation for ICRC inspections mean that the ICRC would likewise publish its version. Strict confidentiality on both sides is therefore assured. With Wako, it seems, he and Boutros-Ghali are pledged to make nothing public whilst the Indonesian side can present their side with impunity and without fear of being contradicted.*

*Note that although Brig.Gen. Theo Syafei has been appointed commander of the Udayana Military Command based in Dili, he still continues to hold the position of commander of Kolakops, the special military command in East Timor.*

— TAPOL

The Jakarta Post reported Foreign Minister Ali Alatas as saying: "The visit will be useful for us to explain what was actually going on, what is continuing to go on in this welter of sometimes misinformation, sometimes deliberate misinformation and sometimes exaggeration of the developments occurring in East Timor."

JP continues by reporting that in his second visit, Amos Wako will study the implementation of his recommendations he made in 1992. Wako recommended that the government try to ascertain the whereabouts of people reported missing following the Dili incident. He also called for greater access of non-government organisations in East Timor.

"We are continuing the search for the missing people," Alatas said in his first press conference since being reappointed to the post of Foreign Minister.

Wako is scheduled to arrive in Jakarta Saturday and will have an informal dinner with Alatas that day. Formal talks will take place on Sunday and on Monday he will depart for Dili where he will meet with the East Timor special military operation commander [this presumably means Brig-Gen. Theo Syafei], the chief of the Dili district court which is trying Xanana Gusmão and possibly Bishop Belo. He will later return to Jakarta to meet top officials including Defence Minister and armed forces

commander General Edi Sudradjat and Minister of Justice Oetoyo Oesman.

According to Antara on 6 April, Foreign Minister Alatas has contacted chief of the supreme court Purwoto Gandasubrata to get permission for Amos Wako to meet former resistance leader Xanana who is now on trial in Dili. "As Xanana is still in the examination process, a special permit from the chief of the supreme court will be required," Alatas told the press.

"The time for the meeting between Wako and Xanana can be arranged later," Alatas said, denying allegations that the government will try to give 'directives' to Xanana in answering questions from Wako.

Wako arrived in Dili Monday for a three-day visit to collect inputs and data on developments in East Timor which he will submit to the UN Secretary-General after his second visit to East Timor. Alatas said he is certain Wako fully understands that the examination process over Xanana has been going on properly.

Chief of the armed forces General Edi Sudradjat also said that the government will give all opportunities to Wako to meet Xanana or any other persons he wants to see. He further said there will not be any efforts on the part of the government to 'guide' Xanana in replying to Wako's questions.

Meanwhile from Dili, Antara reported that the results of Wako's current visit to East Timor are not meant for publication despite requests by certain members of the European Community. Wako told the press here Tuesday that his three-day visit to East Timor is aimed at collecting inputs and updating data to smoothen the task of the UN Sec-Gen to settle the so-called East Timor issue.

"I know there are requests by certain EC members to publish the results of my visit but I will not do so because everything I have will be for the Secretary-General only," he said. He also said he would not make any recommendations to the Indonesian government because such things will solely depend on the UN chief.

Wako and delegation includes Director for International Organisations, Hadi Wayarabi of Indonesia's Foreign Ministry [he was a member of the government's team of inquiry into the Dili massacre set up in November 1991], and five UN officials. His first day in Dili was marked by a meeting with governor Osorio Soares and the younger sister of Xanana Gusmão, Armandina.

Wako described his meeting with Soares as "satisfactory," saying that his meeting with Armandina and her husband Gilman do Santos was also "beneficial." He said he was assigned by Boutros-Ghali to check reports

that the Indonesian government had maltreated those involved in the Nov., 12 1991 Dili incident as well as Xanana who was captured last year.

Wako said that in carrying out his assignment he will also meet several East Timor administration officials, Bishop Belo, Xanana, Mau Hodu (arrested in January last year) and Mau Hunu (arrested last week).

Armandina Maria Gusmão, after meeting Wako, dismissed as baseless allegations that she was maltreated by the Indonesian government.

"There is no truth whatsoever in it as my husband Gilman dos Santos and I have always been treated well ever since Xanana was captured," she told newsmen. She further said however, that four days after Xanana's arrest she was approached by local security officials for information on her brother's activities as well as her involvement in them. "But now everything is OK and we enjoy our freedom like any other Indonesian citizens. She confirmed that she once tried to assist Xanana but now regrets it very much. Armandina during the meeting with Wako also expressed the hope that the East Timor issue can be settled immediately at the UN. She said she told Wako that East Timor has now gained a much better progress and prosperity compared to the days under Portuguese colonialism.

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## AMOS WAKO'S RETURN VISIT TO INDONESIA

*ABC Radio report - Sunday, April 4, 1993.- 12 noon.*

Reporter: Ian Mackintosh in Jakarta.

IM: In February 1991, 3 months after Indonesian troops killed scores of civilian demonstrators in Dili, Amos Wako was dispatched to Indonesia by the UN Secretary General. The Kenyan lawyer spent 5 days in the country, including 24 hrs in Dili and declared himself satisfied with the contents of his discussions and the range of people he met. Mr. Wako's subsequent report to the Secretary General was never made public although last week Indonesia's Foreign Minister Mr. Ali Alatas told reporters that its conclusions and recommendations had been sent to Jakarta for comment. Mr. Alatas also noted that both sides had agreed that the envoy would be able to follow up his first visit saying that Mr. Wako was expected to make comparisons, to see what had happened since and in the Foreign Minister's words see to what extent some of the recommendations had been implemented or not implemented and why.

When the UN envoy arrived in Jakarta he said that he had returned with an open mind to take a first hand look at developments in East Timor.

AW: I will be looking at the issue of the trial that's going on, looking at the issue of the detainees that are there. I'll be looking into the issue of the disappeared persons, those who cannot be identified up to date, looking at the issue of allegations of torture, if they are there, and so on. I'll also be looking at the fundamental issue as to why all these moral concerns are there.

IM: Mr. Wako told reporters he would be making a report to Dr. Boutros-Ghali before he hosted talks between the Indonesian and Portuguese Foreign Ministers in Rome this month. While the details of the envoy's original report have not been released it is understood to have been highly critical of the behaviour of Indonesian troops and their civilian counterparts during & after the Nov. 1991 killings in Dili. It is also believed to have questioned the level of human rights and personal freedoms in East Timor and the number of troops stationed in the province.

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### WAKO: "MY DOOR IS OPEN"

*AP, Dili, April 5*

"Please do not be afraid of me. My door is open to all who wish to talk with me," U.N. envoy Amos Wako said in a statement upon his arrival for three days of discussions.

Wako was to meet Xanana Gusmão, East Timor military commander Brig. Gen. Theo Syafei and other officials and detainees. He will report his findings to U.N. Secretary-General Boutros Boutros-Ghali.

In Jakarta, British Foreign Minister Douglas Hurd met with Indonesian officials and expressed his concern over the killings by Indonesian troops of East Timorese pro-independence protesters in 1991.

In his talks with Indonesian Foreign Minister Ali Alatas, Hurd said Britain still has "some continuing concerns over the disparity in sentencing between military and civilians" regarding the 1991 demonstrations.

A spokesman for the East Timor Military Command said Antonio Gomes Da Costa was captured Saturday in a cave in Manufasi, a village 30 miles south of Dili, East Timor's capital.

Da Costa was transferred to Dili on Sunday, officials said.

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### AMOS WAKO MEETS XANANA AND MAU HUNU

*BBC World Service and Portuguese radio 7 April 1993. Summarised by TAPOL*

The BBC World Service reported Wednesday that the UN Secretary-General's special envoy, Amos Wako, met Xanana Gusmão, East Timorese resistance leader who is now on trial in Dili, and Mau Hunu, the resistance leader arrested last week, who took over the leadership after Xanana's arrest.

The circumstances of Wako's meetings with the two captives are not known.

Wako also had a private meeting with Bishop Belo in Dili.

On Portuguese radio TSF Monday, Wako said in an interview that he was anxious to meet a number of East Timorese now in captivity and mentioned specifically Xanana Gusmão, Mau Hunu and Saturnino da Costa Belo. There is no report of his having been able to meet Saturnino however.

Amos Wako left Dili Wednesday and returned to Jakarta for more talks with senior Indonesian officials.

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### RADIO AUSTRALIA ON WAKO VISIT

*Thursday April 8, 1993 11pm AEST. Reporter Ian Mackintosh (slightly abridged)*

Amos Wako, ending a 6 day mission to Indonesia today, told reporters that during his visit he had received different figures from the Indonesian authorities and an NGO. 17 months after the killed the UN envoy said he didn't think anyone could say with any finality how many people were still missing. Mr. Wako told reporters that the government put the number at 61 but that an NGO had given him a list of 112 names. Mr. Wako said details were still being cross-checked and he declined to say how long it would take to finish what he said was a difficult exercise - one that would also require the people of ET to come forward with information.

Indonesian Foreign Minister Ali Alatas told reporters that the process needed to continue until the matter was resolved. Jakarta now says that of the 115 people it earlier listed as missing, 31 had been found, 23 were confirmed dead and 61 were unaccounted for. Some human rights groups and eye witnesses put the death toll much higher.

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### UN ENVOY IN TALKS WITH XANANA

*Sydney Morning Herald Date: 8th April 1993 Dateline: Jakarta Agence France-Presse Unabridged*

The personal envoy of the United Nations Secretary-General, Dr. Boutros Boutros-Ghali, has met the detained East Timorese pro-independence leader Xanana Gusmão, an Indonesian official said today.

"[Envoy]" Amos Wako was allowed to meet [Xanana] in his detention place [on] Tuesday after we received a call from the Foreign Minister," Dili court spokesman Mr. Joseph Phenu said by telephone from Dili, East Timor.

He said the Foreign Minister, Mr. Ali Alatas, had given the go-ahead for the visit after Mr. Wako, who arrived in Dili on Monday, had failed in his first attempt yesterday to see Xanana, who has been on trial since February 1.

Mr. Alatas had called to say that following consultations with the Chief Justice and the Attorney-General, it was agreed that Mr. Wako be allowed to meet Xanana.

The UN envoy had earlier yesterday failed to meet Xanana because Dili court officials refused permission, saying that the East Timor Justice Chief, Mr. Hironymus Godang, was absent and they had no authority.

Mr. Wako, who is also Kenya's Attorney-General, met Xanana alone and later met alone Xanana's successor Antonio Gomes da Costa, alias Ma'hunu, who was captured on Saturday, a reliable Dili source said.

The source said Mr. Wako also met Xanana's former deputy José da Costa, alias Ma'Hodu, and two other former Fretilin members at his hotel in Dili. Da Costa was captured in Dili in February last year.

The Media Indonesia daily today quoted Mr. Wako saying that Xanana had appeared to be in good health and was playing cards with other people when he arrived.

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## EVENTS IN CANADA

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### FIVE DAYS IN EAST TIMOR

*NOW Magazine, Toronto, Feb. 18-24.*

*The Feb. 18-24 issue of NOW Magazine, Toronto's weekly news and entertainment paper, carries three articles on East Timor. The lead article in the News Front section is entitled "Five days in East Timor." The other articles are "Independence leader goes on trial" by Nantha Kumar and "Tough Talks on Timor" (about Portugal-Indonesia "peace talks") by Glenn Wheeler. The articles are too long to post here, but are reprinted in the ETAN/Canada newsletter – email etanott@web.apc.org if you need a copy.*

*The third article also contains the first (non-) statement from Canada's External Affairs ministry we've seen on the peace talks process: "We think both sides should show more flexibility."*

*Excerpts follow:*

**Five days in East Timor Fear fuels paranoia in a land of military saturation, political surveillance and bitter young men**

*By Glenn Wheeler*

....

A man wearing a straw hat, white cotton shirt, shorts and sandals approaches, smiling tentatively.

"Is it all right for us to walk here?" we ask. "Yes," but then he adds nervously, "Tentera" (military). He speaks softly, looking over his shoulder. "You can walk," he says, "but we'll be hassled after you leave." Then someone calls from somewhere, he puts up his hand as if to say, "Please, no more," then he's gone.

....

It's teenage boys who are most anxious to talk, first checking to see if there are "any eyes" around.... One afternoon, we sit on the steps of the Dili stadium, waiting for the souvenir shop across the street to open, and someone invites us inside.

Soon, we're surrounded by a dozen or so football players aged 14 to 23. They don't go to school because they can't afford the 5,000 rupiah a month in fees. It's hard to get jobs, they say, because people from Java with better education are usually chosen over the Timorese.

After they've talked as long as they think they should, they ask us to come back another time.

The next afternoon, we sit on the steps again. Promptly at 3, a lanky player from yesterday approaches. But there's a soldier coming down the street, so he whispers that

we should walk in the opposite direction, and then back, to the rear.

Five minutes later, someone older, in his early 20s, crosses the field to where we sit in the stands. He has heard about us from his friends.

Shooing away the younger boys, he tells us he's been imprisoned five times. Once, after the massacre, he was in jail for a week. They were thirsty, and when they were given water, it was mixed with blood. He's been hit with pieces of wood and iron bars, had his fingernails pulled out. Had a gun put to his head and heard the trigger click. Pulling up his jersey, he shows us the scars on his back.

Many Timorese have fled. Four soccer players who went to Darwin, Australia, for an exhibition game absconded, never came back.

He, however, sounds defiant. "We love our land. We will stay and fight." Abruptly, he stands and says, "Eyes are watching."

He stands and runs out on the field laughing, stopping the ball with his head.

....

Ian makes contact with two members of Fretilin, the underground independence movement. They don't want to come to the hotel. Too risky. They want to meet on the beach after dark. And they want to meet at 7, not 8, because it's too dangerous walking home after that. Ian will meet them first, and then come get me.

It's still pouring at 7. But they show up anyway. "They want to honour their promise," Ian says, as I shake their hands, wondering if the melodramatic language is the result of the translation, or the fact that they're still teens. One of them has brought a picture of his brother, who died in his arms on November 12, 1991. Print it in your newspaper, he says.

It's men between 18 and 25 who have the hardest time with the police, because it was mostly young people who were in the funeral procession on November 12, 1991, and that's where resistance to integration is strongest.

They don't feel safe walking alone, but if they're in a group of three or more, they're harassed, accused of planning another demonstration. And the army can tell Timorese from settlers, because of the color of their skin and the way they speak.

The wind whips the rain off the harbour, and we move to a picnic table closer to the road. Cars making right-hand turns send beams are way. They glance in the direction of the light, but keep talking.

"I'd rather die than integrate," one of them says. And then there are those words again, "We love our land."

But what are your chances, I ask. Do you have support in other countries? No, they

say, "but if other countries want to give us arms, we will accept." Sitting in the rain, watching them punctuate their remarks with the palms of their hands, I'm Skeptical, knowing they stand little chance against the Indonesian army, that their freedom is more likely to come from the halls of the United Nations than the barrel of a gun.

Back, in the hindsight of home, I wonder if I missed the point. Whether their words are teen dreams or political logistics, they're still criminals under the laws of Indonesia, which make it an offence to engage in "public expression of feelings of hostility, hatred or contempt towards the government of Indonesia," and "the spreading or exhibiting of letters or pictures which express hatred of the government of Indonesia."

I have such a letter here on my desk, one they handed us on the beach. It begins "peace in the name of friendship" and goes on to describe in sickening detail what happened to them after they were arrested in November 1991.

They still have the idealism, part of their masculinity, like their bodybuilder strength. I suppose that's why the Indonesian government is so afraid of them.

*This week's issue of NOW contains an appeal from ETAN/Canada to write to the Canadian government asking for support for a resolution on East Timor at the UN Commission on Human Rights.*

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## EAST TIMOR UPDATE FROM ETAN/TORONTO

*Number 20 – Feb. 27, 1993*

### UN Commission considers East Timor resolution

East Timor was on the agenda as the United Nations Commission on Human Rights opened its 49th session in Geneva. The Commission was scheduled to vote on an East Timor resolution on March 9.

Indonesia managed to get itself elected vice-president of this year's session, but solidarity groups vowed to push for a strong resolution regardless. 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.

Canadian Ambassador Anne Park, who this year chairs the Western group of coun-

tries, has not yet indicated whether Canada will support a resolution on East Timor. Last year, the Canadian delegation was a key mover in a successful bid to water down a draft resolution from the European Community.

However, American Ambassador Richard Schifter has promised to seek a joint text this year with other democracies on China's actions in Tibet and Indonesia's crackdown on East Timor, a major break with past US policy.

The East Timor Alert Network is appealing for messages to be sent before March 9 to the department of external affairs, asking for the government of Canada to:

(1) back any resolution supported by the Timorese delegation at the UN Commission on Human Rights

(2) support a call for the UN Commission on Human Rights to mandate a special rapporteur on the situation in East Timor

(3) call on Indonesia to live up to the terms of last year's consensus declaration by taking concrete steps to end repression in East Timor and allowing free access to international humanitarian organizations, including Amnesty International.

Appeals can be sent to External Affairs Minister Barbara McDougall, House of Commons, Ottawa Ont. K1A 0A6, Fax (613)996-3443.

#### **Bishop: thousands arrested, tortured**

According to new reports from the Timorese resistance movement CNRM, 4,000 East Timorese people may have been called in for interrogation by the Indonesian forces of occupation since the capture of CNRM leader Xanana Gusmão. These detainees are reported to have been submitted to torture and humiliation during interrogation.

These reports are confirmed by Carlos Ximenes Belo, Catholic Bishop of East Timor, who said the persecution of Timor's Christians and of those who did not recognize Timor as part of Indonesia had worsened since Xanana's arrest.

Speaking to Portugal's Catholic Radio Renascença, 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 organized demonstrations and were against Indonesia.

"People are afraid to walk freely," Bishop Belo added. "Everywhere there are military from the territorial operation. They are building houses and going to live in villages. The people do not feel free."

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 principles of Pancasila, the Indonesian State ideology.

Belo also told reporters that suspected dissidents are being forced to take part in crude parodies of traditional Timorese ceremonies. People are gathered together in groups of up to 200 and forced to drink the blood of an animal and take an oath of allegiance to Indonesia. He said the oath is an untrue version of a traditional pact taken by Timorese leaders to end tribal wars. Rival leaders would mix their blood with palm wine and drink it in an oath to mark the end of hostilities.

Despite reports in the Indonesian media, 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.

#### **Xanana verdict expected in March**

The Indonesian court trying Timorese resistance leader Xanana Gusmão has announced a plan to hand down its verdict on March 20. In a timetable that makes little allowance for a defence to be mounted, the court plans to hear prosecution and defence arguments on March 12 and 13 and deliver its verdict a week later. Xanana is charged with "rebellion" and possession of firearms Q charges that carry a possible death penalty, but more likely a long jail term. The United States and Australia have sent observers to the trial.

One Timorese youth told Australia's Mate-Bian News: "We in East Timor don't believe a word of what the Indonesian military are trying to force Xanana to say. You out there, all you can do to help is to fight for Xanana to regain a breeding space; and, when he is free like you out there, you then can criticize what he does or says..."

#### **Timorese barred from travel**

East Timorese youths will no longer be allowed to travel outside Indonesia, under a new policy brought in to stop a rash of defections. Tri Swartanta, chief Indonesian sports and youth official for East Timor, said more defections "would bring a bad image to the country."

In 1991, four East Timorese soccer players defected from an Indonesian-sponsored

soccer team visiting Darwin, Australia and sought political asylum through the Portuguese embassy in Canberra.

Two more East Timorese youths defected to Canada in 1992 during a student exchange program, Swartanta said.

*East Timor Alert Network/Toronto PO Box 562, Station P, Toronto, Canada, M5S 2T1 Phone/fax 1-416-531-5850, Email etan-tor@web.apc.org*

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## **CANADIAN GOVERNMENT ON XANANA**

*Mar 11, 1993*

*We FINALLY have something written on paper concerning the Canadian government's position on Xanana. Following is a letter written to Ray Funk, MP, Member of PET (where ETAN/Ottawa does all of it's work), from Barbara McDougall who is the Minister for External Affairs and Secretary of State*

*— Sharon*

Dear Ray:

Thanks for your letter of December 9, 1992, regarding your concerns about the imprisonment of Mr. José Xanana Gusmão.

Through our Embassy in Jakarta, Canada has expressed support for the efforts of the International Committee of the Red Cross (ICRC) to see Mr. Gusmão. The ICRC was able to visit him on two separate occasions – the first time privately for one hour – in early December 1992.

We are also making our concerns known to the Indonesian Ambassador in Ottawa. Canada has urged the Indonesian authorities to conform to internationally accepted standards in dealing with Mr. Gusmão's detention and its aftermath and has urged continued humanitarian treatment of Mr. Gusmão and Fretilin supporters in East Timor.

I am encouraged that Indonesian President Suharto issued instructions that Mr. Gusmão be treated according to the law. The local press was allowed to see Mr. Gusmão after his arrest and he appeared in several television interviews in December 1992. Information we have received through diplomatic channels indicates that Mr. Gusmão is being treated well.

Canada will continue to monitor this issue in an effort to ensure that Mr. Gusmão's treatment is in conformity with humanitarian standards.

Thank you again for writing to express your concerns.

Yours sincerely,  
Barbara McDougall

## EAST TIMOR ALERT NETWORK/CANADA NEWSLETTER, FEB. 1993

Selections from the latest ETAN/Canada Newsletter, published several weeks ago. Most of the information included in it has already been made available on reg.easttimor – anyone wanting the newsletter should contact ETAN/Ottawa at PO Box 2002, Stn. D, Ottawa Ont. K1P 5W3, or by email at etanott@web.apc.org. Overseas subscriptions are \$10 (Cdn or US); Canadian subs are free.

The lead editorial and action reports from local groups follow.

### Welcome to the February ETAN newsletter.

It's been a busy time for ETAN across the country. Since our last newsletter, local groups have started up in two new provinces (Quebec and Alberta) and there are now local activists busy in 11 cities, as well as our network of individual supporters from coast to coast.

A generous grant from the International Centre for Human Rights and Democratic Development (headed by Ed Broadbent) has given us the financial means to expand our national network and broaden the circle of popular involvement in East Timor solidarity work in Canada.

We also have to send congratulations to our American friends and counterparts, the East Timor Action Network. ETAN/US recently marked its first birthday. It too has spread nationally (with groups from California to Rhode Island) and was the key to Congress' decision to delete military aid that the United States was providing to Indonesia under the International Military Education and Training (IMET) program (along with other long time friends of East Timor in the US). With a new president, American policy may be changing. ETAN/Canada has been engaged in too many projects to list them all. The action reports from local groups later in this issue give a flavor of the many things that are being done.

East Timor is now firmly on the media agenda in this country. Awareness has been spread even more by the award-winning new documentary film "Manufacturing Consent: Noam Chomsky and the Media." Manufacturing Consent includes a lengthy segment that shows how the media covered genocide in Cambodia while it covered up genocide in East Timor. The segment features ETAN founder Elaine Brière, who is now working on a film of her own on East Timor.

The situation in East Timor is at a crucial point. The arrest of resistance leader Xanana

Gusmão is a severe blow to the East Timorese people – but the resistance goes on. Reports reaching the outside world say it is worse in East Timor today than it ever has been since the 1975 invasion – a grim reminder of how important our work is. The government of Canada is still backing Indonesia's Suharto regime with aid, trade, diplomatic support and even weapons.

Read on for news about the situation in East Timor, the position of the Canadian government, international and Canadian solidarity actions, ideas on what you can do to help, press clippings, poetry and more.

### MONTREAL

Greetings from Montreal! Over the past few months, there has been a definite showing of solidarity among individuals and groups for the people of East Timor.

In November, we hosted Abé Barreto for a full weekend of events. The weekend was an indication that we had a lot of support.

Abé's lecture and presentation of "In Cold Blood" took place at Concordia University on Friday November 6 and drew a crowd of approximately 80 people. There were about 15 Indonesian students present as well as an embassy official who was busily taking notes throughout the meeting. Many of the Indonesian students tried to dominate the question period by saying the video was a fabrication and it did not provide any concrete evidence, as well as giving lengthy pro-government proclamations of East Timor's willingness to integrate with Indonesia. We were not expecting such a presence of Indonesian students and such a response but Abé handled their statements very well, providing the audience with the documented facts. Overall, it was a good event and we now have approximately ten new members.

We also showed "In Cold Blood" to a Third World Politics class at John Abbott College, a CEGEP (senior high school) in the West Island. More presentations are planned.

On Sunday morning, we attended mass at the Santa Cruz Church, a Portuguese parish in the Plateau Mont-Royal neighbourhood. Abé was introduced to the parish at the end of the mass and we stayed at the back where some of the parishioners could ask him questions and meet with him.

The Montreal Portuguese community had organized a demonstration in November 1991 to protest the Dili massacre but were not planning one for the first anniversary. The Santa Cruz Church seemed like the most appropriate and a very symbolic place to hold a march and vigil as it shares the same name with the cemetery in Dili where the massacre happened, so we encouraged them to hold a commemoration.

Over 40 people attended the march and vigil that Thursday evening and now the parish is interested in organizing a march for November 12, 1993. There is also the possibility of organizing a twin parish program with the Santa Cruz parish through the Canadian Catholic Organization for Development and Peace (headquartered in Montreal) which could begin during Lent.

There has been some local media coverage on East Timor during the last few months. Abé was interviewed on radio twice while he was here: firstly on Radio Centre-Ville, Montreal's community radio station, and Sunday on McGill Radio's "Celtic Communion" show which deals with the war in the North of Ireland as well as other related political issues in Canada and around the world. Bob Palmer and Genny Marilley have also been on McGill Radio on several other occasions.

On November 27, the GAIA group at Dawson College organized a bake sale for ETAN/Montreal which raised \$100. The group showed "Betrayed but not Beaten" at the bake sale and provided information as well as Urgent Actions for Xanana's release.

The Concordia community has been really supportive to East Timor. We have received much support from Indigenous Peoples International, the Latin American Committee and the Quebec Public Interest Research Group (Q-Pirg). They all co-sponsored the event on November 6 and covered all the costs. The Concordia University Student Association gave an honorarium of \$200 while Q-Pirg and John Abbott College both gave \$50.

Thanks to the film "Manufacturing Consent," awareness about East Timor is growing and it has made it easier to promote our events and to gain support.

We have to keep the momentum going.

### ONTARIO

East Timor was a big issue at most Ontario universities in the fall of 1992, largely because of a speaking tour by Abé Barreto Soares, an East Timorese who became a refugee in Canada earlier in the year. ETAN and other groups organized a tour that took Abé across southern Ontario as well as to Montreal. It also featured screenings of Max Stahl's excellent documentary on the Santa Cruz massacre of November 12, 1991: "In Cold Blood: the Massacre of East Timor."

By the end of the tour, there were groups working on East Timor at almost every city in southern Ontario.

The tour opened at McMaster University in Hamilton, where the forum was promoted with an excellent teaser campaign featuring posters ("Do you know where East Timor is?"), chalk outlines of

dead bodies in the middle of campus, literature tables and other creative attention-getters. About 40 people came out and the event got excellent press on campus (including the front page of *The Silhouette*, the main student paper) despite almost non-stop heckling from an unofficial representative of the Indonesian Consulate from Toronto. The McMaster ETAN group has held many events since, including a joint commemoration of November massacres in East Timor and El Salvador on November 17.

The speaking tour moved on Windsor, Brock (St. Catharines), Waterloo, Toronto, York, Queen's (Kingston), Guelph, Concordia (Montreal), Carleton (Ottawa) and Western (London). It also stopped off in Oakville for high school events and an evening at the Oakville Community Centre for peace, ecology and human rights. In each community, Abé's visit and the film of the massacre brought home the reality of East Timor to dozens of new people, and to thousands more through articles in student newspapers and radio interviews.

A new feature at many of the forums was the presence of large numbers of Indonesian students. Some of them were quietly supportive; others toed their government's line, handing out a "chronology" prepared by the Indonesian Embassy. Embassy officials attended speaking nights in Montreal and Ottawa in an apparent attempt at intimidation. And Indonesian student computer nets in North America were abuzz with talk about the tour, with students from as far afield as Colorado weighing in.

The tour concluded with a Parliament Hill rally on November 12, the first anniversary of the Santa Cruz massacre, which was co-sponsored along with Ottawa's Coalition to Oppose the Arms Trade. Fifty people came out to hear from Abé, Svend Robinson MP and Peter Monet of ETAN/Ottawa, as well as the peaceful music of the Raging Grannies. Participants then walked to the Westin Hotel, where weapons dealers were holding an arms show. Among the customers for Canadian weapons is Indonesia. The Raging Grannies appeared on the front page of the next day's *Ottawa Citizen*.

After the tour was over, we gathered for an ETAN conference in Guelph to plan future actions. Although the meeting ran out of time, the experience was still useful in bringing together 20 activists to compare notes and ideas. At the end of the day, we paid a call on the university's acting president, who was hosting a reception for a visiting Indonesian government delegation. Since we weren't allowed to stay, we held a spirited protest outside. Special thanks for

organizing the conference and demonstration should go to Sheila Wilmot, Susanne Blau, Aloy and all the other Guelph activists.

#### WINDSOR/ESSEX

The Windsor/Essex County group of ETAN was very active in the fall, with ten active members. East Timor has really caught the imagination of the community! Some highlights of fall activities:

- 450 letters from Windsor and area residents were sent to all three local MPs, plus 500 letters to External Affairs Minister Barbara McDougall. Liberal MP Herb Gray pledged support to the group, while the NDP's Steven Langdon agreed to join Parliamentarians for East Timor (NDP MP Howard McCurdy was already a member of PET).
- Presentations at classes at the University of Windsor (Third World Politics, World Politics, International Business), Assumption High School, Massey High School, Iona College, Walkerville High School, St. Anne High School, Catholic Central High School, Cardinal Carter High School, and Brennan High School.
- Meetings with Amnesty International, Third World Resource Centre, Windsor Labour Council, Students for Global Awareness, Windsor Catholic Deanery, Windsor Catholic Lay Deanery, St. Vincent de Paul Church Youth Group, Essex Catholic Deanery.
- ETAN/Windsor co-ordinator Jason Amyot attended the national conference of the World University Service of Canada last November in Ottawa. WUSC is undertaking an Indonesia project in 1993; Jason and many others raised the issue of human rights at this meeting and WUSC planning sessions.
- Thirty people came to an East Timor coffee house on November 27.
- ETAN wrote several articles in *The Lance* (University of Windsor) and was covered in the *Windsor Star* and on radio.

#### TORONTO

ETAN/Toronto has been growing by leaps and bounds since the summer. We are now meeting regularly on the third Monday of every month at the Earthroots office (401 Richmond St. W. at Spadina) at 7:30 p.m. And every Monday is ETAN office day at ACT for Disarmament, 736 Bathurst St. (south of Bloor). We invite all supporters to join us, or to stay in touch through our phone line, (416) 531-5850.

We held a successful public forum on October 28 with Abé Barreto, David Webster of ETAN/Toronto and Max Stahl, the maker of "In Cold Blood," at the University of Toronto, with the help of the U of T Student Christian Movement, U of T Global Development Network and ACT

for Disarmament. 75 people came out to the forum. A hastily-organized event at York University drew a smaller crowd, but the people in attendance formed a dynamic new ETAN group at York.

The York East Timor group has held several public events, including a screening of "Manufacturing Consent" in January that drew 200 students. They held a forum on East Timor with Elaine Brière of ETAN/Vancouver and Sujit Chowdhury of the York group, who is also director of the National Model United Nations. The Indonesian Consul in Toronto had initially said he might attend, but cancelled at the last minute on orders from his government. At the same time, an Indonesian delegation was meeting with environmental studies professors and students across the hall. (The delegation refused to meet ETAN activists while they were in town.)

ETAN/Toronto held two demonstrations in November. On November 12, we were part of a national day of action, picketing outside the Indonesian Consulate (the event, along with the demonstration the same day in Ottawa, was seen on CBC-TV national news). Then on November 28, ETAN members from across Ontario converged on the Toronto constituency office of External Affairs Minister Barbara McDougall. About 30 people attended each event.

Two ETAN activists, Joanne Young and Maggie Helwig, threw blood on the Indonesian Consulate during Indonesian Foreign Minister Ali Alatas' visit to Canada a year ago. In August, they were found guilty of mischief. Joanne was jailed for a day; Maggie was given a sentence of community service.

On October 1, "Manufacturing Consent" opened in Toronto for a week-long run at the re-opened Euclid Theatre. The first night was a benefit for ETAN – like all showings, it sold out all seats. The film has been playing to packed houses since at several locations around the city, usually with an ETAN table in the lobby. We have found "Manufacturing Consent" to be an excellent outreach tool, which inspires everyone who see it to greater levels of activism.

ETAN members have been actively reaching out to other groups in the community, attending gatherings on the Philippines, Sri Lanka and Tibet as well as other groups' meetings, like Oxfam and the International Physicians for the Prevention of Nuclear War (IPPNW) North American students' conference. We have had tables at Ryerson Polytechnic, Harbourfront's International Development Fair, and many other events. We arranged media coverage, including in the *Toronto Star*, *Globe and Mail*, CBC-TV, and 3 campus radio stations: CIUT, CHRY and CKLN.

After a meeting with Michio Takahashi of the Free East Timor Coalition in Japan, we agreed to set up a fundraising project to help support an East Timorese cultural survival school in Darwin, Australia (home to a large East Timorese refugee community). Angelo Gonsalves jump-started the project, with help from many others, and we hope to be sending some large donations to support the school shortly. A fundraising party and East Timor cultural evening on February 13 was the first big fundraising event for the school. There will be more information on the school in the next newsletter.

Another piece of good news was the establishment of the East Timor Alert Network/Toronto Portuguese Committee last fall, on the initiative of Fernando Nunes. The group included members of the Portuguese student associations at U of T and York. The committee has been hard at work spreading the word about East Timor in the large Portuguese community, translating ETAN materials into Portuguese, and reaching out to churches and Portuguese-language media. Portuguese programmers on Channel 47 (multicultural television) and CHIN (multicultural radio) have been particularly supportive.

#### VANCOUVER

ETAN/Vancouver has coalesced into a group of nine people who have assembled gradually over the past five months. We are a new ETAN group – until this year, Elaine Brière (one of the network's founders) was working virtually alone in Vancouver. Operating on an ad hoc basis, the group organized a demonstration on November 12, arranged several public information events, raised money for the ETAN open letter published in the Vancouver Sun and elsewhere, and held a candlelight vigil on December 7 (which was attended by about 50 people, the largest East Timor demonstration yet in Vancouver). The group also got a strong response (and several committee members) from our presence at the many Vancouver screenings of the film *Manufacturing Consent*. This film has proved extremely effective at politicizing people on East Timor.

In the wake of this activity, we've settled down and begun looking at how our ETAN group should operate. We've sat down to define our responsibilities, our resources, some basic operating rules, and the interests of individual committee members. Projects that are being discussed include: keeping in close touch with a newly developed local membership base (many who donated for the open letter), organizing lectures in high schools, developing an accessible archive, running a letter writing campaign, designing

information packages, and organizing fundraising events.

Another important local target is Simon Fraser University, which will soon be reviewing its huge project in Indonesia. SFU runs a \$22 million CIDA-funded project servicing Indonesian universities in the Moluccas and West Papua (details were published in the last ETAN newsletter).

The group has expressed an interest in co-ordinating events with other ETAN groups. These local group reports seem useful for outlining successful projects across the country and sharing our information, leaflets and other materials.

ETAN/Vancouver has set up a new voice-mail phone number. Please feel free to call us at (604)739-4947.

*East Timor Alert Network/Toronto, PO Box 562, Station P, Toronto, Canada, M5S 2T1. Phone/fax 1-416-531-5850, Email etan-tor@web.apc.org*

### UPDATE FROM EAST TIMOR ALERT NETWORK/CANADA

*Number 21 – March 29, 1993. Excerpts*

#### EAST TIMOR: ESCAPED RESISTANCE LEADERS TO VISIT NORTH AMERICA

Two activists in East Timor's nonviolent resistance movement will be touring North America in April and May. The young Timorese leaders will meet with United Nations, American and Canadian government officials, and members of parliament, and speak to community meetings in 20 U.S. cities and four Canadian cities. Constancio Pinto, 30, is the keynote speaker on the tour. He was a chief organizer of the November 12, 1991, demonstration that ended in a bloody massacre. He was executive secretary of the underground National Council of Maubere Resistance (the coalition that represents most Timorese nationalist groups) in East Timor from 1989 to 1992. He has been arrested several times and tortured by the Indonesian military. He made a dramatic escape last May, after being intensively hunted for seven months.

Abé Barreto Soares, 27, is official representative to Canada for the National Council of Maubere Resistance. He went into exile in 1991 and now lives as a refugee in Toronto. He is a student of English literature.

There will be events in four cities in Canada – call the East Timor Alert Network for times and places.

Vancouver – April 17 Call (604) 739-4947

Ottawa – May 4-6

Montreal – May 7-9

Toronto – May 9-10 Call (416) 531-5850 (More details on the eastern dates next month.)

#### UN BLASTS INDONESIA OVER TIMOR RIGHTS CANADA BACKS EAST TIMOR FOR FIRST TIME SINCE INVASION

For the first time, Canada has joined in a strong United Nations condemnation of Indonesia's actions in occupied East Timor. On March 11, by a vote of 22 to 12, the United Nations Commission on Human Rights passed a resolution blasting the government of Indonesia for its actions since the Santa Cruz massacre of November 12, 1991, in which Indonesian soldiers opened fire on an unarmed crowd, killing 273 people and injuring hundreds more. The commission regretted "the disparity in the severity of sentences handed to those civilians not indicted for violent activities – who should have been released without delay – on the one hand, and to the military involved in the violent incident, on the other."

The resolution also condemns more recent violations of human rights, including torture, extra-judicial executions, and "disappearances." It calls on Indonesia to improve the respect for human rights of the East Timorese people, and to permit free access to humanitarian organizations like Amnesty International and Asia Watch. It "urges the Government of Indonesia to invite the Special Rapporteur on Torture, the Special Rapporteur on Extra-judicial, Summary or Arbitrary Executions, the Working Group on Arbitrary Detention and the Working Group on Involuntary Disappearances to visit East Timor and to facilitate the discharge of their mandates." And it adds East Timor as a special agenda item for the commission's 50th session next winter – ensuring that the question of East Timor is now firmly on the United Nations agenda.

The commission heard extensive testimony on East Timor from non-governmental organizations. One of the witnesses was Abé Barreto Soares, an East Timorese refugee now living in Toronto, who testified on behalf of the East Timor Alert Network/Canada and the International Peace Bureau.

"Human rights abuses in East Timor cannot be separated from the East Timorese struggle for self-determination and independence," he noted. "There will be more human rights abuses in East Timor as long as there is no peaceful solution for the East Timor problem. I really hope that the this UN Commission will take meaningful initiatives to put an end to the human rights violations in East Timor. The people of East

Timor feel helpless in their own homeland. They look to you to do everything in your power to help them.”

This year marks the first time that Canada backed a resolution in support of East Timor in any UN forum since Indonesia invaded East Timor in 1975. Canadian governments have traditionally provided strong diplomatic support to Indonesian lobbyists. This year, Canadian ambassador Anne Park (chair of the Western group at the Human Rights Commission) spoke out on East Timor and pressured Indonesian diplomats to agree to a consensus declaration – which they refused to do. In the end, Canada joined 23 other governments from Europe, the Americas and Africa to co-sponsor the resolution. Angola, Guinea-Bissau, USA, Canada, Russia, Costa Rica, Austria, Poland and Denmark all spoke out in support.

According to a report filed by Southam News, Park and External Affairs Minister Barbara McDougall had felt the pressure from “a strong East Timor lobby at home” and were afraid to be seen standing with Indonesia. The American delegation – which initially fought the resolution Q also felt strong pressure from home, including editorials in several major newspapers. Finally, incoming State department officials ordered a reversal of the U.S. stance.

“In the end only dictatorships like Iran, Sudan and China stood with Indonesia,” said José Ramos Horta, who headed up Timorese lobbyists at the commission. “All the democracies of the world supported us. Equally important, and indeed it sets a precedent for other issues, East Timor destroyed the myth of the Asian block. There were Latin Americans and Africans voting with us and important Asian and Muslim states that abstained.”

Indonesian official waited four days to issue a denunciation of the resolution as “unfair” to Indonesia, saying they had no intention of abiding by it.

ETAN encourages supporters to write to External Affairs Minister Barbara McDougall (House of Commons, Ottawa Ont., K1A 0A6, postage free) to ask Canada to hold Indonesia to the terms of the UN resolution. The full text is available from ETAN/Toronto, PO Box 562, Station P, Toronto M5S 2T1, phone (416) 531-5850, Email etantor@web.apc.org.

## **EVENTS IN EUROPE; EUROPEAN LEADERS VISIT INDONESIA**

### **SWITZERLAND'S POSITION ON EAST TIMOR**

Mar 16, 1993

*Pierre-Alain Tissot from Allens (Switzerland), a long-time East Timor activist, transmitted us some replies of the Swiss government (Federal Council) to NGO and Parliamentary queries following the Santa Cruz massacre and Xanana Gusmão's arrest. The outlined position is not too surprising, but it is welcome information from a country with a traditionally discrete diplomacy.*

*Bruno Kahn, Agir pour Timor*

1. Reply, dated 30 Dec. 1992, of the Federal Department of Foreign Affairs to Pax Christi about Xanana's arrest (in French, signed Simonin; summarised).

Mr. B. Freymond, the Swiss ambassador in Indonesia, talked on Dec. 5 with Mr. Wyriono, General Director for political affairs of the Indonesian Foreign Ministry. (The letter seems to imply that this is related to the ICRC visiting Xanana two days after.)

2. Reply of the Federal Department of Foreign Affairs to a parliamentary question of 2 Dec. 1991 on the Santa Cruz massacre (question in German of P. Misteli, answer in French, unsigned).

*Question (summarised): What is the Federal Council's position relatively to the Santa Cruz massacre as a blatant human rights violation, and relatively to the global and lasting situation [caused by] the occupation? What measures does the Federal Council plan to take, e.g. in its developmental or economical work in common with Indonesia?*

Answer (summarised):

a) Switzerland condemned the massacre, and asked Indonesia to solve the problems existing in East Timor in the respect of human rights and fundamental liberties as inscribed in the Universal Declaration of Human Rights and to punish the culprits. This was conveyed to the Indonesian government by the Swiss ambassador in Jakarta.

b) The Committee of Ministers of the Council of Europe [N.B.: not to be confused with the EC European Commission] adopted on 26 November 1991 a Statement on East Timor, supported by Switzerland.

c) Switzerland does not recognise the annexation of East Timor by Indonesia, carried out by force; it wishes that a solution can be found in the framework of the United Nations.

d) The respect of human rights across the world is an important aspect of Switzerland's foreign policy. Development cooperation and humanitarian aid can be instruments for this policy, notably supporting efforts in the fields of education and formation and encouraging the creation of a pluralist society by supporting some groups and organisations. The Swiss policy relative to human rights has been detailed in a report of the Federal Council dated 2 June 1982 (articles 24 and 32).

e) Development cooperation with Indonesia currently amounts to SFr 20 millions (about US\$ 14 millions) and aims to promote the most unfavoured parts of the population. Aid goes to technical professional formation, development of basic city and rural structures and infrastructures (drinking water, increase of revenue). Switzerland also supports a UNICEF health and food programme.

f) Therefore a reduction or interruption of Swiss aid would touch directly the part of the population that suffers most of human rights violations. Economic relations and development cooperation reinforce Swiss influence in this matter by allowing Switzerland to plead for causes that are dear to it during negotiations.

3. Reply of the Federal Military Department to a parliamentary question dated 9 March 1992 on arms exports to Indonesia (question and answer in German, question of K. Hollenstein, answer unsigned). This question/answer is translated in full for the following reasons: - it deals with arms sales; - the friend who kindly provided a translation from German stressed that he felt the answer to be strange or ambiguous (he is not involved in East Timor). This will be obvious at reading: - it is short.

*Question:*

a) *Can the Federal Council allow, as the highest decision-making authority, that weapons and ammunitions originating from Switzerland keep on reaching Indonesia where, since General Suharto took power, more than one million persons lost their lives in armed battles?*

b) *Does the Federal Council, like Canada and The Netherlands, wish to suppress its credits given in the framework of IGGI, until a satisfactory report on the human rights situation is provided?*

Answer:

The Federal Council is not aware of an arm sales embargo of the EC towards Indonesia. These last years, war material exports from Switzerland to this country have been very modest. In the years 1988 and 1989 they only corresponded to respectively SFr 22 and 751 [sic].

Last year, exercise ammunitions for anti-aircraft defense batteries, for a value of SFr 500'000 [sic, not 500,000 or 500.000], were exported from Switzerland to Indonesia. They were delivered before [sic] the incidents of last November in East Timor and have in all certainty nothing to do with them.

On the Swiss part, the human rights situation in Indonesia is closely followed. The military action in East Timor was condemned by an intervention of the Swiss ambassador in Jakarta, and our country signed the Statement on East Timor of the Council of European Ministers on November 26, 1991. Switzerland does not recognise East Timor's annexation and wishes for a solution in the framework of the United Nations.

Concerning the Swiss development cooperation program in the framework of IGGI, this program involves on the one hand a mixed financing program and on the other hand a long term construction program in various domains of major importance.

Until now, Switzerland only granted Indonesia two projects in a form of mixed financing. The first [financing?] has been completely used, the second - for the rehabilitation of an important rail connection in Sumatra - cannot be interrupted, if only for legal reasons.

The Federal Council does not consider that a suspension of development cooperation with Indonesia would be an efficient measure as a reaction to human rights violations; it would do more harm than good to the goal subordinate to our cooperation - namely, better living conditions for the least favoured parts of the population. In the framework of IGGI, however, it will have to be examined periodically whether conditions for the continuation of [our] present cooperation are still met.

### LACK OF UNEQUIVOCAL SUPPORT FROM EC

*Publico 4 February 1993. Original lang Portuguese. unabridged*

(Lisbon) Departing from a meeting yesterday with the Parliamentary Commission on the Situation in East Timor, Durão Barroso said that the question of Timor "could already have been resolved if Portugal had the unequivocal support of the European Community."

"Portugal is right, but I do not deny that it has been extremely difficult to get the other Twelve to coincide with our position," stated the Foreign Minister, believing that "at this moment, we are the only real and legitimate advocate of the Timorese cause." Repeating the claim that there is lack of European support, Barroso added that "the Community countries do not always follow our view on the matter." After mentioning that Indonesia "has much support at the international level," the Minister said that Portugal "will do all it can for its voice to be heard." On the Xanana Gusmão trial, taking place in Dili, he reaffirmed the previously expressed position: "It is a farce. Indonesia hasn't the slightest legitimacy to hold this trial, which itself does not meet the minimum conditions from the legal point of view." The Minister even admitted that the EC "could take a position at the Human Rights Commission."

Yesterday was the first time that Mr. Durão Barroso met with the Assembly of the Republic's Commission under the new presidency of Christian Democrat Adriano Moreira. In agreement with Barroso, Adriano affirmed his conviction that Portugal would "continue its efforts with regards both support to Xanana Gusmão, and the matter of East Timor."

### MOREIRA INTERVIEW: PORTUGUESE GOV'T VIEWS

#### STRUGGLE PASSED FROM GENERATION TO GENERATION

*Publico, 4 February 1993. By Angela Silva & J. de Negreiros. Original Portuguese, unabridged*

(Lisbon) Adriano Moreira, the new Chairman of the (Portuguese) Parliamentary Commission on Timor, is more concerned about opening up new space for interventions, and in this respect concurs with the new head of Portuguese diplomacy. He wishes to see East Timor involved in the wider drama of the "dispensable" peoples. He regards highly the contribution made by NGOs. But he has no illusions: he believes the it is "a task for centuries," and "a struggle which is passed from generation to generation."

He was invited by the PSD to substitute Vitor Crespo at the head of the Parliamentary Commission on Timor, and he accepted. Although as yet he has no plan of action outlined, he is gripping the task ahead with the convictions he has held for a long time. For Adriano Moreira, Timor is "the tip of the iceberg," and Xanana "a point of reference." He believes that Portugal has everything to win if it sees the

Timorese tragedy in the context of a greater drama.

*Publico: The Commission you have agreed to Chair has been accused of having very limited effectiveness. What is going to change?*

Adriano Moreira: I do not share that general criticism of the Commission. Apart from any circumstantial difficulties, the problem is so difficult, the obstacles so enormous, that defining and then carrying out really effective actions is limited.

*Q.: But what do you intend to do? There is a whole plan of activities as yet to be carried out ...*

A.: What I think we need to do first is to invert the current international perception of the matter, which defines the problem in terms of Portugal and Indonesia. This perception, which is totally mistaken, is widespread throughout the international community. The correct perception is that this is a question between Indonesia and the international community, Portugal being the voice speaking for Timor. I consider this point to be essential.

*Q.: Has the Portuguese Government made it clear that the problem should be viewed within these parameters?*

A.: I believe that the Government, at least from a certain moment onwards, has been trying to impose this perception. However, it is still not the view which dominates in the international community, and this fact causes difficulties when it comes to our taking actions in support of the Timorese people.

*Q.: How can this dominating perception be altered?*

A.: In order to establish a correct perception, I believe the role of the NGOs (non-governmental organisations) extremely important, because they enjoy an agility and freedom of movement which governments are sometimes unable to exercise. Within that mobilization, we must not sacrifice respect for human rights to rigid interpretations on self-determination. We defend self-determination for Timor, but this is no reason for lessening our resolve to battle for human rights, where advances could be made more quickly. These points just outline what will be behind the exercise of my new function.

*Q.: As well as making NGOs more aware and motivated, the diplomatic dialogue*

*between Lisbon and Jakarta will continue. What may be expected of these contacts?*

A.: I think the Government, through the Foreign Office, has been clear in that it has not expressed much hope of positive results from this dialogue. Having said that, perhaps it is worth pointing out that, in the diplomatic process, keeping up the dialogue is, in itself, important. On the other hand, it is also important that the dialogue is not allowed to develop in such a way that the aggressor, in this case Indonesia, utilizes the process in order to improve its image. Indonesia tries to do just this. For example, when it tries to link the defence of the Timorese people's interests to Portugal's past conduct.

*Q.: Since you have mentioned Portugal's past conduct in relation to Timor, what do you think of the idea that the Portuguese "crusade" for Timor contains an element of hypocrisy or guilty conscience, bearing in mind the Timorese were allegedly "abandoned" by the Lisbon Government in 1975?*

A.: Portugal's past actions or guilt is not the matter now in question. What is in hand now is the right of the Timorese to self-determination and human rights in the territory. If Portugal were to give up being the Timorese people's voice on the international scene, their right would still be the same; some other voice would have to speak for them. That is why I think it is totally spurious to mix the two questions. I think it has been in Indonesia's interest to have the two matters mixed up.

*Q.: What concrete outcome would you dare to predict for the Timor problem? Some are saying that Portugal ought to drop the self-determination requirement...*

A.: Portugal cannot drop self-determination because it is not one of Portugal's rights which is in question. This does not mean, however, that the international community will not come up with any solution other than independence. The difficulty in safeguarding the interests of the Timorese is related not to international law, that is very clear, but to the international balance of powers. And it so happens that, in that area, Indonesia is currently the dominant power.

*Q.: What can Portugal do in the face of the difficulties posed by the "balance of powers"?*

A.: I think that the case of Timor, and namely the Xanana Gusmão trial, are elements of a world problem, on which Portugal is taking a position that can give it an important function, and which should be demanded by the small countries. Let me explain. There are probably about 100 million people in the world right now who belong to groups whose autonomy or self-determination has not been recognised. When Portugal is defending Timor it is, in fact, involved in a question of extraordinary dimensions - the question of the peoples which have no voice. And what is more grave is that they are peoples which the international community treats as "dispensable," because of the balance of powers.

*Q.: But the difficulties which result from the balance of powers persist...*

A.: What I am trying to say is that the difficulties - or pessimism, if you prefer - must not be allowed to lessen our commitment, because this fight is not just a fight for the people of Timor, it is a fight of great international prominence in which the small countries will have a role to play. The small countries have an advantage in the international scene, which is their large number. The trial of Xanana Gusmão makes a good parallel: in that poor land's modest courtroom, he is now a point of reference which allows us to evaluate the respect which exists for human rights. It not only concerns Xanana Gusmão. It not only concerns Timor.

*Q.: Do you think then that Portugal, in its role of advocate for the people of Timor, would be successful if it integrated the question of Timor with a wider issue...*

A.: I believe so, and that will be one of my guidelines.

*Q.: How will this idea be put into practice?*

A.: There are many things we can do. There are various international arenas in which the message can be voiced. There is one thing I want to make clear so as not to create any illusions - this is a long process. It will take ages. We are in a struggle which passes from generation to generation. I believe appreciable progress has been made and, consequently, what we are doing is continuing.

*Q.: Don't you think that Portugal wasted an ideal opportunity while it presided the EC,*

*and when the Timor issue was practically silenced?*

A.: The perception that Timor is not an international question is also prevalent among the Twelve. That is the way they usually see the matter. Once again, I am not inclined to lay blame. I prefer to ask what can now be done, or what should be done? Is it worthwhile? Why is it worthwhile? These are the reference points I like to have at the forefront on this matter.

*Q.: Do you think the Portuguese Government has done everything that can or should be done?*

A.: I do not have all the information on everything the Government has done. I do admit that there are things which the Government has not done. I am under the impression that the Portuguese Government's active intervention started late. There was a period which was lost. But, generally speaking, I think that its actions were appropriate. Now, what I am fundamentally interested in is knowing in which areas we can project the country's intervention on not just Timor, which is the reference but which has a bearing on much wider issues of interest to the international community and to Portugal.

*Q.: Going back to the Commission: it was prominent at the time of the planned parliamentary deputation to Timor. Your attitude then was not very enthusiastic. Why was that?*

A.: I was, in fact, highly critical. The reason for my reservations was Indonesia's expressed interest in the visit. I thought that Indonesia could use the visit to enhance that distorted image to its own end, just as it is doing right now with Xanana's trial.

*Q.: Is there any chance of that idea being taken up again?*

A.: At the moment I see no chance of the proposal being reconsidered.

*Q.: Would it be realistic for a Timorese, who today is 20- years- old, to hope that one day he would vote in a referendum on the future of his people?*

A.: I don't like making predictions. Usually, when experts make medium-term forecasts they refer to the period of life of each of us, and when the forecast is for the long-term, then we are no longer around to check whether it was correct. What I can say for certain is that young Timorese is still going to suffer occupation.

## KOHL TO RAISE TIMOR ISSUE WITH SUHARTO

*The Nation (Thailand), Feb. 25 93*

*Abridged, leaving out facts on ET, and Suharto's push to attend the G7 summit in Tokyo in June.*

(AP, Jakarta) German Chancellor Helmut Kohl arrived in Indonesia yesterday for three days of talks to boost bilateral trade and economic relations.

Kohl's visit to Jakarta is part of his Asian tour to India, Singapore, Indonesia, Japan and South Korea, his first since the unification of Germany in Oct. 1990.

"There are still political questions to be discussed although the main thrust of the talks would be to enhance bilateral cooperation in trade and economy," the German Ambassador to Indonesia Walter Lewalter said.

Indonesia's exports to Germany in 1991 reached US\$1.2 billion, an increase of about 8 percent from the previous year. But German investment in Indonesia has been declining in the past few years, from US\$59.9 million in 1991 to US\$36.7 million in 1992.

Lewalter said Kohl would raise the issue of human rights violations in East Timor in talks with Suharto.

## LETTER TO FRENCH FOREIGN MINISTRY

Agir Pour Timor  
Paris, 3 March 1993

Mr. Roland Dumas  
Minister of Foreign Affairs  
37 Quai d'Orsay  
75007 PARIS

Dear Mr. Minister,

We had communication of the proposal of a resolution on the "situation in East Timor," presented by the Twelve at the Human Rights Commission, in Geneva.

We find this proposal excellent. We wish to thank the French government, in the name of the people of East Timor that we defend, for having participated in its elaboration.

We urge the French government to do whatever it can to support this resolution proposal, and the French delegation in Geneva to use all its influence to counter-balance the current attempts of Indonesia and other countries to have this project fail.

We are convinced of your support, already expressed in a letter that you kindly had sent to us in January.

Respectfully yours,  
(signed)

## POSSIBLE VOTE IN EP

*Publico 10 March 1993 Dateline:*

*Strasbourg Byline: J.T. Negreiros/Ana I. Cabo Translated from Portuguese abridged*

### Criticism and applause from Durão at Euro-Parliament:

While the diplomatic contacts in Geneva continued at a fast pace, Durão Barroso was meeting with the Inter Group on Timor, yesterday afternoon in Strasbourg. The (Portuguese) Foreign Minister told the Euro MPs that "intelligent foreign policy is one which respects principles, and not one which goes running after the economic powers."

The statement was not just made for effect: it served both to compliment the Strasbourg plenary's stance on the Timor issue, as well as to set down criticism, from which the US and EC Member States did not escape.

"There has still been no position which satisfies us," said the Portuguese minister, in reference to the Clinton administration's promises about Timor. Durão Barroso confessed he felt "disillusioned by some countries that forget principles" and that put more weight on human rights violations in Cuba or in Libya than in Timor.

The minister said he had detected that, among the Twelve, the stimulus given to human rights issues had been corresponded with "timidity" when it came to the Timorese people's right to self-determination, and concluded that the EC could be "more assertive."

Simone Veil, Inter-Group Chairperson, welcomed a proposal from Durão Barroso that the EP should intensify efforts to bring about awareness and support in the Australian Parliament, the US Congress, and the Japanese Diet for the East Timor question.

## NEW PAPAL AMBASSADOR TO LISBON

*Publico 16 March 1993 Dateline: Lisbon  
Original lang: Portuguese unabridged*

The Holy See announced yesterday that 64-year-old Msgr. Edoardo Rovida, titular Archbishop of Taormina, is the new apostolic nuncio in Portugal. The new Papal ambassador to Portugal was born in Alessandria, Italy, specialized in Canonical Law, and was ordained a priest on 29 June 1950. He entered the Vatican's diplomatic service in 1955, and worked in the pontifical missions in Haiti, Cuba, Mexico and Ireland, and as permanent observer at UNESCO. He was appointed apostolic nuncio to Zaire in

1977. Four years later he became permanent observer at the UN in Geneva.

## EP: XANANA TRIAL ILLEGAL

*Diario de Noticias, 12 March 1993*

*Dateline: Strasbourg Byline: Fernanda Gabriel. Translated from Portuguese. unabridged*

Yesterday in Strasbourg, the European Parliament (EP) reaffirmed the illegality of the proceedings against Xanana Gusmão, and indicated that it would not accept any sentence, given the Indonesian judicial authority's total lack of legitimacy or competence.

The resolution, put forward by the socialist group, urges the EP's President to implement the visit (already decided upon) by a delegation to Jakarta and Dili, as a matter of urgency, so as to collect ample information about the situation in East Timor.

The Euro-MPs expressed their fear of seeing Xanana Gusmão condemned to death. They considered that the first phase of the trial intensified their greatest apprehensions about the purely arbitrary nature of proceedings without the slightest legal basis.

Mr. Hans van den Broeck, the European Commissioner responsible for the EC's external relations, said he was hoping that the meeting scheduled for 20 April in Rome, between Durão Barroso and Ali Alatas, would contribute towards a solution to the problem of East Timor, and affirmed that the embassies of the Twelve have been expressing their concern about Indonesia's behaviour in East Timor to the Jakarta authorities.

Mr. Van den Broeck's position on Timor has been one of support for Portugal, and he has distanced himself from the ideas of the previous Commissioner, Mr. Matutes.

Lately, Portugal has been developing a diplomatic offensive on this question in the EP. Before the visit of the Foreign Minister, the President of the (Portuguese) Republic went to Strasbourg, towards the end of last year.

The EP reiterated its deep concern over the fact that situation in Timor was already seriously affecting not only relations between the EC and Indonesia, but also relations between the EC and the ASEAN group, the development of which is considered by both parties to be of the utmost importance, but which must be oriented by respect for international law and human rights.

The Euro-MPs supported the position adopted by the EC Council of Ministers regarding safeguarding human rights and searching for a political solution within the framework of UN resolutions.

## EAST TIMOR MOTION WINS UK COMMONS SUPPORT

*The following Early Day Motion was tabled in the House of Commons on 23 March and by 25 March had been signed by 66 MPs:*

### **No. 1657: Human Rights in East Timor (No. 2)**

That this House congratulates the United Nations Commission on Human Rights for adopting a resolution highly critical of the human rights situation in the Indonesian-occupied territory of East Timor, and congratulates Her Majesty's Government for supporting the resolution; and, further, called on Her Majesty's Government to persuade the Indonesian Government to comply with paragraph 9 of the resolution by enabling the United Nations Special Rapporteurs on torture and on extrajudicial, summary or arbitrary executions and the United Nations working groups on arbitrary detention and on enforced or involuntary disappearances to discharge their mandates in accordance with the terms of the resolution.

*This resolution was tabled in response to an action by UK members of Parliamentarians for East Timor.*

*UK readers, please contact your MP, urging her/him to sign.*

## FRETILIN SATISFIED WITH PORTUGAL

*Publico 20 March 1993 Dateline : Lisbon original lang.: Portuguese unabridged*

Yesterday, Fretilin reaffirmed its "confidence in Portuguese diplomacy," and in the role Lisbon has been playing in the Timor issue. In a letter sent from Mozambique, addressed to Foreign Minister Durão Barroso, Fretilin's foreign relations secretary, Mari Alkatiri, welcomed the "clear orientation" and the "firmness of position" adopted by Portugal in the recent session of the UN Human Rights Commission, which passed by majority vote a resolution condemning the Suharto regime. In the same letter, Alkatiri went on to state that "any political solution negotiated on Timor must be found within the framework of the UN and through the mediation of its Secretary General." The next round of negotiations between Portugal's and Indonesia's Foreign Ministers, with Boutros Ghali's mediation, is scheduled to commence on 20 April, in Rome.

## DENMARK WANTS EC OBSERVER FOR EAST TIMOR

*Publico 22 March 1993 Dateline : Denmark Byline : Morten Gliemann Original lang: Portuguese unabridged*

Danish Foreign Minister, Niels Helveg Petersen, is going to try to get a European Community (EC) observer sent to East Timor, while his country is still in the Presidency of the Community.

On 2 March, Viggo Fischer, a member of the Folketing, the Danish Parliament, requested the Foreign Minister to work towards the sending of a Community observer to East Timor. Fischer, member of the parliamentary commission on foreign policy and always interested in human rights issues, has already received a positive reply from the government: "I can assure you that the Danish Government, the Community, and its different Member States are following the case carefully," wrote the Minister, in his reply to the parliament.

"The proceedings against Xanana Gusmão, in Dili, started on 1 February 1993, and the largest Community representations in Jakarta (Holland, France, Spain, Great Britain, and the European Commission) established coordinated coverage of the trial (...) There should be no doubt that the Government, together with our Community partners, will continue to observe the development of the situation in East Timor," added the Danish Foreign Minister in his reply dated 17 March.

In his letter, the Danish Foreign Minister did not state directly that an observer from the EC should be sent to East Timor, but Viggo Fischer states that there is a possibility: "It would be very useful, for several reasons, if we could send a representative, or better still, an observer from the EC: an historic resolution was passed by the UN, at the 49th Session of the Human Rights Commission; a relatively short time ago, there were elections in Indonesia; and there are reports that Xanana Gusmão's trial is going to be postponed."

Fischer says that the situation demands "special attention" on the part of the international community, because the "repression which the Indonesian Government wields over the people of East Timor is one of the most brutal in the world," he concludes.

## EURO-MPS' VISIT AWAITS GREEN LIGHT

*Publico 26 March 1993 By J. T. Negreiros Translated from Portuguese abridged*

(Lisbon) The old project of a Euro-MPs' visit to East Timor is still awaiting a green light from the European Parliament's "bureau." Once that is obtained, Jakarta's agreement would still be necessary, as well as finalizing the details of the visit. It is not surprising, therefore, that the EP's Intergroup on Timor Chairperson, French woman Simone Veil, has not advanced any date for the visit to the territory.

Veil, who arrived in Portugal yesterday for a two-day visit, and whose first task was a meeting with the Foreign Minister, stressed the importance of the existence of an Intergroup on Timor in Strasbourg, comprised of MPs of various nationalities and political colours - "the diversity is important," but could not foresee any specific action by the EP on Timor in the short-term.

Less than a month ago, during a meeting with the Intergroup's Euro-MPs in Strasbourg, Durão Barroso proposed that more intense pressure should be brought to bear by the EP on the Japanese Diet and the US Congress. Yesterday, confronted with the suggestion, Simone Veil would only say that the EP's delegations in Tokyo and Washington continued to develop contacts with the respective parliaments.

The possibility of getting a new resolution on Timor passed by the plenary in Strasbourg shortly was rejected by the Intergroup's Chairperson, who recalled the recent text about the illegality of Xanana Gusmão's trial. Judging from Simone Veil's statements, action by the EP in the near future is going to stop there.

In spite of reference to a "common strategy" on Timor by the Intergroup and Lisbon, Simone Veil refused to make any comment on the possible outcome of the forthcoming meeting between Durão Barroso and Ali Alatas, the date of which has moved from 20 to 21 April.

## BRITISH FM DOUGLAS HURD TO VISIT JAKARTA

According to AFP from Jakarta on 31 March 1993, Britain's Foreign Secretary, Douglas Hurd, is to visit Jakarta from 3 to 5 April on his way to Tokyo and South Korea. He is scheduled to have meetings in Jakarta with Foreign Minister Ali Alatas and President Suharto for wide-ranging talks on bilateral and international issues. He is also scheduled to sign three accords, on double taxation, copyrights and a soft loan.

According to TAPOL sources in London, the G7 group has not agreed to the proposal that Suharto attend their next meeting in Tokyo, as chair of the non-aligned movement, but Britain would have no objection to Suharto being in Tokyo in advance of the meeting to make known the views of the non-aligned movement to members of the group.

### DOUGLAS HURD'S VISIT TO INDONESIA

*The following is a round-up of reports broadcast by the BBC World Service under the byline of Adam Brooks, about the visit to Indonesia of Britain's Foreign Secretary Douglas Hurd from 3 - 5 April 1993, by TAPOL:*

\* In a speech to the Indonesian Department of Foreign Affairs Forum on Monday, Hurd said that human rights are seen as an integral part of economic development, not what he called some alien Western and dispensable add-on. He said there was no contradiction between more democracy and economic prosperity.

Indonesia's human rights record has been widely criticised internationally especially over the actions of its security forces in East Timor. The Indonesian Foreign Minister, Ali Alatas, said earlier on Monday at a press conference that accusations leveled at Indonesia on human rights were often unsubstantiated and exaggerated and sometimes took on the nature of a political campaign rather than a genuine desire to protect human rights

Mr. Hurd noted in his speech that Indonesia has proposed the establishment of a national body to protect human rights. A BBC correspondent in Jakarta says that while Mr. Hurd avoided specific criticism of Indonesia, the speech reflected current differences of opinion between Western and developing countries on how human rights should be implemented.

\* British sources said that during a meeting with Douglas Hurd, President Suharto raised the question of his possible attendance at the G7 summit very gently amid much laughter (sic). He said that this could contribute to what he calls the revival of a north/south dialogue. But the idea has met with a cool reception from G7 countries and Mr. Hurd on Monday avoided making any commitment:

Hurd's voice:

"Two things. First of all it's perfectly reasonable that developing countries through the non-aligned movement should want to communicate with the industrialised countries. But the Group of Seven is not meant to be a great sort of directorate of the industrialised world and we're certainly

against adding to it new structures of consultation. I don't think that's a good idea."

British sources say it's likely that some sort of compromise would be reached to avoid a diplomatic snub to President Suharto.

\* Mr. Hurd, during his visit, also dealt with the thorny question of human rights in Indonesia, particularly in East Timor. Mr. Hurd said there were continuing anxieties over reports of human rights abuses by Indonesian troops in the territory.

\* Mr. Hurd signed three agreements with the Indonesians, including a concessionary loan from Britain for over one hundred million US dollars.

### LONDON 'INDEPENDENT' ON HURD'S VISIT

*An Independent, 6 April 1993 report, bylined Reuter and datelined Jakarta, reads, slightly abridged:*

The Foreign Secretary, Douglas Hurd, said yesterday he had raised concerns about the relatively light sentences given to Indonesian soldiers tried in the shooting of protesters demanding independence for East Timor.

"I mentioned that we do have some continuing concerns... over the disparity in sentencing between military and civilians" although these were matters for Indonesia's judicial system, Mr. Hurd said, after talks with his Indonesian counterpart, Ali Alatas.

Despite Mr. Hurd's expression of concern, however, he yesterday signed an agreement to grant Indonesia 65m in aid to help finance a power project. The concessional loan which is tied to the involvement of British companies, was for a 66-megawatt gas and steam power plant in eastern Kalimantan.

TAPOL

### WITH THE TIMORESE BUT WITHOUT FRETILIN AT EC HEARING

*Publico 27 March 1993 By J. T. Negreiros. Translated from Portuguese. abridged*

(Lisbon) The absence of any Fretilin representative was the discordant note in the meeting between Simone Veil and the Timorese community, with whom the current President of the Euro-Parliament's Intergroup on East Timor yesterday commenced the second and last day of her visit to Lisbon.

Accompanied by Euro-MPs Rui Amaral, João Cravinho, Sergio Ribeiro and Pedro Canavarro - all members of the Intergroups, composed of MPs of various nationalities and political tendencies, Simone Veil heard

the Timorese appeal for her help in the task of making the international community aware of the situation in the territory.

At the end of yesterday morning's meeting, which took place in the EP office in Lisbon, the statements were left up to the UDT representatives. Manuel Martires, Xanana Gusmão's cousin, pointed out Simone Veil's "weight," and praised her availability. Zacarias da Costa, heading the UDT delegation in Portugal, expressed the hope that such meetings would continue to occur on a regular basis.

Simone Veil then went on to meeting the Prime Minister. As well being "impressed" by the direct contact with the Timorese, Simone Veil informed Cavaco Silva of the Intergroup's activities. The Portuguese PM told her about the forthcoming meeting between Durão Barroso and Ali Alatas, set for 21 April, in Rome.

Before lunch with the President, finalizing Simone Veil's visit, the Euro-MP and Intergroup Chairperson went to the French Embassy to give the Legion of Honour insignia to Portuguese deputy Antonio Maria Pereira, current Chairman of the Parliamentary Foreign Affairs Commission. (...)

### REPORT FROM FRENCH SOLIDARITY MOVEMENT

*By Bruno Kahn, Agir Pour Timor, April 6*

*Personal comment: whatever the drawbacks inside, international pressure is constantly growing. There will eventually be a breaking point. Cheer up!*

1. "500 associations for Timor." This campaign, launched in 1992 by the Federation of Portuguese Associations in France (FAPF), collected to this date about 100 signatures. FAPF, together with Antonio Dias, President of Agir pour Timor, was received by the Portuguese Ambassador in France on March 25 and delivered him the list of these associations. They will also be received shortly, for the same purpose, by a representative of the Direction for Asia of the Foreign Ministry. The list was also sent to Jacques Delors, (EC), the UN Secretary General, UNESCO's Secretary General, Amnesty International, the Human Rights League and the three Portuguese Consulates of the greater Paris area.

FAPF writes: "... (this participation) shows that our associative movement is opening itself to other horizons than its traditional activities. Associations may be centres of culture, leisure or sports, but they should also be centres of reflection and solidarity towards those who need our support and help."

2. Petition campaign. Agir pour Timor launched this week-end a petition to the new government (formed after the March elections here). It requests the French government:

a) To demand the immediate release of Xanana Gusmão and all East Timorese prisoners. b) To demand the immediate opening of East Timor to foreign observers, humanitarian and human rights organisations. c) To demand the visit in East Timor, as soon as possible, of the UN Special Rapporteur on Torture, the Special Rapporteur on Extra-judicial, Summary or Arbitrary Executions, the Working Group on Arbitrary Detention and the Working Group on Involuntary Disappearances. d) To end immediately the sales of French arms and military equipment to Indonesia, under a direct or indirect form (exploitation licenses). e) To condition its economic aid to the respect of human rights by Jakarta's regime, in East Timor and in Indonesia. f) To support the right of the people of East Timor to self-determination.

The campaign has already collected over 100 signatures.

3. Réseau Solidarité [Solidarity Network]. This NGOs aim is to "mobilise the opinion at the sides of the Peoples of the South fighting for their rights." For the first time, they launch a campaign on East Timor. 1800 copies of this appeal are mailed in France, and 250 in Belgium. The campaign proposes a letter to the Indonesian ambassador in France, endorsing the UNHRC resolution and asking the Indonesian government "to continue the dialogue with the Secretary-General of the United Nations for achieving a just, comprehensive and internationally acceptable settlement of the question of East Timor."

Réseau Solidarité also launches campaigns on specific issues, like unfair labour practices etc., on the request of the victims. Their address is:

Réseau Solidarité

5 rue Bizette, 35000 Rennes, France  
tel: +33 99 388240, fax: +33 99 380150

4. Reporters sans Frontières [Reporters without Borders]. This association of journalists "acts in favour of the freedom of the press throughout the world." They are interested in breaches of the freedom of the press in Indonesia, particularly about reporting on East Timor. The Indonesia/East Timor section of their 1992 report is excellent, but they are constantly in search of reliable information. Currently they are interested in the conditions of Xanana's trial in Dili, in particular: - the list of foreign journalists accredited there - what can they report on the trial? Also, the way the Indonesian press reports on it.

We can give partial answers to their questions, but any more complete information is welcome. Either post it, forward it to kahn@mathp7.jussieu.fr or send it directly to

Jean-Louis Donnadiou  
Reporters sans Frontières  
17 rue de l'Abbe de l'Epee, 34000  
Montpellier, France  
tel: +33 67 79 81 82, fax: +33 67 79 60 80

Many thanks in advance.

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## **EVENTS IN THE UNITED STATES**

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### **REPORT FROM EAST TIMOR ACTION NETWORK / U.S. TO THE SOLIDARITY MEETING**

*Amsterdam, 19 February 1993*

Since our formation a little over a year ago, ETAN/US has grown to over 600 members in more than half of the fifty states. As the first broad-based, grassroots, United States organization focusing on East Timor in many years, we discovered that we are filling a vacuum, and the response is encouraging ... and overwhelming. We are an all-volunteer organization with limited funding, but have been able to achieve much more than we expected.

Among our major activities in 1992:

- Successfully lobbying Congress to terminate US military aid to Indonesia
- Working with officials to get the US Conference of Mayors to pass a resolution
- Organizing or assisting in public meetings at numerous universities and communities, and arranging speaking dates in many others
- Creating a network of active ETAN local groups in a dozen cities, and developing working relationships with many other organizations and public officials
- Providing logistical support for CNRM, Fretilin and other international Timor activists when they come to the US
- Producing four issues of a bi-monthly Newsletter for all our members, and 20 volumes (over 1100 pages) of a Document Compilation that goes to subscribers all over the world
- Organizing protests, memorials and demonstrations at Indonesian government facilities, when Indonesian officials (Alatas and Suharto) visited the US, on significant anniversaries and internationally coordinated dates

- Working with the international solidarity movement on the Urgent Appeal and other UN-related activities, and providing information for that movement on US government policies
- Producing and distributing a nationally-broadcast cable television program, and publicizing other media events
- Distributing books, videos, audio tapes, petitions and other resources to help educate Americans about East Timor
- Raising money for victims of the Flores earthquake
- Providing information, statements and alerts to American and UN-based journalists, students and researchers
- Writing or arranging for articles on East Timor in many publications, including a regular column in the Bulletin of Concerned Asian Scholars
- Sending one of our activists to East Timor, and helping him get his observations out to a wide audience. Receiving information from inside East Timor and disseminating it to appropriate people
- Facilitating US and international computer communications
- Arranging for the retirement of George Herbert Walker Bush
- In 1993, we will continue these activities. In addition, we will
- Work with the Australian-initiated "Timorese UN Project" to bring five East Timorese exiles on a speaking tour of the United States in April
- Use the new Noam Chomsky film Manufacturing Consent to reach out to new people
- Lobby Congress and the Clinton administration to cut off US weapons sales to Indonesia and take other action to increase pressure the Suharto regime and to change the US approach to East Timor at the United Nations

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### **SILENT GENOCIDE: EAST TIMOR STRUGGLES FOR GLOBAL ATTENTION – AND FOR ITS LIFE**

*By Matthew Restall, "Los Angeles Village View," Feb. 19-25, 1993.*

*"Genocide is a word much overused in modern times for any old massacre. In East Timor it suits the circumstances perfectly."*  
– "Observer" reporter Hugh O'Shaughnessy

*"When I think of Indonesia - a country on the equator with 180 million people, a median age of eighteen, and a Muslim ban on alcohol - I feel I know what heaven looks like."*

—Coca-Cola president Donald Keough

Remember those Army wives in the evening news two years ago talking about the need to defend Kuwait against the Iraqis? "Look," said one, "they raped a country."

At about the same time, in another corner of the world, the following incident was taking place. "A company of government troops captured this seventeen-year-old girl," a priest later told an undercover British reporter. "They repeatedly raped her, cut off her breasts, put one in each hand, cut off her private parts and stuffed them in her mouth and left her corpse for the rest to see."

This took place in a land that almost no Americans have even heard of: East Timor. Were this an isolated act of atrocity, one might expect it completely to be ignored by Washington and the U.S. media. But, far from being isolated, this brutal murder was only one tragic episode in a seventeen-year story of torture, murder, and oppression. In October 1991, yet another young pro-independence suspect was murdered in East Timor by the Indonesian military, which showed up at his funeral and opened fire on the unarmed mourners, killing some 200 men, women, and children. The "incident," as the government called it, brought the number of victims in this tragedy to over 200,000. What does our government have to say about it? Nothing.

The reason is simple enough. The island nation that is being destroyed has no strategic value - East Timor is located some 400 miles north of Australia - while the aggressor, Indonesia, is a staunch U.S. ally. So staunch an ally is Indonesia (whose dictator, General Suharto, came to power nearly 30 years ago by murdering almost one million alleged Indonesian communists in less than two years) that the U.S. not only turned a blind eye but actually connived in the invasion of East Timor.

A Portuguese colony for centuries, East Timor declared independence in December 1974. Six days later, President Ford and Secretary of State Kissinger visited Suharto in Jakarta. Kissinger told reporters that, with respect to East Timor, "the United States understands Indonesia's position on the question." The next day, Indonesia invaded. Said the Indonesian foreign minister in 1977: "Fifty thousand or perhaps 80,000 might have been killed. It was war... what's the big fuss?" His successor admitted two years later that 120,000 had died.

According to our State Department, 90 percent of the weapons used in the invasion were U.S.-supplied. "The U.S. regards Indonesia as a friendly nation," explained a department official in 1976, "a nation we do

a lot of business with." The current death toll—200,000—amounts to a third of the population of East Timor.

Not that all blame can be assigned to the Indonesian military government and Kissinger (how does this man sleep at night?). Successive U.S. administrations and other Western governments have studiously avoided the East Timor issue for a decade and a half (only Portugal, in recompense for its abandonment of the Timorese in the 1970s, has been fighting for international recognition of East Timor's independence). Pope John Paul II, ever mindful to betray the common man, recognized the Indonesian occupation by even refusing to mention it during his 1989 visit to East Timor - despite the fact that Catholic priests have been tortured and killed along with their Timorese parishioners.

Another reason why Jakarta has gotten away with murder is its manipulation of the international media - and, by the same token, the media's failure to shake that manipulation. From 1975 to 1989, East Timor was completely closed to the world. Yet the reports that did get out were ignored by the mainstream press. Not until two New York City reporters were badly beaten by the Indonesian military (at the time of the November 1991 funeral massacre) was attention drawn to footage of the killings, finally prompting international condemnation of Indonesia's policy.

Even then, the Western political and media establishments allowed Jakarta's response to the outcry - a massive PR campaign coupled with an increase in repressive military measures in East Timor - effectively to neutralize opposition. Suharto, hiring the Washington PR firm Hill and Knowlton (used to peddle the Gulf War to the American people) to sell the 1991 massacre as a justifiable "incident," was assisted by stooges such as Sens. Inouye and Stevens, who were "impressed" by the dictator's handling of the matter in a visit to Jakarta last year. Aid cuts and statements of disapproval had become patchy by early 1992; by the end of the year, business between the West and Indonesia returned to normal. Meanwhile, Indonesian troops captured Xanana Gusmão, head of the Timorese independence movement, who was beaten and tortured for months, forced to make pro-government statements on video, and who is now being publicly humiliated in a show trial.

The world, obsessed by Somalia and Bosnia and local politics, has ignored the latest round of brutality in East Timor. New tales of torture, rape, and murder have yet to make it to the mainstream press beyond the occasional East Coast editorial. Well aware of this opportunity, the Indonesian

military has been rounding up thousands of pro-independence "sympathizers," who are now being detained as "guerrillas" and "terrorists."

There can be no doubt that what Indonesia is doing in East Timor is genocide. The numbers of Timorese victims, and the steady, supervised influx of non-Timorese into the region, speaks of a lethal colonial policy. Nor can there be any doubt that the West, in continuing to support the Indonesian dictatorship through political, diplomatic, economic, and military aid, is a party to the genocide. It is reported that President Clinton has strong views on the Timorese issue, but he has yet to make a public statement on it of any kind. It is time such a statement is made.

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## SENATOR PELL STATEMENT ON EAST TIMOR

*In the U.S. Senate, February 24, 1993*

*By Claiborne Pell, Democrat-Rhode Island, Chairman, Senate Foreign Relations Committee. Taken from the Congressional Record S1991-1992, full text.*

Mr. President, last Monday the trial of the East Timorese resistance leader, José "Xanana" Gusmão, began in Dili, East Timor. Last year I attempted to visit East Timor but was denied permission by President Suharto. Indonesian authorities told me that such a visit was not convenient following the massacre by Indonesian security forces of 75 to 100 East Timorese civilians during a peaceful demonstration in Dili on November 12, 1991.

The roots of the conflict in East Timor are in the December 7, 1975, Indonesian invasion of the territory following Portugal's precipitous withdrawal after 450 years of colonial rule. The U.N. General Assembly and Security Council have passed resolutions condemning the invasion and calling for self-determination for the East Timorese. American policy has been to accept Indonesia's incorporation of East Timor without acknowledging that it was a valid act of self-determination.

The Indonesian human rights situation overall is deeply troubling. As the recently released Department of State's annual human rights report for 1992 observed generally about Indonesia:

"In addition to extrajudicial killings and unfair trials, other serious human rights problems continued. They include torture and other mistreatment of prisoners and detainees, arbitrary arrest and detention, arbitrary interference with privacy, significant restrictions on freedom of the speech and press, assembly and association, and on freedom of movement, and the inability of

citizens to change their government. Other problem areas include harassment of human rights monitors, discrimination and violence against women, and restrictions on worker rights."

Such is the situation in East Timor but even more so. As the State Department report notes, for example, last October 5 two East Timorese were shot by security forces. One was killed immediately while the other was taken to a military hospital where he was then beaten to death. Security forces involved in the Dili massacre were charged with relatively minor offenses while 13 civilians charged for demonstrating received extremely harsh sentences. The Indonesian authorities have yet to locate 66 people missing following the massacre whom the State Department now believes are all dead.

The report further states that in "East Timor military authorities continued the practice of detaining people without charges for short periods and then requiring them to report daily or weekly to the police after their release. There were credible reports of scores of people being detained without charges at various times during the year for enforced vocational training."

In addition the State Department reports that the East Timorese are regularly subjected to arrest, temporary detentions, intrusive searches and beatings. After Mr. Gusmão was arrested, there were credible reports that members of his family and friends were also detained possibly to ensure his cooperation with the Indonesian authorities during his trial.

The International Committee of the Red Cross (ICRC) which maintains a presence in East Timor has been trying without success for the last 2 months to gain access to about 24 detainees being held in a military detention center in Baucau. There has been a persistent pattern of denial to all requests by international human rights groups. For example, the ICRC has been permitted only one visit to Mr. Gusmão's jail cell since his capture on November 20, and this only occurred on December 7. Amnesty International's request to observe his trial in Dili has been denied despite a claim by the Indonesian Foreign Minister, Ali Alatas, that the trial would be open. To Indonesia's credit, however, several foreign journalists have been granted permission to visit Dili, including ABC although the BBC has not been so authorized.

In addition Indonesian authorities have restricted defendant access to legal assistance. When I was in Jakarta, I met with lawyers from the Indonesian legal aid society. They were not permitted to meet with their East Timorese clients until the day of their trial. They were denied access to Mr. Gusmão and instead later received a letter

from him delivered by the police, authorizing the police to appoint his defense attorney. According to reports, this attorney does not speak Mr. Gusmão's language.

The pattern of past practices and recent actions all call into question the fairness of Mr. Gusmão's trial as well as Indonesian policy in East Timor.

Last year the Congress passed Foreign Relations Authorization legislation which the President signed into law urging the Indonesian government to end all forms of human rights violations in East and calling for an internationally acceptable solution to the conflict. Events since then indicate that the Government of Indonesia still has not understood the depth of American concern for the East Timorese.

Recent Indonesian-Portuguese talks sponsored by the United Nations to resolve the dispute are at an impasse. The United States should press both sides to renew their discussions while including representatives from East Timor.

The United States should support a resolution during the 49th session of the United Nations Human Rights Commission expressing international concern about the continuing human rights abuses in East Timor.

Finally, Indonesia should demonstrate its good faith by inviting the U.N. Special Rapporteur on Summary and Arbitrary Executions and the Working Group on Enforced or Involuntary Disappearances to come to East Timor to recommend procedures to prevent human rights abuses.

A peaceful resolution to this conflict can only be achieved by compromise and negotiation between the parties most involved – the Indonesian and the East Timorese. I hope the Indonesians soon recognize the value of such discussions because their current policy is doomed to failure.

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## US STATE DEPARTMENT'S ANNUAL REPORT ON HUMAN RIGHTS PRACTICES IN INDONESIA

*This report covers calendar year 1992. The State Department is legally required by Congress to send it this and other country reports every year. The reports are usually made available to the public each February. We reprint the entire report because it provides an insight into past US policies, since it was prepared under the Bush administration.*

### INDONESIA

Indonesia is a very large, populous, developing country whose people come from hundreds of different ethnic, cultural, and

linguistic backgrounds. With the largest Muslim population in the world, it is a secular state which advocates religious tolerance and strives to balance the need for stability and development with respect and tolerance for the diversity of its people. The Government requires allegiance to five broad, guiding principles of national life known as "Pancasila": belief in one supreme God, a just and civilized humanity, Indonesian national unity, democracy, and social justice. The Government's authoritarian rule restricts basic human rights.

Under the Constitution, the highest authority of the State is the 1,000-member people's Consultative Assembly (MPR), which meets every 5 years to elect the President and Vice President and set the broad outlines of state policy. In theory, the President is subordinate to the Assembly; in fact, President Suharto and the armed forces (ABRI) wield predominant political power, with 20 percent of the DPR, or Parliament, appointed from the ranks of ABRI. The Parliament is constitutionally responsible for making laws but has not used its power to initiate legislation in the 27 years of Suharto's Government. It remains essentially passive in its dealings with the executive branch. Quinquennial parliamentary elections are tightly controlled by the Government and the military. The de facto government party, GOLKAR, won 68 percent of the vote in the most recent elections in June 1992.

The armed forces which include the military services and the police number 445,000. The army constitutes about half of the armed forces and focuses mainly on internal security. Total military expenditures for 1989, the last year for which the U.S. Arms Control and Disarmament Agency conducted a detailed analysis, were \$1.51 billion. Given the relatively modest size of the military forces and their budget, there are no indications that efforts will be made to reduce these expenditures in the near future. Under a "dual function" concept, many military officers serve in the civilian bureaucracy at all levels and in Parliament. Public discussion about reducing the military's role in national affairs increased during the year. Security forces continued operations against separatist groups in Aceh, Irian Jaya, and East Timor in 1992. On occasion, police in Jakarta and Medan employed excessive force in subduing suspected criminals.

Indonesia has a largely free market economy characterized by large oil revenues and government attempts to encourage nonoil exports and revenues. The economy continued to expand in 1992, growing approximately 6 percent despite government efforts to contain inflation. Although there

were substantial increases in real incomes and in the standard of living of most Indonesians in the past 20 years, the country remains poor, with significant unemployment and wide disparities in wealth. Corruption and influence peddling are endemic and distort growth and economic opportunity.

The most important human rights developments during the year concerned government efforts to cope with the aftermath of army troops' killing of unarmed demonstrators on November 12, 1991, in East Timor. At the recommendation of a military investigating body formed on President Suharto's orders, unprecedented disciplinary action was taken against 6 senior officers and 10 officers and enlisted men involved in the incident. Thirteen Timorese civilians were convicted in connection with the incident. Most of the latter received extremely harsh sentences. Members of the security forces involved in the shootings were charged only with relatively minor offenses. While the civilians' trials were open and generally conducted in accordance with Indonesian law, they failed to meet all international standards of fairness. Subversion trials in North Sumatra and Aceh also failed to meet international standards.

In addition to extrajudicial killings and unfair trials, other serious human rights problems continued. They include torture and other mistreatment of prisoners and detainees, arbitrary arrest and detention, arbitrary interference with privacy, significant restrictions on freedom of speech and press, assembly and association, and on freedom of movement, and the inability of citizens to change their government. Other problem areas include harassment of human rights monitors, discrimination and violence against women, and restrictions on worker rights.

In other human rights areas, foreign travel requirements were eased. The June 9 elections were free from violence and interference from security forces, and, while minor irregularities occurred, the actual balloting was considered fair. The Government continued its generous policy toward Indochinese refugees and its cooperation with the International Committee of the Red Cross (ICRC) on the repatriation of Iranian who had fled to Papua New Guinea because of separatist violence. But official and informal discrimination against ethnic Chinese persisted. The Government accepted a chairman's statement at the U.N. Human Rights Commission which commits it to respond to recommendations on preventing torture and to allowing greater access by human rights groups to East Timor. However, the Government has as yet made no response on the recommen-

dations, nor has it allowed greater access to East Timor.

## **RESPECT FOR HUMAN RIGHTS**

### **SECTION 1. RESPECT FOR THE INTEGRITY OF THE PERSON, INCLUDING FREEDOM FROM:**

#### **a. Political and Other Extrajudicial Killing**

The number of credible reports of politically related civilian deaths has declined substantially since 1991, owing primarily to the fact that military operations in Aceh, Irian Jaya, and East Timor declined. In Aceh in particular, the egregious abuses of the civilian population eased considerably compared to 1991, as security forces, having eliminated all but a handful of Aceh Merdeka (Free Aceh) armed separatists, turned to civic action projects. The security situation in Irian Jaya was also generally calm, with few, if any, civilian deaths reported due to actions by the military.

In East Timor, tightened security and revised military procedures put into place following the November 12, 1991, shooting incident in Dili appeared to have led to a substantial reduction in civilian deaths attributable to security forces. The exact number and circumstances of the deaths of several Fretilin guerrillas reported killed could not be confirmed. Although the Government did take action against those involved in the November 1991 incident in East Timor, the Government made only minor efforts in 1992 to try and punish appropriately those responsible for killings, torture, and other abuses committed in previous years in Aceh and other areas.

In Baucau, East Timor, two East Timorese were shot on October 5. One was killed outright by ABRI forces. A credible source believes the other, who was taken to a military hospital, was beaten to death while in the hands of ABRI.

The Government continued to deal with the November 12, 1991, shooting of civilians in East Timor. A military "Honorary Council" appointed by President Suharto in December 1991 to investigate the conduct of security forces in the incident announced its results in February, finding that some members of the security forces had been negligent, had failed to anticipate problems adequately, or had violated military ethics and discipline. As a result of this finding, 4 officers and 6 enlisted members of the security forces were court-martialed in May and June, one on charges of assault and 9 others on charges of exceeding or failing to obey official orders. No charges were brought against ABRI personnel for actually killing civilians during the incident in which 50 to 100 people are thought to have died as

a result of military action. All of the soldiers were convicted in sessions open to diplomatic observers and the press and received sentences ranging from 6 to 18 months in prison. Six senior officers were disciplined; three, including the brigadier general who commanded security forces in East Timor at the time of the incident, were discharged. Five other officers were investigated further, one of whom was to be retired early because of his alleged failure to act decisively during the incident.

Little progress was made in locating those demonstrators still missing after the incident. The national investigatory commission refuted earlier military claims that only 19 people died on November 12 by stating in December 1991 that "about 50" were killed. The Commander of the Armed Forces reported to President Suharto in July that 66 people remained missing. But despite more than 6 months of investigation, the military claimed it had been unable to find any additional bodies beyond the 19 originally accounted for. Although official accounts suggested that some of the 66 were still in hiding, credible sources believed most, if not all, of them were dead.

Police continue to use excessive lethal force in efforts to apprehend suspected criminals. According to press accounts, police in Jakarta in 1991 shot 75 criminal suspects who were reportedly fleeing or resisting arrest, of whom 38 died. In 1992 up to August, 40 suspects had been shot, 20 of whom died. These shootings came against a background of a declining overall crime rate, but an increase in violent crimes.

In Medan, the capital of North Sumatra, where the crime rate was also falling, police announced in 1992 that 182 suspects had been shot in 1991, of whom 2 died. In North Sumatra as a whole 220 suspects were shot. Through early December 1992, 93 suspects had been shot in North Sumatra, many of them 4 and 5 times. Two died of their wounds. Authorities maintained those shot had been fleeing and were given warnings, or were resisting arrest. They also denied they were pursuing a systematic policy aimed at discouraging crime. But human rights groups reported that at least some of those shot claimed they had been caught first, handcuffed, and then shot, sometimes at the police station.

#### **b. Disappearance**

There were no reports of politically motivated abductions in 1992. Government efforts to account for those still missing from the November 12, 1991, shooting incident were ineffective (see Section I.a.).

### **c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment**

The Indonesian Criminal Procedures Code (KUHAP) contains a number of provisions aimed at protecting the accused. Statements from suspects or witnesses, for example, are supposed to be extracted without pressure of any kind, and pretrial procedures give suspects or their families the right to challenge the legality of their arrest or detention. In practice, however, torture and mistreatment of criminal suspects, detainees, and prisoners are common, and the legal protections are violated by the Government.

The U.N. Special Rapporteur for Torture stated in his January report that, based on his November 1991 visit to Indonesia, he had concluded that "torture occurs in Indonesia, in particular in cases which are considered to endanger the security of the state." The Special Rapporteur continued that in areas such as Aceh, Irian Jaya, and East Timor which "are deemed to be unstable...torture is said to be practiced rather routinely." In 1992 Aceh continued to be the area of greatest concern, although various credible observers noted a general improvement in the treatment of detainees and prisoners, perhaps related to the overall reduction in tensions there.

Police often resort to physical abuse, even in minor incidents, and prison conditions in Indonesia tend to be harsh. Officials have publicly condemned police brutality and harsh prison conditions and occasionally instigate disciplinary action, including transfer, dismissal, trial, and sentencing to prison terms. In 1992 several policemen were court-martialed for mistreating or beating prisoners. In one case, as reported in the press, the convicted policeman continued to beat a suspect even though the suspect had already confessed. The suspect died shortly thereafter. This policeman was dismissed from service and sentenced to 4 years' imprisonment. In Aceh, a military tribunal in January sentenced three policemen to between 2 1/2 and 3 months in prison for beating a prisoner. A Medan military court in July sentenced a police sergeant to 14 months in prison for beating a suspect to death.

### **d. Arbitrary Arrest, Detention, or Exile**

KUHAP contains protections against arbitrary arrest and detention and specifies the right of prisoners to notification of family. Warrants must be produced during an arrest except under specified conditions, such as when a suspect is caught in the act of committing a crime. Warrants are issued by police investigators to assist in their investigations or if sufficient evidence exists that a crime has been committed.

Defendants have the right to legal counsel of their choice at every phase of an investigation and trial, and also have the right to know in detail the charges against them. Defendants are presumed innocent and may be granted bail. They or their families may also challenge the legality of their arrest and detention in a pretrial hearing and are entitled to sue for compensation if wrongfully detained. KUHAP also contains specific limits on periods of pretrial detention and specifies when the courts must get involved to approve extensions.

In practice, these safeguards are often violated. Bail is rarely granted, especially in political cases. The authorities frequently interfere with access to defense counsel. Extensions of periods of detention are routinely approved. Pretrial proceedings are rarely initiated. In addition, suspects charged under the 1963 Antisubversion Law are subject to special procedures outside of KUHAP that allow, for example, the Attorney General on his own authority to hold a suspect for up to a year before trial. This 1-year period is renewable without limit. Special laws on corruption, economic crimes, and narcotics are similarly exempt from KUHAP's protections. The Agency for Coordination of Assistance for the Consolidation of National Security (BAKORSTANAS) operates outside KUHAP and has wide discretion to detain and interrogate persons thought to threaten national security.

National estimates on the number of arbitrary arrests or detentions without trial are not available. In Aceh 180 people accused of being members of Aceh Merdeka (Free Aceh) were released in 1992 after varying periods of detention, often incommunicado and without trial. The authorities released a total of 653 detainees in 1991, yielding a total of at least 833 persons detained without trial for various periods in connection with the Aceh insurgency. Many of those released were required to report back to the authorities at regular intervals. At least 50 more Acehnese were believed to be awaiting trial at year's end, many without clear knowledge of the charges against them. (See Section 1.e. for a discussion of those Acehnese who received trials.)

In East Timor military authorities continued the practice of detaining people without charges for short periods and then requiring them to report daily or weekly to police after their release. There were credible reports of scores of people being detained without charges at various times during the year for enforced "vocational training." This occurred during periods of potential unrest, such as the February visit to East Timor of the U.N. Secretary General's Special Envoy,

Amos Wako, and the March approach of the Portuguese car ferry, the Lusitania Expresso. Arrests, other temporary detentions, intrusive searches and some beatings also occurred just before the anniversary of the November 12 shootings and in the aftermath of the November 20 arrest of Fretilin leader José "Xanana" Gusmão. There have been credible reports that Timorese detainees have been mistreated. In addition, 24 Timorese arrested in the aftermath of the November 12 incident were officially "released" on March 2 when the Attorney General decided only 8 detainees in East Timor would be tried. But the military commander of East Timor continued to hold the 24 in military camps around East Timor for most of the remainder of 1992 for intensive instruction on Indonesian civics. Although they were allowed visits by family members, and 10 were seen by the ICRC, their continued detention in military facilities without charges was a clear violation of KUHAP.

### **e. Denial of Fair Public Trial**

A quadripartite judiciary of general, religious, military, and administrative courts exists below the Supreme Court. The right of appeal from district court to high court to Supreme Court exists in all four systems of justice. The Supreme Court, with a current backlog variously estimated at 13,000 to 17,000 cases, does not consider factual aspects of a case, only the lower courts' application of law. Initial judgments are rarely reversed in the appeals process, although sentences are sometimes increased or reduced. A three-judge panel conducts trials at the district court level, poses questions, hears evidence, decides guilt or innocence, and assesses punishment.

Defendants have the right to confront witnesses. An exception is allowed in cases where distance or expense are deemed excessive for transporting witnesses to court, in which case sworn affidavits may be introduced. In at least one case in 1992, this practice had the effect of preventing cross-examination of prosecution witnesses.

The use in trials of forced confessions and limitations on the presentation of defense evidence are common. Defendants do not have the right to remain silent, and in several cases in 1992 were compelled to testify in their own trials and in related trials running simultaneously. In capital cases and those involving a prison sentence of 15 years or more, a lawyer must be appointed. In cases involving potential sentences of 5 years or more, a lawyer must be appointed if the accused desires an attorney but is indigent. Destitute defendants can obtain private legal help, such as that provided by the Legal Aid Institute (LBH).

The judiciary in Indonesia is not independent. The Supreme Court does not have the right of judicial review over laws passed by Parliament. Although the Supreme Court has since 1985 had the power to review ministerial decrees and regulations, the Court has not yet used this power; Chief Justice Purwoto Gandasubrata, however, took a case dealing with a ministerial decree controlling newspaper publishing permits under advisement in November. While judges receive guidance from the Supreme Court on legal matters, they are civil servants employed by the executive branch. They are subject to considerable pressure from military and other governmental authorities. In addition, corruption permeates the Indonesian legal system. In civil and criminal cases, the payment of bribes can influence prosecution, conviction, and sentencing. The Minister of Justice said in August that while proving judicial corruption was often difficult, 266 judges had been prosecuted since 1980. In September the newly appointed Chief Justice of the Supreme Court, who pledged to combat judicial impropriety, recommended the dismissal of two administrative court justices who allegedly accepted bribes. The final decision, however, rested with the Minister of Justice and the President, who at year's end had not acted on the matter. The Supreme Court engaged in a nationwide effort to improve the quality of district court judges, but public respect for the legal system remained low.

The 1963 Antisubversion Law, which carries a maximum penalty of death, was attacked in several 1992 subversion trials as outmoded, unfair, and excessively harsh. The law makes it a crime to engage in acts that could distort, undermine, or deviate from the state ideology or broad outlines of state policy, or which could disseminate feelings of hostility or arouse hostility, disturbances, or anxiety among the population. The U.N. Special Rapporteur for Torture recommended in his January report that the law be repealed. He noted that the law's definitions are "very broad and loose," and that no requirement exists to prove that allegedly subversive acts actually endangered the security of the State, only that they could have. The vagueness of the law makes a successful defense virtually impossible; only two persons have ever been acquitted of subversion charges. Other statutes that are part of the Indonesian Criminal Code and therefore subject to KUHAP protections make it a felony to insult or sow hatred against the Government or to seek the separation of one area from the rest of the country. Defense attorneys also attacked these laws as holdovers from

the Dutch colonial period and as unwarranted restraints on free speech.

More than two dozen subversion trials were conducted in 1992. As in 1991, the majority of these cases were in Sumatra where as of August 19 people had been tried and convicted of subversion in connection with the Aceh Merdeka insurgency, including four members of the armed forces. According to credible observers, KUHAP provisions were widely violated in the conduct of these trials, with lack of access to attorneys and pretrial mistreatment of the accused the most frequently cited problems.

Four Timorese were convicted of subversion in 1992 in trials in Dili and Jakarta. The four were part of a group of 13 Timorese charged in connection with either a November 12, 1991, demonstration in Dili that preceded the shooting incident, or a November 19, 1991, demonstration in Jakarta that protested the shootings. The other 9 were tried on felony hate-sowing or sedition charges. These trials were attended by international observers, including representatives of the International Commission of Jurists, the Indonesian and foreign press, and the U.S. and other embassies. In general, the trials were substantially fairer than the Aceh proceedings. But in the Dili trials in particular, they did not meet international standards for fair trial. For example, access to legal counsel was obstructed to the extent that the defendants in several cases met their chosen attorneys only on the day their trials began. Even then, the Dili District Court barred attorneys in the subversion cases from representing the accused on technical grounds until the Supreme Court intervened. All 13 accused Timorese were convicted. One received a 6-month sentence and was released immediately. Seven received sentences of 10 years or more, and one received a life sentence, which is unusually harsh even in a subversion case. There is reason to believe that these harsh sentences were intended specifically to deter future such anti-integration activity. Security personnel responsible for the shootings were charged with relatively minor offenses.

The Government does not make available statistics on the number of people currently serving subversion sentences or sentences under the felony "hate-sowing" or sedition laws. But informed sources indicated some 300 persons were serving sentences for subversion in 1992, including members of the banned Communist Party of Indonesia (PKI), Muslim extremists, and those convicted of subversion in Irian Jaya, Aceh, and East Timor. Scores more were believed to be serving sentences under the hate-sowing or sedition laws. At least some of these persons advocated or employed violence.

#### **f. Arbitrary Interference with Privacy, Family, Home, or Correspondence**

Judicial warrants for searches are required except for cases involving suspected subversion, economic crimes, and corruption. However, forced or surreptitious entry by security agencies occurs regularly. Security agencies intimidate by conducting surveillance of persons and residences, and they are believed to monitor selectively local and international telephone calls without legal restraint. Government security officials monitor the movements and activities of former members of the PKI and its front organizations, especially persons the Government believes were involved in the abortive 1965 Communist-backed coup. The Government stated in late 1990 that this latter group then totaled 1,410,333 people. These persons and their relatives sometimes are subject to surveillance, required check-ins, and arbitrary actions by officials, including removal from government employment and threats of removal from such employment.

### **SECTION 2. RESPECT FOR CIVIL LIBERTIES, INCLUDING:**

#### **a. Freedom of Speech and Press**

Significant restrictions on freedom of speech and press exist. Government agencies exercise broad discretionary authority in applying laws concerning the rights of expression, and effective judicial review is lacking. Public statements or publications which criticize the Government or are perceived as critical of Pancasila, top leaders, their families, or particular religious and ethnic groups are often harshly punished. Two students were arrested prior to the June 9 elections for criticizing the election process and advocating the casting of blank ballots or staying away from the polls. They were released in late June, although the charges were not dropped. Five Timorese were convicted of sowing hatred against the Government following a November 19, 1991, peaceful demonstration in Jakarta (two of these were also convicted of subversion.) (See Section 1.e.).

The leader of Indonesia's largest Muslim organization was prevented by the authorities from speaking in Surabaya in April.

The Government operates the nationwide television network. Private television companies broadcasting in Jakarta and Surabaya expanded to other areas, and a private educational channel began operating nationally. Some 550 private radio broadcasting companies exist in Indonesia in addition to the Government's national radio network. Private television and radio stations, which have considerable pro-

gramming latitude, are nonetheless subject to official scrutiny and required to use government-provided news programs. Private radio stations frequently supplement such news programs with their own reports. Foreign television and radio broadcasts are readily accessible to those who can afford the technology.

The print media, including the nation's 273 daily newspapers, are largely privately owned. Officials state that the press is "free" but also "responsible." It is expected to support national development and stability, be educational, and uphold professional standards. The Government limits the number of newspaper licenses, the amount of advertising, and the number of pages, and exercises strong control over the press through its control of publishing permits. Journalists have protested in the past that the Department of Information has revoked these permits without giving the offending publications an adequate chance to defend themselves. The Government occasionally censors domestic and foreign publications and, in a practice known locally as "telephone culture," telephones editors to suppress stories. In May a provincial official in South Sumatra ordered the removal of an article dealing with the June election from the editing tables of the daily newspaper, the *Sriwijaya Post*. His actions were criticized by Home Affairs Minister Rudini, who said that press censorship should be reduced to a minimum. Although the risk of official sanctions and informal government instructions generally lead editors to exercise considerable self-censorship in disseminating views of government critics, the domestic print media continued to press the limits of official tolerance in coverage of election issues, East Timor, and social problems. Cartoons often pointedly critical of top government officials appeared routinely in several newspapers.

The Government closely regulates access to Indonesia, and particularly to certain areas of Indonesia, by visiting and resident foreign correspondents and occasionally reminds the latter of its prerogative to deny requests for visa extensions. Although an American reporter was ordered to leave East Timor in February, other journalists were allowed to visit in May and November.

The importation of foreign publications and video tapes, which must be reviewed by government censors, requires a permit. Importers avoid foreign materials critical of the Government or dealing with topics considered sensitive, such as human rights. Foreign publications, from *Time* magazine to the *Asian Wall Street Journal*, are normally available although several issues were delayed or embargoed in 1992 when they

carried sensitive stories or, in one case, an advertisement some found offensive to the President. In each instance the decision to halt distribution was attributed to the private distributor, although government pressure is assumed to have triggered that decision.

While academic freedom is provided for in law, constraints exist on the activities of scholars. They sometimes refrain from producing materials which they believe might provoke government displeasure. Publishers are often unwilling to accept manuscripts dealing with controversial issues, and those that do sometimes find works banned long after they have been published. Two academic works were among the four books banned by the Attorney General in 1992. Another work banned was the report by the Legal Aid Institute (LBH) on violations of KUHAP during the 1991 Aceh subversion trials. The Attorney General said he banned the report because it could mislead the public and damage national unity.

#### **b. Freedom of Peaceful Assembly and Association**

Freedom of assembly and association are recognized in Article 28 of the Constitution. Nonetheless, significant controls are placed on citizens who attempt to exercise this freedom. All organizations must have government permission to hold regional and national meetings. Local jurisdictions often require prior approval for smaller gatherings as well. While obtaining such approval is fairly automatic, the authorities occasionally withhold permission. Two gatherings of the discussion group Democratic Forum were ordered ended by police in February and April because they lacked a police permit, even though organizers argued they were holding informal discussions rather than a formal meeting. A May gathering of the All Indonesia Association of Muslim Intellectuals to discuss human rights was also ended prematurely because it lacked the appropriate permit. Regulations were issued in connection with the June elections that banned a wide variety of mass meetings around election day. Student gatherings have often been the target of disapprovals, and ostensible political activity at universities remained forbidden. The Government also banned political campaigning from university campuses in connection with the 1992 parliamentary elections.

The 1985 Social Organizations Law (ORMAS) requires all organizations, including recognized religions and associations, to adhere to Pancasila. This provision, which limits political activity, is widely understood as being designed to inhibit the activities of groups which seek to make Indonesia an Islamic state. The law

empowers the Government to disband any organization it believes to be acting against Pancasila and requires prior government approval for any organization's acceptance of funds from foreign donors.

#### **c. Freedom of Religion**

The Constitution provides for religious freedom and belief in one supreme God. The Government recognizes Islam, Christianity, Buddhism, and Hinduism, and permits practice of the mystical, traditional beliefs of "Aliran Kepercayaan." Although the population is overwhelmingly Muslim, the practice and teachings of the other recognized faiths are respected. Various restrictions on certain types of religious activity exist. According to official statistics, nearly 400 "misleading religious cults" are banned, including Jehovah's Witnesses and Baha'i. Because the first tenet of Pancasila is belief in a supreme being, atheism is forbidden. The legal requirement to adhere to Pancasila extends to all religious and secular organizations. The Government strongly opposes Muslim groups which advocate establishing an Islamic state or acknowledging only Islamic law, both of which are outlawed.

There is no legal bar to conversion between faiths, and conversions occur. However, proselytizing between the recognized religions or in areas heavily dominated by one recognized religion or another is considered potentially disruptive and is discouraged. Foreign missionary activities are relatively unimpeded. In recent years, some foreign missionaries have had difficulty renewing visas or residence permits - a few on unspecified "security grounds." Laws and decrees from the 1970's do not allow foreign missionaries to spend more than 10 consecutive years in Indonesia, with some extensions granted in remote areas like Irian Jaya. Enforcement of this policy does not discriminate by sect or nationality. Foreign missionary work is subject to the funding stipulations of the ORMAS Law (see Section 2.b.).

Indonesians practicing the recognized religions maintain active links with coreligionists inside and outside Indonesia and travel abroad for religious gatherings.

The Government organizes the annual hajj pilgrimage, and more than 100,000 Indonesians made it in 1992.

#### **d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation**

Restrictions on freedom of movement exist. The Government maintains an unpublished blacklist of Indonesians who are forbidden to leave the country, including various prominent human rights monitors, and foreigners who are forbidden to enter,

especially certain foreign journalists. (The Government announced in early January 1993 that the number of persons currently affected by the travel ban was 8,897.) Reportedly 14 journalists were removed from the list in July, but their names were not made public. The DPR passed new legislation in 1992 affecting the travel ban which elevated it to the status of law and required the Government to notify people when they have been added to the list. Previously, people discovered their status only when they tried to enter or leave. As a result of the new legislation, the Government also eliminated the requirement of obtaining an exit permit. But the new legislation added a provision that will allow the Government to ban Indonesian citizens whose return would pose problems for national security. This provision was opposed by human rights groups and certain legislators but strongly supported by the DPR's military faction.

Restrictions exist on movement by Indonesian and foreign citizens to and within parts of Indonesia. Permits to seek work in a new location are required in certain areas, primarily to control further population movement to crowded cities. Special permits are required to visit certain parts of Irian Jaya. Security checks affecting transportation and travel to and within East Timor occurred sporadically in 1992, and curfews in connection with military operations were occasionally imposed. Former political detainees, including those associated with the abortive 1965 coup, must notify authorities of their movements and may not change their place of residence without official permission.

Indonesia continued its generous attitude regarding Indochinese asylum seekers in 1992. It has granted first asylum to over 123,000 Indochinese asylum seekers since 1975 and continued to operate a refugee facility on Galang Island. Cambodian asylum seekers, whom the Government considers illegal immigrants, have been allowed to remain in Indonesia pending repatriation. Indonesia also continued its cooperation with the U.N. High Commissioner for Refugees (UNHCR) and the ICRC on the return of residents of Irian Jaya who had fled to Papua New Guinea during separatist violence in the eastern portion of the province. A new wave of several hundred Irianese fled to Papua New Guinea in 1992 following border clashes between OPM insurgents and security forces, bringing the total of Irianese in Papua New Guinea's East Awin refugee camp to approximately 3,700. More than 100 Acehnese who fled to Malaysia during the height of separatist violence in 1990-1991 returned to Aceh. Others continued to seek asylum in

Malaysia, including a group of 43 who entered the UNHCR compound in Kuala Lumpur in June claiming their lives would be threatened if they returned to Indonesia.

### **SECTION 3. RESPECT FOR POLITICAL RIGHTS: THE RIGHT OF CITIZENS TO CHANGE THEIR GOVERNMENT**

Whatever their theoretical rights under the Constitution, citizens do not in fact have the ability to change the Government through democratic means. President Suharto and a small group of active-duty and retired military officers and civilian officials exercise governmental authority. The military, under a "dual function" doctrine, is assigned a role in both security and sociopolitical affairs. Members of the military are allotted 20 percent of the seats in national, provincial, and district parliaments, and occupy numerous key positions in the administration. The other 80 percent of national and local parliamentary seats are filled through elections held every 5 years.

All adult citizens are eligible to vote, except active-duty members of the armed forces, convicted criminals serving prison sentences, and some 36,000 former PKI members. Voters may choose by secret ballot between the three government-approved political organizations, which field candidate lists in each electoral district. Those lists must be screened by BAKORSTANAS (see Section 1.d.), which determines whether candidates were involved in the abortive 1965 Communist coup or pose other broadly defined security risks. Critics charge these screenings are unconstitutional, since there is no way to appeal the results, and note that they can be used to eliminate government critics from Parliament. Strict rules establish the length of the political campaign, access to electronic media, schedules for public appearances, and the political symbols that can be used.

GOLKAR, a government-sponsored organization of diverse functional groups, won 68 percent of the seats in the June 9 elections. Two small political parties, the United Development Party and the Indonesian Democratic Party (PDI), split the remaining vote. By law all three political organizations must embrace Pancasila. They are not considered opposition parties and seldom espouse policies much different from those of the Government, although the PDI raised several controversial issues during the 1992 campaign. The leaders of all these organizations are approved, if not chosen, by the Government, and their activities are closely scrutinized and often guided by government authorities.

GOLKAR maintains close institutional links with the armed forces and KORPRI, the nonunion association to which all civil servants automatically belong. Civil servants may join any of the political parties with official permission, but most are members of GOLKAR. Former members of the PKI and some other banned parties may not run for office or be active politically. Although numerous irregularities were reported during the June polling, most observers believed they were not widespread or systematic. The Government initiated criminal proceedings against some of those accused of campaign violations.

The 500 members of the national DPR—100 appointed military and 400 elected—consider bills presented to them by government departments and agencies but do not draft laws on their own, although they have the constitutional right to do so. The DPR makes technical and occasionally substantive alterations to bills it reviews. It remains clearly subordinate to the executive branch. The People's Consultative Assembly (MPR), made up of the 500 DPR members and 500 other members appointed by the Government and political organizations, meets every 5 years to devise the broad outlines of state policy and to elect the President and Vice President. A new MPR, which began meeting on October 1, will hold Presidential elections in March 1993. Under the Constitution, the President is subordinate and responsible to the MPR. In practice, President Suharto and the military dominate the political system, and the MPR's selection of President Suharto to repeated terms has been pro forma.

### **SECTION 4. GOVERNMENTAL ATTITUDE REGARDING INTERNATIONAL AND NONGOVERNMENTAL INVESTIGATION OF ALLEGED VIOLATIONS OF HUMAN RIGHTS**

The Government generally ignores calls by domestic human rights groups and activists for investigations of alleged human rights incidents, with the notable exception of the various investigations ordered by President Suharto into the November 12, 1991, shooting incident in East Timor (see Section 1.a.). While various domestic organizations and persons interested in human rights operate energetically, the Government discourages public human rights activities. Some human rights monitors face government harassment such as frequent visits by police or agents from military intelligence, interrogations at police stations, cancellations of private meetings (see Section 2.b.), or restrictions on foreign travel (see Section 2.d.). The Government

considers outside investigations of alleged human rights violations to be interference in its internal affairs. It expanded on this concept in 1992, emphasizing its belief that linking foreign assistance to human rights observance was unacceptable. This belief was part of its March decision to reject Dutch foreign assistance, a decision which also led to the cut off of funds from Dutch nongovernmental organizations (NGOs) that receive Dutch government money. Several Indonesian human rights organizations received funding from the affected Dutch NGOs. The Government continued to ban the entry of high-profile human rights groups such as Amnesty International and refused in April a request by two U.S. Senators to visit East Timor.

Nonetheless, the ICRC continued to operate in East Timor, Irian Java, and Aceh, and to visit prisoners convicted of participation in the abortive, Communist-backed coup in 1965 as well as convicted Muslim extremists. A special envoy of the U.N. Secretary General, Amos Wako, was allowed to visit Jakarta and East Timor in February. Indonesia also accepted a chairman's statement on East Timor during the 1992 session of the U.N. Human Rights Commission. That statement noted serious concerns with the human rights situation in East Timor, strongly deplored the November 12, 1991, shooting incident, and welcomed government actions to cope with it. It also called on the Government to facilitate access to East Timor by humanitarian and human rights organizations. Finally, it looked forward to a report from the Government on progress in implementing recommendations from the U.N. Special Rapporteur on Torture based on his 1991 trip to Indonesia. (See Section 1.c.) Thus far the Government has neither responded to the recommendations nor eased access to East Timor. In 1992 the ICRC also experienced increasing difficulty gaining access to East Timorese prisoners under conditions defined in its operating agreement with the Government. The ICRC highlighted these difficulties after the arrest November 20 of Fretilin leader José "Xanana" Gusmão, to whom the ICRC finally gained access on December 7. The ICRC continued to press for access to other Timorese arrested since November 1.

### **SECTION 5. DISCRIMINATION BASED ON RACE, SEX, RELIGION, LANGUAGE, OR SOCIAL STATUS**

Indonesians exhibit considerable tolerance for ethnic, racial, and major religious differences, with the important exception of official and informal discrimination against ethnic Chinese. Since 1959 noncitizen ethnic

Chinese have been denied the right to run businesses in rural Indonesia. Regulations prohibit the operation of all-Chinese schools for ethnic Chinese citizens, formation of exclusively Chinese cultural groups or trade associations, and public display of Chinese characters. Chinese-language publications, with the exception of one officially sanctioned daily newspaper, may neither be imported nor produced domestically. Jakarta city officials burned thousands of cassettes, compact discs, and books in Mandarin Chinese in March. Private instruction in Chinese is discouraged but takes place to a limited extent. No laws prohibit speaking Chinese, but the Government lays heavy stress on the learning and use of the national language, Bahasa Indonesia.

Many people of Chinese ancestry have nonetheless been successful in business and the professions, and the enforcement of restrictions is often haphazard. Some ethnic Chinese have enjoyed particular government favor. Social and religious groups exist which are, in effect, all-Chinese and not proscribed.

Under the law, and as President Suharto and other officials periodically affirm, women are equal to and have the same rights, obligations, and opportunities as men. Some Indonesian women enjoy a high degree of economic and social freedom and occupy important mid-level positions in the civil service, educational institutions, labor organizations, the military, the professions, and private business. Although women constitute one-quarter of the civil service, they occupy only a small fraction of the service's top posts. Women make up about 40 percent of the overall work force, with the majority in the rural sector. Despite legal guarantees of equal treatment, women seldom receive equal pay for equal work and disproportionately experience illiteracy, poor health, and nutrition. Traditional attitudes which limit women's aspirations, activities, and status undercut state policy in some areas. Several voluntary, private groups work actively to advance women's legal, economic, social, and political rights and claim some success in gaining official cognizance of their concerns.

In 1992 there were increasing reports of violence against women, including rape and other violence against female domestic servants. Human rights and women's rights groups believed that the police, prosecutors, and courts were slow to react in many cases, and many women who were the victims of sexual crimes were reluctant to report them to police. This lack of confidence in the willingness or ability of authorities to take effective action to combat crime is not limited to violence against women but is

part of the overall low esteem in which the criminal justice system is held. The Government has acknowledged the problem of domestic violence in Indonesian society, which some say has been aggravated by recent social changes brought about by rapid urbanization. The Government provides some counseling, and several private organizations exist to assist women. Nonetheless, most observers agree the problem of violence against women remains poorly documented.

## **SECTION 6. WORKER RIGHTS**

### **a. The Right of Association**

Private sector workers, including those in export processing zones, are free to form or join unions without prior authorization. However, in order to bargain on behalf of employees or to represent workers in the Department of Manpower's labor courts, a union must register as a mass organization with the Department of Home Affairs under the ORMAS Law (see Section 2.b.) and meet the requirements for recognition by the Department of Manpower: union offices in at least 20 of the country's 27 provinces, branch offices in at least 100 districts, and 1,000 plant level units.

While there are no formal constraints on the establishment of unions, the recognition requirements are a high legal barrier to recognition and the right to engage in collective bargaining. In de facto terms, there is a single union system, and it is the Government's stated policy to seek to improve the effectiveness of the one recognized union rather than ease the process for the formation of alternative organizations. The one union recognized by the Department of Manpower is the All Indonesia Workers Union (Serikat Pekerja Seluruh Indonesia, SPSI). Two other labor groups, Setia Kawan (Solidarity), also known as Serikat Buruh Merdeka (SMB, Free Trade Union), and Serikat Buruh Sejahtera Indonesia (SBSI, Indonesian Workers Welfare Union), are attempting to satisfy the Department of Manpower requirements. In existence for 2 years, Setia Kawan is essentially moribund while the SBSI, created in 1992, continues to attempt to form the necessary branches prior to applying for recognition.

The SPSI has 9,071 units out of roughly 26,000 organizable work sites. It has a membership of about 1 million dues-paying members, about 1.4 percent of the total work force. However, if agricultural workers and others in categories such as self-employed and family workers who are not normally union members are excluded, the percentage of union members rises to approximately 6 percent.

Minister of Manpower Decision 1109/men/1986, which defines the procedures for establishing an SPSI factory unit, enjoins workers to consult with the employer during the process of setting up an SPSI branch. In practice this often means obtaining the employer's consent for the establishment of a unit. There are numerous reports that employers will agree to the organization of SPSI units only if they are allowed to select the units' officials. Employers justify this action under the terms of Ministerial Decision 1109 which also specifies the requirements for union officials which include "high educational background" and possession of "certain qualities: reliable, highly disciplined..." Employers argue that they are in the best position to know which employees possess these characteristics.

Civil servants are not permitted to join unions and must belong to KORPRI, a non-union association whose Central Development Council is chaired by the Minister of Home Affairs. Teachers must belong to the Teachers' Association (PGRI). While technically classed as a union (its status was changed from an association similar to KORPRI in April 1990), PGRI has continued to function more as a welfare organization and does not appear to have engaged in trade union activities. State enterprise employees, defined to include those enterprises in which the state has a 50 percent holding or greater, usually are required to join KORPRI, but there are some state enterprises which have SPSI units.

Unions may draw up their own constitutions and rules and elect their representatives. However, the Government has a great deal of influence over the SPSI, the head of the SPSI is a senior member of GOLKAR, two senior SPSI officials are Members of Parliament representing GOLKAR, and the Minister of Manpower is a member of the SPSI's Consultative Council. According to credible reports, the Government interferes in the selection of SPSI officers, especially the placing of retired military officers in mid-level SPSI positions.

Under the Criminal Code, police approval is needed for all meetings outside offices or normal work sites. This provision also applies to union meetings. Permission is routinely given to the SPSI. In October police and the military halted an SBSI meeting, for which a permit had not been requested, and briefly detained its organizers for questioning. A union may be dissolved if the Government believes it is acting against Pancasila, but there are no laws or regulations specifying the procedures for union dissolution. There have been no actual cases of dissolution.

The SPSI maintains international contacts, but is not affiliated with any international trade union organizations except the Association of Southeast Asian Nations (ASEAN) Trade Union Council. Some elements of the SPSI, such as the seafarers, maintain links with international trade union secretariats. The SPSI has an application for membership with the International Confederation of Free Trade Unions pending. While Pancasila principles call for labor-management differences to be settled by consensus, all organized workers, with the exception of civil servants, have the right to strike. In practice, state enterprise employees and teachers rarely exercise this right. Before a strike can occur in the private sector, the law requires intensive mediation by the Department of Manpower and prior notice of the intent to strike. However, no approval is required.

In practice, dispute settlement procedures are not followed fully, and formal notice of the intent to strike is rarely given. The Department of Manpower procedures are time consuming and decisions are handed down usually only after a prolonged period has elapsed. These processes have little credibility with workers and are mostly ignored. Strikes, therefore, tend to be sudden, the result of longstanding grievances or recognition that legally mandated benefits or rights are not being given. While strike leaders are not arrested for illegal strikes, they often lose their jobs. The number of strikes has continued to increase over the last several years, some of them in support of fired union officials but most of them over failure of companies to pay legally mandated minimum wages. In 1991 there were 112 "illegal" strikes officially recorded by the Department of Manpower, although the actual number most likely was larger. When the figures for 1992 are tallied, it is probable they will show another increase.

#### **b. The Right to Organize and Bargain Collectively**

Collective bargaining is provided for by law, but only recognized trade unions may engage in it. The Department of Manpower promotes collective bargaining as an instrument of industrial relations in the context of the national ideology of Pancasila. The majority of the collective bargaining agreements between the SPSI and employers are negotiated bilaterally.

Once notified that 25 employees have joined a registered union, an employer is obligated to bargain with them. As a transitional stage to encourage collective bargaining, regulations require that every company with 25 or more employees issue company regulations defining the terms and conditions of employment. Before a com-

pany can register or renew its company regulations it must demonstrate that it consulted with the union or in its absence a committee consisting of employer and employee representatives.

Only about half of the SPSI units have collective bargaining agreements. The degree to which these agreements are freely negotiated between unions and management without government interference varies. By regulation negotiations are to be concluded within 30 days. If not, the matter is submitted to the Department of Manpower for mediation and conciliation or arbitration. Most negotiations are concluded within the 30-day period. Agreements are for 2 years and can be extended for 1 more year.

Regulations expressly forbid employers from discriminating or harassing employees because of union membership. There are credible reports from union officials, however, of employer retribution against union organizers, and the SPSI claims that some employers discriminate against its members and workers who desire to form SPSI units.

Charges of antiunion discrimination are adjudicated by administrative tribunals. However, many union members believe the tribunals generally side with employers. Because of this perceived partiality, many workers reject or avoid the process and present their grievances directly to Parliament and other agencies. Administrative decisions in favor of fired workers tend to be monetary awards; workers are rarely reinstated.

Workers can organize without restriction in a private enterprise, even if it is designated vital by the Government. If the State has a partial interest, the enterprise is considered to be in the public service domain, but this does not always legally limit organizing. There are a number of government/private joint ventures which have SPSI units and which bargain collectively.

The military or police have been involved in a number of labor disputes. Workers have charged that members of the security forces have attempted to intimidate union organizers and have beaten strike leaders. Police and military in a number of instances have been present in significant numbers during strikes, even when there has been no destruction of property or violence. Military officials occasionally have been reported present during negotiations between workers and management. Their presence has been described as intimidating by plant level union officials.

Labor law applies equally in export processing zones.

### c. Prohibition of Forced or Compulsory Labor

Forced labor is strictly forbidden and enforcement is generally adequate. There were, however, credible reports in 1990 of forced labor by logging companies among the Asmat tribe in Irian Jaya. There have been documented reports of girls being sold as domestic servants or to brothels, and of men being sold as agricultural workers. The Government has thus far failed to follow through on its promise of an investigation into these reports.

### d. Minimum Age for Employment of Children

Child labor continues to be a serious problem in industrial areas. The Government acknowledges that there is a class of children who must work for socio-economic reasons, and in 1987 the Minister of Manpower issued Regulation PER-OL/Men/1987 "On Protection of Children Forced to Work" to regulate this situation. This regulation legalizes the employment of children under the age of 14 who must work to contribute to the income of their families. It requires parental consent, prohibits dangerous or difficult work, limits hours to 4 hours daily, and requires employers to report the number of children working under its provisions. It does not set a minimum age for children in this category, effectively superseding the government Ordinance of December 17, 1925, on Measures Limiting Child Labour and Nightwork of Women, which is still the current law governing child labor. It sets a minimum age of 12 for employment. However, the 1987 regulation is not enforced; no employers have been taken to court for violating it, and no reports are collected from establishments employing children. Act No. 1 of 1951 was intended to bring into force certain labor measures, including provisions on child labor which would replace those of the 1925 legislation. However, implementing regulations for the child labor provisions have never been issued. Thus the child labor provisions in the 1951 Act have no validity.

### e. Acceptable Conditions of Work

In the absence of a national minimum wage, area wage councils working under the supervision of the National Wage Council establish minimum wages for regions. This is a quadripartite body consisting of representatives from labor, management, government, and universities. It also establishes a basic-needs figure for each province - a monetary amount considered sufficient to enable a single worker or family to meet the basic needs of nutrition, clothing, and shelter. The minimum wage rates constantly lag behind the basic needs

figures and fall short of providing a decent standard of living. Labor law and ministerial regulations provide workers with a variety of other benefits, such as social security, and workers in more modern facilities often receive health benefits and free meals.

The law establishes 7-hour workdays and 40-hour workweeks, with one 30-minute rest period for each 4 hours of work. The daily overtime rate is 1 1/2 times the normal hourly rate for the first hour, and twice the hourly rate for additional overtime. Regulations allow employers to deviate from the normal work hours upon request to the Minister of Manpower with the agreement of the employee.

Observance of minimum wage and other laws regulating benefits and labor standards varies from sector to sector and region to region. Employer violations of legal requirements are fairly common and often result in strikes and employee protests. The Minister of Manpower has publicly urged employers to comply with the law and sternly warned one group of foreign investors in the sports shoe industry about compliance with minimum wage regulations and their culturally insensitive industrial relations practices. However, in general, government enforcement and supervision of labor standards is weak.

Both law and regulations provide for minimum standards of industrial health and safety. In the largely Western-operated oil sector, safety and health programs function reasonably well. In the country's 100,000 larger, registered companies in the nonoil sector, the quality of occupational health and safety programs varies greatly. The enforcement of health and safety standards is severely hampered by the limited number of qualified Department of Manpower inspectors as well as the lack of employee appreciation for sound health and safety practices. Allegations of corruption on the part of inspectors are not uncommon. Workers are obligated to report hazardous working conditions, and while employers are prevented by law from retaliating against those who do, such retaliation does occur, since the law is not effectively enforced.

### COMMENTS ON STATE DEPARTMENT REPORT:

*From: Dave Kohr*

Seems to me that, with regard to the situation in East Timor, this report is a major whitewash. I don't see any mention of the violation of the "right to self-determination" anywhere, which is after all the fundamental issue at stake in East Timor. Note that the U.N. does not recognize the Indonesian "annexation" (read: illegal invasion); certainly this should be mentioned

*somewhere* in this report, as should be the (verifiable) extent of the Indonesian massacres against the East Timorese over the period of occupation (i.e., since 1975).

*From Bruno Kahn:*

Dave Kohr has a good point. The US stated position has been ambiguous ever since the invasion. "Even though we are not satisfied with some aspects of the incorporation of ET into Indonesia, we have accepted it de facto." I quote from memory. At Congressional hearings or meetings with the press, the State Dept. has consistently been embarrassed to explain the coherence of its position "It has been carefully worded, I'm sorry, I would hate to misquote it. I'll have to look it up." This was more or less a reply of Richard Boucher to a journalist a few weeks after the Santa Cruz massacre.

Would the Clinton administration be an opportunity to press the State Department to clarify the US's official opposition on East Timor? Note that all Western-European countries, most Eastern-European countries and Japan officially do not recognise the Indonesian annexation. Could the current US position be challenged on legal grounds, for example in the framework of the US administrative law?

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### TIME TO END AN ATROCITY

*Op-ed column in the Boston Globe, Saturday, February 20, 1993. By Arnold S. Kohen, unabridged*

As the Clinton administration gears up to review the foreign policies it has inherited, it should be prepared to end a legacy from Henry Kissinger that has caused terrible suffering over the past 17 years: the illegal Indonesian occupation of the former Portuguese colony of East Timor. During the presidential campaign, Clinton indicated the need for change in this area. Now is the time to follow through.

Indonesia invaded East Timor, which had been abandoned by Portugal, in 1975, only hours after President Ford and Secretary of State Henry Kissinger left Jakarta, the Indonesian capital. The available evidence leaves no doubt that Kissinger and Ford gave American approval for the invasion.

By late 1976, allegations of large-scale Indonesian military atrocities in East Timor surfaced, with reports that 60,000 to 100,000 people had perished. (In 1980, some reports put the figure at more than 200,000, or one third the population.) Congressional hearings were held, but Carter administration officials refused to change American policy.

In late 1979, horrific photographs of starving people in East Timor briefly gained

attention in the world press. The weight of evidence made it clear that the East Timorese had reached this appalling state as a result of a deliberate Indonesian military campaign. At least some Carter administration officials belatedly realized that the United States should have pressured Indonesia to abide by UN resolutions and cease its massive violations of human rights.

Aside from occasional gestures on human rights issues, there was little fundamental change in the Timor policy under presidents Reagan and Bush; the original Kissinger policy was reiterated time and again.

After the Iraqi invasion of Kuwait, a growing youth movement in East Timor took steps to bring the issue to international notice. The Timorese youth continue to ask how the international community can call Iraq to account but not Indonesia.

When an official from the UN Human Rights Commission came to East Timor in November 1991, thousands of young people marched to Santa Cruz Cemetery to commemorate the killing of an 18-year-old activist. Without warning, and within view of a British TV cameraman, Indonesian troops opened fire on the unarmed marchers, killing and wounding hundreds. Two American journalists who also witnessed the massacre were badly beaten. While the Bush administration protested the massacre, its response was muted. On the other hand, candidate Bill Clinton told an interviewer in April that the United States had ignored East Timor in an "unconscionable" manner and there would be changes if he were elected.

In the months since then, things have scarcely improved. In November 1992, the Indonesians captured the head of the Timorese resistance, Xanana Gusmão, and by many accounts have launched a stepped-up campaign of torture.

Citing East Timor as the reason, Congress cut off American military training for the Indonesian armed forces in October 1992. Now the Indonesian government is said to be worried that the Clinton administration will reverse the longstanding US stance of support for its occupation of East Timor. Indeed, there are indications that the Clinton administration may review US policy.

The new assistant secretary of state for East Asia, Winston Lord, is an old protégé of Kissinger who had serious disagreements with his mentor over issues of democracy and human rights in China. He should jettison the terrible legacy of Kissinger policy on Timor as well.

*Arnold S. Kohen, who has worked for NBC News, is at work on a book on East Timor and US foreign policy.*

## **EAST TIMORESE WANT THEIR CONQUERORS OUT**

*The New York Times. Letters to the Editor, Sunday, March 7, 1993*

To the Editor:

Your informative survey of ethnic struggles around the world mischaracterizes relations between Indonesia and East Timor (front page, Feb. 7). The independence movement in East Timor is simply not a "separatist movement." Nor is it just another group clamoring for a place in the limelight. Some clear international legal rights are involved here.

Following the purported annexation of the territory by Indonesia, the United Nations General Assembly adopted resolution 31/53 of Dec. 1, 1976. Paragraph 1 reaffirms the inalienable right of the people of East Timor to self-determination and independence and the legitimacy of their struggle to achieve that right."

Paragraph 5 "Rejects the claim that East Timor has been integrated into Indonesia, inasmuch as the people of the territory have not been able to exercise their right to self-determination and independence."

It is true that the Timorese regard themselves as ethnically and culturally distinct from the Indonesians, but they make that claim not as separatists trying to tear apart an existing country but as a people who have been recently – and quite illegally – conquered.

Roger S. Clark  
Distinguished Professor of Law  
Rutgers University, Camden, NJ  
Feb. 24, 1993

## **ACTION ALERT: THE LAST CHANCE FOR THE HOUSE HUNGER COMMITTEE !**

*From ETAN/US March 9, 1993*

East Timor supporters in the US –

As you know, the Hunger Committee, chaired by Tony Hall, has been the leading voice for East Timor on Capitol Hill for a decade or more. There continued existence is in serious jeopardy. Please call TODAY!!

The Speaker has finally indicated that the House will consider a separate resolution on the Select Committee on Hunger, probably next week. The single vote on the Hunger Committee must take place by March 31, or the Hunger Committee will expire forever.

A recent whip check of Democrats by the House leadership shows an uphill, but not impossible, battle. There is no time to write - what is critical now is that as many people as possible telephone Representatives. Please telephone members from your state to request their vote for the Hunger Committee. Now, more than ever before, the Hunger Committee needs you to take a few minutes to telephone.

You know what to say – hunger remains a terrible problem; the Hunger Committee leads on critical, life saving initiatives; and the Hunger Committee is the least expensive committee on Capitol Hill. One last and important point to make is that you don't appreciate the fact that other committees are apparently lining up to take the little money allocated to the Hunger Committee.

Please use the Capitol switchboard to call your members – the burst of interest may be noted by House Leadership. The Capitol switchboard number is: 202-225-3121, or you can fax through PeaceNet's Interact database.

## **STARVING THE HUNGER COMMITTEE**

*Editorial, The Boston Globe Tuesday, March 9, 1993*

It seems that every time one might feel inclined to defend Congress some members do something to prove their proclivity for marrying folly to duplicity.

A flagrant example is the current campaign to eradicate the Select Committee on Hunger and three other select committees. The House may decide the fate of these committees early next week.

Pretending to heed the call to clean up the mess in Washington, a number of ersatz reformers have hit on the cheap and easy ploy of saving a symbolic sum of money by seeming to streamline the committee system.

This stratagem is easy politically because the select committees are not supported by powerful special interests such as the oil business or the aerospace industry. The constituents of the Select Committee on Hunger are the 5 million American children who go hungry every night, the 50,000 young mothers who were restored to the food supplement program known as WIC because of the committee's efforts, the starving Somalis whose plight the committee foresaw.

The congressional folly is to scuttle in the name of reform a committee that serves real needs. The duplicity is revealed in an accounting trick: The funds saved by terminating the select committee will enable powerful chairmen of such standing com-

mittees as Energy and Commerce to maintain or even increase their budgets.

The Senate rejected a similar scheme. Its select committees were preserved, and all Senate committees accepted an across-the-board budget cut. House leaders are preparing to wipe out their select panels and institute a "flexible freeze." This means the leaders could freeze the overall amount for committees while deciding which committees would get more, which would get less and which would stay the same. Hungry chairmen would devour funds that had been spent on hunger.

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### SPEAKING TOUR: EAST TIMOR – A NEW GENERATION OF RESISTANCE

*This is one event in a ten-state, two-country, five-week speaking tour of five young East Timorese activists sponsored by ETAN/US, ETAN/Canada, the East Timor Talks Campaign (Australia) and the Timorese Association of Victoria. It is reprinted here as an example.*

*Tuesday, April 13, 1993*

Goddard Riverside Community Center  
593 Columbus Ave. (at 88th St.) 7 - 9:30  
pm \$5, \$8, \$10 (sliding scale)

Too young to remember the brutal invasion of their country 17 years ago, the youth of East Timor continue to resist Indonesia's occupation of their country. Young Timorese – many now living in exile – sustain the struggle for self-determination. This spring, five Timorese activists will bring their case to U.S. and the United Nations. Some left East Timor shortly after the invasion, others escaped only recently.

#### Speakers

- Constâncio Pinto, 30, was a leader of the November 12, 1991 peaceful demonstration that ended with Indonesian troops massacring over 271 people. He was Executive Secretary of the underground National Council of Maubere Resistance (the coalition of most Timorese nationalist groups) in East Timor from 1989-92. Over the years, he was arrested several times and tortured. He escaped East Timor in May 1992, after being intensively hunted by the Indonesians for seven months.
- Abé Barreto Soares, age 27, official representative of the National Council of Maubere Resistance to North America, went exile in 1991 and now lives in Toronto.

- Elizabeth Exposto, age 18, and Danilo Henriques, age 21, students now living in Australia who fled East Timor in 1975.
- Maria Teresa Fernandes, age 24, is a graduate student and activist who left East Timor in 1975 now lives in Portugal.
- Amy Goodman of WBAI/Pacifica Radio and Allan Nairn of the New Yorker magazine – U.S. journalists beaten during the November 12 massacre – will also participate.

Sponsored by The Learning Alliance and the East Timor Action Network For more information call: (718)788-6071; (914)428-7299 ETAN, PO Box 1182, White Plains, NY 10602

#### MANUFACTURING DISSENT

*The following is excerpted from a leaflet being distributed at showings of Manufacturing Consent: Noam Chomsky and the Media in New York and elsewhere.*

*The people of East Timor have suffered one of the worst catastrophes of this terrible century, since the Indonesian invasion of 1975. The East Timor Action Network has succeeded in bringing this awful tragedy to the awareness of the public and Congress. Its work has made it possible to hope that the people of East Timor may at last enjoy the right of self-determination for which they have struggled with such courage and dedication.*

– Noam Chomsky

In 1975, Indonesia invaded East Timor with the weapons and blessing of the United States. Over 200,000 people, nearly one-third of the population died as result of the invasion and occupation of the half-island north of Australia. Throughout the years of repression, the people of East Timor have shown an extraordinary determination to resist. World attention focused on East Timor after years of being ignored by the media when Indonesian soldiers opened fire on a nonviolent demonstration on November 12, 1991 – killing over 271 people. This massacre was different only because it was witnessed by Western journalists, including Amy Goodman of WBAI/Pacifica Radio and Allan Nairn of the New Yorker Magazine. Last year, a public outcry prompted the U.S. Congress to terminate military training assistance to Indonesia.

The East Timor Action Network (ETAN) is working for the right of the East Timorese to determine their own future. Since the United States has been one of Indonesia's largest weapons supplier, ETAN is working to mobilize popular sentiment and pressure on our government to support Timorese self-determination. ETAN seeks to protect the human rights of

the Timorese and calls for an end to U.S. and international military and economic aid to Indonesia.

The East Timor Action Network is a decentralized, grassroots, national coalition with local chapters throughout the U.S. ETAN organizes public forums, lobbies Congress and provides videos, books, information, and speakers.

Now is the time for effective public pressure in support Timorese independence to end the genocide there. Join us!  
(tear-off coupon and order form)

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### TIMOR'S UNTELEvised TERROR

**As the World Looks Elsewhere, A Small Island Suffers a Hideous War**

*The Washington Post Outlook  
(Commentary) Section*

*Sunday, March 14, 1993 Page 2. By Sven Bergman*

DILI, EAST TIMOR - "Can you take this to the outside world?"

A nervous Catholic priest held a bunch of papers in his hands, lists with names of people in his parish who had disappeared or were imprisoned, tortured or killed in recent months in East Timor.

East Timor is half of an island in the Indonesian archipelago 400 miles north of Australia. In the last 17 years, as many as 200,000 people - a third of East Timor's population - have been killed by the occupying forces of the Indonesian government. Yet unlike the suffering and cruelty in, say, the former Yugoslavia, the victims and survivors here have only just begun to capture the attention of the world.

In November 1991, a British TV crew was on hand when Indonesian soldiers opened fire on thousands of young people participating in a huge pro-independence funeral march at the Santa Cruz cemetery here. The videotape of the massacre, which showed people being shot down, shocked western politicians - candidate Bill Clinton among them - into criticizing Indonesia's human rights abuses.

Nevertheless, East Timor remains tightly controlled. We did not dare to accept the priest's papers. Outside of the building where we were talking, agents of the ever-present Indonesian military secret service were waiting for us. Foreign journalists, delegations and organizations are allowed into East Timor only on a very selective basis, and tourists are tightly motored. The agents decided it was time for us to leave.

East Timor's terror began in late 1975 after Portugal withdrew from its colonial empire. The people of East Timor, ruled

since the 16th century, were not inclined to join Indonesia, as West Timor, a former Dutch colony, had done in the 1940s. Four hundred years of Portuguese rule had created a distinct language, Tetum, and a distinct cultural identity. In the fall of 1975, a leftist group, the Revolutionary Front for an Independent East Timor (FRETILIN), won a brief civil war and began setting up a national government.

The military government of Indonesia, presiding over an island nation with hundreds of ethnic groups and languages, worried about the destabilizing influence of an independent country on its periphery. But East Timor's claim to self-determination had been recognized in United Nations resolutions. The Indonesians were also worried about maintaining good relations with the rest of the world, especially the United States. They needn't have worried. In December 1975, President Gerald Ford and Secretary of State Henry Kissinger paid a state visit to Jakarta, the Indonesian capital. It is widely thought that Kissinger and Ford told the Indonesian generals that the United States would not object to the annexation of East Timor. The next day, Dec. 7, 1975, the Indonesian forces, armed mainly with American weapons, invaded East Timor.

The lightly armed FRETILIN forces offered strong resistance for three years in the island's mountainous interior. The Indonesian army pursued them, destroying villages, massacring inhabitants and relocating refugees in strategic villages. The Indonesians also destroyed crops, creating famine. By late 1979, the International Red Cross and Catholic Relief Services were comparing the famine in Timor to the deliberate starvation of the citizens of Biafra in the late 1960s. Protests from U.S. congressmen helped force Indonesia to allow foreign humanitarian aid into the besieged areas. But world attention remained sporadic.

This history is invisible when you first arrive in Dili, the capital of East Timor. The city is small and calm. With its distinctive colonial-era architecture, it could be a port city in Portugal. Save for the pervasive presence of Indonesian soldiers, it seems at first glance like a normal place.

When we drove out to the countryside, the face of Indonesian occupation became apparent at the first military checkpoint. Our hired driver, José, got out to show his papers to the military police. A large Balinese soldier leaned over him, studying the silver ring on José's hand with an indifferent look. Then the soldier reached down, slowly removed the ring and put it on his own finger. José said nothing. When we realized what had happened, we wanted to

go back and retrieve the ring. José stopped us. He just wanted to leave. Fear had forced him to swallow the humiliation.

We drove west through the dry barren countryside, passing through resettlement villages built by the government to accommodate internal refugees dislocated from their homes by massive military sweeps. The villages, strategically placed along main roads for easy control of the population, consisted of small, square cement-and-bamboo houses in straight lines. There were red and white Indonesian flags everywhere and Indonesian soldiers with U.S.-made M-16 rifles slung over their shoulders. Morning and night, military trucks carried camouflaged soldiers in and out of the towns. Military helicopters swept overhead. An unofficial curfew left the streets quiet and empty after nine in the evening. That same evening we arrived in an isolated village. About 30 Timorese gathered around us in the dark.

"Once this was a village full of life. Now there are only us left," said an older man pointing toward the quiet, staring band of villagers." All the others are dead.

They wanted to help us, but we had to drive on - nobody dared to put us up. The next morning our military babysitters questioned us about where we had been and took our pictures. After we made a brief visit to a Catholic elementary school, the secret policemen even talked to the nun and her young pupils. The secret police's suspicions left us ill-at-ease, worrying about the safety of the innocent people who had talked to us.

Until recently, the West's concern about East Timor has been overshadowed by its economic ties with the Indonesian government. "On one side there is a small people of 600,000," one priest explained, "and on the other side a nation with rich natural resources and 185 million people.

The Santa Cruz massacre in November 1991 did prompt some second thoughts. The Indonesian government initially put the death toll at 19. When the British videotape, which had been smuggled out of the country, indicated far more casualties, the estimate was upped to 50. Sources in the Timorese resistance put the death toll at 273. Amnesty International estimates that at least 100 and possibly as many 250 people were killed. Human rights organizations have also collected eyewitness testimony that Indonesian soldiers invaded local hospitals after the massacre and dragged away the wounded.

The European Parliament and the U.S. Congress quickly condemned Indonesia. Last October, Congress cut \$2.3 million dollars in military aid to Indonesia - the first time in 17 years that Congress has reduced

such aid over the issue of East Timor. On the campaign trail, candidate Clinton told a New York radio reporter that East Timor had been ignored in an "unconscionable" manner.

To date, Indonesia has retained strong international financial backing. The Consultative Group on Indonesia, a World Bank consortium of donor countries, decided in July to give Indonesia \$5 billion in aid, credits and loans in 1992-93. But there are signs that the administration is following through on Clinton's campaign statements. Last week, the United Nations Human Rights Commission in Geneva approved a strong resolution on East Timor that won unprecedented support from the United States.

The U.N. action couldn't be more timely. Last November, the military arrested Xanana Gusmão, the leader of the Timorese resistance, and charged him with rebellion, conspiracy and leading a separatist movement. As many as 20 relatives and friends were arrested with him; hundreds of people have been detained in recent months for periods ranging from a few hours to a few months, according to Amnesty international. Bishop Carlos Ximenes Belo said last month that the arrested were being subject to "all types of torture."

Gusmão is now on trial in Dili. The Portuguese government, citing various U.N. resolutions rejecting Indonesian sovereignty over East Timor, says that Jakarta "lacks the legal, political and moral authority" to put Gusmão on trial. With the exception of a one hour visit with a representatives of the International Red Cross, Gusmão has not been allowed to meet with any independent observers since his arrest. He has been shown on TV, however, urging his followers to surrender, a statement that many believe was coerced. Indonesian authorities have selectively admitted international observers into the courtroom and insist that Gusmão's trial is open and impartial.

The leaders of the Indonesian government remain intransigent. After the Santa Cruz massacre, Gen. Try Sutrisno, the commander of the Indonesian Armed Forces, said that the Timorese who resist integration into the Indonesian state are "delinquent people [who] have to be shot, and we will shoot them." Last week, President Suharto, who has ruled Indonesia for the last 27 years, selected Sutrisno as his vice president and likely successor.

When we finally boarded the boat to leave East Timor, we were visited by two high-ranking intelligence officers. In a last awkward effort to influence our impressions, one of them apologized for our being followed, interrogated, photographed,

videotaped and our baggage thoroughly searched.

"There are good and bad tourists," he explained. "Sometimes the bad tourists try to smuggle out letters from East Timor, letters which later are given to the U.N. ..."

*Sven Bergman, a TV journalist in Sweden, visited East Timor late last year.*

*The article was accompanied by a cartoon showing a globe turned on its side, with a blindfolded man, hidden under the base of the globe, being shot by a soldier.*

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## ETAN/US NEWSLETTER #5

*March 1993. Newsletter of the East Timor Action Network/US. Edited excerpts here, as much as elsewhere in this compilation.*

*Contact ETAN for a paper copy.*

### Timorese US Speaking Tour Begins!

On March 27, five young East Timorese nationalists will arrive in New York to begin a month-long tour all over the United States. In addition to meeting with officials in Washington and at the UN, our guests will speak at universities, media outlets and community meetings in more than a dozen states and provinces.

The participants of the tour were infants or children when Indonesia invaded their homeland 17 years ago. They represent a new generation of resistance, the human embodiment of a yearning for independence which cannot be eradicated by terror and "education." Although they were forced to leave their country, these five people have committed their lives to struggle for the day they can go home again.

Constancio Pinto, 30, was a leader of the November 12, 1991 peaceful demonstration that ended with Indonesian troops massacring over 271 people. He was Executive Secretary of the underground National Council of Maubere Resistance (the coalition of most Timorese nationalist groups) in East Timor from 1989-92. He has been arrested several times and tortured. He escaped East Timor last May, after being intensively hunted by the Indonesians for seven months.

Abé Barreto Soares, 27, official representative of the National Council of Maubere Resistance to North America, went into exile in 1991 and now lives in Toronto. He is a student of English literature.

Elizabeth Exposto, 18, will attend La Trobe University in Australia. She fled East Timor as an infant in 1975, and returned there four years ago to visit her grandparents. Her shock at the conditions there motivated her to speak out in behalf of her compatriots.

Danilo Henriques, 21 a student and diplomat-in-training, escaped with his mother in 1975. He now lives in Australia.

Maria Teresa Fernandes, 24, is a graduate student and activist who left East Timor in 1975 and now lives in Portugal.

Although parts of the tour are still being organized, many public events are already set up. In addition, the Timorese will be meeting with journalists, academics and public officials to help American opinion-makers understand their situation and determination. The list below is only partial for the cities listed; our guests will also visit Washington DC, Toronto, Montreal, Vancouver, Ottawa, and elsewhere. Call ETAN at (914)428-7299 or Richard Koch at (908)542-6275 for details.

White Plains, NY March 28, WESPAC

Princeton University, NJ, March 29

Washington DC, March 31, Institute for Policy Studies. Also many meetings with US government officials.

Baltimore, MD April 3. Maryland United for Peace and Justice.

Long Branch, NJ April 5

New Haven, CT April 7, Yale Council on Southeast Asia Studies.

Providence, RI April 7, Brown University. Numerous other events in Providence/Fall River area.

Cambridge, MA April 8-10 Harvard Law School. Numerous other events in Boston area, including media.

Bethlehem, PA April 12. Also Kutztown New York, NY April 13. Numerous meetings with UN officials, media.

Los Angeles, CA April 14-17 UCLA and other locations.

Vancouver, BC April 17.

Seattle, WA April 18.

San Francisco/Berkeley, CA April 18-25. CCSF, UC/Berkeley, etc.

Madison, Milwaukee, Iowa City, Minneapolis, Chicago.

Ottawa, Toronto, Montreal

### Hopes for the Clinton Administration

During the campaign, Clinton characterized past US policy toward East Timor: "I'm very concerned about what's happened in East Timor, and I think we have to review it. We have ignored it so far in ways that I think are unconscionable. ... We have to engage the (Indonesian) government on the question of how those people are being treated. And I certainly wouldn't rule out the prospect of cutting aid." New personnel in Congress and the State Department are further reason for hope for a change in US policy toward Indonesia and East Timor.

When American diplomats in Geneva swung around to support a UN resolution in March, the chance of a change became real.

Vice President Albert Gore was one of 52 Senators who signed a letter to Bush after the Santa Cruz massacre. Peter Tarnoff, Undersecretary of State for Political Affairs, moderated a forum on East Timor last year and is interested and knowledgeable. John Shattuck, Undersecretary of State for Human Rights, is a sincere believer in those rights. The new post of Assistant Secretary of Defense for Democracy and Human Rights has been filled by Morton Halperin, a Nixon-era policy analyst who resigned to protest the Vietnam war and has been a civil liberties activist since.

In 1992, the US Congress defied President Bush to terminate US military training (IMET) for Indonesia, the first-ever cut in funding to protest East Timor. This year, some of the obstacles to stronger action are gone. Ronald Dellums, new Chairman of the House Armed Services Committee is an outspoken advocate of military cuts and human rights. His committee has jurisdiction over arms sales. Stephen Solarz, who as Chair of the House Foreign Affairs Subcommittee on Asian and Pacific Affairs consistently blocked positive action, lost his re-election bid. The new chair, Gary Ackerman, is one of a dozen Representatives who last year co-sponsored H.R.5176, a comprehensive aid/trade sanctions bill against Indonesia over East Timor.

ETAN's report *How to Influence U.S. Government Policy* contains addresses, phone and fax numbers for key people in the new Administration and Congress. We also have an analysis of *The Outlook for a Change in U.S. Policy Toward East Timor*, written for the February international meeting. If you would like both reports, please send 50c for copying and postage.

### Chomsky Film a Hit in US

The new, highly-acclaimed, full-length documentary film *Manufacturing Consent: Noam Chomsky and the Media* is showing widely. The movie uses East Timor as a case study of how the media ignores important issues, and ETAN has been working with the producers and distributors to help moviegoers channel their new awareness into action.

If you can leaflet or table, or would like to arrange a theatrical run in your community, contact ETAN's Eleanor Hoffman at 914-235-1797 or the distributors, Zeitgeist Films, 212-274-1989. Here is a partial schedule of upcoming showings: New York: Film Forum, 209 West Houston St., March 17 on.

San Francisco: Castro Theatre, Castro at Market St. April 9-15.  
 Olympia, WA: Olympia Film Society. April 11-14.  
 Orono, ME: University of Maine. April 15.  
 Berkeley: U.C. Theatre. Apr. 16-22.  
 Ithaca: Cornell Cinema. April 22-24.  
 Boston: Brattle Theatre. April 23-29.  
 Washington, DC: Key Theater. April 23-May 7.  
 St. Louis, MO: Webster Coll. April 23-May 8.  
 San Diego: Univ. of Calif., April 27.  
 Los Angeles: NuArt Cinema. April 29-May 5.  
 Columbus, OH: Wexner Theater, April 30-May 1.  
 Rhinebeck, NY: Upstate Films. April 30-May 2.  
 Cleveland: Cleveland Cinematheque, May 7-8.  
 Petaluma, CA: Washington Sq. Theatre. May 7-13.  
 Santa Cruz, CA: The Sash Mill. May 13-19.  
 San José: The Towne. May 14-20.

### International East Timor Solidarity Movement Thrives

The 1991 Santa Cruz massacre motivated the Timorese resistance and its supporters worldwide, and the energy continues. In February, representatives of East Timor solidarity groups from a dozen countries met in Amsterdam to share information and coordinate actions. Twenty-nine groups described progress in public awareness and the level of pressure exerted on their own governments, but acknowledged that there is still a long way to go.

Participants discussed a coordinated approach to the UN human rights conference in Vienna this summer, continued pressure on countries funding Jakarta, particularly through the CGI, and focused pressure on the United Kingdom and Germany because of massive new warship and warplane sales to Indonesia. The movement will use of electronic mail to improve communications, and will work together at the July UN Decolonization Hearings in New York.

The next international solidarity meeting will be in Manila, Philippines, in November 1993. Contact ETAN/US if you would like more information. To help us be part of an international movement, here is contact information for a few of the groups:

England: TAPOL, 111 Northwood Road, Thornton Heath, Surrey CR7 8HW. 44/81-771-2904. fax 44/81-653-0322, tapol@gn.apc.org  
 Canada: East Timor Alert Network, 104-2120 W. 44, Vancouver, BC V6M 2G2. 604-264-9973, etantor@web.apc.org  
 Japan: Free East Timor Japan Coalition, Kure YWCA, 20-19 Nishi Kawaraisicho, Kure, Hiroshima, 737. 81/823-22-0962, fax 81/823-22-2684, jinglis@igc.apc.org

Portugal: Comissão para os Direitos do Povo Maubere, Rua Pinheiro Chagas, 77, 2xEsq, 1000 Lisboa, 351/1-352-8718, fax 351/1-534-009, cdp-m@gn.apc.org

Ireland: East Timor Ireland Solidarity Campaign, 210 Le Fanu Rd, Ballyfermot, Dublin 10. 353/1-623-3148.

### Resources

ETAN is printing some new T-shirts, and we also have copies of *Telling: East Timor Personal Testimonies 1942-1992*. This book, written by Michele Turner and just published in Australia, costs \$20 and contains nearly 50 oral accounts of ordinary East Timorese people, recounting what they have witnessed. It adds a human dimension to East Timor's grim statistics.

Our T-shirts include the traditional "Free East Timor" with the FRETILIN flag (now on black instead of white), as well as two new designs: (1) "East Timor: To Resist Is To Win" with a photo of a young boy with his arms outstretched in a victory sign in front of a banner at the Santa Cruz demonstration, and (2) "East Timor: Indonesia's Killing Field" with a photo of a man in a cemetery with mountains in the background. The shirts have "End U.S. Support of Indonesian Genocide" or "End U.S. Support of the Indonesian Occupation" on the back. They come in Large and Extra Large.

Write for our full resource list. If you order videos, T-shirts, or books, please add \$3 for postage.

## INÍCIO DA DIGRESSÃO TIMORENSE PELOS EUA

By José Antonio Barros Basto, March 29, on pt-net

Olá a todos:

Depois de uma ausência devida ao meu "qualifying" (que já está pelas costas, para meu grande alívio e alegria...), regresso ao convívio da rede par vos trazer notícias frescas da digressão dos estudantes timorenses por terras da América do Norte.

Desloquei-me ontem a White Plains, um subúrbio (?) de NYC 'a sede da WESPAC, por assim dizer, o organismo mãe da ETAN/US (East Timor Alert Network), onde se realizou um "potluck" - jantar volante em que cada membro leva comida (eu cá levei iscas de bacalhau, bastante apreciadas - excepto pelos vegetarianos radicais, que nem peixe comem B-)

Constâncio Pinto não tinha ainda chegado aos EUA B-( Depois de todos os problemas com o bilhete e com o visto de entrada, ontem foi posto fora do avião da TAP por

causa de "overbooking" ... [esta faz-me lembrar uma piada ouvida já há muitos anos: " - Sabes o que significa T.A.P.?" " - Take Another Plane ..." ]

Este será porventura o elemento chave da digressão aqui pelos EUA. Figura envolvida até Novembro 91 na rede clandestina de libertação em Timor Leste, ele poderá dar o toque mais dramático na ilustração dos problemas que o seu país atravessa nas mãos do Exército Indonésio. Fiquei particularmente chocado ao saber que o seu filho (que ele nunca viu), de 9 meses, encontra-se preso (!!!) juntamente com a mãe (mulher de Constâncio), assim como os seus pais, em pura represália pelo facto de Constâncio ter conseguido escapar de Timor Leste.

Ele não tem notícias da família há meses, apenas sabendo que estão (estavam ?) nas mãos dos Indonésios ...

Os outros estudantes com os quais convivi um pouco ontem são ainda muito jovens, e, com a excepção de um deles, só tem conhecimento da situação em Timor Leste por terceiras pessoas ou por ocasionais visitas 'a ilha.

São pessoas muitas simpáticas, tem todos um inglês muito capaz (dois deles estudam na Austrália, um outro no Canadá e outra em Portugal) o me parece um critério de escolha acertado dada a necessidade de transmitir a sua mensagem a uma audiência directamente, sem tradutores, e para minha alegria, todos falam português fluentemente (e muito melhor que 99% dos filhos dos imigrantes que conheço por aqui...).

A pequena apresentação que fizeram deu uma visão mais pessoal da história recente de Timor Leste, com famílias desaparecidas, tradições culturais espezinhadas ou subvertidas aos interesses de assimilação Indonésia, fugas atribuladas, dificuldades de aclimação em países distantes...

Houve também uma sessão de diapositivos representativos da etnografia timorense, onde mais uma vez fica marcado o equilíbrio com que o povo Timorense vive com a sua Terra-Mãe e a riqueza das suas tradições...

Como pequena nota, descobri ontem que existe um grande respeito na cultura Timorense pela "Mulher," pela lado maternal da Terra, que é representado por um símbolo de "Lua Crescente," em geral usado na testa, enquanto que o poder do Homem, simbolizado pelo Sol (círculo(s) dourado(s) suspensos ao peito) é associado com os guerreiros tradicionais, armados com uma espada, que creio ser passada de geração em geração... De modo algum as mulheres são colocadas em posição subalterna, situação que outras sociedades só agora começam a combater ...

No tocante ao massacre de 12 Novembro 91, mais uma vez a ausência de Constâncio

Pinto foi notada: para quem já assistiu aos depoimentos de Allan Nairn ou Amy Goodman (sobretudo esta última...) fica com uma ideia bem mais pungente do que foi aquela terrível manhã em Dili...

Nesta altura em que a posição dos EUA mostra claros sinais de esperança em relação a Timor Leste, graças à mudança de administração (digam o que disserem, nada podia ser pior que a administração Bush - ex-director da CIA e seguidor das políticas do "Sr." Kissinger no Sudeste Asiático, das quais nós bem sabemos o resultado...), esperamos que esta digressão sirva para esclarecer mais americanos da situação crítica que se vive em Timor Leste, de modo a manter a pressão para que a administração continue pelo bom caminho (como indicado pelo recente "volte-face" em Genebra da delegação "profissional" dos EUA - funcionários de carreira- que inverteram completamente

a sua posição na Conferência de Direitos Humanos da ONU, depois de devidamente intruídos a partir de Washington...).

Quem estiver aqui pelos EUA, e tenha possibilidade de se deslocar a uma das numerosas conferências, aconselho vivamente a que o façam, e tentem contactar com os participantes Timorenses, pois é evidente que eles continuam bastante ligados a Portugal, quer pela língua, cultura e também laços de sangue ...

Para mais pormenores, ou detalhes da digressão (já publicados na rede há dias atrás) estou à vossa disposição.

Um abraço a todos  
José Antó'nio

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## EAST TIMOR: SOARES WRITES TO CLINTON

*Expresso, 20 March 1993. Translated from Portuguese, unabridged*

(Lisbon) This week, Pres. Mario Soares wrote a letter to Pres. Bill Clinton, thanking him for the decisive support the US gave to draft resolution on East Timor, passed on 5th in Geneva, by the UN Human Rights Commission. Observers considered the resolution, presented by the Twelve, a victory for Portuguese diplomacy over Indonesian's position.

Soares is believed to have played a part in this process, on the request of the Foreign Minister, Durão Barroso, himself. A few days before the discussion of the draft resolution, (the passing of which inverted, for the first time in 10 years, the tendency of reciprocal forces in favour of Jakarta), Durão Barroso requested the Portuguese Head of State to intercede with the US President, and explain to him the importance

of Portugal's diplomatic concerns on this matter.

In addition to sending a message to Clinton, the President called a meeting with the US Ambassador (who, because he was out of Lisbon, was substituted by the Charge d'Affaires) in order to convey Portugal's concerns, and Lisbon's interest in getting the Twelve's draft resolution approved.

A Presidential Palace source considered that "the excellent work done by the Portuguese diplomats" at the UN Commission, combined with the intervention of Soares, was fundamental. US support for the resolution, which condemned Indonesia's non-compliance with a series of obligations with regards East Timor, is also believed to have been essential in drawing in support from countries traditionally in favour of Jakarta.

Still on the same subject, Soares is also going to send a message to the UN Secretary General, Mr. Boutros Ghali.

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## TIMORESE EXILE ACTIVITIES

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### THE "FREEDOM FOR XANANA, FREEDOM FOR TIMOR" COMMISSION

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*From CDPM, April 3*

In the aftermath of Commander Xanana Gusmão's arrest and the intensification of repression in East Timor, a group of Timorese, joined by Portuguese solidarity groups, took the initiative and constituted an informal organisation to work for the defence of Timorese political prisoners. Professor Fernando Sylvan agreed from the outset to be its Honorary Chairman.

Thus, in January 1993, the "Freedom for Xanana, Freedom for Timor" Commission was formed. Its first initiative was to organise a human chain on 19 January linking the UN Information Centre with the Apostolic Nuncio's offices in Lisbon. At these two places, a group of celebrities delivered letters addressed to the UN Secretary General and to Pope John Paul II, respectively.

#### Objectives

Its main aim being the defence of Timorese political prisoners, the "Freedom for Xanana, Freedom for Timor" Commission defined the following objectives:

- the systematized collection of information about the prisoners, their families, and conditions affecting their lives;

- the collection of the above information produced by international, non-governmental organisations, parliaments, governments, and other institutions, as well as news or studies published in the press;

- publicizing human rights violations in East Timor, in particular those affecting political prisoners;

- establishing contact with international and national organisations which could collaborate in the effective defence of political prisoners;

- the organisation of activities to gain concrete support destined for Timorese political prisoners and their families.

#### Participation

The "FREEDOM FOR XANANA, FREEDOM FOR TIMOR" COMMISSION is an informal group, open to offers of help from all those who wish to do something to assist Timorese political prisoners.

To ensure the level of functioning required to achieve its objectives, decisions on the program of activities and the respective coordination will be carried out by the founding group. It is hoped, however, that an increasingly wider group of citizens will take part in all the initiatives, so as to strengthen solidarity with the people of East Timor and, especially, with the political prisoners and their families.

The ability to carry out actions aimed at specific objectives was chosen as the basic criteria for joining the "FREEDOM FOR XANANA, FREEDOM FOR TIMOR" COMMISSION. All kinds of activities are welcome, from all people, groups, and institutions wishing to contribute towards helping Timorese political prisoners.

Take an initiative and join the Commission!

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## SOME EXILES: HORTA HAS NEVER BEEN MANDATED

*Suara Pembaruan 17 March 1993 Dateline: Lisbon Byline: Petrus Suryadi Slightly abridged*

*Comment: Suryadi is a crony of Nuno Rocha, the Portuguese journalist notorious for his flattering report about East Timor after a visit in 1988. The remarks made by José Martins are predictable, but did Abilio Araujo really say what he is quoted as saying? And to such a character? Suryadi is widely regarded as someone working closely with Bakin, the Indonesian intelligence agency. - TAPOL*

Some East Timorese leaders from various organisations living in Portugal are of the opinion that Ramos Horta has never been given a mandate to speak on behalf of the

East Timorese people and he only uses East Timor to pursue his own interests, according to Petrus Surjadi who has just visited Portugal.

"Does Ramos Horta really represent the entire people of East Timor," Pembaruan asked Manual Martinez, chair of the organisation of East Timorese Catholic refugees in Portugal, who replied:

"He's never been given a mandate to represent the people of East Timor, especially the people in my organisation. The ones who are entitled to represent the East Timorese people are the East Timorese people themselves. He only speaks for himself."

Had Ramos Horta ever had any communication with his group? "Never. And he needn't do so. What he wants is what the communists want, not the East Timorese," said Martinez. He hoped the Indonesian government would open the door to dialogue with his group.

As for José Martins, the chair of Kota party, son of the chief of Ermera, he said Horta had never got a mandate from him. "He's only fighting for himself. He talks in New York, Geneva and Australia, but only for himself," said Martins. According to him the Portuguese government has no idea how to solve the East Timor question which is why he, as an anti-communist, wants to have the chance to have a dialogue with the Indonesian government so as to be able to help solve the question of East Timor.

"East Timorese people should talk to Indonesia and not to Portugal," he said firmly.

He says he was a journalist working for a Portuguese paper in October 1975 and travelled back and forth from Dili to Atapupu when tens of thousands of Timorese coming from UDT, Apodeti and Trabalhista, fled to the Indonesian side, who then expressed the wish of East Timor to become a part of Indonesia.

#### **Fretilin's chair**

Dr. Abilio Araujo, the chair of Fretilin who met Pembaruan at his office, said that as chair of Fretilin he had never given authority to Ramos Horta to speak on behalf of Fretilin. "So who did he get authority from to speak for Fretilin and the people of East Timor?"

"Horta got his mandate from Xanana Gusmão and has never spoken on behalf of Fretilin. He speaks for the CNRM (National Council of Maubere Resistance), and represents Falintil troops and the underground movement," said Abilio. He said Xanana was never president of Fretilin; he was commander of Falintil and its base organisation, CNRM. Falintil is no longer the

armed force of Fretilin, but it is a kind of opposition force of CNRM.

Abilio Araujo even asked: "Who gave Ramos Horta authority to speak on behalf of the people of East Timor everywhere, as he is a multi-fascist?"

For the past year, Ramos Horta has been the target of accusations by various East Timorese who are now living in Portugal. He is considered as having used the name of Fretilin and spoken on behalf of the East Timorese people, from New York to Australia, for his own personal interests. Horta hopes to draw financial benefits by speaking on behalf of East Timor because he has received many contributions from various organisations and states to fund his leftist lobby.

#### **COMMENT FROM BRUNO KAHN:**

To put Suryadi's essay in some perspective, it is interesting to note that José Martins quite willingly recognises that he worked for Indonesian intelligence in the fall of 1975. I know at least of two instances: a radio interview of the Indonesian service of Radio Nederland at the end of last year, and a debate on the private Portuguese TV channel shortly after Xanana's 'interview' by the military (also at the end of last year). He appears to be now strongly against his former allegiances. I think he gave some details on the Intel manipulations, but don't recall the details. Perhaps CDPM can be more specific.

### **FRETILIN/AUSTRALIA WANTS MOVEMENT RESTRUCTURED**

*Publico, 20 March, Original Portuguese*

(Lisbon) Fretilin's Committees in Australia decided yesterday to start restructuring the movement based abroad, and appealed to Abilio Araujo and Ramos-Horta to adhere to this process. Following a meeting with Fretilin's Directive Commission's leaders, the Committees decided to reaffirm their "total and unconditional submission" to Fretilin's central bodies inside East Timor. According to the communiqué, the appeal to Abilio Araujo and Ramos-Horta is aimed to get them to "actively make every effort to implement the decisions of Fretilin's Directive Commission on the restructuring of its external wing."

### **FRETILIN WITHOUT MAU HUNU**

*Publico, 22 March (before his capture) By J.T.N. Original Portuguese unabridged*

(Lisbon) Fretilin's representative in Portugal, Abilio Araujo, believes that Commander Ma'Hunu, Xanana Gusmão's successor at the head of the Timorese armed Resistance, should discontinue the functions he currently fulfills in the party, which today combine with his role as leading official on the Maubere Resistance National Council (CNRM) within the territory.

According to Abilio Araujo, Ma'Hunu ought to follow Xanana Gusmão in as far as the latter, in 1989, decided to resign from the posts he occupied in the party structure. But: on formally resigning, Ma'Hunu should commit himself to not interfere in Fretilin life, thereby avoiding a repetition of the behaviour for which Abilio Araujo himself censured Xanana in 1991.

According to Abilio Araujo, this would be the only way to ensure that the CNRM is effectively non-partisan. The CNRM being the supra-political-party body, destined to represent the different currents which go to make up the Timorese Resistance. At the moment, Ma'Hunu serves simultaneously on the CNRM, the Politico-Military Commission of the Resistance (CPM-R), and Fretilin's Directive Commission (CDF), of which he is Secretary.

The proposal to restructure Fretilin within the territory - of which Ma'Hunu's separation ("freeing" him, so he can become leader of all the resisters) would be just the first step - was backed by Abilio Araujo, following a series of suggestions indicating changes in the structure of the party's "external front."

Gathered in Melbourne last weekend, representatives from the Fretilin Committees in Australia as well as some "mandatory comrades" from the Directive Commission - such as Mari Alkatiri, based in Mozambique, and Alfredo Borges Ferreira - decided to set in motion a reorganization process of the "external wing" of the party, the preparation of which would be carried out by the said "mandatories" and delegates from the Committees.

In the text which resulted from that meeting, Ramos Horta (current CNRM representative abroad), Guilhermina Araujo, and Abilio Araujo himself are invited to "actively engage themselves" in the restructuring process of Fretilin's external wing.

Contacted by Publico in Lisbon, Abilio Araujo "welcomed" the Melbourne decisions, but said that "the priority should be the internal front, where the consequences

of Xanana Gusmão's capture still cannot be fully evaluated."

## TIMORESE RESISTANCE TRIES TO AVOID DIVISIONS

*Expresso 3 April 1993 Dateline : Lisbon  
Byline : Mario Robalo Translated from Portuguese abridged*

The Timorese Resistance risks seeing its already precarious unity weakened further. This week in Sydney, Australia, Fretilin's External Relations officer, Mari Alkatiri, and UDT Vice-Chairman João Carrascalao, agreed on the need for restructuring the "external Front" of the Resistance, so as to avoid its "multi-polarization." On the same occasion, the UDT took up an unprecedented position in relation to the current guerrilla leader, Ma'Hunu. This Timorese party recognises that Xanana Gusmão's substitute does not need to leave Fretilin (the Central Committee of which he is Chairman) in order to be considered the supreme leader of the entire Resistance.

This position, however, opposes statements made previously by the head of Fretilin's External Management, Abilio Araujo who, as well as believing that Ma'Hunu ought to resign from Fretilin in order to take up leadership of the struggle, stated that, firstly, a restructuring of the "internal front" should take place, before any change in the leadership of Fretilin's external component. In other words, this party - from which Xanana had resigned to take on the leadership of the Resistance - could witness two currents emerging, with irreconcilable concepts of leadership. (...)

## MISCELLANEOUS ARTICLES

### SYAFEI ON MILITARY OPERATIONS IN EAST TIMOR FROM 1975

*Kedaulatan Rakyat (daily), 26 Jan. 1993*

*Extract only, via TAPOL*

*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 pro-

claimed 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.

## INFORMATION WANTED ON ENVIRONMENTAL IMPLICATIONS OF THE INDONESIAN OCCUPATION

*From: John Hontelez, chairman Friends of the Earth International*

PO Box 19199

1000 GD Amsterdam, the Netherlands

fax: +31.20.6221369

Friends of the Earth International is a worldwide federation of 51 national environmental organisations. It has decided to pay special attention to the situation in East Timor, and intends to send a delegation to this country to investigate the environmental implications of the Indonesian occupation. We are trying to find information about the state of the environment in East Timor, the direct and indirect effects of the policies of the Indonesian authorities on environmental degradation, and the effects on the health and general condition of the people of East Timor of this degradation.

Please inform me about information you have or where to find it.

## FRIENDS OF THE EARTH INTERNATIONAL '92 AGM ON EAST TIMOR.

Friends of the Earth International is a federation of 51 autonomous environmental organisations worldwide.

1. Considering that the violation of human rights and the genocide of the people of East Timor carried out by the Indonesian government is a crime against humanity;
2. Considering that the ongoing transmigration policies forced upon the poor population of Java (up to 100,000), put at risk the local environment with projects of re-colonization;
3. Considering that the destruction of tropical rainforests in East Timor (notably through napalm in the late 1970's) as a form of controlling the populations, removing them to strategic villages, is a way of finishing with East Timor's natural heritage;
4. Considering that these interventions are continuously being denounced by international organisations such as Amnesty International and the Red Cross;

The Assembly EXPRESSES its profound concerns about the situation in East Timor, CONDEMNS all the actions of the Indonesian Government and EXPRESSES its solidarity with the people of East Timor.

The AGM gives the mandate to the FoEI Executive Committee to send a delegation to East Timor preferably consisting of four people: a Portuguese, a Dutch, an Australian and an Indonesian, in order to analyze the situation mentioned above and produce a report to be presented to the AGM and made public. FoEI is not required to provide the funding to implement this decision.

Valsain, Spain, 5th November 1992

## EAST TIMOR COMPUTER WAR GAME

*From TAPOL, 18 Feb.*

*If a major computer game company has created a game about getting Indonesia out of East Timor, it must mean that East Timor has edged onto the general consciousness. And who knows? The game may encourage some computer buffs to find out more. Anyway, here is what the promotion ad says (abridged): [Unfortunately, the contact who sent this to us did not say which journal he found it in.]*

Gulf war simulations have been given a new realism by the latest strikes into Iraq.

A batch of games - including Falcon 3 and Desert Strike - took you to the flashpoints and put you in Allied pilot's seats.

Now as the Bosnia civil war fights on, games creators have chosen the UN as your

side. [Are you listening, Dr. Boutros Boutros-Ghali?]

But this conflict occurs in the island of East Timor and the enemy is the Indonesian army....

You control a task force with the aim of re-taking East Timor and you get your orders and then take off, ready for action.

Etc., etc., etc.

The label is Domark, the title 'AV8B Harrier Assault,' the price 39.99.

## AUSTRALIAN TV STARTS BROADCASTING TO SOUTHEAST ASIA

*Japan Economic Newswire, By Catharine Munro*

(Sydney, Feb. 16 Kyodo) Australian television will beam from Papua New Guinea to China from Wednesday, leading some people to question the effect it will have on politically sensitive countries.

Australian Television International (ATVI) will broadcast from an Indonesian satellite Palapa B2. Launched in 1991 by a Chinese Long March rocket, the Palapa satellite also broadcasts the American giant Cable News Network (CNN) into the Southeast Asian region.

The new service is produced by the Australian Broadcasting Corporation (ABC), a government-funded body.

The satellite 'footprint' reaches Australia's closest neighbors, who are often very distant in culture, religion and politics.

The service will include news and current affairs focusing on Southeast Asia, as well as television shows which depict Australian culture.

Since ATVI will broadcast into countries which either suppress information or are offended by Western cultural attitudes, their policy is to 'self-censor' their programs. In this way they hope to avoid offending countries such as Indonesia and China.

This policy may conflict with ATVI's commitment not to censor the news. Executive Producer of News Prokash Mirchandani told Kyodo News Service that he would not 'run away from any stories.'

Mirchandani said that as long as ATVI's reports are balanced, there would be no problems with the policy of free reporting.

Yet Indonesia has criticized Australia's media for reporting politically sensitive issues. For example, Jakarta has made official complaints over reports about the island of East Timor, which was occupied by Indonesia in 1976.

Mirchandani said that ATVI would follow the policy of Radio Australia which has been broadcasting in the region for 53 years.

But Radio Australia has often been the target of criticism from various countries in this region, according to Dr. Michael van Langenberg, who chairs the Department of Southeast Asian studies at Sydney University.

'Radio Australia has probably come under more flack than the BBC and CNN,' said van Langenberg.

Currently, nine of the 15 nations which fall under the satellite footprint have significant restrictions on the distribution of satellite dishes needed to pick up the service.

Restriction of access to the dish may difficult to maintain, according to Project Director Bruce Donald.

China has restricted but not banned the dishes. Donald suggests that people are finding innovative ways of receiving satellite television, so that the censorship is effectively side-stepped.

'We're hoping for a wok-led television revolution in China,' he jokingly told the Sydney Morning Herald, a leading Australian daily.

## PRESS COMMUNIQUÉ FROM THE INTERNATIONAL SOLIDARITY MOVEMENT

*AMSTERDAM, 19-21 February 1993*

The annual meeting of the International East Timor Solidarity Movement was held in Amsterdam, Netherlands from 19-21 February 1993. Representatives of 26 groups from Europe, United States, Canada and Japan attended the meeting. The groups evaluated their 1992 campaigns and proposed several campaigns to be launched in 1993.

The international solidarity movement was very honored that five representatives of the East Timorese resistance were also present at the meeting: Abilio Araujo (Head of the External Delegation of FRETILIN), José Ramos Horta (Special Representative of CNRM, the National Council of Maubere Resistance), Constancio Pinto (Executive Secretary for the Clandestine Front, CNRM), José Amorim Dias (CNRM Representative for Europe) and Zacarias da Costa (UDT Regional Committee, Portugal).

In the last few months, the level of repression inside East Timor has increased markedly. In the wake of the November 20, 1992 arrest of resistance leader Xanana Gusmão, the occupying Indonesian military forces have rounded up scores of other East Timorese, both civilians and from the underground resistance. They have intensified the terror to its worst level in a decade. Nevertheless, the solidarity groups were encouraged by the determination of the East

Timorese people to fight for their self-determination in extremely difficult circumstances. As they have since the Indonesian invasion of 1975, and during the killings of one-third of their population, the East Timorese people continue to struggle. The groups present were inspired by this commitment and rededicated ourselves to support them.

The international solidarity groups on East Timor present at the Amsterdam meeting are sending the following message to the resistance in East Timor:

- Acknowledging the difficult situation within East Timor, especially after the arrest of the leader of the national resistance, Xanana Gusmão, we want to express our deep concern with the ongoing struggle in East Timor against the Indonesian occupation.
- The representatives of the solidarity groups from Europe, the United States, Canada and Japan, which were present at the meeting, also want to emphasize that we will continue to support the united front of East Timorese resistance under the new leadership of Mau Hunu.
- The international solidarity movement will strengthen its effort in our own countries to contribute to the struggle of the East Timorese aiming to result in a genuine process of self-determination.
- We are very concerned with the situation of East Timorese political prisoners in Indonesian jails, especially Xanana Gusmão, who have been tortured and forced to act against their own beliefs, and we demand their immediate freedom
- We express our hope that the proposed talks between Portugal and Indonesia under the auspices of the Secretary General of the United Nations in April in Rome will show progress favourable to the East Timorese people. We want to emphasize the importance of the participation of representatives from the East Timor resistance in further negotiations on the future of the territory.
- The international solidarity movement will continue to lobby our national parliaments, the European Parliament and international institutions and launch campaigns in order to direct the attention of the international community to the East Timor issue.

**EAST TIMOR WILL NOT BE FORGOTTEN!**

**A LUTA CONTINUA!**

**Amsterdam, February 21, 1993**

Komitee Indonesia, East Timor Group  
Holland, Funding Agency XminY,  
International Platform of Jurists for East

Timor, Front Demokrasi Indonesia, Aksi Setiakawan, Free Papua Movement, Indonesian Resources Information Project (Holland); Tapol, British Coalition for East Timor (United Kingdom); East Timor Ireland Solidarity Campaign (Ireland); Initiative fur die Menschenrechte aller Burger Innen der ASEAN-Staaten (Germany); SOS Timor (Belgium); Agir pour Timor, Association Timor-Oriental (France); Comissao para os Direitos do Povo Maubere, Paz es Possivel em Timor Leste, Oporto University, Paz e Justica para Timor Leste (Portugal); Coordinamento Italiano dei Gruppi di Solidarieta con il Populi Timorese (Italy); Timor Oriental (Luxembourg); Osttimor Kommitten (Sweden); Japanese Supporting Committee for Darwin East Timorese School, Free East Timor Japan Coalition (Japan); East Timor Action Network (USA); East Timor Alert Network (Canada).

## YEAR OF THE SANDALWOOD EXHIBITION, LISBON

On March 21st, World Tree Day, a special exhibition about environmental issues in East Timor, will be opened to the public, in Lisbon. The main focus will be forestry issues with special emphasis on the Sandalwood Tree which is under threat of extinction. This species once flourished in East Timor but during the Sixteenth and Nineteenth centuries it was extensively used as a form of trade due to its spicy oil and precious wood.

**WE NEED YOUR SUPPORT!**

In addition to information panels, with photos and texts, we will be setting up a "Message board" for visitors. We would like to invite you and your friends to join in and send poems, messages, stories etc. so that these too can be displayed on our board.

This exhibition is a joint effort and supported by the Comissão de Defesa do Povo Maubere, Amigos da Terra-Friends of the Earth Portugal, the Lisbon City Council and others. This will run until April 11th, and everyone is welcome to come and visit the exhibition in the "Casa de Timor" or House of Timor.

PS your messages can also be sent by fax to: Amigos da Terra 351 1 347 3586 and we will pass them on! Thanks for your help.

## EVANS FACES PROTEST OVER TIMOR

*Green Left Weekly, March 2. By Nick Everett*

BRISBANE - Foreign minister Gareth Evans, addressing a breakfast on Australia's trade relations with Asia, faced questions and a protest picket from members of Aksi - Indonesia Solidarity Action on February 25.

Evans described Australia's relationship with Indonesia as "very strong, very firm, very close" and claimed this to be "a much more productive environment for working change, both political and economic, than maintaining the kind of stridency" of countries "like Portugal [which] jump up and down on the international scene whenever some tragedy like Dili occurs."

Aksi spokesperson Brenden Greenhill stated, "Indonesia's invasion of East Timor has, since 1975, cost the lives of 200,000 people. The massacre in Dili, and continued human rights violations throughout Indonesia, reveal the intransigence of the regime.

"The role of the Australian government, uncritically aiding the Suharto regime while companies like Woodside Petroleum and BHP plunder East Timor's oil, makes Evans and the Labor government complicit in these atrocities."

## DEBATE: PORTUGUESE TEACHERS RESOLUTION ON EAST TIMOR

*12th March 1993*

*Note: The following text is the translation from FENPROF (National Teachers Federation) which was email by Bruno Kahn on 5th March. A letter by Teachers Association of the Republic of Indonesia is also included.*

Submitted by: FENPROF (Portugal) and ATU (Australia)

### East Timor - a forgotten people

The military occupation of East Timor by the Indonesian army in 1975 has already caused the death of over 200,000 Timorese (a third of the population), the plight of tens of thousands and the creation of a climate of terror and intimidation. As Amnesty International has frequently made public, hundreds of young people are judged in summary fashion, without the right to any type of legal defence and very often condemned to death. Xanana Gusmão, the leader of the Timorese resistance against the Indonesian occupation for the last 16 years, is now facing that very same situation. Indonesia has also made determined

attempts to destroy the historical and cultural identity of the Timorese people.

It is therefore proposed that the 34th WCOTP Assembly of Delegates, held in Stockholm from January 21 to 25, 1993,

Register its concern at the Indonesian military occupation of the former Portuguese colony of East Timor,

Register the fact that the UN has condemned the military occupation and never recognised Indonesian sovereignty over East Timor,

Express its concern at the subversion of the cultural identity of the People of East Timor, who are not allowed to speak their national language and whose children are forcibly educated in the Indonesian language, culture and traditions,

Express its revulsion at the violation of Human Rights carried out in East Timor, especially the massacre, on November 12, 1991 of unarmed peaceful civilians by the Indonesian occupying forces, and the subsequent treatment meted out to the perpetrators, very lenient indeed in comparison with the heightened repression of the Timorese in the wake of the massacre,

Call on the international community to demand that the Indonesian Government withdraw its troops from East Timor and allow the decolonisation programme to continue by means of negotiations between Portugal, Indonesia and East Timor, under the auspices of the United Nations.

## INDONESIANS REBUT RESOLUTION

*The Indonesian delegation which call themselves Teachers Association of the Republic of Indonesia reacted badly to this resolution with the aid of their government officials in Stockholm they came out with the following standard response. We thought it is wise to spend sometime sending you this Indonesian standard propaganda so that all the interested individuals and groups can use them to prepare their response in any international conference that they might take part in the future. We will in a different item also include some of our comments to this. The Indonesian standard propaganda includes:*

1. An introductory letter and;
2. a paper entitled "The reply of PGRI"

### 1. Dear Colleagues,

You might have received a letter dated 14 October 1991 from teachers' organization in Portugal, FENPROF, asking your organization to send a protest to the Indonesian Government, and you might have also received a request from the same organization asking for the support of your organization for a resolution concerning East Timor. From our stand point of view, the

issue raised by the Portuguese teachers' organization and the resolution to be presented to the WCOTP Assembly in Stockholm are not based on the true facts on East Timor, but they are based on malicious and misleading allegation of the number of lives lost in East Timor during and after the process of integration. Even it goes so far as recklessly accusing Indonesia of "genocide."

In order that you get a true picture of East Timor, we would like to give you some information for your consideration before you make any decision on the FENPROF draft resolution:

1. Portugal colonized East Timor for 1509 - 1974. In 1974, Portugal's new regime announced that its overseas territories, including East Timor, would be given democratic rights. Fully conformed with that new policy, five political parties were organized in preparation for self-determination in East Timor; they are: Apodeti, UDT, Trabalhista, Kota and Fretilin. In 1975, Portuguese government abandoned Dili, the governor and staff return to Lisbon, and Fretilin, the pro-Portuguese extreme party, issued a unilateral declaration of independence without benefit of any act of self-determination. As a counter measure, the four other parties issued their proclamation of independence and simultaneous integration of East Timor with the Republic of Indonesia. Fretilin forces seized control of Dili, the capital of East Timor, touching off the civil war. The other four parties' forces together with Indonesian volunteers began the process of restoring order in East Timor. With the capture of the Fretilin's last guerrilla leader in November 1992, life of the people in East Timor has been fully back to normal.

2. In August 1975, the colonial authorities in Dili, in a most irresponsible manner, simply packed up and left East Timor, after allowing the situation in the territory to deteriorate to the point of civil war by secretly turning over its arms and ammunition to one particular minority group, Fretilin. By utterly failing in its responsibility, Portugal in fact has forfeited any right to be still considered the "administering power" of East Timor. In the face of this, the East Timorese people had rightly assumed the inherent rights to decolonize themselves, considering themselves no longer bound to any decolonization covenant with erstwhile colonial power. This they did by choosing independence through integration with Indonesia in accordance with UN General Assembly Resolution 1541 (XV) and Principles VI, VIII and IX of General Assembly Resolution 1541 (XV) and as further confirmed by the relevant provisions of General Assembly Resolution 2625 (XXV).

3. The critics charge that East Timor's population decreased by 200,000 after the integration, thus implying that about one-third of the population has either perished or disappeared, and some even go far as recklessly accusing Indonesia of "genocide." This juggling of number represent of numbers represents a shameless distortion of the tragic facts surrounding Portugal's mishandled decolonization of East Timor and shows a complete and often deliberate misreading of the process of population surveying and census-taking that has taken place prior to following the departure of the colonial government.

The only internationally accepted census of East Timor was taken in 1980 by the Government of Indonesia. The resulting population figure - 555,350 persons - seemed to show a decline of some 69,000 from the last colonial estimate of 624,264. The true difference will never be know: colonial authorities themselves acknowledged their figure for 1874 are estimates based on reports by village headmen, whose counts were never verified by the Portuguese Government. These figures and the apparent short-fall in population have subsequently been eagerly seized upon by Indonesia's critics and, through a process of mutual citation, have not only constantly repeated but gradually exaggerated to reach what has now become the fabricated and completely unsubstantiated claim of 200,000 lives lost.

Careful examination of the facts by several observers, including respected Western journalists, suggest that war-related death numbered around 5,000 with another 25,000 victims of malnutrition and disease brought about by a war-ravaged economy and a gross lack health care services. That people have died of victims is highly irresponsible and simply dishonest. It is hoped, therefore, that this unsavory number game can finally be put to an end.

4. Since East Timor was integrated into the Republic of Indonesia, the Government has worked carefully to ensure that cultural traditions are maintained, local languages are preserved and religious practices are respected. East Timor, like the rest of Indonesia, is a province of extraordinary ethic, religious and cultural diversity - a piece of the diversity, no one group is dominant. Respect and tolerance for different cultural and religious tradition is at heart of our national philosophy, Pancasila.

5. Since the integration, the living conditions of the people in East Timor have improved tremendously, especially in education, health, religion telecommunication and transportation. At the time of integration, there are 580 primary schools, 94 junior high schools, 44 senior high schools,

and 1 polytechnic and one university (tertiary level).

6. At present, East Timor is an internal affair of Indonesia, which could be considered as a bilateral matter between the Indonesian and Portuguese Government. Meetings between the two governments are being held with the auspices of the Secretary General of the United Nations. On December 17, 1992, the Indonesian and Portuguese Foreign Ministers hold a meeting with the auspices of the UN Secretary General to find the most optimum solution on East Timor matter and the meeting will be continued on April 1993. It is best we respect the two parties involved by allowing them to solve the East Timor case.

After having presented the true facts and an accurate information on East Timor, we sincerely hope that some misunderstanding about East Timor will be put to an end. The Teachers Association of the Republic of Indonesia (PGRI) is against any effort to put the issue of East Timor in the agenda of WCOTP Assembly in Stockholm, especially because the FENPROF draft resolution is based on malicious and misleading allegation and distorted facts about East Timor. Your understanding and cooperation on this matter is highly appreciated.

With best wishes, Merry Christmas and Happy New Year.

Sincerely Yours,

(W.D.F. Rindorindo) Secretary General

*The reply of PGRI (The Teachers Association of the Republic of Indonesia) to the draft resolutions on East Timor. Submitted by FENPROF and ATU*

## INTRODUCTION

The Indonesian teachers in this Assembly express their grave concern on the activities of FENPROF, the teacher's union of Portugal, and the ATU, Australian Teachers Union, in circulating the draft resolutions concerning the so called-issue of East Timor as contained in the compilation of Working Papers of WCOTP.

These draft resolution are especially appalling not only because they will politicize the nature and the deliberation of the Indonesian teachers in this Assembly, but also because they are based on distorted inferences, slanders and innuendoes.

We honestly do not know what is the true motivation behind these draft resolutions. Unlike other resolutions, the nature of these draft resolutions is particularly directed to single out a particular country and a government in order to denigrate the good name of that country, which is our country, Indonesia.

FENPROF and ATU never consult us Indonesian teachers or extend the usual teacher to teacher professional courtesy to

discuss any matter in a spirit of unity and solidarity when drafting or submitting the draft resolutions to the Secretariat of WCOTP. The way these resolutions are being drafted and submitted are simply anathema to the unity theme that we teachers in this Assembly are supposed to espouse and develop.

Upon the efforts of the Chairman of the Committee on Resolution, the representatives of FENPROF and ATU did have discussion with the representatives of PGRI yesterday, 22 January 1993. They said that their draft resolutions were based on human rights concerns. However, the way they are drafted and presented to us we cannot help but to disagree. We are not the one who started this unfortunate debate in this Assembly, but in an effort to end this confrontation to an acceptable solution, we are ready to offer a draft compromise which is neutral in character without blaming anybody or any government.

We Indonesian teachers after suffering for 350 years of colonialism do not need any lesson from foreigners about how to promote human rights, especially from those people who were once the worst colonialist in history. We believe the best way to promote human rights is by cooperation and the promotion of mutual understanding and certainly is not by heaping abuses, pointing accusatory finger and by shouting words of rhetoric based on self-altruism. Keeping in mind human rights abuses are happening everywhere, the approach taken by FENPROF and ATU will only plunge the Assembly into bitter fighting, enmity, hatred and division among its members.

Some people accused that Indonesia has closed the border of East Timor. This is simply not true. Various people, either they are journalists, representatives of NGOs or foreign diplomats were are visiting East Timor. These people, however, request permission politely and quietly to enter our country. To the, we seldom say no. Indeed, Portuguese journalists have visited Indonesia including East Timor, but Indonesia journalists are prevented by the Portuguese government to enter Portugal when they requested to visit East Timorese in Portugal.

To those who shout and hurl abuses to us from across the street and then knock our door demanding to enter our house, with great respect we have and will turn it down. We cannot have our pride being injured and our arm being twisted and then ask us to surrender by opening our door. We have been physically colonized before and we will never be colonized once again, not even mentally.

Some people has said that they are not against our country and our people, but

only our government. This kind of tactic only remind us of the old colonial strategy of "devide et impera (divide and conquer)." Perhaps, our perception is wrong; but our history has shown us that when we are divided we fell, and that is exactly why our people before can be colonized for centuries.

We respect them when they said that they are free to criticize their own government. We do not argue at all with that. We are also free to constructively criticizes our own government, but we declined when foreigners asked us to join them in criticizing our own people and our own government, especially when believe that criticism is based on distorted inferences. It is not our social and political value.

We Indonesian teachers do not have the slightest intention to turn this Assembly into divisive political arena. Politics are not our profession. We are teachers and not the political representatives of our government. We believe the question of East Timor is best left to be solved by the United Nations. It is that international body which has the full knowledge and the capability to solve such kind of political problem. Unfortunately, we Indonesian teachers are put in a place by FENPROF and ATU with no other option but to defend the good name of our country by rejecting point by point their baseless allegations as contained in their draft resolutions.

We Indonesian teachers understand this will take some of your valuable time. We humbly apologise for it, but FENPROF and ATU have given us no other choice. We Indonesian teachers have been put in a "fait accompli" situation to defend ourselves.

## FENPROF DRAFT RESOLUTION

### The points in paragraph 1

FENPROF cited in its draft resolution the repeated baseless accusation that Indonesia militarily occupied East Timor. The fact is that long before the alleged Indonesian invasion on 7 December 1975, Portugal in August 1975 in most irresponsible manner abandoned East Timor after allowing the territory plunged into a civil war.

Indonesia literally beg the Portuguese to return to East Timor, because people were killing each other and thousands of refugees streamed into Indonesian territory of West Timor. Portugal fails to re-establish its presence and instead the Tropaz, the Portuguese colonial army, secretly turned its weaponry to one particular pro-Community group, the Fretilin, hoping this favoured group by the then left leaning government in Lisbon, could eliminated the other groups which were representing the majority of the East Timorese. These other groups were UDT, Apodeti, Kota and Trabalhista, which

after seeing the brutality of the Fretilin and the Tropaz, opted to gain independence through integration with the Republic of Indonesia.

After defeating the Fretilin, these other groups formed a provisional government. They held election and formed an Assembly of representatives. This Assembly then passed a motion of their wish to gain independence by integrating East Timor with the Republic of Indonesia. This fact have always been concealed or distorted by those who support the Fretilin up to this day. We have living witness, an East Timorese in the group of PGRI here in Stockholm. He is more than happy to explain to you of this true story in East Timor.

During the 450 years of colonial period, Portugal had never developed East Timor, let alone carrying out a responsible population census. It was Indonesia in 1980 which carried out a census using the internationally accepted standard. The resulting population figure was 555,350 persons. This figure suggested a decline of 69,000 persons, included in it around 40,000 persons who fled the civil war and took refuge in the Indonesian western part of the island of Timor. If we compared these figures with the last colonial government estimate that the population in East Timor was 624,564, therefore, the loss of lives was about 20,000 people due to the civil war and the immediate ensuing famine. However, Indonesia's critics, through a process of mutual citation, constantly and gradually exaggerated the figure to reach the baseless claim of 200,000 lives that had been lost and then put the blame on Indonesia.

FENPROF claimed that, as frequently denounced by Amnesty International, hundreds of young people summarily judged and sentenced to death in East Timor. This is just not true. Not even a dozen people that have been sentenced to death in Indonesia. These persons were involved in the Indonesian Communist Party bloody coup d'état in 1965, terrorists who hijacked a civilian airliner, and two criminals committing multiple murder crime. They were not East Timorese and have nothing to do with the case of East Timor.

### **The Points in Paragraph 2**

FENPROF accused that Indonesia tried to destroy East Timor's historical and cultural identity. This is also not true. Promoting the culture of Timor is nothing new for Indonesia, because East Timor shares the same small island and culture with West Timor. Only these detractors pretended to perceive that the two are different. The island of Timor was formally divided into two in 1859 by two colonial powers, the Dutch and the Portuguese. East

Timor was colonized by the Portuguese since the early 16th century.

The western part of the island of Timor, together with their brothers and sisters in other parts of the Indonesian archipelago, gained independence from the Dutch in 1945. Unfortunately, the Portuguese still clutched East Timor under their colonial power until they irresponsibly abandoned the territory in August 1975.

Indonesia takes pride as a land country of "unity in diversity" as inscribed in its national coat of arm. The so-called culture of Indonesia is comprising each and every culture belonging to more than 350 ethnic groups in the Indonesian teachers to promote Indonesian culture, meaning each and every one of these existing culture in Indonesia, including the one in East Timor.

Thus, there is nothing farther than the truth when FENPROF accused that the East Timorese are forbidden to speak their language. Tetum is the language spoken by the Timorese, in East as well as in West Timor. Indonesian language is the official language in Indonesia and is used as the media in each and every school in Indonesia. However, since the promotion of each and every culture in the archipelago is a constitutional duty, therefore, Indonesian teachers are required to preserve each and every language that exists in Indonesia. Accordingly, "local" language is a compulsory subject and is taught in each and every school where that school is located. Meaning, Tetum is taught not only in East Timor but also in West Timor, just like Javanese language is taught in Java or Balinese language in Bali.

It is true that Portuguese language in not taught in Indonesia. However, like most countries in this world, other languages area also being taught in Indonesia schools. English is a compulsory subject. French, German, Arabic and Japanese languages are also taught as optional subjects.

History seems to suggest that it was the Portuguese themselves who may have tried, perhaps unintentionally, to destroy the historical and cultural identity of East Timor. Nearly all East Timorese were made culturally ashamed if they do not adopt Portuguese name. Whereas the majority of the rest of the population in the Indonesian archipelago are proudly using their local and traditional names. Furthermore, during its 450 years of colonial period in East Timor, Portugal provided for the entire East Timorese a meager number of 47 elementary schools with 2 or 4 years of education and 2 junior and one senior high schools. There were no kindergarten or institution of higher learning. The rate of illiteracy was as high as 92 percent. It is very clear that the Portuguese had tried to kill the culture of the East Timorese by depriving them the right

to adequate education for more than 4 centuries.

Today, after gaining their independence through integration with the rest of the Republic of Indonesia, and in only a period of 16 years, in East Timor there are 587 elementary schools with 6 years of education, 91 junior high schools, 39 senior high schools and 3 higher learning institutions (2 polytechnic, 1 university). There are also 13 kindergartens. The rate of illiteracy is drastically reduced to 20 percent. We Indonesian teachers believe that this the way to promote human rights, silently but making concrete and helpful contribution.

### **The Points In Paragraph 3**

FENPROF lamented that the international community remained silent about their allegation. The truth is, through tactic of disinformation, Portugal in the beginning did manage to gain supports in the middle of 1970's. However, gradually when nations learned about the actual facts, many changed side to support Indonesia while many others remained neutral. This will be explained in the next paragraph.

### **The Points In Paragraph 4**

FENPROF alleged that the United Nations have approved resolution recognizing the right of East Timor to what it called "auto-determination." This is based on half-truth. In mid-December 1975, in the efforts to conceal its guilt of bungling the decolonization process in East Timor, Portugal, through fabricated stories, accused Indonesia of disrupting the process of decolonization by invading the territory. Then Portugal requested the United Nations to consider the question of East Timor. Unaware of the real situation, the majority member of the United Nations in a resolution recommended the Security Council to take urgent action to protect the territorial integrity and the inalienable rights of the East Timorese to self-determination. The resolution in 1976 was adopted with 72 countries supporting Portugal, 43 abstaining, and only 10 supporting Indonesia by rejecting the resolution.

However, when nations learned more of the real problem, they changed their votes. In 1982, the 72 votes for Portugal decreased to 50, the support for Indonesia rose dramatically from 10 to 48. In the Non-aligned Movement, member countries unanimously rejected the proposal to recognize Fretilin as a national liberation movement and the so-called question of East Timor was since then erased from its agenda.

Looking at the voting number itself can also be misleading. Each year the resolution was pressed by the international community to be diluted and neutralized if this was to

maintain continued support. By 1982, the content of the resolution had been changed so drastically that nations started wondering whether the resolution had achieved anything at all except for prolonging unnecessarily the so-called question of East Timor. Unlike the earlier resolutions, the last resolution adopted by the United Nations did not contain any operative paragraph challenging the validity of the East Timorese integration process. Instead, in the last resolution, the General Assembly merely requested the Secretary-General "to initiate consultations with all parties directly concerned, with a view to exploring all avenues for achieving a comprehensive settlement of the problem." Despite its "weak" content the resolution was nearly defeated. It was carried by a mere two votes.

What did this all mean? The last resolution, of course, has superseded the earlier resolutions. However, in various debate some people just ignore this fact. Moreover, now there are at least 48 countries which firmly supported the Indonesian position on the integration of East Timor, but we do not know how many of those 50 countries really supported the position on the question of self-determination process. That is why, since the 1982, year after year, the United Nations voted to defer the debate on the question of East Timor and to let the Secretary-General, Indonesia and Portugal to find a solution through a dialog. The last dialog was carried out on 17 December 1992 and the next session will be in Rome on 20 April 1993.

On the point about the resolution of the European Parliament, we Indonesian teachers can only say that Indonesia is not a member of that Parliament and obviously Indonesia cannot defend itself adequately against those people who launched the baseless allegations in the proceeding.

#### **ATU DRAFT RESOLUTION**

Australia as a government and a national recognized the sovereignty of Indonesia in East Timor. Despite some protest of minority of people in Australia, the Australian government signed an agreement called "The Timor Gap Treaty" with Indonesia, and the Australian parliament support the Australian government position by ratifying the treaty. This treaty explicitly and legally recognized the sovereignty of Indonesia in East Timor. It is apparent, therefore, ATU represents the view of that minority in Australia in opposing Indonesia on the question of East Timor.

We Indonesian teachers in this Assembly have friendly relation with many Australian teachers. The overwhelming majority of Australia people and the government of

Australia enjoy excellent relationship with their counterparts in Indonesia. Thus, it is with deep regret that we have to fight with some of our Australian counterparts in this Assembly in our defense against the slanderous ATU draft resolution. We wish to reiterate, we are not the one who started this divisive debate.

#### **Points in Preambular Paragraph 1,2 & 3**

The above arguments put forward in refuting FENPROF proposal are relevant in this respect.

#### **Points In Preambular Paragraph 5**

We Indonesian teachers are equally shocked and deeply regret the tragic incident of 12 November 1991 in Dili, East Timor. However, we believe that our country has reacted more than adequate to this tragedy. Our President repeatedly and in front of the Indonesian House of Representatives expressed his deepest regret and conveyed humbly his condolence to the bereaved families in East Timor caused by the tragedy.

It was the President himself which instructed the government to establish an independent National Commission of Inquiry into the tragedy. As a demonstration of his deep concern and in order to obtain a thorough, unbiased and impartial report on the matter, he requested not a member of the government but the Supreme Court to nominate a supreme judge to head the seven member Commission.

The Commission's report was straight forward. It apportioned blame where blame was due; and it concluded by stressing that in order to hold justice, all those who were violating the law must be held accountable. Many countries commended Indonesia on this action, including the Australian government the United States government and the European Council.

On receiving the report and using his constitutional power, the President removed from their posts two senior generals responsible for the security in East Timor. The President then instructed the Army Chief of Staff to set up an Honorary Military Council to determine what went wrong and the accountability of the military personnel involved in the tragedy. Base on the findings of the Council, trials were held and witnessed by various domestic and foreign journalists, diplomats and representatives of NGOs. The others were removed from their posts and faced disciplinary consequences. Undoubtedly, Indonesian action stand in contrast with that of many nations in dealing with such kind tragedy when its involved military personnel.

Unfortunately, some people chose to turn a blind eye on this fact and continued their campaign to denigrate Indonesia.

Nothing seems to satisfy them except to bring Indonesia into total humiliation. This we cannot accept and we will defend the honour of our country in any Assembly.

#### **Points In The Last Paragraph**

We Indonesian teachers are truly mystified with this paragraph. It is clearly drafted by people who are trying to heap all kinds of sinister motivation towards Indonesia or are ignorant of the facts on the question of East Timor.

The international community cannot be called to resume a dialog while the dialog itself has resumed and is continuing. The next session of the dialog, as mentioned above, will be in Rome on 20 April 1993. Thus, this paragraph is totally pointless. Furthermore, the international community cannot call the withdrawal of Indonesian troops out of Indonesian territory. As stated above at least there are 48 countries in the United Nations, including Australia, recognized Indonesian sovereignty over East Timor. The Non-Aligned movement consisting of 118 countries have also ceased to discuss the issue of East Timor.

#### **Conclusion**

It is obvious that these two draft resolutions are either drafted on the basis of distorted inferences, slanders and innuendoes or simply ignorance.

If the latter is true then we respectfully request that they be withdrawn and not submitted to be debated in the Assembly. Accordingly, we extend our thanks for the mutual understanding and cooperation. After all we are only teachers, not politicians.

If the former its true, then these drafts are politically motivated. The human rights arguments are used only as a pretext to gain sympathy and support in the efforts to denigrate our country. Accordingly, we the Indonesian teachers respectfully request the kind support of members of this Assembly to reject the draft resolutions of FENPROF and ATU with regard to East Timor. Keeping in mind that there are abuses of human rights in nearly every part of the world, these resolutions will serve as a bad precedence. These resolutions are against the spirit of unity and solidarity that we teachers are supposed to espouse and develop in accordance with the teacher unity theme. Such kind of resolutions will only create bitterness and sow the seeds of enmity and hatred among members of this Assembly. We must reject this bad precedence.

STOCKHOLM, 21 JANUARY 1993  
PGRI (The Teachers Association of the Republic of Indonesia)

## INDONESIAN PROPAGANDA DEBUNKED

*Sydney, 16 Mar 1993. By Agio Pereira*

The above Indonesian propaganda has set a "standard." That is, the bulk of the Indonesian arguments are simply aiming at the so-called (economic) developmental nature of their occupation of East Timor. Everywhere, their argument is the same.

Hence, we decided to throw in these arguments used by the Indonesian teachers with the hope that they reach all interested Timorese supporters. Once you have it, you can read and become accustomed to these arguments and, in the process, organise your own response/s.

Here are some comments we would like to make regarding this Indonesian propaganda fiction matrix:

### Fiction number 1: Education

A person uninformed about the political process of East Timor might be manipulated by the figures the Indonesian government publishes frequently in their propaganda bulletins. The Indonesian teachers distributed tables of information in the Stockholm-Sweden conference of Teachers, showing dramatic increase in the number of primary and high schools, including universities. They also show that they have dramatically increased the number of medical personnel, doctors, hospitals and clinics in East Timor.

However, these are simply sterile figures, hiding behind the scenes a mammoth tragedy. For instance, about 150,000 transmigrants have made their way to East Timor. The bulk of these transmigrants are relatives of the Indonesian soldiers and public servants. In Dili, there are 120,000 households today. The bulk of these people are transmigrants. More than 120,000 households, but only 300 households benefit from tap water.

Even the water system is not funded by the Indonesian government. It is, in fact, a scheme funded by the Australian government agency - AIDAB. The funding for this project was costed at \$A6 to \$A10 million dollars in 1990. Last year, prior to his first trip to Jakarta, Prime Minister of Australia Paul Keating had increased the funding to up to \$A30 million dollars. He outlined the aim: to develop East Timor and reach reconciliation. The rational is the same: they think (and seem to believe) that the Timorese people stands up against Indonesia simply because the people of East Timor have not been given enough goodies!

In November 1991, I met a catholic priest who was in Dili during the Santa Cruz Massacre looking at the educational system. He said to me that he was terrified with the

"textbooks" used in the schools in East Timor; if anything, he said, they teach only Indonesian politics with special focus on "Pancasila." It the Indonesianisation of the Timorese society that the Indonesian military is trying desperately to achieve.

### Fiction number 2: Hospitals/health

There are 10 hospitals in East Timor today compared to only 2 in 1974, the Indonesian government says. However, the Timorese people are frightened to use these hospitals for fear of being killed while they are hospitalized. Five years ago, I made it public in Australia that the Indonesian doctors have been using outdated medicine to treat Timorese patients in the hospitals. The Indonesian government reacted by saying that it all "Fretilin propaganda." Some days later, the former Indonesian puppet gubernur - Mario Carrascalão himself, said that boxes of outdated medicine have been used and he asked for the doctors responsible to be sent back to Jakarta.

The hospitals are purely equipped to the point where a promise of second hand hospital equipment made by a former Chief Minister in Darwin-NT made headlines. The Timorese youth that were killed in the massacre of Santa Cruz and immediately after, were taken away to be buried in the pits dug specially for that purpose. They were not taken to these famous hospitals to be treated as human beings. Many more students were left wounded in the hospitals without treatment so that they can die as soon as possible. These may sound unbelievable; but when you hear the story recounted by eyewitnesses of these horrible crimes, you understand how traumatized the Timorese people are.

A well-known medical doctor from Australia, wrote this, after three weeks unofficial visit to Dili, East Timor, last year:

*"The main persisting health problems are: TB, Malaria, Dysentery, Leprosy, Nutritional Deficiencies.*

*"In the course of my travels I saw frequent evidence of intercurrent infections - discharging noses, coughs, skin lesions and sores. It seemed that there was sufficient basic grain food available but not enough protein and vitamin supplement. (...) There is little food to spare. There is real need for more polyclinics, primary health care centres and community nurses."*

In his conclusion, this Doctor wrote one sentence that summarizes everything:

*"East Timor is a police/military state. Its people are being systematically obliterated"*

### Fiction number 3: Economic development

The Indonesian propaganda says that there are now 536 Km of paved road com-

paring to only 20 Km made by the Portuguese up to 1974.

Everyone that return from East Timor accepts that the paved roads are of very poor quality. Only one wet season is enough to de-asphalt most of these roads.

There are also strong military and Indonesian military economic reasons to pave those roads as quick as possible so that they can kill the Timorese and loot everything they can from the Timorese, before it becomes too late!

### Let's look at some facts.

The Timor Gap Treaty is a clear proof of gigantic looting of the Timorese people's natural resources. The facts exempt us from adding more information on this matter.

As far as business goes, the military took over all the business in East Timor. PT Batara Indra Group, PT Denok and PT Backri are the most prominent companies with total monopoly of East Timor resources. Very few Timorese that managed to set up some sort of business, find themselves in "tettors" as soon as the Indonesian generals suspect them of any involvement with the Timorese National Resistance. One businessman, called Oscar Lima, has been held incommunicado since the capture of Commander Xanana Gusmão. He was forced to testify against Xanana in the Indonesian court. Yet, he is still being held incommunicado and all his business taken over by the army.

The head of PT Batara Indra Group is Robby Sumampouw, a close friend of General Benny Murdani. Suamampouw owns the franchise licence on direct shipping between Dili and Singapore. A percentage of his profits are also used to buy Portuguese wines, Portuguese 'bacalau' and American cigarettes to be sold in Dili. The port of Dili has been declared a duty free port in order to allow Suamanpouw all the facilities he can dream of. Sumanpouw also bought the Turismo Hotel two years ago and he now owns the expensive Makota Hotel.

PT Denok is a military control company which has the monopoly of coffee export of East Timor. The only coffee that is not strictly controlled by PT Denok is the coffee from "Fazenda Algarve," owned by the Carrascalao family. This exemption was made possible as a pay for the servant obedience of former Indonesian gubernur Mario Carrascalao. The Carrascalao brothers have recently bought more land in the surrounding area in order to increase their coffee business. In general, the Timorese have no choice but to sell their crop to PT Denok under a price stipulated by the generals themselves.

The "godfather" of PT Denok is general Benny Murdani. Gen. Benny Murdani used to be known as the "president" of the Committee for the Development of East Timor. It simply means that every aid from abroad must pass through him.

PT Denok has set up partnership with PT Batara Indra to exploit sandal wood in East Timor. It is said that, unlike Imelda Marcos who has shoes disease, Mrs. Tien "per cent" Suharto, has sandalwood oil disease; she has been reported to have express interest in the sandalwood industry in East Timor and apparently she is already into sandalwood perfume (in East Timor).

Suharto's family has extensive interest in East Timor. The latest connection was found to be with the mining and processing of marbles in Subao region, east of Dili. The operation is a co-operation between general Benny Murdani's brother, Harry Murdani and Suharto's family - according to an Australian source.

This has not always been a happy honeymoon. Clashing interests have prompted public criticism made by general Benny Murdani against president Suharto's family. General Benny Murdani made a remark in Dili, two years ago, saying that "this business of the president's family is going too far!" What he did not say was that he was upset because of competition, between themselves, for Timorese national resources.

Another Indonesian business group which has come into East Timor is the Wanandi Group. Wanandi Group has also a political role in East Timor. It is owned by Yusuf Wanandi and his brother Sofyan Wanandi. Yusuf Wanandi is the director of Indonesian government think-tank, CSIS (Centre for Strategic International Studies). Yusuf Wanandi has also a brother now well positioned inside the Timorese Catholic Church. His name is Marcus Wanandi, a Jesuit priest. Marcus Wanandi is always informed about any important church person that goes to East Timor and, often, he tends to be the "friendly guide" for these important visitors. Other priests would not show the sense of security and protection that Marcus Wanandi shows to his visitors.

The Wanandi Group, directed by Sofyan Wanandi, is planning a 400 bed tourist resort in Baucau beach, using the international airport of Baucau, built by the Portuguese, as the main moving force. Mario Carrascalao, the former Indonesian gubernur, was known to be supportive of this project and he did ask Jakarta to allow the Baucau airport to be re-used so that this project of Wanandi Group can go ahead. Another ambition of Sofyan Wanandi is a golf course in Mau-Bisse. The political and military situation of East Timor, however, has not given these projects the "green light."

The Timorese people have no jobs and no chance to succeed at all. Instead, they are forced to leave their own country, go to other islands to look for survival. Many young Timorese are now in Ambon, forced to work in wood chipping - a very unpopular job in the sense that the company destroys the natural habitat of the people. Politically, it is of the interest of the generals to make the local people feel unhappy with the Timorese; and, culturally, it amounts to a process of genocide of the Timorese, in the sense that they are forced to leave their own homeland and Indonesian transmigrants take over.

This is our small contribution to disarm the Indonesian generals' propaganda. For more information, please contact us via email at [etra@peg.apc.org](mailto:etra@peg.apc.org).

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## ASIA BOLDLY TAKING ON THE WEST

by Leah Makabenta

Jakarta, Mar. 22 (IPS) - Demonstrating that economic success can also mean power, dynamic Asian 'tigers' and 'dragons' are learning to use their rapid rise in the global economy as a political weapon.

Unthinkable just a few years ago, Asia is now telling Europe and north America that it would reject western attempts to impose democracy, human rights and the environment as conditions for trade and aid to developing countries.

Western-style democracy and its related values, according to Asian leaders like Singapore senior minister Lee Kuan Yew, have no universal validity and are particularly ill-suited to poor, unstable and divided developing societies.

That they are succeeding was demonstrated recently, first by the Indonesians with the Dutch and then by the Association of South-East Asian Nations (ASEAN) against the European Community.

Despite Jakarta's unilateral ending of development cooperation with the Netherlands, its former colonial ruler, in 1992, trade between the two countries increased in that period.

Early this month, Austria was forced to set aside a law that would place restrictions on tropical timber imports because of pressure from Malaysia, Indonesia and their ASEAN partners.

The law sought to protect the indiscriminate felling of tropical hardwoods by imposing a tax on their import and compulsory labeling of products made from such wood.

Indonesia and Malaysia, the two top tropical timber exporters, stopped dealing in Austrian company shares. Worse, Austria

found itself isolated, as other western countries failed to support it.

Sources in development circles say German chancellor Helmut Kohl, who visited Indonesia and Singapore late last month to drum up Asian investment in the former east Germany, was firmly told not to interfere in human rights in the region.

The sources said German aid agencies have been instructed to tone down their active support for the trade union movement and social activists in the region.

This weekend, Beijing warned Washington it could lose out in the lucrative Sino-U.S. trade if it failed to renew China's most favoured nation status (MFN). China has accused some members of the U.S. Congress of using the MFN issue to interfere in its internal affairs, meaning its human rights record.

Citizens' groups and non-governmental organisations (NGOs) have strongly rejected this reversal of the western policy of using threats of trade restrictions to promote human rights as a "crude form of economic determinism."

"While it is true that concepts of democracy and human rights emerged at a particular stage of western history, this is being used by authoritarian governments in Asia to reject pressures for political reform and civil liberties," said a spokesman for the Kuala Lumpur-based Institute for Social Analysis (INSAN), an NGO that conducts research into labour and social issues.

In early 1992, Indonesia refused to accept any more aid from the Netherlands which it accused of interfering in its domestic affairs. The Dutch had criticised the Indonesian army for firing at civilians in the former Portuguese colony of East Timor.

The Netherlands was also expelled as chair of the 14-member inter-governmental group on Indonesia (IGGI), a consortium of aid donors to the country.

There have been repeated allegations of human rights abuses in East Timor, whose annexation by Jakarta in 1976 has never been recognised by the United Nations. Last year, Washington suspended military aid to Indonesia because of the East Timor massacre.

Indonesia has rejected criticism of its human rights record, saying it should not be judged on western individualistic principles but on the basis of its own culture and traditions.

Indonesian president Suharto opened a U.N. workshop here last month saying the north should not seek to impose its values on poor countries which are dependent on them for aid. He said each country should be left alone to promote and protect human rights.

Indonesian human rights lawyer Adnan Buyong Nasution dismisses such arguments. He says the government routinely uses them to cover up the manipulation and infringement of people's rights.

"The government should change its orientation towards a universal concept of human rights, towards internationally accepted norms of law and democracy so that we can see our shortcomings and our failings," he says.

Development experts say the Dutch have been suitably chastised and have not tried to channel development assistance to the country clandestinely.

But the loss of Dutch aid has set back NGOs and many small-scale agricultural, health and development projects in rural Indonesia funded by the Netherlands' 110-million-dollar annual aid budget for the country.

The end of development cooperation, however, has not affected trade between the two countries, which continued to grow resulting in a surplus in favour of Jakarta.

The official Antara news agency reported last week that Indonesia's exports to the Netherlands increased significantly in 1992 compared to those in previous years.

Dutch embassy figures place the total trade between the two countries at 2.2 billion dollars in 1992, with the Netherlands ranking fifth among Indonesia's trade partners.

Businessmen from both countries had been worried that the halt in development cooperation would have an adverse effect on bilateral ties. No such development has taken place, Antara reported, quoting an Indonesian embassy official in the Hague.

## RELIGIOUS CONFLICT DISINFORMATION QUERY

We hear that the report of this ambush filed by Ian Macintosh and run on ABC on Saturday, 20 March said that, according to army sources, the four men killed had just left a mosque. I have not seen any such reference in other reports but does the ABC report mean that the army there is trying to highlight an assault on Islam, and provoke the idea of religious conflict in East Timor?

There have been some lengthy reports in the Indonesian-language press recently about a Muslim community in East Timor among East Timorese. Nothing wrong in that of course but the recent attention to Islam in East Timor appears to be an attempt to show that Catholicism does not represent the entire East Timorese people.

If anyone has a fuller report, do post it on [reg.easttimor](mailto:reg.easttimor). Thank you.

Carmel, TAPOL

## LOBBYING FOR EAST TIMOR IN BRAZIL

*TAPOL report, 4 April 1993*

Estevao Cabral, an East Timorese who is currently resident in the UK and is chair of the British Coalition for East Timor, has been in Brazil since mid March to lobby for support for East Timor.

Among the politicians he has met so far is Federal Deputy of the Labour Party (PT), Luiz Gushiken, responsible for foreign affairs for the PT who agreed to table a motion in the Brazilian Congress which:

- welcomes the fact that Brazil co-sponsored a resolution adopted in March 1993 by the UN Human Rights Commission condemning human rights violations by the Indonesian military in East Timor,
- calls upon the Brazilian government to maintain this position in future,
- asks the Brazilian government to express concern about continuing human rights violations in East Timor, and
- calls for effective support from the Brazilian government for Portuguese government efforts for self-determination and independence for East Timor.

He also met Senator Eduardo Suplicy of the same party who agreed to work along the same lines.

Estevao later gave a talk on the 'Situation in East Timor and International Solidarity' at the University of Brazil jointly organised by the Students Nucleus for Peace and the Centre for Exchange and International Relations. He showed the Yorkshire TV film, 'Cold Blood.'

He has also had a meeting with the Union of Brazilian Journalists and was interviewed by a member of the Union; the interview will be published in the mainstream press or the Union's journal.

Estevao is travelling to other cities in Brazil to solicit support for East Timor and hopes to help the creation of an East Timor solidarity group in Brazil.

## RESOURCES

### TAPOL BULLETIN CONTENTS, APRIL 1993

The April edition of the bimonthly TAPOL Bulletin is now available. It contains the latest news and analysis of events in Indonesia, East Timor and West Papua.

This edition of TAPOL Bulletin fronts with an article entitled UN Victory for Timor and contains articles on:

#### East Timor:

- \* East Timorese at the UN
- \* UN Resolution on East Timor (full text)
- \* The trial of Xanana Gusmão, witness's defiant stand (Saturnino da Costa Belo)
- \* The true aim of territorial operations in East Timor
- \* Indonesian shaken by events in Geneva

#### Politics:

- \* Suharto and ABRI
- \* A more nationalistic course

#### Aceh:

- \* Acehnese refugees in Malaysia under threat

#### Discrimination:

- \* Discrimination against the Chinese Minority

#### Law and human rights:

- \* Draft Criminal Code under attack
- \* Tortured for defending land rights
- \* Human rights under the spotlight (including reviews of three recent publications, by the Lawyers Committee for Human Rights, Amnesty International and the US State Department)

#### West Papua:

- \* Indonesians accused of implicit racism
- \* East Awin camp conditions exposed

#### Arms sales:

- \* Arm sales briefs

#### Religious disputes:

- \* Army interference in Batak church

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TAPOL 111 Northwood Road, Thornton Heath, Surrey. CR7 8HW. UK Tel: 081 771 2904 Fax: 081 653 0322

Back issues are also available at 6.00 per year plus postage.

## FIRST PLAY BY TIMORESE CULTURAL GROUP

*Green Left #95, April 7, By Peter Boyle*

MELBOURNE - José Pires left East Timor 17 years ago. He was eight years old. With his brothers and sisters he was bundled into a car and rushed to Dili wharf where the last ship was preparing to depart. The port was ablaze. They were thrown into a boat and older men of the family were able to join them only by pretending to carry on food. José now works at the Ford car factory in Broadmeadows.

Elizabeth Bothelho is now a child caseworker in Springvale, an outer suburb of Melbourne. Her family left East Timor on a business trip to Mozambique, never dreaming that they wouldn't return.

Margarida Pires, mother of seven children, has lived in Meadow Heights since 1975, when she fled East Timor after the Indonesian invasion. These are three of the cast of *Matebian Nia Lian* ("Voices of Souls"), a play composed, produced and performed by Melbourne's Timorese Cultural Group.

The group was formed in 1984 as an attempt to preserve traditional stories, song, dance, painting and poetry. It has been performing at festivals, schools and universities ever since. But this is the group's first play, put together with the assistance of a team of professional theatre workers.

The play, which incorporates traditional songs and dances as well as more contemporary forms, is about the lives of three heroic Timorese women. But the experiences in exile of the members of the Cultural Group are also woven into the text.

Madeleine Blackwell, who co-directs the play with James McCaughey, told *Green Left Weekly*: "*Matebian* is a mountain in Timor, where people believe souls go after death. In this play the actors invoke some of those souls to come to the theatre to tell of their sufferings but also to share their humour, music and dance.

"I hope the play doesn't only make audiences more aware of the tragedy and injustices of East Timor, but also provokes them to ask why this has happened.

"These stories of the experiences of the Timorese people since the brutal invasion in 1975 are somehow also my own story as an Australian, whose governments have known and kept silent, sacrificing the Timorese people and their culture for the sake of regional power relations, diplomacy and profits. It is my story too because Timor is a metaphor by which I see the shadowy nature of our Australian democracy."

## AUSTRALIAN BID TO SAVE THE TETUM LANGUAGE

*Justice Trends, published by Australian Catholic Social Justice Council March 1993 Abridged*

In a bid to preserve East Timorese language and culture, two Australian Catholic agencies are paying for publication of a course to teach English speakers Tetum.

The Australian Catholic Social Justice Council and Australian Catholic Relief have joined forces to fund the book which will be the first ever to teach the language most commonly spoken in East Timor.

Written by University of Western Sydney linguistics lecturer Dr. Geoffrey Hull with three East Timorese who now living in Australia - Estanislau da Silva, Cristiano da Costa and Manuel Viegas - the course will be available here and in East Timor, where school children now learn in Indonesian.

Explained Dr. Hull, "Although East Timor is far from being a poverty-free zone, the real problem... is a social and cultural one. The East Timorese today suffer not only political oppression as second-class citizens in an alien state, but face the threat of the destruction of their culture and the languages that form an integral part of it.

"It is a fact that the key to any culture is the national language.... Hence for the East Timorese to survive as a nation, the preservation of their common language, Tetum (also the medium of evangelisation), is essential. One cannot save the East Timorese without saving its culture and common language."

Called "*Mai Kolia Tetun: A Course in Tetum-Praca, the Lingua Franca of East Timor*," the book contains 18 lessons, each with points of grammar and an example either of spoken or written Tetum. Tetum literature includes passages from St Mark's gospel and folk-tales of the animist culture.

The course will be dedicated to the late Paulo Quintao da Costa, a pioneer in Timorese linguistics considered a sage among his people.

It will provide the first standard spelling for the language and can be used by East Timorese living abroad to recover or learn their ancestral tongue as well as by those visiting the territory."

Due to be published mid-year, the course will be available from the ACSJC, 19 Mackenzie Street, North Sydney 2060, Australia at a modest price.

## ANNOUNCEMENT OF NEW PRIVATE 'INDONESIA' AND 'EASTTIMOR' LISTS

The number of online lists, conferences, and newsgroups dealing with Indonesia and East Timor continues to escalate. Yet there remains too little temperate, informed, frank discussion of sensitive issues, at least in the public online sources. Some of the public sources also suffer from too few postings or over-reliance on a few principal contributors.

For these reasons, I have set up two private lists called 'Indonesia' and 'easttimor.' They represent efforts to present some of the more useful or interesting materials out there in the vast 'matrix,' to provide a forum for serious discussion, and to offer a meeting place for persons concerned with Indonesia and East Timor problems.

You are invited to apply to join either or both lists after considering the material below on how the lists work at present.

### 'INDONESIA' AND 'EASTTIMOR' GROUND RULES

1. There are two (2) distinct lists – one for Indonesia-related postings, one for East Timor-related postings.

2. I will send the procedures to post to the lists to all new members. However, to apply to join, or to send me administrative messages relating to the lists and other general and private correspondence, all you need do is email

apakabar@access.digex.com

A brief message will do, such as 'signup Indonesia' or 'signup easttimor' along with your true name and preferred email address. If someone who is already a list member has suggested you join, please mention that. In most cases, I'll ask you a few simple questions before putting you on the list(s). You won't have to do anything like 'registering your biodata.'

3. You will be able to post directly to the Indonesia and easttimor lists. The software has been set to unmoderated. I intend to leave it that way unless matters get out of hand (e.g., too many flames, too many extraneous or misdirected postings, mailing to the lists by unauthorized persons).

4. You will only need to send your postings to apakabar@access.digex.com if you need your postings to be made anonymously, since direct posting to the list will reveal your identity. You may also, if you have good reason, use one of the several 'anon' services available, provided you have been previously accepted as a list(s) member and registered your 'anon id.'

5. You are very strongly encouraged to exchange info, news, and commentary on the

Indonesia and easttimor lists, while retaining your ties with other online sources relating to Indonesia or East Timor.

6. I'll take responsibility for forwarding to Indonesia and easttimor lists postings from the APC reg.indonesia and reg.easttimor conferences. If you post there, you don't need to post on Indonesia or easttimor. I will also forward materials from some other APC conferences, though I can hardly cover them all. Anyone on an APC network is invited to forward material from public conferences there I do not cover (no postings from ips.english though unless they are brief excerpts or re-writes).

7. List members on APC may get reg.indonesia and reg.easttimor postings twice. To ease this problem if it applies to you, just quickly delete these duplicates when you see them in your mailbox. They will be prefaced with the capital letters 'IN' or 'ET' for easy recognition. The duplication is necessary so that the postings in these conferences (and others on APC) get to the large majority of Indonesia and easttimor readers who do not have access to public APC conferences.

8. Indonesia and easttimor are Internet lists. The lists originate from a commercial part of the Internet. This means advertisements of any materials you think worthwhile promoting may be posted to Indonesia and easttimor. You may also use the lists for fund-raising.

9. The postings on Indonesia and easttimor lists come from the Internet and some parts of the larger 'matrix' of networks worldwide. You may selectively re-post or re-write them for distribution on APC and elsewhere, but you may not fully or substantially 'mirror' the lists anywhere online. Also exercise prudence and good judgment where special sensitivities may be involved. Finally, if a list member explicitly requests in a posting for one or another good reason that his or her posting not be re-posted elsewhere, please honor that request.

10. Indonesia and easttimor are private lists. They are designed for persons who will make some good use of the material posted. The main obligation of list members is to render some minimal amount of reciprocity for the service. Periodic posting to either list (or the APC lists from which some material is forwarded) satisfies this commitment. Others make equally satisfactory commitments such as occasional translation work. But whatever you do, you must contribute something every now and then to remain on the list. This is a major difference between Indonesia and easttimor and other lists on the Internet or matrix. If you are not doing your bit, eventually you'll get a reminder from me.

11. Please don't ask for the names or email addresses of list recipients. There are persons on both lists whose identities must be protected for various good reasons. Direct posters to either list are obviously not in this category.

12. It's always possible that glitches in list software and list procedures will occur, especially in the early stages of the lists. If you spot any, please email apakabar@access.digex.com right away.

13. I intend to expand substantially the membership of both lists. In this regard, anyone can play a helpful role by asking others who may benefit from the lists to sign up.

14. You may want to save this message for future reference, or to use all or part of it for recruiting purposes, with or without your own endorsement. You are free to forward it to particular individuals and to re-post it on other lists, conferences, and newsgroups.

Let's try to make this work. Thanks.

John MacDougall, Task Force Indonesia  
apakabar@access.digex.com