

The La'o Hamutuk Bulletin

Vol. 1, No. 2. 17 July 2000

Protecting East Timor's Environment: Regulation and Enforcement

On 30 June, the National Consultative Council (NCC) passed a regulation which aims to protect various natural habitats and important historical and cultural places in the territory. This seems to be good news for East Timor's environment, but what does the regulation protect, and what is the likelihood that UNTAET will enforce it effectively?

In brief, the regulation protects:

- 15 wild areas around East Timor, including Jaco Island. This means that the regulation prohibits the construction of buildings or roads, hunting of animals and plants, farming and grazing and the polluting of these, except where traditional law ('adat') allows and complements the regulation.
- ALL endangered species and their habitats from damage or trading, although the transitional administrator may grant permission for their use for biological research.
- ALL coral reefs from intentional killing, damage or destruction, fishing with the use of explosives or poisons, buying, selling, or export.
- ALL wetlands and mangrove areas from pollution, draining and/or destruction.
- ALL mangroves from cutting, damage and/or removal.
- Historical, cultural and artistic sites from damage, destruction or theft. The transitional administrator has the right to designate these sites.

George Buhmer from UNTAET's Environmental Protection Unit (EPU) described the regulation as, "a very ambitious brief." This is certainly not far from the truth, especially as he, his team and CivPol face a very challenging task, having to investigate offenders not only in the above areas, but also in other areas of 'exceptional importance', which in time may also become protected under this new regulation.

In a recent interview on Radio UNTAET, George Buhmer went on to state, amongst other reasons, that "the instigation of this regulation has evolved as a result of some proposed development activities on Jaco Island" and also because of "damage being done to coral reefs."

So, now that UNTAET has the power to protect ecologically-sensitive areas, the question arises as to what will be the nature of the justice process for environmental offenders? In this regard, there are some fundamental issues:

- Do the EPU and CivPol have enough resources in order to investigate environmental offences in a consistent and thorough manner?
- Has UNTAET fully briefed CivPol about the new regulation and existing Indonesian environmental protection regulations?
- Will the four district courts (Dili, Baucau, Suai and Oecusse) that are currently in operation, have the capacity to process ALL relevant cases that come before them?
- Will CivPol investigate those suspected of offences (as defined by Indonesian law) before the 30 June enactment of the new regulation?
- How Will East Timorese authorities use the monies from the financial penalties paid into the East Timor Consolidated Budget? Will they, for example, use these funds to restore damaged areas and species, and/or to compensate the local population that suffers the consequences of environmental degradation?
- What penalties can a court justify placing on apparent offenders that are selling, for example, protected species or coral (like those openly selling turtles three days after the passage of the regulation in the fish market in Dili, or those continuing to trade in coral along the roadside in the 'Pasir Putih' beach area)?

Considering the currently under-resourced position of CivPol and the amount of criminal and legal cases currently coming before the newly formed judiciary, it is difficult and perhaps unrealistic at this stage of the transition to predict a consistent enforcement of this regulation. The only official line in the regulation that refers to the methods of trying to implement protection states, "Protected wild areas shall be managed in accordance with directives issued by the Transitional

Inside . . .

UNTAET and Asbestos	Page 2
In Brief . . .	Page 3
Humanitarian Aid Evaluation	Page 4
Oecusse's Continuing Isolation	Page 7
LH Editorial: Charity or Justice?	Page 8

Administrator.” (There is a similar line in the section that addresses the management of historical, cultural and artistic sites.) It is not yet clear if Sergio Vieira de Mello has issued any of these directives, or what the nature of these directives might be.

The regulation also clearly indicates that the areas not yet specifically defined as “protected”, including those of severe environmental degradation, will remain open for the collection of firewood, construction materials, and other basic needs. Commenting on these issues, George Buhmer indicated that the regulation does not prohibit the fulfilment of such needs. As Buhmer explained to Radio UNTAET, “basic survival will always come first.” However, he stressed that problems would arise if people were exploiting the environment for reasons of profit. For this reason, Buhmer stated that there is a great need to establish, through a consultation process, a distinction between “needs” and “wants.”

The EPU is now planning such a national consultation, including direct contact with villagers, NGOs and other interest groups. The unit will not facilitate the drafting of any further protection regulations until the results of the consultation are known. Meanwhile, individuals and other legal or illegal entities will potentially be free to extract natural resources from unprotected areas depending entirely upon their own personal ‘needs’ OR ‘wants’.

Hopefully the mere existence of the EPU, coupled with the proposed national consultation program, will provide a more substantial platform for the many environmental regulations that will come before the new 33-member National Council. In the meantime, environmentalists will have to be content that at least a certain proportion of the environment is now protected by legislation. It is quite clear, however, that it will require much more than an enthusiastic EPU and an overstretched CivPol to effectively enforce this regulation. □

Environmental Health: UNTAET and Asbestos

The following letter concerning asbestos contamination has been sent to Jean-Christian Cady, the Deputy Special Representative of the Secretary General:

To: Mr. Jean-Christian Cady,
Deputy SRSG, UNTAET
June 30, 2000
RE: ASBESTOS

Dear Mr. Cady,

At our weekly meeting on 27 June 2000, NGOs learned that asbestos contamination is a serious public health problem in East Timor and particularly in Dili.

We understand that many buildings in Dili and particularly the majority of public buildings constructed after 1975 used asbestos extensively in their roofing and ceiling materials. Building rubble throughout Dili is now contaminated with this lethal substance following last year’s violence and destruction.

Asbestos fibers are minute and, without proper protection, are inhaled whenever disturbed. Once inhaled, asbestos remains in the human body. It causes mesothelioma and other asbestos-related diseases for which there is no cure.

In Australia, public health officials estimate that these diseases will kill between 20,000 and 50,000 people over the next 20 years.

We are very concerned that UNTAET and those agencies which are funding UNTAET activities are engaged in many project areas where workers and members of the public are being exposed to asbestos without any of the protections in place which have governed handling of asbestos since the ILO [International Labor Organization] Asbestos Convention 1986, #162 and ILO Asbestos Recommendation R172.

Members of the both the public and of peacekeeping forces who are working on cleanup programs which involve any disturbance of contaminated building rubble are subject to potentially lethal exposure. These likely include TEP, QUIP and EGP projects.

UNTAET’s BMS and Infrastructure departments are using their own staff as well as local and in-

ternational contractors to implement an ambitious program of public facilities reconstruction with no evidence that recognised procedures are in place to assure safe handling and disposal of asbestos and other harmful contaminants. People and business people throughout Dili are engaged in the rebuilding of homes and workplaces without the benefit of a public information campaign or access to procedures and safety equipment which would protect their health.

We are very concerned to learn that a comprehensive survey was conducted by Interfet in January which identified the presence of asbestos and other health hazards in the Cantonment area. This area is now identified as the concentration of public buildings and functions, during the transitional period and beyond.

Further, we understand that copies of this survey were distributed to key people within

UNTAET and Dili District Administration at the end of May (by a consultant working for APHEDA.) We are unaware of any actions which UNTAET has taken as a result of receiving this information. This would mean that innumerable people have potentially and unnecessarily been exposed to asbestos in the interim.

We therefore call upon UNTAET and all stakeholders who encounter asbestos or who have an interest in this issue to take the following steps, until such time as a safe and comprehensive asbestos testing, removal, dumping and public education program is resourced and in place:

1. A halt to any further work on public buildings and neighborhood cleanup programs which involve building rubble or potential exposure to asbestos.
2. Stop any further removals and subsequent dumping of building rubble at the Tibar site or any

other locations.

3. Mark off all buildings and sites identified in the January Interfet survey with barriers to prevent entry and post those sites with warning signs in all appropriate languages which warn people of the dangers.
4. Initiate an ambitious public education campaign which explains the risks of exposure and provides information which enables people to identify places and circumstances where they may be at risk.

We further call upon UNTAET to institute an asbestos program with a specialist coordinator which includes procedures outlined in international standards:

- for testing for the presence of asbestos and other harmful contaminants at public cleanup and building renovation sites prior to start of any work.
- that impose safe and well-established international practice for

the safe handling and removal of contaminated materials by qualified personnel

- that assure that materials such as asbestos are dumped in such a way as to eliminate the risk of any future contamination.

We await your reply.

Yours sincerely,

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East Timor Development

Agency (ETDA) 0409 130595

Endorsed by:

Jesuit Refugee Service

Sa'he Institute for Liberation

CARE

La'o Hamutuk

LAIKET (Labor Advocacy Institute of East Timor)

OXFAM International

MSF - Baucau

Caritas/Australia □

In Brief:

On June 30, UNTAET Television announced the launching of a live, television game show called "The University Challenge." The quiz show will have University of East Timor students as contestants and will air in September and October. According to UNTAET, contestants "will compete for major prizes, perhaps even international scholarships."

La'o Hamutuk comment: Given that very few people have televisions, that most people do not yet have electricity, and that there are numerous humanitarian needs not yet fulfilled, are "The University Challenge," and UNTAET Television in general, a wise use of resources at this time? *La'o Hamutuk* invites responses . . .

In a letter dated 4 July and addressed to all UNTAET Staff, Civilian Police, and Military Contingents, Sergio Vieira de Mello announced that the discotheque on the Hotel Barge Olympia will now close at midnight. The Special Representative of the Secretary-General decided to limit the club's hours because of some recent "incidents involving UNTAET personnel and local persons." In his letter, de Mello

reminded international personnel that the United Nations requires them "at all times to maintain the highest standards of integrity and conduct."

Also on July 4, over 50 East Timorese protesters calling themselves "The 1975-1999 Alliance for Justice" gathered in front of the United States Liaison Office in Dili where the U.S. government was holding a party to mark the anniversary of American independence. The main purpose of the demonstration was to bring attention to what the protesters called the supporting role the United States government played in Indonesia's illegal invasion and occupation of East Timor, and to demand justice and accountability for U.S. actions.

The demonstrators distributed to all the event's attendees information pamphlets entitled "Honoring the 224th Anniversary of American Independence, 1776-2000 ... by Remembering 24 Years of U.S. Support for Indonesia's Crimes in East Timor." The Alliance made five demands of the U.S. government:

- 1) a release of all U.S. government documents relating to East Timor;

(continued on Page 7)

Evaluation of Humanitarian Relief Process Released by UNTAET

The Humanitarian Assistance and Emergency Rehabilitation Pillar recently released its three-part assessment of the Consolidated Appeal Process (CAP). The East Timor CAP is a mechanism established in September 1999 to coordinate the overall humanitarian programme of the international community in the territory. In the ideal, the CAP is a process by which international actors involved in humanitarian relief (donors, United Nations agencies, and international non-governmental organizations [INGOs]) plan and prioritize the relief process. Secondly, the CAP acts as a mechanism to raise funds for UN agencies and, to a much lesser extent, INGOs.

The assessment covers the period from September 1999 through late May 2000. The first part is a self-evaluation by the international humanitarian community present in East Timor. The second phase is an assessment of the humanitarian aid programs as seen by the East Timorese people; the report draws on extensive interviews with aid recipients, CNRT officials, Catholic priests, and national and international NGOs present in the districts of Manatuto and Covalima. The final part is an external evaluation conducted by a team of eight people comprised of individuals who work for (non-East Timorese) national government agencies (4), independent consultants (2), and East Timorese development specialists (2).

As far as the CAP Assessment Steering Committee knows, the review is the first of its scope carried out during the emergency phase of a humanitarian emergency such as that that began in East Timor in September 1999. In this regard, the very ex-

istence of the review would seem to indicate an openness to external and self-criticism that is rare. At the same time, the document helps to set a precedent for similar evaluations in future humanitarian emergencies, while providing important lessons for the United Nations and for the humanitarian aid community beyond East Timor.

In general, the assessment found that the humanitarian relief effort was highly successful—despite some shortcomings—in meeting the most urgent needs of the East Timorese population. The UNHCR and their international NGO partners, for example, successfully distributed 250,000 family tarpaulin sheets as emergency shelter. Furthermore, as a result of emergency health activities, no epidemics occurred during the period analyzed. And timely food aid delivery helped to prevent a food emergency throughout the territory. A good deal of the success lies in what the assessment identified as the strong coordination, commitment, and flexibility of the humanitarian community.

The assessment correctly stresses the context in which the humanitarian relief took place. The country devastated, with most of its buildings and infrastructure destroyed, the majority of its population displaced, and its administrative apparatus non-existent given the departure of the Indonesian authorities. Further degradation of roads, bad weather, and some natural disasters have served to aggravate the situation even more. Such difficulties make the many successes of the humanitarian aid effort all the more impressive.

The documents are far too long and detailed to summarize adequately in

this brief article. And while the assessment finds much to praise about the humanitarian aid effort, the different parts of the assessment contain explicit and implicit criticisms of the humanitarian aid effort. In the spirit of improving the delivery of human assistance in East Timor and beyond, *La'o Hamutuk* will highlight some of the more critical points made by the assessment, and offer some comments.

There are, at times, inaccuracies in the assessment. The Phase 1 report incorrectly states, for example, that all district centers—with the exceptions of Oecussi, Gleno, and Ainaro—now have electricity. But a visit by *La'o Hamutuk* to Suai confirmed that that town as well (as of late June) does not have any electrical power.

The report also highlights the inadequacies in certain areas of the humanitarian effort. Violence by the Indonesian military and its militia in September 1999, for example, resulted in the destruction of an estimated 85-90,000 homes. But logistical problems, labor disputes, and the poor quality of materials and tools purchased by the UNHCR—among other dilemmas—resulted in a very slow start for the shelter program. At the same time, it appears that the resources provided by the “international community” to UNTAET, various UN agencies, and international NGOs has been insufficient. The UNHCR, for instance, “by far the major supplier of shelter kits,” according to Phase I of the report, will provide only 35,000 shelter kits. Although the report estimates that 40-50,000 East Timorese now in West Timor will probably opt not to return, and although a number of interna-

tional NGOs are also providing full and partial shelter kits, the report admits that there will still be a significant gap in the provision of shelter materials. It is for such reasons that Phase 3 of the assessment calls the shelter program the “most evident shortcoming of the humanitarian response given its delay in limitation and limited coverage.” And thus the international NGOs (in Phase 1) recommend the provision of a further 20,000 shelter kits.

At other times, the report fails to link its various findings. The Phase I report, for example, states that 98 percent of primary school children are back in school. It later notes, however, that in many areas of the territory, most school buildings still lack roofing. But it never asks how the lack of roofing would serve to undermine the validity of its earlier claim. On rainy days, a continuing phenomenon on the south coast, children are not able to attend roofless schools. (In some areas, in fact, even a suitable building is lacking. Thus, “school” may take place under a tree.)

In addition, Phase I notes the international community’s failure to provide any care of the mentally ill. As it is beyond the capacity of national and international NGOs, the Catholic Church, and East Timorese society in general to provide adequate care, the report calls upon UNTAET to fill the resulting gap.

Transportation is another area highlighted by the report. But in doing so, the report focuses only on transportation infrastructure, and says nothing about actual means of transportation. In many areas of the country, there is still an almost total lack of local public transportation. Such a lack is not only a reflection of the East Timor’s difficult state, but also contributes to it as it inhibits economic recovery. There are rather simple

things the international community could do to facilitate local transportation—especially within more urbanized regions. These include the provision of bicycles and bemos; the management of the latter, for example, could be a cooperative economic activity for local organizations.

Regarding the quality of the roads, the report notes that they “have seriously deteriorated since September.” The extremely heavy nature of many of military vehicles now using the roads (which are simply not made to withstand such weight) has only added to their deterioration. Part of the reason for the lack of corrective measures was the lack of UNTAET funds for road repair in the first few months of operation. Even now, however, UNTAET funds are inadequate, according to the report, and thus more resources are needed. Furthermore, it appears that the Peacekeeping Force (PKF) is not as well equipped as was INTERFET to engage in road maintenance and improvements.

For the most part, it has been private contractors employed by bilateral aid donors who have been responsible thus far for road repair. Larger-scale road rehabilitation projects funded through the Trust Fund for East Timor (TFET) administered by the World Bank in cooperation with the Asian Development Bank have yet to begin. For this reason, the TFET has recently come under criticism. As the head of one Australia-based NGO stated, “The World Bank projects have been unbelievably slow in coming through so far.” It appears that these problems have been a result of both the slow pace of disbursements into the TFET by donors and of the procedures of the World Bank. According to UNTAET’s Donor Coordination Unit, the donor community and the World Bank have now rectified these

problems.

The Phase 1 report is very critical at times of the CAP process, and various UN agencies. Many international NGOs, for example, felt that the CAP process was insufficiently transparent. Some were critical of the fact that they had to continuously chase UN agencies for funding, thus undermining the validity of the claim that the relationship between UN agencies and INGOs was one of partnership. At the same, the NGOs expressed concern about the spending priorities of some UN agencies which seemed to put more emphasis on costly projects to rehabilitate their offices.

The Phase 2 section, the one based largely on interviews with aid recipients (in Manatuto and Covalima) contains perhaps some of the most important criticisms for the future activities of agencies and organizations involved in humanitarian relief here in East Timor. One of the most significant issues raised was the lack of sufficient communication (which often took the form of misperceptions) between the United Nations system, international aid agencies and the East Timorese people. Unrealized promises made by some of the humanitarian agencies only served to aggravate the resulting tensions. It is for this reason, among others, that the report calls upon UNTAET “to monitor intensely every activity of humanitarian assistance.” Amazingly, according to the report, UNTAET did not monitor aid distribution at all (although there were coordination efforts through the Humanitarian Pillar). This contributed to duplication of aid delivery in some areas, while other areas were left lacking.

Phase 3 of the report, the external review, similarly criticized the fact that “no initial framework agreement was established between UN agencies or INGOs working with local NGOs or

local institutions to ensure East Timorese participation.” As a partial explanation for this problem, the report states that the international community had difficulty identifying legitimate representatives of civil society: Xanana Gusmão and Bishop Belo, for example, were not present during the initial phase of the humanitarian response. Furthermore, the Catholic Church is divided into two dioceses.

How the existence of two Catholic dioceses would serve to inhibit East Timorese participation, however, is not at all clear. And while Xanana and Bishop Belo might not have been in the territory, they were certainly contactable. Certainly, the chaotic situation in the aftermath of September’s violence made effective international-East Timorese collaboration difficult. And the perceived need to deliver aid quickly to avoid disaster would limit opportunities for the time- and labor-intensive process of establishing cooperative links.

At the same time, however, it would seem that the United Nations and many, but certainly not all, international NGOs did not have sufficient knowledge of East Timorese society to know with whom to work, and, perhaps more importantly, simply did not make effective E. Timorese participation a priority. (And, arguably, as a result, the ultimate effectiveness of aid delivery suffered.) For such reasons, the report criticizes UNTAET and the international community for their slowness at establishing multi-lingual work environments to facilitate the inclusion of E. Timorese in employment opportunities. The assessment seeks to remedy such problems by calling for an “overwhelming commitment” by the humanitarian community and UNTAET to include East Timorese

in the decision making process, to facilitate their recruitment [for employment at all levels], [and to] provide adequate training and skills as well as appropriate language courses.”

As East Timor transitions from an emergency relief phase to one of development, the external review suggests that UNTAET is ill-prepared. Neither the Humanitarian Assistance and Emergency Relief nor the Government and Political Administration “pillars” of UNTAET, the report states, “have assumed responsibility over an overall transition plan from relief to development.” Similarly, the assessment contends that most UN agencies have no exit or transition strategy.

As a whole, the East Timor Consolidated Appeal Process Review is a valuable document as an overview and evaluation of humanitarian relief. Again, the report highlights the overall success of the humanitarian relief effort, while containing criticisms aimed at the shortcomings of the international endeavor. In this respect, it also serves as a source of ideas to improve the activities of the international community in East Timor and beyond as they relate to relief and development. Now having done the report, however, the question arises as to how UNTAET, the UN agencies, and the international aid agencies will respond to the concerns and criticisms contained within—especially those relating to the lack of sufficient East Timorese participation. More narrowly, how will UNTAET help ensure that the problems identified will not re-occur, and how will it facilitate a transition by the international community in East Timor from humanitarian aid to development?

A final note:

The Phase 2 portion of the report contends that “militia supported by the Indonesian Military destroyed all social structures, people’s livelihoods and the economy.” While it may seem like a minor point, it is incorrect to place the blame, first and foremost, on the militia. The militia, after all, were a creation of the Indonesian military. They could not have operated as they did without not only the support of the Indonesian military (TNI), but also with their direction. There is ample evidence to document that the militia were a mere extension of the TNI. Many of the militia members, in fact, were TNI members who simply changed their clothes when working as “militia.” Furthermore, numerous eyewitness accounts confirm that uniformed Indonesian soldiers directly participated in much of the horrific violence and destruction carried out in September 1999 and, to the extent that East Timorese militia participated, it was with the direction and logistical support of the TNI. After all, how could a band of ill-equipped, poorly-trained militia with little political support carry out a systematic campaign of terror and destruction such as that that took place in September? The fact is that they could not have done so.

The primary responsibility for the horrors of September lie with the Indonesian military. This is not merely an academic point. It has important implications for the processes of justice and reconciliation, as well as for the physical reconstruction of the country.

Note: Copies of the CAP assessment review are available from the OCHA office in Dili. □

The Isolation of Oecusse: Local NGOs Pressure UNTAET

Ever since the Indonesian military and its militia destroyed Timor Lorosa'e last September, the people of Oecusse have been unable to realize their right to freedom of movement. The isolation of the enclave's people has been largely due to the lack of transportation available to connect them with the rest of East Timor. Since September 1999 the border between Oecusse and West Timor (Indonesia) has been closed to the local inhabitants. And thus far the international community has failed to provide any sort of sea ferry between the enclave and the rest of East Timor. The resulting social, economical and developmental isolation means that the vast majority of the people of Oecusse are unable to obtain their basic needs, establish vital business links, receive news from outside or contact their family in the rest of Timor Lorosa'e.

A group of local NGOs which have monitored and analyzed the conditions of the Oecusse people over the last six months have now taken up the issue. 'Team 7', as the collective is known, was born during a meeting of the local NGO Forum at the beginning of June. Since then, the coalition has helped to communicate the concerns of Oecusse's inhabitants—such as the need for the people of Oecusse to have a transport link to the rest of the territory—to the leaders of the transitional government.

The transportation problem has also been a deep concern of the various leaders who have made the trip to the enclave. The Transitional Administrator, Sergio de Mello was the first to visit in January, promising to provide the people with a transport link. When Xanana Gusmão visited the enclave on 2 March, the people reiterated their concerns to the CNRT President. The next month, on 24 April, Antonio Guterres, the Prime Minister of Portugal, made the trip out west and also promised to help with the transport needs of the people.

With these promises in mind, Team 7 members went to the office of the Transitional Administrator's deputy, Jean Christian Cady. Cady expressed his concern for the people of Oecusse, as well as those of Atauro who were suffering from a similar problem of isolation. Cady stated to the team that he hoped that UNTAET would be able to find a donor for the ferry at the Lisbon donors conference. He also reported that UNTAET had already proposed to the Indonesian authorities the opening of a land corridor between the enclave and the rest of East Timor, but the two sides had not yet reached an agreement on the matter.

The week after Lisbon, 'Team 7' members returned to Cady's office to find out the results of the donors meeting. Cady's assistant, Bijay Menon, told team members that a Portuguese donor had offered some help with the transport, but that he did not yet have any detailed information. When questioned about the possibility of using PKF boats, Menon stated that the vessels, which transport cargo to Oecusse, were not available for public use, but UNTAET would keep

trying to address the transport problem. He told team members to come back on 18 July, as he would then have a clearer picture of the situation.

Indeed, a few days after the meeting with Menon, during the third and final round of talks with the Indonesian government in Surabaya, UNTAET tried to resolve the ongoing Oecusse transport problem. UNTAET's representative at the talks, Peter Galbraith, reported that Indonesia had proposed that a privately-owned ferry operate between the two regions. UNTAET, for its part, proposed that a military-escorted bus service should start as an interim measure, and that it was prepared to consider the Indonesian-proposed ferry. There was no concrete outcome of the talks, other than to agree to investigate these options further, and to hold another round of discussions—but not until September.

In the opinion of a local NGO worker from Oecusse, "It does not matter where the ferry comes from as long as there is a Memorandum of Understanding between UNTAET and the business running the ferry, which guarantees the safety of the people during their journey. We only hope that UNTAET can come to an agreement as soon as possible and the transport can start to move." In the meantime the people of Oecusse continue to wait for a solution. □

In Brief (continued from page 3)

- 2) the establishment of an independent commission in the United States to investigate the nature and extent of U.S. complicity with Indonesia's crimes in East Timor;
- 3) an official U.S. apology;
- 4) U.S. reparations to the people of East Timor;
- 5) active U.S. support for an international tribunal to investigate and prosecute war crimes and crimes against humanity committed in East Timor from 1975-1999.

According to the Associated Press, a U.S. diplomat present, W. Gary Gray, responded to the demonstration by stating that "It's better to concentrate on the future than rehash the past."

On July 15, FALINTIL sources reported to *La'o Hamutuk* that they have received US\$50,000 from UNTAET--the first of two payments in interim humanitarian aid. *LH* applauds the NCC and Sergio de Mello for approval of the assistance, and UNTAET for its prompt delivery. At the same time, it reiterates its call for the international community to devise creative solutions (and quickly) to integrate FALINTIL into the reconstruction and security of the country (see *LH Bulletin*, Vol. 1, 1). □

International Funding to East Timor: *Charity?*

At the recently-concluded meeting in Lisbon of international donors to East Timor, UNTAET asked for an additional US\$16 million to fund the East Timorese administration of the evolving civil service. Fortunately, a general commitment to provide the funds was forthcoming from the donor community.

Prior to the meeting's conclusion, Peter Galbraith, chief of UNTAET's Office of Political, Constitutional and Electoral Affairs, explained that donors were "prepared to be generous over the short term." But, he continued, they did not want East Timor "to be a permanent charity case, a place where they will have to be provided aid indefinitely just to sustain the basic functions of government." Donors wanted to be sure that East Timor plans to raise sufficient revenues and to adhere to a strict budget, and hopefully be "charity"-free by 2003 or 2004.

La' o Hamutuk calls upon UNTAET officials to refrain from referring to funds donated to East Timor as "charity"—especially when the vast majority of these funds come from national governments which provided significant economic, military, and diplomatic support to Jakarta and its illegal occupation of East Timor. Rather than seeing these funds as "charity", we should see them largely as a modest beginning at amends from governments who share in the responsibility for the suffering of the East Timorese and the destruction of the country—not only in September 1999, but in the almost-24-year period that preceded it.

East Timor will need substantial funding from outside the territory for the foreseeable future to be able to rebuild successfully, and to lay the foundations of a society in which the basic needs of all of East Timor's citizens are met. In this regard, the role of the international community, and UNTAET more specifically, should not be to advocate merely for a level of development that an impoverished East Timor can afford.

UNTAET and various elements of the international community, for example, frequently argue that East Timor will only be able to support a very limited public sector and, for this reason, UNTAET is constructing a rather modest infrastructure for government services. As an Australian official in Dili stated recently (as reported in *The Australian*), East Timor cannot afford anything more ambitious. "UNTAET knows it can only establish the basic services that East Timor is then able

to maintain," said the official. "This is going to be a very poor country for a very long time and we cannot build what the East Timorese cannot then afford to run."

If, indeed, is going to be "a very poor country for a very long time," it is incumbent on us to ask why. If we ask such a question and honestly strive to find the answer, we will realize that this situation is not of the East Timorese people's making. Indonesia, and its supporters in the "international community" made it impossible for East Timor to develop, effectively laying the foundation for what economists predict will be a country of very modest economic means. Given that the responsibility for East Timor's current plight is collective, the responsibility for ensuring that the East Timor people can realize a level of development East Timor in conformity with international human rights standards must also be collective. This is *not* charity; it is justice. □

What is La' o Hamutuk?

La' o Hamutuk is a joint East Timorese-international organization that seeks to monitor, to analyze, and to report on the activities of the principal international institutions present in Timor Loro Sa'e as they relate to the physical and social reconstruction of the country. *La' o Hamutuk* believes that the people of East Timor must be the ultimate decision-makers in the reconstruction process and that the process should be as democratic and transparent as possible. *La' o Hamutuk* is a non-partisan organization that seeks to facilitate greater levels of effective East Timorese participation in the reconstruction and development of the country. In addition, *La' o Hamutuk* works to improve communication between international institutions and organizations and the various sectors of East Timorese society. Finally, *La' o Hamutuk* serves as a resource center, providing literature on development models, experiences, and practices, as well as facilitating contacts between East Timorese groups, and specialists and practitioners involved in matters relating to development in various parts of the world.

In the spirit of promoting greater levels of transparency, La' o Hamutuk invites individuals to contact us if they have documents and/or information relating to the reconstruction that may be of interest to the East Timorese people, and members of the international community. □