

# Documents on East Timor from PeaceNet and Connected Computer Networks

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## **XANANA IN PRISON**

### **ABOUT THE TRIAL: TIMORESE UNAWARE**

*Publico; 21 May 1993, Lisbon*

People living in Dili, whom the Portuguese reporters had met in the streets of the Timorese capital, were unaware that today was the day the sentence was to be passed on Xanana. The most surprising case was reported by the LUSA Agency envoy who yesterday heard the former guerrilla leader's own father say that he did not know "that the sentence was now." Parents, sister Armandina, and brother-in-law Gilman (the two latter arrested straight after Xanana, but now released) were only allowed to be with Xanana once - on Easter Sunday. They had lunch together - in the company of a series of military personnel, "some of them with their wives." "They never allowed us to be alone, not even for a moment," complained Xanana's father, Manuel Gusmão. And he added a curious detail: only Xanana and his relatives appeared in the filmed footage of the lunch, later transmitted on television, "as though it had been a real Easter family lunch."

### **XG'S FAMILY DENIES APPEAL**

*Publico 26 May 1993. Translated.*

(Lisbon) Xanana Gusmão's relatives told the office of the Maubere Resistance National Council (CNRM) abroad that they had not made any statement regarding the possibility of appealing to President Suharto of Indonesia to reduce the life imprisonment sentence, passed on Friday by the Dili court. The same sources referred to the fact that Xanana had not only refused to accept the court's jurisdiction and rejected Indonesian citizenship twice, but had also introduced himself as Falintil Commander, who had fought against Indonesian occupation of the territory. For these reasons, "to ask for clemency does not make any sense," they said.

### **XANANA'S FAMILY REJECTS APPEAL**

*The Age 7 June 1993 By Reuter*

Jailed East Timor rebel leader Xanana Gusmão's overseas spokesman rejected

today a court appeal for clemency filed by his Indonesian lawyer. Xanana was jailed for life last month after a three-and-a-half-month trial that was a focus of international concern. His lawyer Sudjono ask an East Timor court last week for clemency. But Jose Ramos Horta, a spokesman for Timorese refugee groups, said Sudjono had misrepresented his client's wishes. Mr. Ramos Horta said Xanana's family had clearly stated there would be no appeal for clemency and Sudjono had never been instructed to make one.

### **UNFAIR POLITICAL TRIAL OF XANANA GUSMÃO**

*From Amnesty International, July 1993*

AI INDEX: ASA 21/05/93

*Full text*

Xanana Gusmão, the East Timorese resistance leader, was sentenced to life-imprisonment on 21 May 1993 after a blatantly unfair political trial. The District Court of Dili found him guilty of rebellion and illegal possession of firearms. Amnesty International deplored the outcome but said it came as no surprise since a guilty verdict is a foregone conclusion in political trials in Indonesia and East Timor.

In view of the fact that Indonesia's sovereignty over East Timor has not been recognized by the United Nations, the competence of Indonesian courts to try Xanana Gusmão, and other East Timorese, is open to question. It is especially doubtful whether an East Timorese can legitimately be charged with rebellion against the Government of Indonesia which occupies the territory illegally. Nevertheless, Amnesty International believes that, when such trials do take place, every effort must be made to ensure that they comply fully with international standards of fairness.

Following strong international criticism of its appalling human rights record in East Timor, the Indonesian Government made an unusual effort to make Xanana Gusmão's trial appear both open and fair. Selected foreign journalists, diplomats and some international human rights organizations - not including Amnesty International - were permitted to attend as observers. However, like all political trials in East Timor and Indonesia, this one failed to meet international standards of fairness, or even to comply with Indonesia's own Code of Criminal Procedure.

Even before proceedings began on 1 February, practices highly prejudicial to a fair trial were already evident. After his capture on 20 November 1992, Xanana Gusmão was held in secret military custody for 17 days before the International Committee of the Red Cross (ICRC) representatives were permitted to see him. Apart from being unlawful, this prolonged period of incommunicado detention gave rise to fears that he may have been psychologically or physically ill-treated. Such fears were heightened by the fact that, in violation of both domestic and international standards, he was denied access to a lawyer while under interrogation. There were also doubts about whether he had been free to appoint legal counsel of his choice as required by Indonesian law.

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UNITED KINGDOM*

Lawyers from the Indonesian Legal Aid Institute (LBH) were not permitted to visit him, despite having been given power of attorney by his relatives. A defence lawyer was finally appointed on 26 January 1993 just six days before the trial began. The trial itself was also marked by the violation of basic international and domestic standards. Prosecution witnesses, many of whom were themselves political detainees, appear to have been subjected to undue pressure from military authorities, making their testimony unreliable. Some who refused to comply were reportedly subjected to intimidation and sanctions. One witness, Saturnino da Costa Belo, who unexpectedly shouted "Long Live East Timor!" was removed from the court-room, placed in an isolation cell and declared unfit to testify. Fear of official reprisals also ensured that few witnesses could be found to testify for the defence. In some respects, the defence case also appeared to have been inadequately prepared. A further problem was that neither Xanana Gusmão nor many of the witnesses were fluent in Indonesian, the language used in the court, while translation services provided were neither complete nor accurate. Perhaps the most blatant contravention of fair trial standards came in one of the final sessions when Xanana Gusmão was due to read his final defence plea. After he had read two pages of a 29-page statement, the presiding judge ordered him to stop, claiming that his remarks were "irrelevant." Government

officials have since repeated the judge's claim that Xanana Gusmão's remarks were "irrelevant." In fact, the statement addressed highly sensitive political issues, such as the question of Indonesia's sovereignty over East Timor. It appears likely that his statement was suppressed in order to prevent Xanana Gusmão from raising publicly such critical issues.

In addition to these procedural concerns, Amnesty International believes that the general political atmosphere within which the trial took place - one of undisguised official hostility to the defendant, and repeated interference in the judicial proceedings by military and executive authorities - made a fair trial virtually impossible.

Since his arrest the organization has been, and remains, seriously concerned for Xanana Gusmão's health and safety. In his suppressed defence statement, Xanana Gusmão stated his intention to go on hunger strike, and there are fears that he may be in poor health as a result of carrying out his intention. There have also been disturbing reports that he has been beaten in recent weeks. The Indonesian Government has issued assurances that he is in good health and is not on hunger strike, but it has not been possible to verify this since neither his family nor the International Committee of the Red Cross (ICRC) have been permitted to visit him since he was taken out of court on 21 May 1993. Amnesty International urges that the ICRC and relatives be given immediate - and thereafter frequent and regular - access to him in detention.

The trial of Xanana Gusmão has justly attracted widespread international attention, but it is hardly unique. With this verdict, Xanana Gusmão joins thousands of political prisoners sentenced in blatantly unfair trials in East Timor and Indonesia since the New Order government of President Suharto came to power in the mid-1960s. Virtually unnoticed by the international community, similar political trials also continue today in the province of Aceh, where government forces have conducted a brutal counter-insurgency campaign since 1989. And despite government claims that the human rights situation in East Timor has improved in the past year, serious violations continue to occur while past violations remain unresolved. Scores of East Timorese arrested for their non-violent pro-independence activities in the past two years remain in custody, some of them not yet charged, others serving sentences up to life imprisonment. Meanwhile, the fate of more than 200 people who "disappeared" after the Santa Cruz Massacre in November 1991 remains unresolved.

## APPENDIX I

### DEFENCE STATEMENT OF XANANA GUSMÃO

May 1993

*Comment: Although a hasty translation of excerpts from Xanana's statement was published in East Timor Documents #22 and in many newspapers, this is a more complete version.*

I wish firstly to take this opportunity to express myself with complete freedom - without, that is, coercion of any kind.

To all those who have approached me on the question of my statements, including the Indonesian ambassador to the UNO [United Nations Organization], Mr. Nugroho, I have always affirmed that the circumstances under which my earlier statements in Jakarta were made were such that they could not be viewed as credible. This is the moment to make this clear. I hope that Indonesian intellectuals will understand my frame of mind as I enjoy this moment of freedom of expression, resulting from the rights I have, or have acquired.

It is my hope that the new generation in Indonesia, or rather, the youth of Indonesia, will appreciate the significance of law and of liberty, two fundamental components of human life today and of the society in which we live.

Finally I hope the international community will accept the validity of my declarations, bearing in mind the time and situation in which they were made.

Once again, your honour, I thank you for allowing me to speak in my own defence.

#### Competence and Jurisdiction

I am Kay Rala Xanana Gusmão, leader of the Maubere Resistance against the shameful and cowardly invasion of 7 December 1975 and the criminal and illegal occupation of East Timor for the last 17 years. On 22 December last year, in Denpasar, I signed a document in which I stated that in the eyes of international law I am still, like all Timorese, a Portuguese citizen and, in my own eyes, a citizen of East Timor. It is in these terms that I reject the competence of any Indonesian court to try me, and even less a court set up by criminal force of arms in my country, East Timor.

I believe that according to the theory of colonialism, this is a form of rule enforced by others through the occupation of their land and the imposition of force. Colonial rule is the imposition of the will and the laws of the dominating force and consequently... [original illegible]. The anti-colonial struggles and the expansionism of the former Soviet Union following the attempts by Hitler and the Japanese to domi-

nate the world formed the basis of what we now know as the United Nations Organization.

I believe that the Charter of the United Nations in its essence epitomizes the theories which have arisen from the experience of peoples from all corners of the earth and the most different... [original illegible]. The principles enshrined in the Charter of the United Nations provide the necessary and the best reference point for the theories of people's liberation and the formation of nations. Today, with the advance of humankind, there is no part of the world that does not subscribe to these universal principles and standards of international law [original illegible]. The a priori reasoning of conservative theories which justified colonialism in terms of the advantages bestowed by civilization crumbled as peoples became aware of their own identity.

If national laws arose from the need to regulate the way of life between individuals in a given society, international law arose from the need to harmonize cooperation between peoples and nations. I believe that the laws of Indonesia, not being exclusively or explicitly based on traditional Indonesian law, apply to the standards of contractual law. It is thus necessary to mention that, as a member of the UN, Indonesia pledged itself before the international community to respect and contribute to respect for international law and to respect and contribute to [...original illegible].

I believe that this massive amount of political stage-managing will not go unheeded by the international press. But in case it does, let me bring to the attention of all the fact that I am a foreigner in my own land. In the POLWIL prison I'm surrounded exclusively by Indonesians. The BAIS officers and KOPASSUS men are my guards. I requested a visit from the Bishop and they entrusted me to an Indian priest who is a supporter of integration. In the rooms of this building, which they call a court, I see only Indonesians, or rather Indonesian soldiers from KOPASSUS or BAIS. In Indonesian law trials of this kind are, or should be, held in public. But when I come into the room the only public I see are the military authorities, some of who were the very instigators of this trial. My compatriots, the Timorese, are out in the street under strict surveillance. This is the flagrant rule of an occupying force, in all its colonial insolence.

#### East Timor, The History of a Trial

The case of East Timor is the responsibility of the international community, a question of international law. It is a case which puts universal principles at stake, a case in which the UN provisions on decolonisation have been manipulated, a case in



which Indonesia has flaunted its disrespect for the resolutions of the UN and which therefore constitutes a flagrant violation by Indonesia of the principles of the Non-Aligned Movement and of the universal norms of law, peace and justice.

Every Indonesian is bound to their nation and with their government's policy and any view they may have of the situation of East Timor is a product of their government's view, unless they listen to their own conscience and commit themselves to the universal standards of justice, liberty and law. For 17 years the history of East Timor, the other side of the coin, has been that of a great Indonesian farce. For almost four months now I have been used as a chess piece in this shameful farce - with what intelligence or success is not for me to say. This court claims to be trying me for crimes committed against the Indonesian state and illegal possessions of arms. I know everything has been arranged for me to be acquitted ...[original illegible].

Those who should be standing before the international court are:

Firstly, the Indonesian Government for 17 years of crimes committed in East Timor.

Secondly, the United States administrations which gave the green light to the invasion on 7 December 1975 and have granted military aid to and political support for the genocide carried out by Indonesia in East Timor.

[Original illegible]... Australia and Western Europe for their policy of complicity with Indonesia.

Finally, the Portuguese Government for their seriously irresponsible handling of the decolonization of East Timor.

The UN recognises as legitimate all means of opposition to colonial regimes in any part of the world where a people's liberation struggle is being fought. My struggle and the resistance of my people and of Falintil is to be seen in this context, standing above Indonesian law.

Although in his demurrer Mr. Sudjono tried to adopt a more liberal stance in questioning the 'Declaration of Balibo,' he did not deal with the fundamental problem: the illegal nature of the annexation, through force, of East Timor.

The key argument of this court is the so-called 'integration process of East Timor...' [Original illegible]...that the declaration of the four parties, excluding Fretilin, is an acceptable representation of the genuine aspirations of the People of the former Portuguese colony?

The honourable prosecutor's records show that on 30 November 1975 the UDT, Apodeti, Kota and Trabalhista parties signed the declaration on the integration of East Timor with Indonesia. The same re-

cords affirm that: 'It is up to the people of East Timor to determine their own future.' How exactly does the honourable prosecutor imagine they will 'determine their own future,' or in our words, 'determine their own destiny'? He will give the inevitable reply that he envisages this happening through a process carried out under conditions that would make it credible. Credible, I repeat, to whom? When it's a question of a process carried out by a people for 'determining their own future'?... [Original illegible].

The question of East Timor is not to be seen within the context of Indonesian law but in the context of international law, which stands above Indonesian laws. In attempting to minimize such an idea this court arrogantly states, and I quote: 'and to make matters worse, Fretilin dared to impose its will on the People, making a Declaration of Independence on 28 November.' I should remind the court that the RDTL has been recognized by around 20 countries and would have been recognized by more had it not been for the economic interests which linked the United States, Australia, Japan, etc. to Jakarta.

The prosecutor continues with another quotation from the records: 'this unilaterally adopted position was not in conformity with the wishes of the People. The authentic will of the majority of the People was carried out on 30 November 1975 in a process... [original illegible]. The UDI which took part in that process have since shown up at the UN and at other international gatherings the farcical nature of such statements.

May I remind you that, in Denpasar, I was forced to make statements apologising to the TNI for the massacre of Santa Cruz, which was carried out by the TNI, not by me. May I also remind you that in Jakarta I stated, in conformity with the specific instructions of Abilio Osorio, the puppet governor of East Timor, that I was prepared to surrender.

Would it have been credible to establish a provisional government in the new province of Kuwait? Kuwait, which has deeper and more direct ethnic, historical and religious ties with Iraq than any between the population of East Timor and some islands of the NTT that can be recalled from a stone age past? And if it was not credible to establish a provisional government in Kuwait, to whom was it credible? Would it have been credible in terms of the universal principles of self-determination, in terms of international law? [Original illegible]... Incidentally, I remember that Saddam Hussein reminded the international community that there was already a precedent for disregarding univer-

sal principles and violating international law by making specific reference to East Timor.

What value does Indonesia give to the resolutions of the Security Council and the General Assembly of the UN? A purely political one, or does it see them in the kind of authoritative legal context that allowed for Operation Desert Shield? What value does Indonesia give to the efforts of the UN and international community in solving the conflict in the former Yugoslavia? What value does Indonesia give to its own contribution to peacekeeping in Cambodia?

The 'legal context' invoked by the prosecutor has... [original illegible]. What political consideration and what legal concept underlie this presumptuous statement? This court's only reply can be that it is based on the fact that four of the parties are supposed to have signed the declaration known as the Declaration of Bali Beach. This being the case, and their answer could not be any other, I should like to know this: if Golkar had won the elections with, say, 51 per cent of the votes, would the agreement between the PDI and the PDP automatically represent the will of the majority of the People of Indonesia? Evidently not, and even less in that you gentlemen all belong to Golkar and tell me that the result of the elections was in itself both a political and a legal [fact] which denies the possibility that the PDI and PDP together could represent the majority of the Indonesian People.

...[Original illegible] this court declares: 'Fretilin dared impose its will on the People.' But when the four other parties apparently signed a declaration of integration, the court concludes: 'this was the genuine expression of the wishes of the People of East Timor!' Why then are legislative elections carried out in Indonesia? To express what? If they have never been held for any particular reason, then the 'pemilu' [general election] in Indonesia is a farce. If they have never been held for any particular reason the 'pemilu' in Indonesia has no political meaning and lacks any juridical context in an electoral sense. If the 'pemilu' in Indonesia has only [or always] been to prove that the Government [has] won the general elections Indonesia, assuming thus

...[original illegible].

The Court must surely agree with me that it exaggerated when it said that Fretilin 'dared to impose its will on the People' and that the above-mentioned Declaration of Bali Beach was the genuine expression of the will of the People of East Timor! The statements of this court lack the political element which would have conferred on it the legal validity which all of us demand: that it represents the will and majority of the People. This is a 'sine qua non!'

The UN continues to this very moment to refuse to recognise Indonesian sovereignty over East Timor, a sovereignty won by the use of force, of violence and of systematic violation of the most fundamental human rights.

### The truths of the trial

This Court refers to 17 December 1975 as the day when a provisional government and local assembly were formed. In case the Indonesians have forgotten I feel it my duty to remind them here, in this court, of the tragic day of 7 December of that year when Indonesian paratroopers were launched on Dili with the support of the marines. 7 December 1975 went down in history as the day of the shameful and treacherous invasion by Indonesia, the day on which Indonesian troops indiscriminately massacred the defenceless population of Dili, causing the death of thousands of old people, women and children, and also the death of an Australian journalist. If the Declaration of Balibo was signed with the blood of four Australian journalists, killed by Indonesian troops during the October attack on the village of Balibo, this so-called provisional government was set up on the corpses of the Timorese, massacred between 7 and 17 December of that year. By 17 December the Indonesian troops had still not taken the Aileu/Remexio crossing. Throughout December the invasion advanced on Aileu. By 31 December Maubisse had still not been taken.

A government which was established amidst the sound of shelling, by sea and by land, of a defenceless population - amidst the sound of advancing tanks and canon - can such a government claim to have any legal standing? In my opinion it has the same standing as the advance of the Iraqi troops into Kuwait, the advance of Russian tanks into Kabul and the Vietnamese invasion of Cambodia. A government which has hardly any control over the people in Dili, prevented from advancing into the mountains of their country, did this represent the will of the majority of the People of East Timor?

This court attaches considerable importance to the petition of 31 May 1975. It appears that this appeal was signed by Arnaldo Araujo and Guilherme Gonçalves. On that day more than 80 per cent of the population of East Timor were in the mountains of their country, resisting the attempt by Indonesian troops to take further towns in the interior. The Indonesian strategists anticipated that they would take East Timor in 24 hours, descending to Dili by dawn and lunching in Baucau to spend the night in Tutala, but this was only a tempting dream of the expansionist generals. By that day

Indonesian troops had occupied only a few villages on the main roads, most of them already totally abandoned.... [original illegible].

1. On that day the UN passed two resolutions, one from the General Assembly of the UN, affirming the right of the People of East Timor to self-determination and national independence, and another from the Security Council, condemning the invasion of 7 December 1975 and demanding that the Indonesian invasion forces withdraw immediately and in their entirety.

2. I can publicly confirm the change of mind in both Arnaldo Araujo and Guilherme Gonçalves. I know that Arnaldo Araujo, looking back in the last years of his life, was ashamed about the process of annexation and how repentant he was at having been the docile propaganda instrument of the Indonesians. There are also cases like that of Abel Belo from Baucau, member of the presidium of Apodeti, who was assassinated, poisoned, after being divested of the privileges of integration, because he regretted having played a part in the invasion and occupation of his country and the massacre of his brothers. As for Guilherme Gonçalves, I can also testify to his change of mind because he was one of the... [original illegible].

After these three months of my own experience, I can vouch for the truth of Ximenes Belo's words when, in 1986, I was with him in Fantumana: 'in there we're all totally absorbed,' he said. I could confirm and continue to confirm that this is the truth of Indonesian political life.

But let me return to the process of annexation by force of East Timor. In its verdict the court affirmed that Fretilin was opposed to the referendum and that by this means the People of East Timor would choose integration. However, referring to that petition the court mentions that Arnaldo Araujo and Guilherme Gonçalves asked General Suharto 'to force parliament to quickly accept and bring integration about without a referendum!' Who was it then who didn't want a referendum? Fretilin or Indonesia through the mouthpiece of its puppet government? In the name of what people was such a petition signed? Today the Indonesian government can present to the world an apparent physical, de facto control... [original illegible].

In this court the witness Oscar Lima said that he was in the mountains between December 1975 and 1978. If he had been able to tell the truth he would have said that he would never have surrendered of his own free will but would have told the court about the big strategic operations carried out by the TNI from September 1977 to wipe out the pockets of popular resistance in East

Timor. I know that the Indonesian public is still misinformed on these matters and I will give a brief description of the large-scale military operations unleashed a year after the so-called integration of East Timor with Indonesia... [original illegible] with, it must of course be stressed, the 'voluntary consent of the People!'

From September 1977 Indonesian battalions supported by Bronco OV aircraft and intense sea and air bombardment, surrounded the region which contained the districts of Suai, Boborano and Ainaro, called the Frontere-Sul sector. Thousands of people were killed by gunfire and... [original illegible] indiscriminately killed men, old people, women and children. They also slaughtered many herds of hundreds of cattle, buffalo stock and horses. They set fire to everything in their path; they destroyed everything.

It happened next in the Fronor sector which contained the districts of Ermera and Liquica. The population there got the same treatment. Similar operations were carried out in the Central North sector which comprised the districts of Dili, Aileu and part of Manatuto. Further thousands of victims fell to the TNI before the troops were able to gain control over the population. Then followed the Central South sector comprising the districts from Same to Soibada/Barique. In Jakarta, General [name illegible], the BAIS second-in-command, took pleasure in the thought of their heroism: 'Saya ambil Laclubar, saya ambil Soibada, saya ambil Barique,' etc., etc. Militarily this means: I came, I saw, I conquered. That day, gentlemen, was almost two years after the 'voluntary' integration of the People who were still... [original illegible].

What and how was the de facto control of that puppet government exerted over the population? A population that was dying of hunger and disease through the war imposed by Indonesia? A population that was under attack by Indonesian troops, bombarded from air, land and sea by the TNI? Could it possibly have been this people who suffered in the bush, who saw their homes and possessions destroyed by the Indonesians, against whom they carried out a scorched earth policy, was it really this people who 'of their own free will' requested integration with Indonesia, without a referendum?

Many witnesses present here were prevented from telling the truth. Naturally all the... [original illegible] have to say that they surrendered of their own free will... [original illegible]. If he had been able Oscar Lima would have confirmed that the guerrillas of the Central North sector to whom he belonged killed many soldiers of the invasion forces and seized a lot of weapons... [original illegible] East Timor, which included the

eastern part of the districts of Baucau/Viqueque. There were more TNI attacks, more thousands of victims enabling the puppet government in Dili to say that it had the population under its control. Finally, in October 1978, the TNI began to surround the PL [Ponte Leste] sector which included the whole of the eastern part of Baucau/Viqueque, forcing around 130,000 Timorese to go up and join... [original illegible] Matebian. Three weeks of intensive shelling from sea and air, ceaseless attacks, also from Sky Hawks and Bronco OV- 10s and... [original illegible] won them control of the population.

In the indictment the prosecutor refers to a place called Uada Boro. Uada Boro is one of the areas in Matebian where, after capturing the population, Indonesian troops shot more than 50 men. Dead or dying from hunger, disease, shelling, the population was forced to surrender... [original illegible]. It was this same population which, after capture, continued to die of hunger and disease and, above all, of murder. Thousands and thousands of the citizens of East Timor were slaughtered by the forces of occupation throughout virtually the entire territory. The only politics has been the law of terror, imposed to scare the Timorese into saying that they're happy about integration. The annexation of East Timor has been carried out at the cost of the resistance of the Maubere people. Over tens of thousands of lives have been lost in the war imposed by Indonesia. More than a third of the population of East Timor had to pay for its refusal, its repudiation of the new colonial presence, even more repressive when one thinks with a shudder of the principles of the UNO or the Non-Aligned Movement, of which Indonesia was a co-founder and of which it currently holds the presidency.

In 17 years of military occupation with the big INTEL machine whose... [original illegible] KOPASSUS, searches and... [original illegible] continued, people were tortured with the most savage methods, were "disappeared," and whole massacres; all this is still a part of the policy of repression exerted over my People. Taking place before the eyes of the international community, this is the farce of the integration process which the government continues to justify, and this is the practice of terror carried out by the Indonesian occupation forces in East Timor.

### **The Untruths of Indonesian Propaganda**

I have heard a lot about the backwardness of Portuguese colonialism, as if I had not experienced it myself. They claim to show me the development of East Timor as if this were a matter of statistics that could be compared with the Portuguese colonial pe-

riod. I wonder if colonialism can be classified as good or bad... [original illegible] claims to be developing the territory which it occupies while at the same time it condemns those who did not do what they have done, in other words, Portugal. But just because for 400 years Portugal failed to develop East Timor, does it mean that we Timorese must pay for the mistakes of one era of colonialism while also paying for the crimes of another?

Today all theories on colonialism or the fundamental reasons for and emergence of new nations must be seen in the light of universal principles and international law, enshrined in the Charter of the United Nations. It is in the light of these principles and of international law that Indonesia's position within the UN must be understood as regards the following instances:

a) as a member of the UN, and through a correct interpretation of the right to self-determination and national independence, Indonesia, with ASEAN, Australia and New Zealand, is jointly responsible for the re-inclusion of New Caledonia on the list of non-autonomous countries, 40 years after that same territory had been removed from the list;

b) as a member of the UN and the Committee on Decolonization, Indonesia has always supported... [original illegible];

c) showing a thorough understanding of universal principles, Indonesia condemned Vietnam's invasion of Cambodia, [the invasion] of Afghanistan by the former Soviet Union and of Kuwait by Iraq;

d) as a member of the UN Indonesia is taking part in the peacemaking process in Cambodia as Jakarta's contribution to the international community and out of respect for the UN Resolutions.

The facts as described by Mr. Sudjono stem from his false reading as an Indonesian citizen who is bound to the policies of his Government. He was, in fact, appointed by the BAIS and therefore by the Indonesian Government. On 22 December last I was given a letter sent to me by the LBH. On 23 December I replied to them, accepting a lawyer. But I was forced to withdraw my acceptance, and on 30 December I had to write a letter to the LBH, rejecting their offer. My first letter, which had been intercepted, was returned to me.

Mr. Sudjono claims that East Timor has always accepted that it is a part of Indonesian territory and he recalls the problem of Western Papua or... [original illegible]. What are the most important questions here? The question of the traditional, ethnic, linguistic and religious and other links or the historical question which creates the colonial link? If it is the former, why should Malaysia not integrate with Indonesia or Indonesia with

Malaysia? Why should the island of Borneo be divided? If it's for the first reason, then why give so much importance to those traditional, ethnic, linguistic and religious links when they talk of East Timor and close their eyes to them when they talk of Irian Jaya in relation to Papua New Guinea?

If it's for the second reason, the historical factor linked to colonialism, which explains the division of the big island into two halves, then this shows contempt pure and simple for the question of the total dissimilarity of bonds, language and customs between the Javanese and the Irian Jayans. I wonder why it is denied that this same historical factor... [original illegible].

Sometimes Jakarta likes to maintain that colonialism's criteria for drawing up frontiers only applies to Africa, not to Asia. This is an absurd argument when we remember that Indonesia itself inherited a territory for this very reason, as a result of colonialism. What do we see now? The island of Borneo is partitioned, the North belonging to Malaysia, the South to Indonesia, and an independent enclave, Brunei, recently becoming independent. In Papua New Guinea the western part is called Irian Jaya and belongs to Indonesia, while the eastern part, Papua New Guinea, is an independent state. If an Irian Jayan believes himself to be of the same family as a Javanese, this has nothing to do with me because I'm no relation of the Irian Jayan, let alone of a Javanese. If there is a theory - Indonesian, of course - that in the NTT there are... [original illegible]. Colonialism is, in brief, the theory of expansionism.

### **Realism and Idealism**

I met Irian Jayan officers who spoke to me of the great Indonesian family and they disgusted me. I met a Sumatran, a BAIS translator who spoke Portuguese and had only praise and thanks for his Javanese brothers and I felt sick. I met Sulawesi officials who harangued me about Indonesian 'standards' and I felt an inner emptiness. 'Realpolitik' began to have a new meaning for me: political realism is political subservience, it is the negation of personal conscience and the death of a people's conscience.

I fully understand what scares, and indeed what used to scare Indonesia: the so-called ideological anachronism and orthodoxy of the ethnic groups which fuel the wars in Yugoslavia and in the republics of the former Soviet Union. It is not theories that prove history, but history which validates true theories and shows up false ones... [original illegible] in Europe today shows the anachronism or orthodoxy of Indonesia's theories, at least insofar as East Timor is concerned. The hecatomb of the

former Soviet Union, the bloody dismemberment of the former Yugoslavia, co-founder of the Movement of Non-Aligned Countries, are highly topical examples of what happens when peoples are suppressed and they made subject to the will of dominating forces; what has happened in these countries provides highly topical evidence that patriotic and nationalistic awareness does not fade with time and cannot be smothered by repression.

I believe that humanity is naturally idealist. I don't know how to define idealism but I basically feel that idealism is a longing for freedom, for law and justice, and consequently that it means the intransigent defence of these standards. ...[Original illegible] because I believe that the formulation of the fundamental rights of humankind and of peoples is a product of that same idealism and the natural and logical reflection of the transcendental human condition. Humanity aspires to a great ideal: the fulfillment of both individuals and peoples within a wide framework of freedom, law, justice and peace.

Political realism is a theory imposed by the mighty, a conceit which subverted and subverts these standards. Political realism is a concept which grants rights only to the powerful and the strong so that they may act in their own interests, preventing the small and the defenceless from being able to defend themselves or from being able to refuse or act in any other way. When people speak of political realism they are implicitly speaking of an inequality of circumstance, an inequality of situation between two parties involved in whatever process. And it is this inequality which means that the small and weak shall appear to be the willing apprentices of political realism.

### **Political Inflexibility and Arrogance of the Indonesian Generals**

The same day as my arrest, in an interview with General Try Sutrisno, I mentioned the question of dialogue with representatives of the people of East Timor. Of the 20 generals who were there, congratulating themselves on the imminence of their easy victory, one of them, in a fury, demanded: 'Rakyat mana [people where]?' When I answered: 'Let's have a referendum,' the Indonesian generals were obliged to swallow their arrogance. The next day, 21 November, when I was already in Denpasar, the wife of the local panglima [military commander], surprised by the extent of the support I had, exclaimed, 'Well, I don't know, he seems to have a lot of support!' A high-ranking official replied, 'Perhaps it's support from outside.'

During my interrogation by the BAIS in Jakarta I became aware of the following:

1. The war in East Timor is essentially a matter for the BAIS, not a political issue for the government in Jakarta, as might have been supposed;

2. ...[Original illegible] or whether as a result of their operations against Falintil or the quantity of victims that were caused by the dismantling of the clandestine resistance movement, the BAIS themselves said it was well aware of the organisational amplitude and political capacity of resistance of the Maubere people that I represent;

3. The BAIS is a powerful Indonesian political police machine, whose sinister tentacles are the KOPASSUS;

4. The Indonesian military no longer accepts any policies other than those represented by 7 December 1975.

In my case both the BAIS and the Indonesian Government decided to take the least possible risks by manipulating the whole process of my trial. In order to be here in the court today and to speak as I am speaking I too had to take the risks necessary to my struggle. I always said to everyone, 'They're speaking to Xanana, not to his anggota [supporters].' ...[original illegible].

My own situation, in which all my movements were strictly controlled, reminded me of the stringent measures which, following the cowardly massacre of Santa Cruz, were applied to the population of Dili and especially to the heroic youth of East Timor. In the POLWIL, where they try to flatter me with exaggerated attentions, the words inscribed on the prison walls by the prisoners who are my companions remind me constantly of the suffering of many of my compatriots, victims of all kinds of torture, and also serve as a constant reminder of that unforgettable day of 12 November 1991.

The peaceful demonstration of 12 November, what purpose did it serve? To remind Jakarta and remind the world of the necessity of dialogue, to remind the world that there's a lot that is wrong in East Timor. Without pity or mercy they massacred more than a hundred young people who were protesting against the illegal annexation of East Timor by force of arms and protesting against the regime of terror, the policy of intimidation and persecution that has been pursued since September 1991 by the Indonesian military who pride themselves on having brutally suffocated a rebellion in this way.

This court pronounced judgment on the victims; in the POLWIL the prisoners were brutally maltreated. It suffices to look at the witnesses present in the court today and that they are prisoners. They are extremely thin.

Perhaps those responsible for the massacre should answer for their crime before this

Court? What procedure, what values in law allow the Court to close its eyes on the horrible crime of 12 November? What moral values, what standards of justice does the Indonesian government possess that it can make heroes of the criminals and pass judgment on their victims? ...[Original illegible].

Mr. Pieter Kooijmans was the UN rapporteur sent with the agreement of Jakarta to East Timor to investigate 'in loco' violations of human rights in the territory, violations which had always been denied by Indonesia at the UN. During his mission of investigation a massacre was perpetrated in cold blood. The bodies of the victims were dragged like sandbags into vehicles. In the military hospital where the victims were taken, more young people were killed than remained alive. To this very day the bodies are disappeared, or rather they were thrown into mass graves. Where, only the authorities of the occupation know. Many of the murderers are here in this room, men from the KOPASSUS, men from INTEL, the men of terror, the men on whom the whole political life of East Timor, apart from all Indonesia, depend!

After the crime East Timor was again shut to the world and INTEL's activities intensified. The witness Martinho Serrandon... [original illegible]. Of what or who are the military authorities of the occupation afraid? Are they afraid of a population which you, gentlemen, maintain are satisfied with integration? Who is it that you want to terrorize?

### **Prospects of a solution**

As in the UN, Jakarta cannot avoid the fact that Portugal is an interested party to a solution of the problem. Jakarta must never forget that the idea, the goal for which the Maubere people have struggled and resisted to this day is imperishable. Men die but the seed of the idea lives on, like all ideals consecrated by the hardships borne, the sacrifices made... [original illegible]. This is the heart of the matter. If the Indonesian government does not know it the BAIS knows it very well. The witness Saturnino da Costa Belo is a crystal clear example of the heroism of this people. The farce of the hastily drafted medical document stating that Saturnino was ill should make you gentlemen ashamed because you know full well that the question resides here with you... [original illegible]. This whole business of my trial is a matter for the BAIS, whose officers fill this place, watching everything and everyone.

Jakarta has much to be ashamed of with regard to its criminal practices in East Timor, much to admit it lost in East Timor. The Indonesian generals should be made to realise that they were defeated in East

Timor. Here and now, as Commander of Falintil, the most glorious Armed Forces of National Liberation of East Timor, I acknowledge military defeat on the ground. I am not ashamed to say it; on the contrary, I am proud of the fact that a small guerrilla army was able to resist a big nation like Indonesia, a regional power which treacherously invaded and sought to subjugate us through terror and crime, through the rule of violence, persecution, prison, torture and assassination.

The moment has come for Jakarta to recognise its political defeat on the ground. I don't know if it is to impress me that they station armed tentaras [soldiers] on the route between POLWIL and the court. I am certain that this is not the case because... [original illegible] the real will, genuine aspiration of the people.

It is a historical necessity to break with the present state of affairs. If this is not done today the future will be witness to irreversible change. What is irreversible is not what is imposed on us at present, whether in the short or the long term. What is irreversible is the way in which history rectifies the mistakes of the ambitious, the crimes of dictators, the atrocities of colonial regimes.

The mass slaughter in the empire of the former Soviet Union demonstrated that policies that triumph through force of arms do not withstand time. The great wheel of history has confirmed, confirms now and will confirm the truth of this observation. The wheel of history crushed European colonialism and did not allow for new forms of dominion over the [European] peoples. The wheel of history crushed oppressive regimes and expansionist states. Owing to this fact humankind can now pronounce the slogan... [original illegible] notion of liberty, justice, rights and peace.

On the first day, and the following days, they asked me if I saw myself as an Indonesian, and I always replied that if I said yes, the bapaks wouldn't believe me. At first they laughed, but then they gritted their teeth. The Indonesian generals are not concerned with the spirit or the conscience of a people. They are satisfied immediately when we do as they want. I don't know if this can be attributed to naiveté or to the culture of their military training.

I know that the BAIS made the arrangements necessary to spare me the death penalty and that if I were to praise integration I would be acquitted. I remember that in Jakarta, to make a change from the daily monitoring of all my movements in the prison cell, they took me in handcuffs to the city centre and showed me the gold of Monas, the national monument of Indonesia. I felt like crying to my gaolers that never would I

sell my soul for the gold on the top of the Monas, and still less would I ever sell my people. I cannot betray the hope of my people that one day they will be free and independent. Never could I recognise the criminal annexation of East Timor, just so as to be able to live a few more years of life. My struggle is of greater value than my own life. The People of East Timor have sacrificed their lives and continue to suffer.

I never cease to be aware of the need for dialogue, with the participation of the Timorese. To any who cared to listen I have always said that the Maubere people don't have any appreciation for the word pembangunan [development]. The problem is that it's not free. Freedom is what my people value and it is the aim of their struggle. D. Ximenes Belo expressed this with great clarity when he wrote to the UN Secretary General: 'We are dying as a People and as a Nation.'

The Indonesian ambassador to the UN came to ask me to collaborate. He asked me to be consistent in my declarations. I observed that the Indonesians had completely forgotten the fact that I had been fighting for 17 years and to be consistent I would have to be consistent towards my people, never to their assassins, the invaders of my homeland. The minister Ali Alatas, in a speech he made last January, said that: 'If we don't accept... [original illegible], if Jakarta doesn't accept a referendum it is not because we are afraid to lose it but because many people have already suffered enough!' Then the ambassador to the UN said to me: 'The problem is that dialogue as it is conceived by us (and therefore by Jakarta) has its own parameters. We do not accept a referendum!' In 1983, during the period of the ceasefire, the then Majors [... original illegible] told us straight, 'We don't accept the idea of a referendum because we know that the whole people is with Fretilin!'

Two or three times the BAIS asked me questions such as: 'You were waiting for the Portuguese parliamentary delegation... [original illegible]. In international law, in the Resolutions of the UN, East Timor is still under Portuguese administration. With the new Indonesian ambassador to the UN, Mr. Nugroho, I discussed the question of East Timor in this context... [original illegible].'

I have been getting all sorts of flattering treatment, aimed at making me into a 'docile Indonesian' and as such I had to appear, just as the witnesses brought to this court had to appear that way. I am aware that behind my back the men of the BAIS and KOPASSUS are grinding their teeth in anger. They should be grinding them in shame for their part in the murder of the Maubere people... [original illegible].

Why did Jakarta at the last minute prevent the visit of the parliamentary mission? Who is afraid of a referendum? Why be afraid of a referendum? I'm not afraid of a referendum and if this very day the Maubere people opted for integration I would make a genuine appeal to my companions in the bush to lay down their arms and I would offer my head for a public decapitation. Those who fear a referendum fear the truth! Elections in East Timor were only the continuity of the farce of occupation, intimidation, trials, where the finger of INTEL or KOPASSUS marks the presence of the Golkar.

Why all the military apparatus outside this shameful court; why are armed soldiers posted along the route with their arms at the ready? [Original illegible] ...reason does not come from force. Reason is on my side, the side of my People.

I appeal to the Indonesian people to understand that in conformity with universal principles and international law East Timor should be considered a non-autonomous territory in accordance with the provisions governing the process of decolonization. To understand that East Timor is not the spectre that haunts the minds of the Indonesian generals, the spectre of East Timor as a source of threat, an unstabilizing factor for Indonesia. The tale that East Timor is communist is too old. The problem is not that we want to dismember Indonesia; the problem is that East Timor was never Indonesian in the first place.

From a juridical point of view the annexation by force of East Timor... [original illegible] illegal. Politically so-called integration lacks a... [original illegible] which can prove that the popular verdict is... [original illegible] in complete freedom. Economically it is false to think that East Timor does not have guarantees for its own development. The agreement on the East Timor Gap only showed that Indonesia and Australia were pursuing a policy of plunder, motivated by expansionism on one side and complicity on the other.

East Timor, which is pledged to be a state without weapons, i.e. without an army, will never be so much as even a potential threat to a big and mighty nation like Indonesia, equipped with a military... [original illegible]. East Timor cannot be separated from the large nation of Indonesia because it was never a part of Indonesia. International law does not make exceptions for size nor to other conditions which this... [original illegible] territory possesses. My People rejects the annexation and is opposed to this situation of brutality, control and oppression.

I appeal to the new generation of Indonesians to understand that the People of East

Timor attach much more value to freedom, justice and peace than to the so-called development that has been carried out here with the help of Australia and the United States and with European countries who maintain close economic ties with Jakarta.

I appeal to the international community to consider that the time has arrived for showing that we really are witnessing a new world order. This presupposes actions that will break with situations inherited from the past. I appeal to the European Community to be consistent with their own resolutions regarding East Timor. I appeal to all the friends of East Timor, European, American, Japanese and Australian parliamentarians, to persist in pressing their own governments to abandon the double standards applied to similar cases of blatant violation of UN resolutions, as in the case of East Timor. I appeal to President Bill Clinton to reconsider the problem of East Timor and to press Jakarta to enter into dialogue with the Portuguese and the Timorese in the quest for an internationally acceptable solution. I appeal to the Portuguese Government never to abandon its responsibilities towards East Timor. I appeal to the Secretary-General of the UN to ensure that the solution he seeks for East Timor is based on universal principles and international law. Finally, I appeal to the Government of Indonesia to change its attitude and to accept that the time has come to understand the essence of the struggle in East Timor.

As from today I am starting a hunger strike as a practical way of appealing to the EC and the governments of the United States and Australia. No agreement can be reached between a prisoner and his gaoler... [original illegible]. To the Secretary General of the UN I wish to say that I am ready, at any time and in any place, to take part in the negotiating process. However, I shall never accept to become a part of the Indonesian side because I am not willing to participate in the farce of integration and in the criminal repression of my People.

As a political prisoner in the hands of occupiers of my country it is no consequence to me whatever if I am sentenced to death today by this court. They have killed more than a third of the defenceless population of East Timor; they are killing my people and I am worth no more than the heroic struggle of my People. Small and weak, they have always been subjected to foreign rule.

*Dili, 27 March 1993 [Signed] X. Gusmão,  
Member of the CNRM, Commander of  
FALINTIL*

## ORDER OF FREEDOM FOR XANANA

*Publico, 1 June 1993. By Adelino Gomes  
Translated from Portuguese*

(Lisbon) President of the Republic, Mario Soares, decided to award Xanana Gusmão with the Grand-Cross of the Order of Freedom, the most political and one of the highest medals of honour awarded in Portugal. The decision, which the Presidential Belem Palace had intended to keep secret until the ceremony, was taken on the President's own personal initiative. Using his privilege as Grand Master of Honorary Orders, the President dispensed with the view of Council of said Order.

According to sources close to the President, Mario Soares was impressed by the "great determination and courage" of the former guerrilla leader who, in the isolation of his cell, planned a strategy which outmaneuvered the trial.

The award will be announced at the start of this morning's ceremony, but the medal will be handed over later at the Portuguese Embassy in Sydney, where Xanana's son Eugenio Paulo Baptista lives and works. He was notified yesterday of the President's decision.

The idea of decorating Xanana with one of the highest distinctions had been raised at a meeting of the Socialist Party's leadership at the end of May, and it represents the most that Portugal can do at this time for the prisoner. In political terms, it means that the Portuguese President has "raised the bidding" on Jakarta, sending a "very clear signal" to Suharto that "that gentleman is not to be touched," as a source close to the Presidential palace commented.

The same source added that Xanana has become a kind of Indonesia's Nelson Mandela, and the worst that could happen for Jakarta would be Xanana's death. The source was referring to unconfirmed reports that the prisoner started a hunger strike when the life imprisonment sentence was passed.

### A Rare Distinction

The Order of Freedom was created in 1976 during the 1st Constitutional Government of Mario Soares. It was to distinguish "services rendered in defence of the values of civilization, in favour of mankind, and for the cause of Freedom." It has been awarded particularly to fighters against fascism and to military personnel who helped bring down the previous regime. Among the rare exceptions of foreigners receiving the award are: the King of Spain, President Mitterrand of France, President Vaclav Havel of the then Czechoslovakian Republic, and Patricio

Alwin of Chile. Under Portuguese and international law, however, Jose Alexandre Gusmão, born in the Manatuto region 46 years ago, is still a Portuguese citizen.

This is, in fact, Xanana's own understanding of his legal situation. In spite of the fact that on first February, at the outset of the trial proceedings, the official translator attributed him with the statement (which was in fact inaudible to those present) that he was an Indonesian citizen. At the 17 May hearing, Xanana emphatically rejected Indonesian citizenship.

At the start of his final defence plea, which the judges went on to forbid him from reading, the prisoner revealed that on 22 November 1992 (three days after his capture in Dili) he signed a document in Denpasar (capital of Bali, where he had later been transferred to), affirming that: "In the eyes of international law, and just as all Timorese, I continue to be a Portuguese citizen and, in my very own conscience, I am a citizen of East Timor."

## LBH COMPLAINS TO THE INDONESIAN BAR ASSOCIATION ABOUT SUDJONO

*[Original document, translated from the  
Indonesian]*

On 4 June 1993, the Indonesian Legal Aid Foundation (YLBHI) sent the following letter to Harjono Tjitrosoebono, chair of IKADIN, the Indonesian Bar Association:

Respectfully,

As Directors of the Indonesian Legal Aid Foundation, we herewith convey the following report and complaint in relation to the trial of the accused, Xanana Gusmão at the Dili district court, at which a member of IKADIN, Mr. Sudjono was "appointed" as the defence counsel of the aforesaid accused:

(1) We received on 4 June a photocopy of the defence statement of the accused, Xanana Gusmão, which he read out [sic. only partly] before the Dili district court, East Timor. On pages 4 and 5 of the English translation of the said defence statement, there is the following paragraph:

"The facts described by Mr. Sudjono originate from the misconceptions which he has as an Indonesian citizen who is bound to the policies of the government. By the way, he was appointed by BAIS [Strategic Intelligence Agency] and therefore by the Indonesian government. On December 22, I read a letter that was addressed to me by the LBH (the Legal Aid Institute). On 23 December I replied to that organisation, accepting a lawyer. But I was compelled to renounce it. On 30 of the same month, I had

to write a letter to the LBH refusing their offer. My initial letter which had been intercepted was returned to me.”

The above quote from the defence statement makes it abundantly clear that the accused Xanana Gusmão wanted to be defended by lawyers from the LBH. It is very clear that he did not want to be defended by Mr. Sudjono.

The above quote also clearly shows that Mr. Xanana Gusmão was denied a basic right, namely the right freely to choose his own defence counsel.

(2) If what Mr. Xanana Gusmão said in his defence statement is true, it is absolutely clear that, by accepting appointment by the government and not by the defendant himself, Mr. Sudjono has violated universal principles regarding legal aid, professional independence and the lawyers' code of ethics.

In view of the above, as Directors of the YLBHI, we urge you most strongly to attend to this matter and to initiate investigations into the affair.

We thank you for giving due attention to this matter.

(signed) Abdul Hakim G. Nusantara, SH, LL.M

Luhut M.P. Pangaribuan, SH, LL.M

*From TAPOL: For evidence from Sudjono on how he was appointed, see the 2 June issue of The Jakarta Post which has a 3-column interview with Sudjono about his activities as Xanana Gusmão's defence counsel. Part of the article [original, English] reads as follows:*

*“He (Sudjono) said that when the police approached him late last year to defend Xanana, he considered the offer ‘a golden opportunity for investment’ despite the time, money and energy which would be expended. ‘After the case is over, people will know who Sudjono is,’ he recollected and said it was [Police Colonel] Ahwil Lutan, a detective from the National Police overseeing Xanana who came to him to ask whether he would consider defending the rebel leader. He took the job after assurances that the police would not interfere in the way he handled his client's case, he said”.*

## **HORTA & TAPOL DISBELIEVE CLEMENCY APPEAL**

*Publico, 5 June 1993. Lisbon*

*By Adelino Gomes. Translated from Portuguese. Abridged*

Meanwhile, in Lisbon, the CDDP (Mauere People's Rights Commission) announced that “two Portuguese citizens” were starting a 24-hour hunger strike tomorrow,

Sunday, at midnight, in front of the UN Information Centre, in Lisbon. The initiative follows the gesture made by Professor Jonathan Humphreys, member of a British solidarity with East Timor organisation, who was still on hunger strike yesterday, outside the Indonesian Embassy in London. Publico has learned that similar actions are to follow in other capital cities.

At the same time the CDDP divulged the text of a petition, addressed to UN Secretary General Boutros Ghali, which transcribes part of the defence plea that the court stopped Xanana Gusmão from reading out. In the selected excerpt, the former guerrilla leader appeals for a settlement to the East Timor case to “the new Indonesian generation,” to the international community, to the EC, to European, US, Japanese and Australian parliamentarians, to President Clinton, the Portuguese Government, the UN Secretary General, and to the Indonesian Government, and concludes that “No agreement can be made between prisoner and jailer.”

The petition organisers (the Freedom for Xanana, Freedom for Timor Commission in Portugal, the Free Xanana Commission in Australia, and Tapol in the UK) intend to gather 50,000 signatures just in Portugal, and to deliver the document on 21 June, the day marking one month since the life sentence was passed on Xanana Gusmão.

## **MORE OF SUDJONO'S SCHEMING**

*Jawa Pos 5, 7 and 9 June and Kompas 10 June 1993, Summarised. Original language: Indonesian*

*Comment: These are some of the news reports that appeared in most Indonesian newspapers after Sudjono filed his clemency plea allegedly on Xanana's behalf to the Dili court. They all quote Sudjono at length as saying that Xanana is now ‘very repentant.’*

*Sudjono is clearly intent on squeezing out as much as he can for his career and making a great deal of money out of his services to the regime as Xanana's so-called defence lawyer.*

*Perhaps one of the several lawyers' groups abroad could consider making its own assessment of Sudjono's many professional abuses during his performance as Xanana lawyer.*

## **BOOK ON XANANA IN TWO LANGUAGES**

Sudjono, the lawyer acting for Xanana Gusmão has announced he will publish a book on many aspects of Xanana that have not been revealed, and claims that he has

discussed the idea with Xanana himself. His two legal advisers during the Xanana trial, Lobby Loeqman and Prof. Sahetapy, will assist him in the work.

The book will also appear in English. Sudjono is confident it will sell very well in both languages.

This 400-page book will include press clippings, an account of how Sudjono was chosen to become his defence lawyer, accounts of several of his meetings with Xanana and the misunderstandings that arose.

Sudjono also alleges that Xanana has expressed a preference for serving his sentence in Cipinang Prison, Jakarta or at least somewhere in Java. “I myself will press for him to be moved to Cipinang,” said Sudjono.

According to Kompas, Sudjono said that in order to deny claims that there is any engineering behind the clemency plea, Xanana has written a letter of his own free will in which he says: “With this clemency plea, I admit that I made all those mistakes which led to the court verdict.”

Sudjono also told Jawa Pos (5 June) that he has been invited to Hong Kong by the Timorese lawyer, Dr. Manuel Tilman, to speak there about Xanana. [Can people in Hong Kong comment, please?]

Regarding Xanana's physical appearance, Sudjono says that there is no expression of regret on his face. “His hair and beard have been cut short and he looks tidier than he did when he appear in court on 21 May [the day of the verdict].”

[Note: Governor Abilio Soares strongly objects to Sudjono's plan to publish a book about Xanana. “Why give prominence to someone who has committed crimes? This will only make him more famous abroad than he already is.” - Jawa Pos, 9 June]

## **GUSMÃO'S DILI TRIAL A TRAVESTY- WORLD MUST WEEP FOR A MAN OF VISION AND COURAGE.**

*We transcribe a moving article by Australian former diplomat and human rights defender Jim Dunn, author of Timor, a People Betrayed. The article appeared recently in the Illawarra Mercury.*

— CNRM/NT, June 9

Last week the long trial of Xanana Gusmão, who had led the East Timorese for more than 13 years, came to an end in the provincial capital Dili.

The man who had led the Timorese independence struggle for more than 13 years, against overwhelming odds and with no outside assistance, was sentenced to life imprisonment by a panel of Indonesian

judges. It was a particularly severe sentence, for the death penalty had been ruled out at the beginning of the trial. Its severity has shocked foreign observers but its full import has yet to impact on [Australian] Foreign Affairs Minister Gareth Evans, who, with some indifference, said that the outcome was more or less in keeping with Indonesian law, though there were some procedural shortcomings.

In reality the trial was a farce, for in the dock was the resistance leader in a nation most of the world still regards as having been illegally and unjustly seized. The best our Federal Government could do was a miserable response, and offer to suggest to the Indonesians that President Suharto might consider reducing the sentence. The decision of the Dili court has far wider implications, however. It is not just about whether a rebel leader should be imprisoned or pardoned. It raises the whole question of whether Indonesia's annexation of the former Portuguese colony is acceptable, given the new standards espoused by the United Nations system in the nineties. While the Suharto regime has managed to coerce its ASEAN neighbours and countries like Australia into accepting what is nothing less than a crime against humanity - with its saga of killings, rape and torture - the seizure of the territory is still not recognised by the United Nations, which has a special responsibility for non-self governing territories - or colonies.

If we apply the standards relating to Iraq's seizure of Kuwait the Indonesian court has no right to be in Dili at all, let alone to be sentencing Gusmão to a lifetime in one of its prisons. Moreover, in terms of what has transpired illegally over the past years, especially human rights abuses, it is Indonesian generals, and not Gusmão (whose own wife was assaulted and raped by an Indonesian soldier) who should be on trial. And to turn to the dark side, from this country's point of view, it was the deliberate policies of past Australian Governments that helped prevent the rape of East Timor from being challenged by the international community years ago. In the circumstances our Foreign Minister's diffident response is quite unacceptable.

Gusmão has been an inspiring leader to the Timorese population at large, and not only to the troops he commanded, who managed to elude Indonesian forces for some 17 years. In this farcical trial, the Timorese leader has not gone down without a fight. His final courageous statement to the court will disturb many Indonesian consciences. His words will also inspire many Timorese to maintain their rage at the enormous human cost of their annexation. Despite earlier Indonesian assurances to the contrary it is

now clear that the trial of Gusmão was never intended to be an exercise in justice. It was primarily designed to placate Western concerns. I have a copy of his statement to the court, which was suppressed but somehow was quickly smuggled to the outside world. According to Gusmão he was offered a deal, following meetings with senior Indonesian personalities, including the Indonesian Vice-President, Try Sutrisno, then the Armed Forces Chief, and the Indonesian Ambassador to the UN. If he renounced his support for independence and urged all Timorese to abandon resistance and accept the realities of being part of Indonesia, he would get a light sentence, perhaps no sentence at all. Witnesses were intimidated and the only one who really spoke his mind was briskly removed from the courtroom and sent to a psychiatrist, in the best KGB tradition.

What, then, was in his statement which the Indonesian judges prevented him from reading out? In a way it is an address, or appeal, to an uncaring world, rather than a protest of his innocence. It is an admonition of nations like Australia who have scorned the interests of the people of East Timor. Foremost it is a denunciation of the Indonesian military occupation ... "the display of foreign oppression, foreign domination which flaunts the arrogant contempt of the colonisers."

It declares that Indonesia should be arraigned before an international court "for crimes committed in the past 17 years, along with the US Administration which gave the green light to the invasion...and has since given military aid and political support for Indonesia's genocide in East Timor." Australia and Western Europe should also be in court "for their policy of complicity towards Indonesia," along with Portugal for its irresponsibility in Timor's decolonisation.

It contains some pithy remarks for pragmatists - some of our politicians and diplomats should take note. In relation to Timor, says Gusmão - "the concept of *realpolitik* has acquired a new dimension for me..." Political realism is political subservience, the denial of the conscience of a people."

Gusmão speaks at some length about his experience in prison and the devious attempts to manipulate his trial and his testimony.

Apparently the entire process was managed by Indonesian intelligence agencies, whom he describes as the real murderers of the Maubere (Timorese) people."

In one extraordinary departure, he was taken on a tour of Jakarta's monuments by his captors! Always he was being urged to "cooperate."

Finally, *Gusmão did not appeal for clemency* [emphasis added]. "It is of no

consequence at all if they pass the death sentence..." "They are killing my people who, because they are small and weak, have always been subject to foreign rule."

The real focus of his appeal is the people of Indonesia especially "the new generation" whom he urges to "attach much more value to freedom, to justice and to peace than to development."

But he also urges "the Government of Indonesia to change its attitude" and understand the real nature of the struggle in East Timor.

He also appealed to the international community, and specifically to East Timor's friends in the European Community, in the Clinton Administration, and in Japan and Australia to help save his nation, which, he claims, had lost a third of its population since the invasion.

Gusmão's statement is both moving and courageous. From it one cannot help to conclude that he is a noble representative of the victims, of a people savaged and enslaved in an uncaring world.

The real defendants in the courtroom should be Indonesia, and not the leader of a people who dared to struggle for what the UN has pronounced as "inalienable rights."

And arraigned with Indonesia should be those governments who knew about this terrible crime against humanity, but did nothing to stop it.

As Gusmão left the courtroom he shouted "Long live East Timor!"

With these words ringing in my ears I end this article with a deep hurt welling inside me at this country's cowardice in the face of an injustice to a small neighbour.

Long live Xanana Gusmão!

If the more just world order is ever to be, we need people like you, who have endured suffering and injustice, but still have courage, compassion and vision.

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## XANANA'S HEALTH DECLINING?

*TAPOL report, 9 June 1993*

According to a report from Dili received in Lisbon today, Xanana Gusmão, the jailed East Timorese resistance leader who announced that he would go on hunger strike at the end of his trial last month, is now very weak. He is taking only water and cigarettes.

The source which received this information stresses that every effort is being made to obtain confirmation this report but reiterates that it has proved virtually impossible to obtain any information at all about Xanana since he was dragged away from the court, blindfolded, after being sentenced to life imprisonment on 21 May.



All channels should be used to press governments and the UN to insist with Jakarta that there be immediate access to Xanana for diplomats, a UN representative or other independent observers to ascertain his state of health. The problem of unrestricted access for the International Red Cross to Xanana and all other East Timorese prisoners is also extremely urgent.

### **RAMOS-HORTA TELLS ALATAS: "SHOW XANANA GUSMÃO"**

*Press Release of the Media and Communications Director of the National Council for Maubere Resistance, Sydney*

11 June 1993

Reliable and secure underground sources out of the East Timorese capital Dili have reported that Xanana Gusmão, jailed East Timorese resistance leader and head of CNRM, is being held in a Dili hospital.

The source disclosed that he is being force-fed in order that he does not carry out his wish to go on hunger strike. He was taken to the hospital after he was seen being led blindfolded from the court after his sentencing to life imprisonment on May 21 in Dili. The hunger-strike was detailed in the defence plea statement Xanana wrote. He was never allowed to read it to the court in full.

When asked to comment on Alatas' first official statement given on June 10, when he said that Xanana "was in good health" and that he was "playing basket ball," another source, a former prisoner, said that there are no basket ball courts or exercise facilities in the prisons, only filthy dark cells.

Jose Ramos-Horta, Special Representative for CNRM and appointed by Xanana as his spokesperson said, from the Vienna Conference on Human Rights today:

"I am disturbed by the persistent news of Xanana's health. The ICRC still have not seen him or any East Timorese prisoner and that, coupled with the fact that the ICRC have had to suspend their visits in East Timor is an even greater cause for concern. The international community must call for action! Show Xanana!"

Close observers of East Timor have noted an increasingly deep cleavage between Suharto's government and the power and authority of the military. The question arises especially when ICRC access has not been forthcoming. Suharto has overridden Regional Military Commander Theo Syafei by defending the ICRC's presence in East Timor after Syafei had told ICRC boss Sommaruga that he wanted the Red Cross to leave East Timor.

Ramos-Horta said: "If Xanana Gusmão is 'playing basket-ball' as Mr. Alatas has put it, then I ask him to allow the ICRC, the representatives of the European Community, the United States, Australia and a special representative of the UN Secretary General to see Xanana and hear what he has to say."

Given the macabre circumstances and Stalinistic overtones of Xanana Gusmão's treatment, Indonesia watchers deduce that there is deep trouble within. With constantly occurring human rights atrocities and an \$80 billion external debt, the observers note that the government has engaged the services of Hill and Knowlton to raise their international profile and polish up their image. This prestigious public relations company will cost the Suharto government \$24 million, the equivalent of about one fifth of what they receive in aid money from Australia.

### **ULTIMATE PENALTY - EAST TIMOR LEADER GETS LIFE IMPRISONMENT**

*Far Eastern Economic Review, 3 June 1993,  
By Suhaini Aznam*

(Jakarta) Indonesia's authorities have again opted for stern approach to East Timor's problems. On 21 May a High Court judge in the East Timor capital Dili pronounced a life sentence on Jose Alexandre Gusmão, alias Xanana. Xanana was the leader of the Fretilin guerilla group which has been fighting for East Timor's independence since Indonesia annexed the former Portuguese colony in 1976.

Xanana was found guilty on charges which included leading a separatist rebellion, disrupting national stability, illegal possession of firearms and causing death to villagers in East Timor.

"The reason the punishment is so heavy is that the defendant's actions disturbed stability in East Timor," Judge Hieronymus Godang told the court. In theory, Xanana could have received the death penalty on the firearms charged, but the prosecution instead sought the maximum sentence for his separatist actions.

Local reaction to the sentence was muted, in part reflecting tight security throughout the three-month trial. National press coverage was also kept to a minimum, with most Jakarta dailies carrying only a single story on the verdict itself and a second report on Xanana's decision to appeal for clemency from President Suharto. But if Indonesia had hoped for wider international understanding of its handling of the case it was quickly disappointed.

In Lisbon Portuguese Prime Minister Anibal Cavaco Silva called the sentence "brutal." Australian foreign Minister Gareth Evans called for a lighter sentence and asked Jakarta to consider giving more autonomy to East Timor. "It would obviously be of great help in achieving reconciliation if Xanana's sentence were to be substantially reduced by presidential clemency," Evans suggested.

Meanwhile two international human rights organisations issued statements questioning the legality of the verdict. Within hours of the sentence being delivered Amnesty International called the trial and its verdict "a travesty of justice."

"In view of the fact that Indonesia's sovereignty over East Timor has not been recognised by the UN, the competence of Indonesian courts to try Xanana Gusmão and other Timorese is open to question," said the Amnesty statement. The US human-rights group Asia Watch, commented that the court proceedings violated Xanana's rights to freedom of expression and fair trial.

Xanana was one of 21 witnesses heard during the trial. But, after being called to the witness stand on 17 May, he was allowed to read only three pages of a 28-page defence which he had hand-written in Portuguese. An Indonesian translation was submitted to the judges. Concurring with the prosecution's objections that his arguments were irrelevant to the case, Judge Godang stopped Xanana a few minutes after he had begun to read. When the case resumed, the prosecution was allowed to read its entire counter plea.

While the international uproar over East Timor has subsided since the Dili incident of November 1991 when Indonesian troops fired on demonstrators and killed at least 50 people, the Xanana case has served to keep international attention focused to an uncomfortable extent on Indonesia's human-rights record. In April, UN special envoy Amos Wako visited East Timor for the second time since 1991, speaking to a range of Indonesian officials and East Timorese, including a private interview with Xanana himself.

Indonesia has been trying hard to repair the damage done to its international image by the East Timor massacre. It hired a public relations firm to project its version of the history of East Timor and allowed diplomats, international observers and foreign journalists, including some from Portugal, to attend the trial. But some of its efforts have been poorly coordinated. For inexplicable reason a UN representative, three diplomats and two journalists were stopped in Denpasar on their way to Dili on 11 May and escorted back to a Jakarta-bound plane. The diplomats left again on the following day after personal interventions by their respective ambassadors.

(The article comes with a picture of Xanana with the caption - Xanana's fate sparks a new furor.

## XANANA TO BE JAILED OUTSIDE EAST TIMOR

AFP, 16 June 1993 Abridged

*Comment: It seems that the restoration of ICRC visits may apply only to a special visit to Xanana Gusmão. This is hardly going to resolve the ICRC's problems. The news that a special visit may be being arranged does show how relentless the pressure on Jakarta has been on Xanana's isolation and the absence of the ICRC visits; something had to give. But the ICRC has as yet said nothing about this proposed arrangement.*

The military chief responsible over security in East Timor said Xanana Gusmão will not serve his jail sentence in East Timor, Antara news agency said Wednesday. 'Whether in Jakarta or any other place (I do not know). What is certain is that it won't be in East Timor,' Major-General Theo Syafei said in Denpasar.

The reason was so that it would not give rise to unwanted circumstances because there were still 'two-headed' people in East Timor, a term used by the Indonesian authorities to denote East Timorese who work for the government and the private sector but are secretly pro-independence.

Syafei said he will soon accompany delegates of the International Committee of the Red Cross to visit Xanana Gusmão in Dili but he gave no date. He said the outgoing chief ICRC delegate to Indonesia and his replacement will be in East Timor for only one day and during their stay there they will meet with Gusmão. Syafei denied that Gusmão had been or was on hunger strike.

## RAMOS-HORTA INTERVIEW

Publico, 16 June 1993. Lisbon. By Adelino Gomes. Translated from Portuguese

According to a letter to Publico from a recently released prisoner, who had been held in Colmera prison, Bishop Ximenes Belo's telephones are bugged and his mail is being opened. The prisoner also tells how UN and Red Cross visits are carefully supervised by the Indonesian authorities.

Now that Xanana Gusmão, Ma'Huno and Ma'Hodu, the three historic guerrilla leaders, have been captured, it seems to be the turn of the politicians. Jose Ramos-Horta, who left Dili a week before the Indonesian invasion, became the visible face, in the world of diplomacy, of the Timorese resistance, and a favourite target of those who criticize anyone who, far from the

Timorese mountains, lives in the comfort of hotels, or who is a globe-trotter for the cause of a people with whom they now have little in common. He received his latest blow from an Australian woman, his companion for the past 20 years. The 43-year-old Horta, with an M.A. in International Relations and Law from Antioch University, Ohio, responds to the accusations made against him concerning excessive expenditure. He is convinced that Clinton will change US policy on Timor within the next 2 years, and calls on Soares and Cavaco to send, now, ambassadors all over the world.

*Publico: Resistance sources say that Xanana Gusmão went on hunger strike weeks ago and that his clinical state is serious. Does this mean that Xanana could die as a result of a hunger strike which nobody is even sure he has started?*

Jose Ramos-Horta: That's right.

*Q.: Given that, without publicity, this kind of protest is void of any political effectiveness, do you not think that Xanana was mistaken in his choice of action?*

A: If Xanana dies in the hands of his jailers, without the International Red Cross, the UN and diplomats based in Jakarta having been allowed access to him, then Indonesia will be held responsible, and it would be very difficult for the US Congress and EC not to apply sanctions on Indonesia.

*Q.: But would it not be worse for Timor?*

A: Whether dead or alive, Xanana has already become one of Timor's national heroes. His death would give rise to a very considerable crisis in Timor, in Indonesia, in the latter's relations with the West, and I would compare the resulting situation to when Benigno Aquino was killed (which led to the fall of the Marcos regime in the Philippines).

*Q.: Since the capture of Xanana and Ma'Huno, does it still make sense to speak of the guerrilla?*

A: Clearly the guerrilla no longer has the military force it had in former years. But over the past decade we have been saying that the armed struggle was but one component of the Resistance. There are still hundreds of guerrillas up in the mountains, even though they are not as well armed or supplied as three years ago. Just a few weeks ago we learned that an Indonesian operation had captured arms and uniforms from the guerrillas.

*Q.: How exactly did Indonesia capture Ma'Huno?*

A: According to the reports I have, he was caught when, escorted by guerrillas, he was trying to pass into another operational zone on foot. He was coming from the Maubisse, Ainaro and Same region, and was to be received in Manu-Taci. The unit taking him is said to have arrived almost 24 hours earlier than anticipated and, instead of staying overnight outside, he went into the village, where one of the population, Fernando Araujo (a known Indonesian collaborator, not to be confused with the resistance member detained in Jakarta), realised something was going on and told the Indonesian military in Ainaro. The assault was carried out by a company of special forces. There was an exchange of gunfire, and Ma'Huno was driven to Dili in a convoy of six vehicles, two of which were armoured.

*Q.: According to Jakarta, there are now only a few battalions of non-combatant troops, whose mission is to assist with development. Can you confirm this?*

A: It is false. There are at least 14,000 men, 2,000 of which are part of the special helicopter transport forces. There is an air base in Dili and another very big one situated at the old international airport at Baucau, where nobody has ever been allowed to go, and which also covers the neighbouring islands. Only someone unaware of the Indonesian armed forces' role could believe that troops are there for rural development reasons...

*Q.: Who is Konis Santana (the new guerrilla leader)?*

A: He was a student leader in the '70s, Fretilin. He is said to be an intellectual. Judging from the little information we have on him, it seems he is a politician (though certainly not of the same standing as Xanana Gusmão), and one of the few surviving intellectuals of the guerrilla.

## Timor suits Clinton

*Q.: Xanana's imprisonment and sentence was a milestone. What do you want for him: a reduced sentence, or exile?*

A: His immediate release. Just as Nelson Mandela refused to be negotiated for Russian dissidents, or banished to another country, I believe I am interpreting Xanana Gusmão's thoughts when I say that he will neither ask for a reduction of sentence nor accept exile abroad. Mandela finally left prison in triumph after nearly 30 years, and today we see South Africa transforming.

*Q.: What do you see as a priority on the international level?*

A: We are betting heavily on the US. There has to be a substantial change in the US position. This has already occurred with regards human rights. For the first time in 17 years the US was co-author of the draft resolution on East Timor at the Human Rights Commission in Geneva - quite a strong and substantial text. Now we are hoping for a change in the main - political - area, since the settlement of the problem can only be reached through a process of self-determination. I believe that within the next 18 to 24 months, we can bring about that change.

*Q.: Wouldn't a weak or contested Presidency, as seems to be the case, end up not fulfilling this promise too?*

A: Bill Clinton the candidate made a lot of promises in this area, including about China which, from the economic and strategic point of view, is a far more important partner than Indonesia. Since he went back on his word with regards China, the Timor issue is the only one which, at the moment, will get him good press. It is beneficial and advantageous for his image to take decisive steps on the matter.

*Q.: Is it believable that Indonesia suggests a vote on the Timor issue at the UN General Assembly (GA) next Autumn?*

A: When the inclusion of the matter on this year's provisional agenda is discussed by the General Committee, composed of 26 countries, Indonesia can express reservations, either directly or through a friendly country. If Indonesia succeeds, then we can still try for a vote at the plenary. Indonesia's strategy is aimed here, and not at the vote by the GA on a resolution that says East Timor was decolonized, because an indefinite postponement, by the General Committee or by the plenary, of getting the issue onto the agenda of any one of the seven working commissions would mean, for all purposes, a final defeat for the East Timor issue. I already raised the alarm about this scenario last year, and continue to do so. A large-scale diplomatic offensive needs to be started right now.

*Q.: What form should this take?*

A: The skeleton of a project in which, for example, The Hague International Tribunal is asked for a consultative opinion, or by reaffirming the right of the Timorese people

to self-determination. The Foreign Ministry will say that the situation is difficult. I am well aware that it is. But we must use all possible resources, and cleverly exploit the circumstances which are, in fact, favourable. A defeat on this now would be a Portuguese Waterloo.

*Q. What should Portugal do?*

A: Send personal emissaries of the President, and plenipotentiary ambassadors...

*Q.: ...that was done in the early '80s, and some of those envoys did not even arrive at their destination...*

A: In 1982 there was a big offensive, well-planned and carried out, with some failures and ridiculous situations, but that is only to be expected, given the vastness of the plan, which included Caribbean countries that can barely be seen on the map, or to which there is no access by air, and some totally disorganized African countries, such as the Liberia of Sargent-come-Dr. Samuel Doe, who promised one thing and whose ambassadress in New York did quite another. Today, Portugal is part of the EC; there is a common European policy, with repercussions in the various spheres and organisations at which the EC has a place.

*Q. In a recent article in the Expresso, the MP Angelo Correia suggested that the demand for a referendum be suspended (though not abandoned) while "platforms be sought for the negotiation of improvements in human rights and promotion of some national interests in the region." Do you agree with this?*

A: I categorically reject this position. To freeze the referendum issue would mean to compromise on the basic and strategic question. The fact that authorised and important voices, like that of Angelo Correia, have started to offer this kind of concession to Indonesia weakens the Portuguese position.

*Q.: Is Angelo Correia saying what the Government is thinking?*

A: The facts do not support that argument. For example: what criticism did Portugal make of Indonesia in the international arena between 1976 and 1986? In spite of this complacency was there, during that period, an improvement in the human rights situation or did the military offensives in East Timor slacken off? No. Specialists in Indonesian affairs, who understand the problem better than all the Angelo Correias of this

country, recommend firmness with regards Indonesia.

*Q.: Bishop Ximenes Belo, who is there on site, supports an autonomy solution, similar to that of the Azores and Madeira...*

A: I can quite understand how someone, who is not a political personality, like Ximenes Belo, supports positions of this nature. What I find unacceptable is when someone, who from time to time appears to be concerned about Timor, takes up defeatist positions that may be interpreted as reflecting the real intentions of the Government. The latter, not wishing to be seen as having given up, would send along certain executioners to say what it thinks.

*Q.: Do you think that this is the case?*

A: I hope it is not. Angelo Correia is known as a politician with ideas of his own, a sniper. Perhaps it is no more than that.

*Q.: If this is a defeatist position, is not the Bishop of Dili's position also defeatist?*

A: Not at all. I believe that Msgr. Ximenes favours a wide-ranging autonomy for Timor, as a transitory measure in order to reach the referendum process. What Angelo Correia supports is a definitive position.

*Q.: No, he talks about suspension.*

A: I cannot agree. Portugal's negotiating basis is "talks without pre-conditions, under the auspices of the UN." This would mean freezing the debate (and not the issue) on the two fundamental positions which divide the two parties - self-determination supported by Portugal and annexation supported by Indonesia.

*Q.: Angelo Correia noted that, thanks to its policy of transmigration, Indonesia will be able to accept, in the coming years, the idea of a referendum, since at that time it will have a comfortable majority in Timor. Do you think he is right?*

A: If the problem were to drag on for the next 10, 20 or 30 years, the demographic configuration could have changed. But I don't believe I am being excessively optimistic when I think that the present Indonesian regime has only a few years ahead of it. The internal and international pressures for democratization are great and on the increase. The regime is getting weaker and weaker.

The reconciliation idea is a dangerous one

*Q.: There are enormous divisions among the Timorese: there is disagreement*

*within the UDT; Fretilin has at least two big wings..*

A: It cannot be said that there is disagreement within the UDT...

*Q.: ...just here in Portugal there are, at least, two UDTs...*

A: No. There is just the Regional Committee led by Dr. Zacarias Costa and a team of young people, who can rightly claim that they were the only ones, out of the whole Timorese political class, to have been elected democratically.

*Q.: But there are personalities who continue to claim the leadership of the UDT in Portugal.*

A: The matter of the said Political Commission, which was never elected and whose members cannot even say they have ever been on the Central Committee, has been sorted out. Obviously, Fretilin still has problems, but I know a serious effort is being made for them to be overcome in the near future. These problems are not just found among the Timorese. They are characteristic of all exile groups. It is almost inevitable: the further away we become in time and space, the more little controversies arise. It's not making me lose any sleep.

*Q.: The most recent division arose on account of the idea of reconciliation among Timorese. Why was this?*

A: Given that the political conditions which would allow Timorese to sit at the negotiations table do not yet exist, because Indonesia rejects our presence, we can be involved indirectly, through frequent consultation and dialogue with the Portuguese Government and representatives of the UN Secretary General. Ali Alatas himself agreed, in Rome, that he would receive those Timorese he wished. In this way, the doors to a more formal dialogue are open. If Alatas has little room for maneuver in Indonesian militarized society, then what am I going to discuss with Mr. Abilio Osorio Soares (the pro-Indonesia Governor of Timor), who doesn't know how to write and represents absolutely nothing? It is a very dangerous idea. As one person linked to the UN told me, if in the end the Timorese thought the problem of Timor could be solved through a reconciliation dialogue, the Secretary General would then happily wash his hands of it.

*Q.: That is one way of looking at the initiative. Another is that the dialogue would reinforce the representativeness of the*

*Timorese, who would then be speaking with one voice.*

A: If the intention of the idea's originator was to convert Abilio Osorio Soares to the independence cause, then I have only praise for his generosity and good faith. But I do not think he will be very lucky. I will not go back to a Timor governed by troglodytes

*Q.: Some say that, if Timor became independent one day, many of you would not even go back there.*

A: I will go back. Not to be Foreign Minister, nor Prime Minister, and definitely not to be President, but to roam about the island again and to write books.

But after 20 years to struggle, I will not go back to an East Timor governed by troglodytes, autocrats, incompetent people, or dictators. For me, independence is not just a flag. It is to have a democratic constitution, an independent judicial system, an active and dynamic press, a truly free society. If we do not achieve that, I will not return and will consider myself a complete failure.

*Q.: There are many who support the Timorese cause but who seem convinced that, the day after independence, the Timorese will start killing each other again.*

A: I hope that Xanana Gusmão will live until then and beyond because, with his imposing personality, charisma, moral and political authority, he will make good sense prevail and inspire the society in general to be kind and generous, and to forgive our worst enemies. It is on the first day of independence that, whoever the leader of Timor is, should then proclaim national reconciliation.

*Q.: On that day, will you be supporting the creation of a new party?*

A: On day one of independence, and Xanana knows this, I shall say good-bye to everyone and dedicate myself to writing.

## STATEMENT OF INDONESIAN DEPARTMENT OF FOREIGN AFFAIRS ON XANANA'S TRIAL

*Reposted from soc.culture.indonesia, 18 June 93*

*Comment – the criticism of Xanana's trial came from many sources all over the world, not just from the Portuguese government "straw man" erected by Indonesia. This statement does nothing to deal with the fact that the Indonesian authorities prevented Xanana from having the defense counsel of his choice and stopped him from presenting his defense statement at the end of the trial, not to mention the numerous other illegalities and irregularities of the trial. It ignores the fact that the only ICRC visit to Xanana was in December, before the five-month trial began, and that most foreign observers (including diplomats) were kept out of the courtroom when Xanana tried to read his statement. And of course the entire issue of the lack of legal Indonesian jurisdiction over East Timor and the East Timorese people makes the whole process illegitimate.*

*There are many other distortions, too numerous to rebut here. Perhaps someone familiar with Indonesian law and the trial process can write one and post it here.*

– Charlie Scheiner, ETAN/US

### Statement on "the trial of Xanana Gusmão"

1 In another attempt to discredit Indonesia and to mislead international public opinion, the government of Portugal on 21 May 1993 has issued a communiqué on the sentence pronounced against Xanana Gusmão. As has become standard fare in unending stream of Portuguese communication of this kind, this most recent communiqué is again replete with baseless accusations, malicious misinterpretations, distortion of facts and ever more strident innuendo. The Department of Foreign Affairs of Indonesia deems it appropriate and necessary, therefore, to put the record straight, and to issue the following statement.

2 On 21 May 1993, Mr. Jose Alexander Xanana "Gusmão" was sentenced to life imprisonment by the Dili district court, East Timor. He was found guilty under articles 106, 108, and 110 of the criminal code. He was charged inter alia with leading an armed rebellion against Indonesian government, disrupting national stability and illegal possession of firearms. The trial of Mr. Gusmão was conducted in accordance with the laws and regulations of Indonesia. Throughout the trial proceedings, he was assisted by legal counsel and the services of sworn in-

terpreters. Mr. Gusmão has been accorded due process of law and was tried in manner consistent with the right of anyone under those laws and regulations. Mr. Gusmão has the right to appeal to higher court or to request for clemency.

It is therefore absurd and totally unwarranted for Portugal to accuse that the trial of Mr. Gusmão is a "political trial" and that it "was fraught with the gravest irregularities and outrages," and that witnesses had been subjected to coercion and abuse.

3 Throughout his detention and the trial proceedings, Mr. Gusmão was treated consistent with international standards. He was also visited by ICRC and Mr. Amos Wako, the personal envoy of the United Nations Secretary General. The trial – in civil court of law – was open to the public and observed by diplomats, foreign journalists, including nine Portuguese journalists, representatives of Asia Watch and the International Commission of Jurists as well as by representatives of the UN Secretary General. The trial proceeding were also attended by the defendant's close relatives, including his parents, his sisters and others.

4 It should be noted that those who were detained along with Mr. Gusmão have also been accorded due process of law. They were all treated humanly and the ICRC also visited them.

5 The Indonesian government categorically rejects the claim of Portugal that Indonesia lacks "any political, moral or legal authority" to conduct the trials against Mr. Gusmão and those who are committing acts in violation of the Indonesian laws and regulations. It should be recalled that after the irresponsible abandonment of East Timor by erstwhile Portuguese colonial authorities in August 1975, the people of East Timor have rightfully exercised their right to self-determination and decolonisation. This they did by choosing independence through integration with Indonesia in accordance with United Nations resolution (UNGA) 1514 (xv) and principles vi, viii and ix of UNGA Resolution 1541 (xv) and as confirmed by the relevant provisions of UNGA Resolution 2625 (xxv), thereby terminating their former colonial status. Thus, the true facts of the situation is that by utterly failing in its responsibility, Portugal has indeed forfeited any right of legitimacy to be still considered the administering power of East Timor. For these reasons, Indonesian laws and regulations are applicable to anyone for committing acts in contravention of those laws and regulations. The trial of Mr. Gusmão is therefore fully within the jurisdiction of Indonesia.

6 Another attempt of disinformation by the Portuguese government can be seen in their effort to establish a linkage between

the Indonesian government and certain media reports accusing Mr. Amos Wako, the personal envoy of the UN Secretary General of having influenced Mr. Xanana Gusmão in the presentation of his defense plea. These media reports have subsequently been proven to be without foundation and as evident in the official statement made, the Indonesian government has never given credence to those reports. The clarifications made by the Secretary-General in his statement on 21 May 1993 is greatly appreciated by the Indonesian government. The government of Indonesia has full confidence in the mission carried out by Mr. Amos Wako, the personal envoy of the United Nations Secretary General.

7 It is obvious that the Portuguese government has once again seized the opportunity, this time utilizing the occasion of the trial of Mr. Gusmão, to intensify its campaigning to discredit Indonesia and to undermine the serious efforts by the United Nations Secretary General to find a comprehensive and internationally acceptable solution to the question of East Timor through to the tripartite dialogue. The continuing barrage of baseless accusations and the intensified will and seriousness of Portugal in finding a solution to the question of East Timor through the dialogue under the auspices of the United Nations Secretary-General.

8 The trial of Mr. Gusmão would hopefully focus world attention to the tragic consequences of a policy of violence and conflict as carried out by Mr. Gusmão's followers and sympathizers. It is hoped that peace and development can now replace the security disruptions that prevailed in East Timor in the past and that the sincere and serious efforts of the world community can now be focused on what is best in the long-term interest of the people of the province.

## INDONESIAN SAN FRANCISCO CONSULATE STATEMENT

*Press Release distributed by the Indonesian Consulate in San Francisco during the third vigil at their entrance, June 17, 1993.*

*Full text. Capitalization and spelling as in original. Much of it is the same as the previous posting, with this addition:*

### II. With regard to the condition of Mr.

Xanana Gusmão who has been reported as acting hunger strike, the Dili District Police reports that Mr. Xanana Gusmão activities are:

a. 06.00 Wake up, Shower. b. 06.30 Health check by Dili District Police Physician. c. 07.00 Breakfast. d. 08.00 - 09.00 Exercise (Basket Ball) e. 09.00 - 12.00 Free activities. f. 12.00-13.00 Lunch. g. 13.00 - 16.00 Free activities. h. 16.00 - 17.00

Physical Exercise i. 17.30 Shower. j. 18.00 Dinner. k. 19.00 - 22.00 Free activities

III. This release is aimed at clarifying news about the condition of Mr. Xanana Gusmão during the trial process.

## INDONESIAN PRESIDENT'S OFFICE ON 'CLEMENCY PLEA'

*Jawa Pos, 12 June 1993 Abridged*

*Comment: It is unusual for the President's office to draw such attention to the pressure it is under on any issue. For the State Secretary, Moerdiono, to have done so in the case of Xanana's alleged 'clemency plea' suggests that this may be part of a strategy to use the Xanana case to assuage international opinion by generously reducing his sentence. For the record, it is the lawyer, Sudjono, acting 'on his behalf,' not Xanana, who filed the plea.*

## MANY INQUIRIES TO THE STATE SECRETARIAT ABOUT XANANA

Many heads of state have been asking about the sentence passed against Xanana. The inquiries have been received by the State Secretariat and the Foreign Affairs Department, Secretary of State Moerdiono told the press yesterday. They also ask for his sentence to be reduced.

Moerdiono said several heads of state have sent letters, special envoys or have phoned the Foreign Ministry.

"We are listening to these voices, but I don't want to mention the names of the countries. They should remember that Indonesia is a sovereign state which has its own government and procedures," he said.

According to Foreign Ministry sources, the states which have asked for Xanana's sentence to be reduced include Belgium, Australia, the Netherlands, Portugal, Cape Verde, France and the international human rights organisation in London [presumably, Amnesty].

Asked whether the Xanana case might influence the meeting of the Consultative Group on Indonesia in Paris, Moerdiono said "I am not worried that Xanana will be raised at the CGI meeting. If they understand the meaning of a sovereign state, countries that give aid will not link it with matters which are quite unrelated."

Although the clemency request for Xanana has not yet reached the State Secretariat, Moerdiono said that President Suharto pays close attention to all clemency requests. "This applies also to the clemency request from the Fretilin boss."

He said that once the clemency plea is received, it will be handled speedily. But this should not be taken as meaning that this is because of foreign pressure. It is purely a matter of ensuring legal certitude for some-

one facing enforcement of the law in Indonesian territory.

"This goes not only for Xanana but also for completely unknown people if they file clemency pleas through the proper procedures," said Moerdiono.

He said that, considering that Xanana has stated that he is an Indonesian citizen (sic), his clemency plea will be handled like that of a native Indonesian.

Although clemency is a presidential prerogative, the president needs advice from all sides, including the Supreme Court, the Attorney-General and the Minister of Justice.

"In Xanana's case, other opinions will also be sought, including that of the commander-in-chief of the Armed Forces (ABRI) because Xanana was engaged in rebellion against ABRI. In addition, Xanana's acts have been classified as insurrection."

## REBEL ASKS FOR MERCY

*Sydney Morning Herald, 21 June. By AFP*

Jakarta, Sunday: The East Timorese rebel leader, Xanana Gusmão, has submitted a plea for clemency through the Indonesian Attorney-General's office.

The plea, lodged yesterday, will be handed to the Supreme Court and then to President Suharto.

"This means he admitted his guilt" the Co-ordinating Political and Security Affairs Minister, Mr. Susilo Sudarman, said after meeting President Suharto. "His clemency appeal will be processed through standard procedures."

The East Timor rebel movement has in the past denied that Xanana had pleaded for clemency. Such an appeal would effectively recognise the right of Indonesia to try him.

A state court in Dili, the main city in East Timor, on May 21 condemned Xanana, 46, to life imprisonment for rebellion, separatism and illegal possession of firearms.

Indonesia invaded East Timor soon after the Portuguese left in 1975. It annexed the territory in 1976 but the United Nations still considers it under Portuguese administration.

Xanana has not been seen in public since his May sentencing. The rebel movement has said he was on a hunger strike and being force-fed by the authorities.

## "XANANA WILL NEVER FILE FOR CLEMENCY!" — RAMOS HORTA

*CNRM Press Release, 21 June 1993*

Special representative of the National Council of Maubere Resistance (CNRM)

Jose Ramos-Horta, has responded to false reports from within Indonesia about a plea for clemency allegedly filed on behalf of jailed Resistance Commander Xanana Gusmão.

"This is simply untrue, it is more Indonesian propaganda. Xanana stated in his defence statement that he does not recognise the jurisdiction of the court to try him, his alleged lawyer Sudjono has never represented Xanana's position. Xanana would never file for clemency."

In response to false claims from the Indonesian Secretary of State Moerdiono that Xanana had stated that he was an Indonesian citizen, Ramos Horta added,

"These are more lies, Xanana was never heard to say that he was an Indonesian citizen. It was his interpreter that was heard to say it, not Xanana."

In response to other claims by Secretary of State Moerdiono in the Jawa Pos 12.6.93, Ramos Horta said:

"It is simply untrue that Portugal and Cape Verde, would ask Suharto to consider a reduced sentence as claimed by Moerdiono, because it implies a recognition of sovereignty and legal jurisdiction. Moerdiono's remarks will not stand up to scrutiny. His implications that France, Belgium, the Netherlands and a major human rights organisation whose name he does not care to clarify, have asked for Xanana's sentence to be reduced are also worthy of significant challenge."

Close observers of the Government of Indonesia have noted that the Military are now using East Timor to embarrass Suharto. This is a major blow for Suharto who is under considerable international pressure to resolve the conflict in East Timor. Suharto is clearly very concerned about Indonesia's image at the CGI (Consultative Group on Indonesia) scheduled in Paris.

Suharto, say observers, is fast being seen as nothing more than a military puppet. He and Alatas have no power. The rift between Suharto and the Military became glaringly obvious two weeks ago when ICRC Chief Sommaruga was assured by Suharto that the ICRC would stay in East Timor after Military Commander Theo Syaefi had told them to get out. Regardless, the ICRC had to suspend all their visits as their conditions were not being met by the military. As recently as two days ago Mr. Pierre Pont of the ICRC told BBC's Adam Brookes that despite the assurance he has had from "the highest authority of state" the ICRC have not been able so far to see all the prisoners on an equal basis.

Suharto's unprecedented desperation to grant clemency to Xanana is a clear indication that he is reacting to pressure. Since the Vienna Conference began, Indonesia's image

on the human rights front has suffered greatly with powerful and damning statements made by Indonesia's Legal Aid Foundation head, Adnan Buyung Nasution and other Indonesian NGO's, tired of their country's despicable and appalling treatment of its own people's basic human rights.

Suharto is desperate to preserve the image of being in control and is extremely careful to cover up his loss of power to the military from the rest of the world, yet he is unable to carry out the totally unacceptable escape he is attempting to find to the Xanana debacle.

Jose Ramos-Horta has again called for the international community to demand that Resistance Commander Xanana Gusmão be given the opportunity to make his own statement to representatives of the EC, the US and a Special Representative of the UN Secretary General. END

## CLEMENCY PLOY FOR EAST TIMORESE YET ANOTHER TRAVESTY OF JUSTICE

*TAPOL issued the following press release today, 21 June 1993:*

The Indonesian Supreme Court has turned down appeals against the guilty verdicts and upheld the harsh sentences passed on four East Timorese who were tried for involvement in peaceful demonstrations in Dili on 12 November 1991 and in Jakarta on 19 November 1991. At the same time, President Suharto's office has announced that it will promptly handle a 'clemency plea' made on behalf of the East Timorese resistance leader, Xanana Gusmão, hinting that his life sentence may soon be reduced.

Gregorio da Cunha Saldhana, 29, got life for taking part in the 12 November 1991 demonstration in Dili when Indonesian troops shot dead several hundred demonstrators. Joao Freitas da Camara, 26, got ten years, Fernando de Araujo, 27, got nine years and Virgilio da Silva Guterres 27, got two and a half years for participating in the Jakarta demonstration a week later to protest against the killings.

They could now seek presidential clemency, admitting guilt, but the three have told their lawyers they will never do this as they are guilty of nothing. The lawyer, Luhut Pangaribuan of the Legal Aid Institute (LBH) said they insist "it was those who put them in jail who were guilty and should make an apology." All four, like Xanana himself, rejected the right of the Indonesian judiciary to try them in the first place.

Pangaribuan has bitterly criticised the judiciary for its gross mishandling of the appeals. Their lawyers have been kept in the

dark. They knew nothing about the Supreme Court's verdict regarding the Jakarta three, adopted in January, until they visited them in prison this month. As for Gregorio's appeal, Pangaribuan said he had never been told of the High Court's verdict and had only read about the Supreme Court's decision to uphold his life sentence in the press.

These developments contrast sharply with the regime's response to the lawyer Sudjono who has admitted publicly that he was asked to defend Xanana by a senior police officer. He claims to have 'represented' Xanana Gusmão by filing a clemency plea on 4 June in Dili. Within a week, the State Secretariat announced that President Suharto would deal with Sudjono's plea promptly, adding that requests had been received from several heads of state including the EC for Xanana's sentence to be reduced. If true, this contradicts the position of all EC members none of which has accepted Indonesia's annexation of East Timor, meaning that they cannot accept Indonesian jurisdiction to put East Timorese on trial.

The regime may hope that by cutting the Xanana sentence, it can diffuse the worldwide campaign rejecting the Xanana trial as a travesty and calling for his immediate release. Sudjono is clearly part of the ploy. He even alleges that Xanana, almost all of whose defiant defence statement in the Dili court was not read out, now admits that he was guilty. No independent observers have met Xanana since he was sentenced and nothing is known about his physical or mental state. It is not clear whether the International Red Cross met Xanana last week during a programme of prison visits which was aborted because of lack of cooperation by the military authorities in Dili. But even if the ICRC met him, their mandate does not permit them to publish their findings.

TAPOL calls on the European Community Summit in Copenhagen to demand immediate access to Xanana to monitor his condition and ascertain his wishes. It should demand his immediate release. The EC should also condemn the Indonesian judiciary for mishandling the appeals of other East Timorese who were given harsh sentences merely for taking part in peaceful demonstrations. The EC should demand their immediate release, in line with the resolution adopted in March this year by the UN Human Rights Commission.

## MEDIA PUT WORDS IN XANANA'S MOUTH

*Green Left #104, June 23, 1993, By Jana D.K.*

JAKARTA - Two East Javanese newspapers, Surya and Surabaya Pos, both ran articles on June 6 headed "Xanana admits the benefits of East Timorese integration." On the previous day the Jakarta daily Kompas carried an article titled "Xanana: I beg forgiveness."

Fretilin leader Xanana Gusmão was sentenced to life imprisonment by a Dili court on May 21. Amnesty International reported on May 27 that it believed Xanana to be in poor health and on a hunger strike. Since he was taken from court on May 21, Xanana has not received any visitors except for his court-appointed lawyer, Sudjono.

According to the Indonesian Criminal Code, submitting a plea for clemency is by definition a legal admission of guilt. While there is some provision for appeal, the process can take more than a year, and the government clearly wants to see the case "resolved" as quickly as possible.

The June 5 Kompas article quotes Sudjono as saying that Xanana didn't see any point in presenting an appeal to the High Court or the Supreme Court. Sudjono quoted Xanana as saying, "A plea of clemency is more effective," adding "he [Xanana] has officially revoked any right to appeal and thus the process is complete."

Without suggesting why there might be some question as to the validity of Sudjono's remarks, the article goes on to say that Xanana had already written a private letter which stated that his plea for clemency was made of his own volition. The article neglects to mention whether copies of the letter were provided to or even seen by journalists.

The articles which appeared on June 6, from the government news agency Antara, tried to convince the public that the conflict in East Timor is over. Surya quotes Xanana as saying that he was sorry for his actions as the leader of Fretilin over the last 17 years. Surabaya Pos adds that Xanana intends to plead with his compatriots still in the bush to give themselves up.

The Indonesian government is obviously anxious to tie up any loose ends over Xanana's trial and those of other activists in connection with the November 12, 1991, Dili massacre. On June 2 the Supreme Court rejected Gregorio da Cunha Saldanha's appeal against a life sentence for allegedly organising the funeral procession in Dili. This was despite the fact that Gregorio's lawyers had not yet received written notification of a previous appeal to the High

Court and therefore had not begun an appeal to the Supreme Court.

According to Sudjono, Xanana's plea for clemency was handed directly to the head of the Dili court, Hieronymus Godang, on June 4. But on June 9, the minister of the national secretariat, Moerdino, stated that he had not yet received the plea. No explanation for the delay has been provided by either Sudjono or the Dili court.

## JAILED XANANA WINS LIBERTY MEDAL

*Sydney Morning Herald, July 12, by Tony Wright*

(Canberra) Eugenio Paulo "Nito" Gusmão was a little boy when he last saw his father. It was 1975 - the year Xanana Gusmão disappeared into the mountains of East Timor to become a renowned freedom fighter.

Yesterday, Nito accepted one of Portugal's most distinguished humanitarian awards - the Great Cross of the Order of Liberty - on his father's behalf.

Nito, 22, said he hoped one day soon to present the award to his father in person. Xanana is in an Indonesian prison, jailed for life in May for plotting against the State and of illegal possession of firearms.

The Portuguese Ambassador to Australia, Mr. Rui Goulart D'Avila, said the Order of Liberty was created to distinguish services rendered in defence of the values of civilization, for the dignity of man and for the cause of freedom. The Portuguese President had indicated he award should be handed to Xanana's son in Australia. Portugal, which once controlled East Timor, has taken up East Timorese freedom as a major diplomatic effort and does not recognise Indonesia's annexation of the territory. Nito Gusmão, his mother Emilia and his sister Zenilda have lived in Australia since they fled East Timor in 1989. Nito has moved to Sydney from Melbourne and is looking for work. He cannot remember his father clearly, although he had received letters during their long enforced separation. "Since he joined FRETILIN, he's had other duties, so we never had a close relationship," he said. "But I never regret it - I always support his fight for our People." Nito said he hoped the Indonesian government might exercise clemency and set his father free, and the Australian government might be persuaded to take his father as a refugee.

## BADGE OF TROUBLE

*"The Economist" June 19-25, 1993, p. 29.*

*The article was accompanied by a close-up picture of Xanana Gusmão with the caption "Portugal's hero."*

The Indonesians may be regretting their capture of Xanana Gusmão, the former East Timor resistance leader. He is proving more troublesome as a prisoner than he ever was while leading his little band of guerrillas. On June 10th Portugal awarded Mr. Gusmão the Grand Cross of Liberty. The award, for "services in the defence of the values of civilization," is intended not only as a gesture of support for Mr. Gusmão, but as a reproach to Indonesia.

Mr. Gusmão was leader of Fretilin, a group only a few hundred strong. It has never made much impact on the Indonesian army, which invaded East Timor in 1975 when the Portuguese left. Nevertheless, it carries a banner for East Timorese who still hope for an independent East Timor.

Mr. Gusmão was captured in November, and in May he was sentenced to life imprisonment for, among other offenses, trying to set up a separate state. Portugal, which is still regarded by the United Nations as the administrator of East Timor, said the trial was a travesty.

Such strong words probably betray some guilt about the neglect of East Timor when it was a Portuguese colony. Portugal's impossible demand now is for a referendum in East Timor to decide its future. Indonesia had believed, with some evidence, that the outside world had become bored with Timor. A sensible course would have been to send Mr. Gusmão quietly into exile, perhaps in Europe. Now the Indonesians have given Portugal a new reason to nag them.

*For more information on this award, see the Portugal section of this issue of East Timor Documents.*

## XANANA MOVED FROM DILI

*Publico, 24 and 25 July 1993. Summary*

Church sources in Dili told Publico that Xanana Gusmão, who has been held incommunicado since he was condemned to life in May, was moved out of Dili to an unknown destination, shortly before the Vatican ambassador, Mgr. Pietro Sambì, arrived in Dili on 21 July for a visit lasting several days, probably in order to make it impossible for the ambassador to try to visit him.

During the ambassador's visit, forty young East Timorese staged a demonstration outside the Cathedral just as the ambassador, who officiated at a Mass, was leaving the building.

Publico also reported that twenty-six demonstrators were arrested. After interrogation, almost certainly accompanied by torture, all but two were released. The two still in detention are brothers, Pedro Fatima Ferreira, 24, and Estavao Ferreira, 23.

Other arrests were made in Lospalos before the arrival of the ambassador. One of those arrested, Marcelino de Ceu, was transferred to Dili for interrogation. It is likely, the paper said, that the clandestine network had prepared itself for a series of actions to coincide with the ambassador's visit.

## WILL ICRC SEE XANANA OR EAST TIMOR?

### ICRC TO VISIT XANANA GUSMÃO?

*AAP report, 16 June 1993. Abridged*

(Canberra) East Timorese leader Xanana Gusmão will be visited by the International Red Cross within a couple of days, Foreign Affairs Minister Gareth Evans said today.

Evans, currently in Vienna for the World Conference on Human Rights, told ABC's AM programme he had held discussions with Indonesian Foreign Minister Ali Alatas in Geneva. "Without going into all the details of those conversations, I think I can say it was a very genuine, very frank and very helpful response," Evans said.

One of the problems that concerned Australia was the lack of access by the International Red Cross to Mr. Gusmão and other detainees. "I understand that the problem has been resolved and those visits will take place in the next day or so," Senator Evans said.

"I think it would be fair to say that it was already a matter of concern within Indonesia itself that this access had been denied. It was a glitch in the system with the military authorities," Senator Evans said. "I believe that efforts were already under way by the time we came into the act."

*Note that a report in Jakarta Post on 11 June 1993 on a statement by Ali Alatas, before leaving for Vienna, about the condition of Xanana Gusmão, reported him as saying that the government and the International Red Cross have resolved the question of access to Xanana after its temporary suspension.*

*TAPOL notes that there has been no independent confirmation yet of this. We have sought a clarification from the ICRC headquarters in Geneva and still await their reply.*

## RED CROSS TIMOR VISIT

*Source: The Canberra Times, 17 June 1993, By AAP, NZPA, Reuter*

Jailed East Timorese leader Xanana Gusmão will be visited by the International Red Cross within a couple of days, the Minister for Foreign Affairs, Gareth Evans, said yesterday.

Indonesia has been reluctant to allow Mr. Gusmão's family, governments and human rights lobby groups to visit the former leader who was jailed in May. Senator Evans, in Vienna for World Conference on Human Rights, said on the ABC's AM program that he had held discussions with Indonesian Foreign Minister, Ali Alatas, in Geneva.

## EVANS: JAKARTA WILL ALLOW ACCESS TO XANANA 'WITHIN DAYS'

*The Age, 17 June 1993*

(Vienna, Wednesday - Reuter) Indonesia will soon let representatives of the International Committee of the Red Cross visit the jailed Timorese guerrilla leader Xanana Gusmão, the Australian Foreign Minister, Mr. Gareth Evans, said today.

The Red Cross halted visits to Timorese in Indonesian jails in the disputed territory of East Timor in May, saying the Indonesian Government had not met unspecified conditions it had set. Visits had resumed only shortly before. They were first suspended in January.

Exiled rebels say Xanana has been on a hunger strike and was taken to hospital on 26 May, five days after being given a life sentence on sedition and firearms charges.

Mr. Evans, who is at the World Conference on Human Rights in Austria, told Australian radio he had raised the issue there with the Indonesian Foreign Minister, Mr. Ali Alatas. "I understand that problem has been resolved and those visits will take place in the next day or so," Mr. Evans said.

Mr. Alatas told him the denial of access had been "a glitch in the system with the military authorities" and was already being dealt with by Jakarta.

Mr. Alatas denied last week that Xanana was on a hunger strike and said he was in a good health.

Despite recent moves to ease controls on dissidents in Indonesia, the Government has ruled out lifting a travel ban on members of a leading dissident group, the Petition of 50.



## ICRC'S PROBLEMS IN EAST TIMOR NOT RESOLVED

BBC and UPI, 18 June 1993

*Comment: The conflict between the ICRC and the military forces of occupation in East Timor are clearly far from resolved, despite efforts by Foreign Minister Ali Alatas to get an ICRC mission to visit Xanana Gusmão and other prisoners. Ali Alatas is under tremendous pressure from abroad to secure conditions in East Timor to enable the humanitarian agency to resume visits. The pressure has been primarily about the condition of Xanana Gusmão and the controversy over whether he is on hunger strike and what his physical and mental state now is.*

*Until now, the statements made both by Alatas and Syafei seemed to be saying that the ICRC would now be able to meet Xanana - hence responding to international pressure - but the ICRC made it quite clear when they suspended visits on 30 May that they do not only want to visit Xanana. If they have, as Syafei says, already met him, it may be difficult to find out what they discovered as the ICRC's mandate requires it to report only to the host government. The continuing conflict with the military in East Timor may, however, affect their judgment on whether they can stick to the requirements of their mandate.*

*It is also remarkable how every single statement made by Syafei makes the point that he would accompany/had accompanied the ICRC delegation on their visit to Xanana. The ICRC's mandate requires confidentiality of all visits. It is difficult to believe they would have allowed him to be present at their meeting with Xanana.*

*Syafei seems determined that, having made this concession to Jakarta over a visit to Xanana, the visit would be controlled personally by him.*

According to the BBC World Service correspondent in Jakarta, Adam Brooks on 18 June 1993, the International Committee of the Red Cross says it is still facing difficulties in gaining access to East Timorese detainees held by the Indonesian security forces.

An ICRC delegation returned to Jakarta Friday, having been able to visit some but not all the detainees on their list. The delegation declined to comment on whether they had been able to visit Xanana Gusmão. According to the BBC, the local military authorities appear to be obstructing the ICRC despite assurances of access from the Indonesian leadership.

For the second time in a month, the ICRC began an agreed programme of visits

to detainees in East Timor only to find access restricted by the Indonesian security forces in the territory. It is understood that some prisoners were visited this week but the head of the delegation, Pierre Pont, declined to comment on which ones or on their condition:

He said: "Despite the assurances I have received from the highest authority of the state, we have not been able to see on an equal basis all the prisoners of East Timor so I do not feel able to comment on that."

Further, according to the BBC, it is not clear if the delegation gained access to Xanana Gusmão. It is not clear why the ICRC are being obstructed again though sources in East Timor say elements of the military favour a hardline and resent pressure on humanitarian issues from abroad.

Meanwhile, according to a report from UPI in Jakarta also on 18 June, the Bali-based military commander, Major-General Theo Syafei said three ICRC officials led by Pierre Pont, former (?) chief of the ICRC in Indonesia, arrived on a two-day visit to Dili on Wednesday. Syafei said he accompanied the ICRC officials visiting the detainees and prisoners, including the independence leader, Xanana Gusmão.

## RED CROSS VISITS XANANA GUSMÃO

Publico, 19 June 1993, translated from Portuguese

(Lisbon) According to yesterday's report in the "Correio da Manhã Radio," last Thursday the Red Cross visited Xanana Gusmão. The former leader of the Maubere Resistance National Council (CNRM), condemned to life imprisonment by the Indonesian judiciary, was visited in prison in Dili, by a Red Cross delegation, led by Pierre Pont, who is in charge of the humanitarian organization's representation in Jakarta.

Yesterday, in Lisbon, the idea of the reconciliation meeting between Timorese who are for and against integration with Indonesia, was once again contested by the CNRM, by way of communiqué signed by Luis Cardoso, the CNRM's representative in Portugal. The meeting was proposed by Abilio Araujo, Fretilin leader in Portugal.

The meeting, - the need for which was reaffirmed this week by Abilio Araujo at the end of an audience with Cavaco Silva, - had been rejected outright by Jose Ramos-Horta, the CNRM representative abroad, as well as by the UDT and even by some sectors of Fretilin itself. Now, in response to Abilio Araujo's recent statements suggesting that the meeting would be held in September, confirming the participation of Lopes da Cruz (Suharto's adviser on Timor affairs),

and referring to the interest shown by Mario Carrascalão (former Governor of the territory), the CNRM issued a communiqué: "Reconciliation? Yes, but among ourselves. Because it is within us, more than in anyone else, that we find the exact measure of suffering and pain. Reconciliation? Yes, but among all Timorese, free and without exceptions."

Without any reference to Abilio Araujo by name, the text, signed by Luis Cardoso, describes the internal reconciliation process, undergone by the two Timorese parties, UDT and Fretilin. It expresses rejection of the idea of reconciliation "with one who has fallen into a well of blood" in which he has "wallowed for nearly two decades."

Today and tomorrow, a group of Timorese activists is going to meet to discuss the restructuring process, which the Timorese parties and bodies have been undergoing. The meeting will be an informal exchange of ideas between some leaders of the UDT in Portugal's regional committee, the Timorese Forum, Fretilin, and CNRM.

Meanwhile, according to an interview published in yesterday's edition of the Russian paper "Nezavissimaya Gazeta," Jose Ramos-Horta would welcome the contribution of Russia towards Timor's achievement of independence. Ramos-Horta considered that the position of the world powers, on the Timor question, had been one of collaboration with Indonesia, so as to maintain good relations.

## RED CROSS 'DENIED ACCESS' IN EAST TIMOR

The Australian, 21 June 1993

(AFP, Jakarta) The International Committee of the Red Cross was still facing difficulties in gaining access to prisoners in East Timor, an ICRC delegate said yesterday.

"Despite assurances that I have received from the highest authorities of the State, I have not been able to see on an equal basis all prisoners in East Timor" the chief ICRC delegate to Indonesia, Mr. Pierre Pont, said after a visit to East Timor.

Mr. Pont said the ICRC was facing "continuing difficulties" in carrying out its mandate in East Timor.

East Timor was unilaterally annexed by Jakarta in 1975 and declared its 27th province a year later, but the United Nations still regards Lisbon as the administrative power in the former Portuguese colony.

A five-member ICRC delegation, led by Mr. Pont and including a doctor from Geneva, visited East Timor for two days. It was the first ICRC visit to call on prisoners in East Timor since it suspended such trips

on May 30, saying conditions were not being met by officials.

Stressing the importance of "access" to all prisoners, Mr. Pont said he was trying to clarify the situation and did not rule out another visit to East Timor.

The president of the ICRC, Mr. Cornelio Sommaruga, said in Jakarta last month that a series of talks with Indonesia officials, including President Suharto and the Foreign Minister, Mr. Ali Alatas, had left him optimistic there would be continuous "access to detained persons in a regular way."

Mr. Sommaruga said the ICRC had not been satisfied with the frequency of visits.

Mr. Pont would not confirm whether he had met captured East Timorese pro independence leader Xanana Gusmão, who was sentenced by an Indonesian court to life imprisonment last month.

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## ICRC "DEPLORES" LACK OF ACCESS

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*From various agencies, 22 and 23 June 1993. Summarised*

*Comment: the saga of the ICRC not getting access in East Timor and of Jakarta's helplessness in determining what happens in East Timor drags on. The ICRC has again shown how angry it is. It is surprising that this blocking of the work of this foremost international humanitarian agency has failed to stir interest among governments or the media.*

Reuters reported from Geneva on Tuesday that the International Committee of the Red Cross (ICRC) Tuesday issued a strongly-worded statement in Geneva which said that Indonesia was restricting access to prisoners in East Timor and expressed concern for them. "The ICRC deplores those continuing difficulties and appeals to the Indonesian authorities to take all necessary steps to resolve them and enable the visits to be carried out smoothly," the statement said.

The ICRC suspended visits for the third time in six months last week after having resumed them for just one day. It would not say whether its delegates had seen the jailed resistance leader Xanana Gusmão, but expressed concern for prisoners and said that Indonesian President Suharto had made guarantees personally to the ICRC President, Cornelio Sommaruga in Jakarta last May.

"The visits were interrupted very, very quickly last week due to a problem of access," ICRC spokesman Joerg Stoeklin told Reuters. "We realised right away that we were not being shown all the prisoners."

Asked whether they had seen Xanana Gusmão, he replied: "That is the type of

information we do not release. It is part of the conditions negotiated with the authorities."

The ICRC requires countries to comply with three conditions: access should be permitted to all prisoners, detainees must be interviewed freely, without witnesses, and repeat visits to monitor prison conditions should be allowed.

On Wednesday, Reuter reported from Strasbourg that Indonesian Foreign Minister Ali Alatas said he was not aware of a statement from the ICRC which said Indonesia was restricting access to prisoners in East Timor.

The ICRC on June 17 had "resumed its regular visits to detainees starting with Xanana Gusmão," he told a press conference after meeting European Parliament President Egon Klepsch.

AFP in Jakarta on Wednesday also quoted the ICRC statement at length and said that an ICRC delegation consisting of five officials, including a doctor from Geneva, visited East Timor on June 17 but the visit was cut short the next day because of "failure to obtain access to all detainees."

Also on Wednesday, UPI from Jakarta reported that Coordinating Minister for Political and Security Affairs, (ret. Lt. gen.) Susilo Sudarman, who is also interim foreign minister, asked about the ICRC statement, said "so far we have not received the report." Saying he had not received any complaints, he said he would look into the matter because "Indonesia is very concerned about the work of the ICRC."

AFP in Jakarta on Wednesday added that Susilo Sudarman has given instructions "to smooth everything concerning the work of the ICRC." He said that although he had not received any reports on the problems faced by the ICRC, "something could have happened" and he needed time to check.

Susilo Sudarman said he was unaware that a visit to East Timor last week, including a medical doctor from Geneva, was cut short because of "failure to gain access to detainees." He said he had personally instructed local authorities "to support the ICRC in the field" and had also read (sic) a similar instruction to the Indonesian armed forces.

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## ICRC VISITS TO TIMORESE DETAINEES AGAIN SUSPENDED

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*The following is ICRC Communiqué to the Press, No 93/18, issued in Geneva on 22 June 1993:*

Geneva (ICRC) - In response to guarantees received by its President from the highest authorities of the Republic of Indonesia

in early May in Jakarta, the International Committee of the Red Cross has tried to resume its visits to all persons detained in connection with the situation in East Timor. The visits were suspended in January 1993.

The ICRC's first attempt to resume the visits on 25 May had to be interrupted two days later owing to restrictions placed on its customary visiting procedure. A further attempt on 17 June was cut short the next day because of failure to obtain access to all the detainees despite prior assurances to the contrary by the relevant authorities.

The ICRC deplores these continuing difficulties and appeals to the Indonesian authorities to take all necessary steps to resolve them and enable the visits to be carried out smoothly.

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## REACTIONS TO XANANA'S IMPRISONMENT

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### SAN FRANCISCO RESPONSE CLOSES INDONESIAN CONSULATE

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*By Clara Landeiro, ETAN/SF,  
CLARA@CED.BERKELEY.EDU.*

The East Timor Action Network/San Francisco organized a vigil on May 27 and 28 in front of the Indonesian consulate in San Francisco to protest the outrageous and illegal life sentence verdict of Xanana Gusmão, and to protest Indonesia's genocidal occupation of East Timor.

On the first day, seven demonstrators with a few picket signs and flyers were enough to close down the consulate! From 9:00 am to 1:30 pm leaflets were distributed to people passing by and to those who wanted to get their visas and passports; excerpts of Xanana's defense statement were read over a bull-horn visibly disturbing the consulate's officials (one of them shouted on the intercom "Lies, lies, lies!") and pressed repeatedly the front gate buzzer in an unsuccessful attempt to silence the demonstrators).

On the next day, another five people stood in front of the building distributing flyers and talking to people. Although this time the consulate stayed open, a reporter from KPFA (Pacifica Radio), came to the scene and interviewed one of the activists - the story and interview were aired on the evening news the next day.

Last Wednesday, June 9th, five demonstrators were once again in front of the consulate with their picket signs... and once again the consulate closed down! This time,

they sent out two people to talk to us. They seemed confused; they kept asking "Why today? What is this date?" Our reply was calm but firm: "We still haven't heard that Xanana is free, we still haven't heard that East Timor is free." They turned around and vanished inside.

Even very few people can make a difference!

## EVANS PUSHES FOR XANANA CLEMENCY

*The Age, 8 June 1993*

*Mark Baker, Foreign Editor*

Australia has appealed to the Indonesian government to show clemency to the jailed East Timorese resistance leader Xanana Gusmão and to allow the Red Cross to visit him.

A spokeswoman for the Foreign Minister, Senator Evans said yesterday that the Australian Embassy in Jakarta had met several times with Indonesian officials to raise concerns about Xanana's condition.

She said the embassy was pressing for President Suharto to exercise his powers of clemency in the case of Xanana, who was sentenced to life imprisonment in Dili last month.

The international representative of the East Timorese resistance, Mr. Jose Ramos Horta said yesterday that "grave fears" were held for the safety of Xanana and other Timorese political prisoners in East Timor.

Mr. Ramos Horta said sources of the Geneva headquarters of the international Red Cross had confirmed that their representatives had not been allowed access to any prisoners in Dili since January.

"Xanana Gusmão has not been seen since he was led away from the court blindfolded after the sentencing, and all requests from both his family and the ICRC to see him have not been granted," he said.

Timorese community leaders fear Xanana may have begun a hunger strike, which he threatened to do in a defence statement which the court refused to let him deliver.

Senator Evans said at the weekend he was unhappy that the Red Cross had been denied access to Xanana. I know a number of people are concerned about that within the government," he said on Channel 10's 'Meet the Press' program. "We're certainly very concerned about it and we'll be doing our best to ensure that access is granted and that his health is looked after."

Senator Evans said that Australia was continuing "to press the point as strongly as we can with the Indonesians" that they needed to undertake an exercise in reconciliation with the people of East Timor.

There should be some Presidential clemency exercised and there should be a strategy devised for East Timor which will genuinely respect the human rights of the Timorese people and give them an economic future as well," he said.

Evans had a 90 minute meeting on Friday with Xanana's wife, Mrs. Emilia Gusmão, who lives in Melbourne with their two children. Mrs. Gusmão said after the meeting she was very disappointed by Evans' response to her plea for Australian action to ensure her husband's well-being.

"He didn't give us much hope regarding the situation in East Timor," she said. "We are very disappointed but not surprised because this has been the Australian government's position for the past nine years."

Mrs. Gusmão said Australia's pleas for clemency were not enough and the Government must do more to bring an end to the suffering, the torture" of the East Timorese people.

Senator Evans's spokeswoman said he would take up the case of Xanana at his next meeting with Indonesia's Foreign Minister, Ali Alatas.

## INDONESIA'S SHAME

*Irish Times, 8 June 1993. Editorial*

All the classic hallmarks of a colonial occupation ring through the trial and conviction by Indonesian authorities of Xanana Gusmão, the leader of the East Timor guerrilla organisation Fretilin in Dili. He was sentenced to life imprisonment because he "created unrest among the people and disturbed stability in East Timor," according to the trial judge, contrary to its "integration" with Indonesia in December 1975.

There were obvious imbalances in the trial, such as the fact that Mr. Gusmão's speech from the dock was cut short after eight minutes by the trial judge, who himself had taken seven hours to deliver his 210-page verdict, and the fact that great difficulties were placed in the way of international reporters attempting to cover it. Xanana Gusmão was arrested in November 1991 [sic] after Indonesian troops fired on a peaceful demonstration against their occupation of the territory. The demonstrators were hoping to influence a UN special rapporteur on torture who was about to visit Timor [sic] after procedural objections had foiled another visit by Portuguese parliamentarians to investigate conditions in the colony. According to international law and UN resolutions, Portugal is still legally responsible for administering East Timor.

\* \* \*

Indonesia invaded and occupied Timor after Fretilin led a successful revolt against

Portuguese rule, which Indonesia feared would install a Cuba on its doorstep. This analogy appealed to its Western allies who raised no outcry over the death of some 200,000 people during the subsequent seven years in which a scorched earth policy was applied to a population of barely three-quarters of a million people. The scale of this disaster is reminiscent of the ruthlessness with which the Sukarno government put down the communist insurrection in Indonesia during the mid-1960s [sic]; but this is an occupier's repression, not one directed against internal subversion.

The Portuguese government has made much of the running in bringing it to international attention recently. It has had to compete for attention with governments that are keen to develop relations with an Indonesia which has made great strides in economic development, as manufactured exports outstrip those of more traditional products such as hardwoods, oil and spices. Under General Suharto, re-elected this year to a sixth term of office, Indonesia has become much more prominent in regional politics, taking the initiative in opening up relations with China, playing a leading role in the non-aligned movement and helping to broker the UN's peace process in Cambodia.

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This involvement has made it all the more sensitive to international pressure to adhere to its obligations under UN resolutions, although it has demonstrated an independent cast of mind in refusing development aid from the Netherlands which was tied to adherence to human rights conditions. Xanana Gusmão's trial should serve as a catalyst for further pressure.

President Mario Soares's visit to Dublin last week reminded the government of Portugal's involvement in this issue as the former colonial power. The Government has already shown a willingness to voice its disquiet and concern at the UN and in the European Community, a position which is fully in keeping with Ireland's traditional championing of the cause of decolonisation. Indonesia will only deserve international respect if it co-operates fully with the UN's attempts to bring about a negotiated settlement in East Timor and ends its policy of repressive occupation.

## JAKARTA UNDER PRESSURE ON XANANA

*Green Left #103, June 9, 1993*

*By Jana D.K. in Jakarta and Mitchell Hamilton in Sydney*

The Indonesian government is attempting to escape political pressures following the

trial of Xanana by creating the false impression that the East Timorese resistance leader has changed his views.

Excerpts from Xanana's defence speech have been published around the world. His trial has been the subject of editorial comment in most of the world's capitals.

The regime appears most worried about the impact on the Indonesian public. It has isolated Xanana and used his government-appointed lawyer, Sudjono, to make it seem that Xanana is admitting guilt.

Nobody except Sudjono has seen Xanana since his trial. The Red Cross has stopped trying to visit prisoners in East Timor because the Indonesian government is not conforming to ICRC criteria for such visits, which include confidentiality of meetings and regular access.

Xanana's isolation is of great concern because of his declaration in his defence speech that he would begin a hunger strike.

Sudjono has handed in an appeal for clemency to the Dili court. In Indonesian law, an appeal for clemency involves an admission of guilt. Sudjono was quoted as telling reporters that the appeal meant that Xanana now recognised the authority of the Indonesian court, which he had rejected in his defence speech. Xanana's signature was not on the appeal.

A similar tactic is being used against Gregorio da Cunha Saldanha, who was sentenced last year for allegedly organising the funeral procession in Dili on November 12, 1991, which was attacked by troops, killing more than 200 people.

Saldanha's appeal against a life sentence was rejected by the Indonesian Supreme Court on June 2. The Indonesian news agency Antara quoted Hieronymus Godang, the presiding judge of the Dili court, as saying that the appeal was rejected because Gregorio's defence failed to present a *memori kasasi* (reasons for appeal).

Luhut M.P. Pangaribuan, acting internal director of the Legal Aid Foundation, who headed the team of lawyers which defended Gregorio, told Green Left that they were still waiting for information from the High Court on an appeal lodged in August 1992. "How can we lodge a *memori kasasi* with the Supreme Court, when we have still not received written confirmation that the previous appeal has been rejected?"

He suggested that the authorities might be trying "to get the appeals out of the way as quickly as possible, leaving Gregorio with no other course but to appeal to the president for clemency."

Pangaribuan said that the lawyers have not been able to communicate with Gregorio for over two months. "Letters we send never reach him. Although I do not know for sure, I do not believe that Gregorio would

agree to a plea for clemency. As in the Xanana case, the authorities are very anxious that Gregorio be seen to make a plea for clemency, which will confirm the court's sentence and be used to discredit the defence."

## CANADIAN WOMAN JOINS INTERNATIONAL HUNGER STRIKE FOR EAST TIMOR

*News Release from East Timor Alert Network/Canada, 9 June 1993*

TORONTO – Writer and peace activist Maggie Helwig will begin a hunger strike in support of the people of East Timor tomorrow morning outside External Affairs Minister Barbara McDougall's constituency office. The hunger strike will begin with a rally at 9 a.m. on Thursday 10 June outside McDougall's office at 21 Vaughan Rd (near Bathurst & St Clair).

Ms Helwig is holding this hunger strike in support of East Timorese resistance leader Jose Alexandre Xanana Gusmão, who was sentenced to life imprisonment by an Indonesian kangaroo court on May 21 in a trial described by Amnesty International as "a travesty of justice." Xanana has led the Timorese resistance to Indonesian occupation for several years, and has been called "East Timor's Nelson Mandela."

East Timor has been fighting for its independence since 1975, when it was invaded by Indonesia. Since then, one third of the population has been killed. The United Nations has passed ten resolutions calling on Indonesia to withdraw its troops.

After Xanana was sentenced to life imprisonment, he began a hunger strike to draw attention to the continuing genocide in East Timor. Supporters of East Timor have begun supporting hunger strikes in England and Portugal, and now in Canada. Supporters in other countries are expected to join the rotating strikes shortly.

"I am fasting to protest against the Canadian government's shameful complicity in the genocide being waged against the East Timorese people," said Ms Helwig, 31. "Barbara McDougall and her predecessors at External Affairs have all winked as the killings went on. Now, McDougall even says the trial of Xanana Gusmão was fair. The Canadian government's hypocrisy must be stopped."

Ms Helwig will be outside Ms McDougall's office from 9 a.m. until 6 p.m. daily for the duration of the juice-only hunger strike.

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## EAST TIMOR HUNGER STRIKE ENTERS DAY FIVE

*Press release from the East Timor Alert Network/Canada, 13 June 1993*

TORONTO – A Canadian woman enters the fifth day of her hunger strike in support of jailed East Timorese resistance leader Xanana Gusmão tomorrow (Monday). Toronto writer Maggie Helwig is fasting outside the Toronto constituency office of External Affairs Minister Barbara McDougall from 9 a.m. to 6 p.m. daily. Ms McDougall's office is located at 21 Vaughan Rd., near Bathurst & St Clair.

Ms Helwig began her juice-only fast last Thursday in solidarity with Xanana Gusmão, who has been on hunger strike since he was sentenced to life imprisonment by an Indonesian court on May 21, in a trial condemned by Amnesty International as a "travesty of justice." Mr. Gusmão led East Timor's resistance movement for a decade until he was arrested by Indonesian soldiers late last year. Since Indonesia invaded East Timor in 1975, one third of the population has been killed.

Ms Helwig is one of an international group holding rotating hunger strikes to support Xanana Gusmão and the people of East Timor. Activists in England, Portugal and Holland are also participating.

"Xanana Gusmão is East Timor's Nelson Mandela," said Abé Barreto Soares, a Timorese refugee now living in Toronto. "The real criminals are not the Timorese who struggle against a foreign aggressor, but the Indonesian regime and the governments that support it. Sadly, Canada is among these governments."

External Affairs Minister McDougall has accepted the sentence against Xanana Gusmão, and has not responded to requests that Canada work for his release and act to ensure his safety while he is in prison.

## HUNGER STRIKE CONTINUES IN THE HAGUE

*TAPOL Report, 11 June 1993*

Three Indonesians, M.R. Siregar, Ratih and Siswa Santoso, will start a hunger strike at midnight on Sunday night/Monday morning, 14 June on the main square in The Hague, near the Parliament building, in solidarity with Xanana Gusmão's plan to go on hunger strike as an appeal to the world community to take action on East Timor.

Others may join in the action which will last for several days.

This is the fourth in a series of hunger strikes. The first was in London, followed

by Lisbon. Maggie Helwig is now on hunger strike in Toronto.

Other wishing to take part in this global action are strongly encouraged to do so, to keep up the pressure, especially as the annual meeting of the Consultative Group on Indonesia, due at the end of June, approaches. There is also urgent need for pressure to gain immediate access to Xanana and for the ICRC to be allowed to resume prison visits in East Timor.

#### MESSAGE FROM INDONESIAN HUNGER-STRIKERS

*The following Press Release was issued at midnight June 13 by four Indonesians as they started a hunger strike outside the Dutch Parliament building in The Hague:*

#### WE CAN'T LET XANANA AND OTHER EAST TIMORESE CARRY OUT THIS FIGHT ALONE!

We, the undersigned, consider the occupation of East Timor by the Indonesian Government as illegal. The international community has already condemned the invasion of East Timor by Indonesian troops and the United Nations has adopted resolutions regarding East Timor. The presence of Indonesia in East Timor is indeed a criminal deed since Indonesia dominates East Timor through the law of terror, violence, persecution, prison, torture and murder. We therefore share the wishes and appeals of Xanana Gusmão, the imprisoned resistance leader, as stated in his mostly unread plea, that the question of East Timor is the responsibility of the international community. It is a question of international law. Besides (appealing to) the Indonesian Government which has committed crimes in the past seventeen years, Xanana also demands that other western governments like the US, western Europe and Australia, be brought before the international court.

In that light, we, the undersigned, demand strongly of the Indonesian Government to respect international law by releasing Xanana Gusmão and all other East Timorese political prisoners immediately; and by withdrawing her military and administration from East Timor so that the people of East Timor can get their country back.

We, the undersigned, appeal solemnly to the United Nations, the European Parliament and other international organisations to condemn the Indonesian Government concerning the trial and sentencing of all East Timorese prisoners, in particular the trial and sentence of Xanana Gusmão, and to be consistent with all the resolutions they have adopted regarding the Indonesian occupation of East Timor.

We, the undersigned, appeal solemnly to all European governments, Australia, Japan

and the US administration to punish the Indonesian Government by abolishing all forms of military and economic relations, development aid and weapons exports.

14 June 1993, 00 hours

Ratih MIRYANTI Dasa RUDIYANTO  
Siswa SANTOSO M.R. SIREGAR

#### TORONTO PRIEST CONTINUES HUNGER STRIKE FOR EAST TIMOR

*East Timor Alert Network/Canada, 14 June*

TORONTO – Rev. Brian Burch takes over the five-day-old rotating hunger strike for East Timor tomorrow outside the Toronto constituency office of External Affairs Minister Barbara McDougall. Ms McDougall's office is located at 21 Vaughan Rd., near Bathurst & St. Clair. Maggie Helwig, a Toronto-based writer and peace activist, has been fasting outside the office since last Thursday morning.

Rev. Burch, the chaplain of the University of Toronto Student Christian Movement, will be outside Ms McDougall's office daily from 9 a.m. to 6 p.m. starting tomorrow (Tuesday).

The hunger strike, along with other rotating hunger strikes in England, Portugal and Holland, are in support of East Timor's jailed resistance leader Xanana Gusmão, who was sentenced to life imprisonment on May 21 by an Indonesian court.

Hunger strikers say the trial of Xanana Gusmão was a kangaroo court held in violation of international law, while Amnesty International calls the proceedings "a travesty of justice." Xanana Gusmão, who supporters say is East Timor's equivalent to South Africa's Nelson Mandela, has been on hunger strike since he was prevented from reading his defence plea to the court.

Indonesia invaded East Timor in 1975, and has ignored ten United Nations resolutions calling on it to withdraw its troops. Since then, one third of the East Timorese people have been killed. The government of Canada is one of Indonesia's most important overseas supporters.

#### PRESSURE ON EC REGARDING XANANA

*TAPOL, the Indonesia Human Rights Campaign, today sent the following letter to the Foreign Ministers of Denmark and Belgium regarding alarming information relating to Xanana Gusmão. Solidarity groups around the world, especially those in EC countries and North America, are asked to exert similar pressure on their own governments for immediate action.*

15 June 1993

To: Mr. Niels Helweg-Petersen, Danish Foreign Minister,  
Mr. Willy Klaes, Belgian Foreign Minister

Dear Foreign Ministers,

I am writing to you as the present and forthcoming presidents of the Council of Ministers of the European Community to draw your attention to the latest information about Mr. Xanana Gusmão, the East Timorese resistance leader who was sentenced to life on 21 May and who announced his intention of going on hunger strike as an appeal to the world for support for East Timor.

A reliable source in Dili who ten days ago passed on information that Xanana Gusmão had started a hunger strike, stated yesterday to a contact in Australia:

"Xanana Gusmão is in very bad shape. He is still in East Timor but 'out of breath.' [This is a coded message, the meaning of which is not clear.] I know that he is not well."

Other sources in Dili say that Xanana Gusmão is in hospital and is being force-fed, which is a gross violation of his human rights.

However, last Thursday, 10 June, Foreign Minister Ali Alatas denied that Xanana Gusmão is on hunger strike and claimed that he plays basket-ball every day.

To judge whether what Mr. Alatas says is true and considering that it conflicts with the alarming information we have received, we believe that the Indonesian authorities should be asked to allow independent observers to have access to him immediately. Xanana Gusmão should be allowed to appear in public; after all, during the early stages of his detention, he was made to appear several times on Indonesian television.

As a matter of urgency also, Mr. Alatas should be urged to take immediate action to remove the obstructions in East Timor which forced the International Red Cross to abandon all prison visits in East Timor. The suspension of ICRC visits has enabled the forces of occupation to throw a veil of secrecy over the conditions of all East Timorese prisoners and in particular over

the circumstances under which Xanana Gusmão is now being held.

We fear for Xanana Gusmão's life and urge the EC to take action with all due speed.

Yours sincerely,  
Carmel Budiardjo

## HUNGER STRIKE IN IRELAND

According to an announcement by the East Timor Ireland Solidarity Campaign, a hunger strike in solidarity with the East Timorese resistance leader, Xanana Gusmão, will commence at 9 am on Thursday, 24 June, outside the British Embassy in Dublin. It is not yet known how many people will take part in the action.

For further information, contact +353-1 623-3148

## INDONESIA CHALLENGED TO ALLOW GUSMÃO A NEWS CONFERENCE

by Melissa Langerman of AAP.

(Canberra, June 25) The main international spokesman for the East Timorese resistance movements, today challenged Indonesia to allow jailed resistance leader Xanana Gusmão to hold a news conference.

Mr. Ramos-Horta, a spokesman for the resistance umbrella group the National Council Maubere Resistance (CNRM), emphatically denied today that Mr. Gusmão would never have made a plea for clemency to the Indonesia government.

Last weekend Indonesia's coordinating political and security affairs minister Susilo Sudarman said Mr. Gusmão - jailed for life last month - had made a plea for clemency through his lawyer, Sudjono, an event which he said showed Mr. Gusmão had admitted his guilt.

"We challenge the Indonesian authorities and Mr. Sudjono to produce Mr. Xanana Gusmão in a press conference with representatives from the European community, the United Nations and the United States so that he would state whether he asked (for) clemency or not," Mr. Ramos-Horta said at a media conference here.

Mr. Ramos-Horta, who was East Timor's foreign affairs minister until the 1975 Indonesian invasion, said Mr. Gusmão alleged statement calling for clemency had not contained his signature.

The behaviour of the Indonesian authorities and the lawyer who was appointed to represent Mr. Gusmão had to be considered when considering issues like the supposed plea, he said.

Mr. Gusmão had repeatedly refused to acknowledge Indonesia's authority over him

and Sudjono, the lawyer appointed by the Indonesian authorities, had continually denied the real situation facing Mr. Gusmão.

Mr. Sudjono was also under investigation by the Indonesian bar association over his conduct in representing Mr. Gusmão, Mr. Ramos-Horta said.

"We understand what is the legal system in Indonesia, we understand the nature of the regime in Indonesia but certainly someone is lying, either Mr. Sudjono or the military," Mr. Ramos-Horta said.

"I tend to believe that both are lying in view of Sudjono's record and of course in view of the notorious record of the Indonesian military."

Mr. Ramos-Horta said East Timorese acknowledge Australia's difficulties in its relationship with Indonesia but said Australia, in partnership with other countries, must act to encourage Indonesia to disengage itself from East Timor.

Mr. Gusmão and other resistance leaders had continually stated they were prepared to enter into dialogue with Indonesia without preconditions under the auspices of the United Nations.

He said East Timorese hopes to have discussions with the UN Secretary-General Boutros Boutros-Ghali before September 17 talks on Timor between Indonesia and Portugal under the auspices of the secretary general.

"We hope that between now and then there might be some changes," Mr. Ramos Horta said.

It is hoped that the Secretary-General might be able to put the view of East Timorese at the negotiations if Indonesia continued to refuse to recognise their right to negotiate directly.

## EVENTS INSIDE EAST TIMOR

### ALATAS SPEECH AT UNIVERSITY OF EAST TIMOR

*Speech given by Indonesian Foreign Minister Ali Alatas, Dili, 21 May 1993*

*Unofficial translation from Bahasa Indonesia. Full text.*

Ladies and Gentleman, brothers and students,

I have visited East Timor several times as Foreign Minister; this afternoon I came here as an official of the central "GOLKAR" (the ruling party) to campaign, but tonight I just want to suggest something. Forget about these attributes. I would like to come here to dialogue with you as Ali Alatas.

Those who by chance are getting old - don't get too old - and also for those who were students, so this is not a lecture as mentioned before, it's a sort of speech and discussion in a relaxed manner. Do you agree? Agree?

Sometimes ago, when I came here as Foreign Minister to deliver DIK (List of Fulfilled Activities, a kind of provincial budget program) to the Local Government, I had the opportunity to meet some of you, friends, if I'm not mistaken one of the Student Association of Agricultural Faculty. Then we agreed to have a little talk, where one of the points was the willingness to organise a meeting like tonight attended not only by students of East Timor University, but as we see tonight students of Polytechnic and Institute Pastoral Indonesia also attended to listen to the integration history into the Indonesian Republic. Also to listen to the facts and issues developing in foreign countries because they know that I have been involving in almost all process, either domestically or internationally, therefore I know a little bit more about its facts, and its process.

I consider this request normal, because the last 17 years have been dominated by fluctuation and bitterness for East Timor's history, so many people have forgotten what had happened actually. Also many people, especially abroad, use this opportunity after 17 years to misrepresent what happened, distorting the reality by providing their own version and exaggerating many things useful for them, but not true.

Therefore I come up with the conclusion that it's logical for us to have such a dialogue tonight in which I'll try (of course, not in-depth because that would take hours) to describe what's the history and how is the opinion developing abroad towards this matter. But I would like to stress in advance that I'm a person who does not like revealing the past experiences, where these past experiences were fluctuated by sufferings but also dominated by the spirit of struggle. It's time for us to think forward, close our book on what had happened, start to open a new chapter of life clearly and all together in a new atmosphere, in a new spirit towards prosperity and progress.

But the fact reveals that still there are many factions that continuously and repeatedly distorted the past reality by distorting facts. If they are not corrected, giving the truth, then those who have forgotten or who did not experience that issue would think that's right.

You have certainly learned history. It was the German Information Minister, Goebbels, who argued that if a lie is repeated over time, sooner or later, people will consider it the truth. That's his reason.

Therefore, he as an Information Minister was repeatedly updating that technique, and these techniques were always used by other regimes after the Nazi regime.

In light of this, with deep regret I have to say that this has been used, and repeatedly used by Portugal and other small groups who considered themselves as East Timor representatives, being offered the mandate, whereas that mandate has never been represented you for lying the international community. That's why I have to correct the wrong perceptions, because even without being distorting the history is complex, and I have to say honestly, a history that can be repeated may be used wisely, but the history is irreversible. What has happened, happened! We ought to looking forward and try to make a new history together.

For instance, the first big lie, which was used over time, was that Portugal seemed to be implementing decolonization towards self-determination by offering three options to the East Timorese in 1974, calmly, correctly and honestly.

And with all tranquillity and sincerity of its effort, Indonesia was accused to have invaded and annexed and stopped that self-determination process. That's the big lie that they always come up with over and over.

Why is this a big lie? The fact reveals that what they're doing is totally untrue, and there are facts. The facts were well-documented. And it's worthwhile for you, as young intellectuals of East Timor, to know your own history and know these facts. Because in 1975 the dictator in Portugal was overthrown by a revolution, a peaceful revolution, and the new government in Portugal later announced a drastic policy change: i.e. Portugal wanted to liberate its former colonies.

There are five ex-colonies: Angola, Mozambique, Cape Verde, Guinea Bissau, Sao Tome and Principe are all in Africa, and the sixth is East Timor. They announced that they would offer the right to self-determination. Indonesia was one of the first countries to respond. Why? Because in the UN and outside the UN, in NAM, Indonesia has been consistently implementing anti-colonial politics.

And we urged Portugal to do so. When Portugal announced that, we were the first who said, Great! This happened. We gave a good response. As I told you, we have been consistently implementing anti-colonial politics, and we don't need to be spouted forth nonsense. In the UN and other places, since the 1955 Asia-Africa Conference, 1961 the first NAM summit and etc. in drafting the resolution 1614 and 1541 which always been used to self determination, Indonesia also participated.

Indonesia was on the organizing committee in writing that resolution. So, our experiences and also our status are clear in the world. So we heartily welcome, and in fact at first stages Portugal also acknowledged it, as Portugal itself who came to us to say that we have changed our government, we want to implement a new policy, we want to cooperate with Indonesia in giving self-determination to East Timor people. We were delighted with their offer.

In September 1975 talking with the late Mr. Adam Malik, foreign minister of RI, and foreign minister of Portugal in that time, that East Timor is a part of an island in the mid of Indonesian archipelago, certainly Indonesia has any vested interest, therefore we would like to cooperate. We accepted! Right, we will cooperate honestly in accordance to the anti-colonialism, helping Portugal. As we emphasized, we didn't have territorial ambition over ET. We only have an ambition that every country which has not been offered independence, be offered chance to decide.

And the cooperation started following various meeting. In Portugal itself, talks between Portuguese ministers and the late Ali Murtopo took place. The London meeting, Jakarta meeting, and a number of high ranking officials visited Jakarta and we had various meeting in several places. Then, they explained to us. We will allow the creation of political parties, and five parties were created, as you knew.

Parties like UDT, Fretilin, APODETI, KOTA and Trabalhista. That's the fact of the history. There was a political program and that was also a historical fact. Each party leader went to Jakarta, talking with us. There, we stressed once more that Indonesia has no territorial ambition. Indonesia consists of many islands, 17,000 islands. Why would Indonesia wants another island, aren't those enough? Moreover, the struggle of Indonesia to fulfill its territory was over by the joining of West Irian, which at first was a part of Netherlands East Indies. We explained to Portugal, please think logically. If Indonesia wanted to annex East Timor, it would be logical and easy for Indonesia to do it when you hadn't changed your democratic government, when you were still being ruled by a dictator who was discredited by the international community i.e. Caetano Salazar. Wasn't that easy for Indonesia, if Indonesia wanted East Timor by force, by annexation similar to India? India did the same thing to Goa. But India did it when Portugal was still under the dictatorship of Caetano Salazar.

No country demanded India to get out, or the like. Why not? Everybody hated Caetano Salazar. We told Portugal, "if we want to do so, it would be better off to do at that

that time." The fact that we have no territorial ambition, everywhere we attacked Portugal by saying that you must implement the decolonisation. We never approach ET one meter under Sukarno (the first Indonesian President) who was rigorously fighting against neo-colonialism, we never trespassed even a span to enter ET.

They acknowledged, but we wanted a pure decolonization. You (sir) the one who said there are three options, full independence, federation or association, integration to Indonesia. That's your own planning, not us, and you have told us that among the five parties, some of them want independence, federation and others want integration.

Indonesian request is only one sir, be honest, and offering them the same right, offering them a fair chance through referendum, whatever you do, and whatever the results, Indonesia will accept it.

That's the reality, written, announced in the newspapers, I don't lie, I don't add anything, would you (intellectual people) please have a look in the newspapers at that time, research the documentation as you must know what happened prior to 1974.

After proclaiming its independence, Indonesia needed another five years of struggle to attain recognition from the Netherlands and Britain. Beside that, from 1950-1963 another struggle to free Irian Jaya (Indonesian name for West Papua) was accomplished. Subsequent struggle occurred in the following years as confrontation with Malaysia/Britain and, then the bloodshed coup(1965), which again, caused thousands of casualties which in turn led to the emergence of the "New Order" under President Soeharto, our current father.

Indonesia at that time offered peace, because we would had to develop, as many of our sons and daughters had become the victims of many unpleasant events. We must develop, we must think of our people's welfare. That's why we ceased confrontation with Malaysia, we set up ASEAN and Father Soeharto said that "now had emerged a new Indonesia which is equal to Singapore or other small countries wherever they are." We do not want to show that as we are a big country so we can easily dictate our neighbors. We want peace. We want development.

In that context the East Timor problem emerged. It was an embarrassment. The last thing we want is, we need Portugal to fulfill her words to pursue the decolonisation process. But apparently Portugal was unfair. It was a pity. I need to say that because there are heaps of evidence. Why? Because in Portugal riot is an ordinary activity. In East Timor there was a Governor and his two assistants, Lemos Pires, Major Mota and Major Yonatas. They had not power to

control and were also unfair. So decolonisation was not their purpose. They wanted to hand over the power to one of their close political allies without decolonisation, without general election, without referendum, yet through weapons, terror, and other form of unfairness which was evidently happened.

Indonesia was not in those events. We only pray. We did not want to get in more and more trouble. We have had heaps of difficulties in the past. But it was evident that the way Portugal was, and hence led to terror, intimidation and killings. That was one party and you know the party was Fretilin, in which its remnants is still waged by Portugal. Unsurprisingly, they lived in Portugal, so they were only instruments and not revolutionary movement.

Don't teach Indonesia what is the revolution and what is revolutionary movement. We have had such enough experience to do a revolution. We know who are the actual revolutionaries, and who are artificial revolutionaries. Fretilin from the beginning was and is an artificial revolutionary.

In Mozambique there was Frelimo. Here they adopted the name Fretilin in order to be same in its sounds, however they have never got involved in any war against the colonial power. On the other side those, who are your leaders now, had involved in wars against colonial power. You must be proud of your ancestors' struggle. Since 1910 East Timorese had fought the Portuguese. Massacred, thousands died. In 1945-1946 when Indonesia proclaimed independence, East Timorese was oppressed. In 1959 in Viqueque, there was another rebellion, but again many of them killed, many were executed and hundred were sent to exile. Those are facts of History. Is there any Fretilin member who is "singing" abroad involved in these struggles? None. Because Fretilin is an artificial instrument. The reason I'm saying artificial is because most of them were "TROPAC" plus colonial army and other form of its combination. And that combination (re-alliance) was Fretilin whereas the other were, UDT, Apodeti, KOTA, Trabalhista which acted through underground line.

So it is clear, who they are, why they pursuing different outlook. Fretilin, nobody knows, where are they from, they actually came from Portugal plus TROPAC. Hence, colonial army was the "Backing" of that party.

Isn't it an oddity? It is an oddity. How can a party labelled itself as National Liberation Movement apparently consists of colonial army? I have not ever, in my memory, read of such a struggle throughout the Asia-Africa independence struggle. I'm telling this due to facts and no Fretilin members dare to answer this, even I confirmed this statement

in UN and NAM conferences. So, based on manipulation, unfairness emerged a civil war. Some of those who get involved in that civil war are still alive among your leaders. Ask them about war between Fretilin and other parties.

In August 1975, Indonesia was absent in East Timor. So we had not participated yet, however it (the civil war) effected Indonesia. The terror, intimidation and killings by Fretilin resulted in a massive exodus to West Timor. Approximately 42,000 East Timorese fled to West Timor, scared of killing and terror.

Now, you can check the truth. We found mass burial graves in Aileu, Same and wherever which show that what they had tried neither decolonisation nor referendum or self-determination, yet forced to gain one party only. So nothing happened at that time, civil war, hence what had Portugal done, they packed their luggage and ran away. They fled and left behind East Timor, without any responsibility, not surprisingly, it was another side of a coin of what happened in Mozambique and Angola. Portugal tried to manipulate. There (Mozambique) was the Frelimo, but there were other parties, Renamo and so on, but when the war was broken they fled away. It still persist. In Mozambique, Angola there were parties as MPLA and UNITA etc. Portugal cannot solve the problem. They pack up their stuff and run away.

There is no end to that problem yet. The same thing occurs here. But why in Mozambique and Angola they keep quiet while, here they insist to be the colonial administrator they want to hold referendum, why they only insist it to do here?

There is an elaboration of that. Because when they fled from Mozambique the winning party was Frelimo, somehow extreme, compatible with Portugal politics at the moment. And Portugal said the decolonisation process was over and we (Indonesia) formally recognise that. And they want Frelimo to hold the power. In Angola it was MPLA. However as I mentioned beforehand that another form of struggle still going on. Portugal willingness to "top in" the party was achieved so they claim that the decolonisation process in Angola was over.

While in East Timor, Fretilin was not the winning party. They, of course do not like that. Hence, they allegedly said that since 1976 Indonesia illegally and brutally invaded and annexed East Timor. **Is that any independence in November?** and had it ceased the decolonisation process?

The fact that can reveal that allegation is obviously another fact in other history. In August 1975, Portugal left behind East Timor. The civil war broke out. September, October and November or three months. In

November Indonesia was willing to invite the Portugal Foreign Minister. Indonesia and Portugal Foreign Ministers met in Rome. Portugal Foreign Affairs Minister Melo Antunes while ours was Adam Malik. Again I was there. I took all of the notes. I was the translator of Mr. Adam Malik.

They agreed *due to Indonesia willingness* for Portugal to come back to Timor. Please come back. Don't leave East Timor. Please accomplish your decolonisation process because we do not want to be included in that process.

Is that a voice of a country to annex East Timor? We invite them to come back.

And it was evident, a joint-communiqué was released in November 1975. I'm not joking or I'm not trying to overthrow the fact of history. There we suggested Portugal, even previously, we urged Portugal, if you cannot afford to do that, we will go and do it together.

In the beginning they even said Indonesia alone went in. We answered, you're mad, if we enter all the international community will condemn us. You must enter, but if you yourself don't want to, well, you, Indonesia, Australia, Malaysia, four of us enter East Timor. But with a limited mandate, we stop the war, the civil war; then we get out leaving Portugal alone to continue its decolonisation process honestly.

They refused. After the Rome meeting they promised they would come back, but they didn't come back and a series of events occurred inevitably. Fretilin unilaterally declared its independence; Apodeti, UDT, KOTA and Trabalhista also unilaterally declared integration, while the war continued and many refugees fled to Indonesia, many casualties happened. The world ignored it, and Indonesia was criticized by the Apodeti, UDT, KOTA and Trabalhista leaders. "Hey you, what a coward you are, such a big country. We had asked you for integration, we are now being killed by TROPAC using guns supplied by Fretilin from TROPAC. You remain silent, what a coward country, what kind of moral do you have?"

But Indonesia thinks, "Oh dear, this is not what we're expected." I just explained that Mr. Suharto in that time explained, I just offered a mandate to develop Indonesia peacefully, to create peace with Malaysia and ASEAN. How could this happen? So, you are lying, a big lie if you say that Indonesia wanted to annex East Timor if she got the chance. That's nonsense, nonsense. So, that's the reality.

So, what had happened, the world misunderstood, the international community condemned Indonesia. In the UN we were condemned even by our own friends who didn't understand on what has gone in the



process. Although we had invited the UN, this decolonisation process will be imperfectly implemented, but the situation forced, this was the petition requested for integration, please come to observe.

Portugal blocked, followed by its supporters, while integration occurred in July 1976. Since then we had to face determined world opinion. From 1976 to 1982, every year we had to face the UN General Assembly. We were criticized, condemned by many countries. The most harmful were those countries which we helped gain independence, the small countries in Africa which we have helped be independent even arrogantly said that Indonesia must be taught to implement Non Alignment principles.

Oh dear, it's very painful, painful indeed. They teach us, do they? Then they said Indonesia had toppled a national liberation movement. Oh dear, sir, we were the one who had revolution, not you sir, over years we had revolution, which national liberation movement is, right? But we will face it.

It's difficult, but inside East Timor we tried to improve the situation, tried to reduce the causalities. From 1976 until 1982 many countries were gradually understanding the real situation, therefore in 1982 there was a narrow difference in voting over a resolution made by Portugal where 50 for Portugal and 48 for Indonesia. So there were only 2 votes difference.

Others, more or less 100 countries, kept silence and were bored; they even said that they wouldn't interfere with the voting which is 50 to 48. So, logically, in 1983, if we tried again we would win, we could win due to the two votes remained there.

Thereafter, Perez de Cuellar, the new UN Secretary-General came up with a big role. He summoned me, in that time I was still the ambassador, and he also summoned the Portuguese ambassador, and he said: "Give me the chance as new UN Secretary-General to resolve this question in my good offices." Then he argued that through voting one may be the winner, but the problem may be unresolved due to humiliation from the loser. And the question remains unresolved; but if it's thoroughly solved, maybe I'll help.

I replied, Mr. Secretary-General, "Why should I accept your suggestions? You have seen the result of voting, just 2 voices remain there, and next year I'm sure we will win, why should I start to dialogue, why should we accept your suggestions although I appreciate your sympathy?"

But our president has always said, like this more or less, I have forgotten, "Alex, we have our own philosophy that if we win without being arrogant. So, the best win is that if lost without being feeling lost. The UN Secretary-General is right, follow him.

I agreed. We started to dialogue, but with the condition that is based on the latest resolution and not on the clock which could be set back for Portugal to come back again. Too much bloodshed, too many casualties among the Timorese people. That's not acceptable anymore. But, sort of that, a new negotiation emerges, Indonesia is ready to listen to.

I returned to the UN and the negotiation took place. Voting was cancelled. In 1983, 84, 85, 86, 87, I was in New York. I told based on the fact and by experience dialogue directly with Portugal. Three of us, every time we sit down, the three of us, Secretary-General or his deputy, myself and Portugal ambassador and we had agreed on many things. Many things in that dialogue. Firstly, there were many requests from Portugal. "Is it possible for our people who remain there to return home?"

Indonesia said "yes, please. Which people?"

"Are they our former government officers allowed to be repatriated?"

"OK, who are they?" I asked them for a list.

Then, they gave me a list. At that time we did have our own list. Our list was far more complete than theirs. We said, how come your list is smaller than ours? In our opinion, there are many more ex-officers from your country. Oh, we don't want, we just selected them, said Portugal. Oh, I see, that's how they thank their own officers in their country. Anyway, I followed them. They asked furthermore: "How about Catholic news, the Catholic religion is oppressed and pursued."

I said "Where did you get the fact from? I have the statistics which reveal, and I ask you if I'm lying please put on the news that I'm lying. In fact after integration the number of Catholics increased dramatically. Isn't that a reality, so where did you get that fact from? Finally they were delighted."

Are you sure that all the objects left behind by Portugal are not destroyed? Are they well preserved? I said, you know that in ET the names of the streets are holding Portuguese names, even its monuments. While, I was saying, I know very well in Mozambique all the objects were destroyed and damaged and you said nothing. In Angola all were damaged. No one that I can see, because the revolution there is so powerful. Anyway, you want that assurance and I'm ready.

The dialogue went on and we were so flexible. Until 1986, we were summoned by the UN Secretary-General. And the Secretary-General had a plan to resolve the question thoroughly. His plans as follows: "In 1987 there will be a general election throughout Indonesia including East Timor

as today. In that time, the UN Secretary-General will send a UN mission to visit Indonesia, to several provinces, including East Timor to observe the general election. Observer means that they can talk with anybody, see the facts not only in East Timor, but also everywhere. On their return they will submit a report to the General Assembly.

And based on that report a debate will take place on its observation. Its results, as we were so confident at that time, were displayed as happened in 1987. People participated in the general election, people chose and talked about the competent parties. That was the fact that they saw. Well, that was the Secretary-General's plan, not ours. That report submitted and a member of one delegation will stand up. Let's say delegation A, who says: "Mr. Chairman, based on this report we concluded that with its limitations there has been an expression of voice from the East Timorese which assured us that actually the decolonization process was not implemented smoothly — but where are the places that have been able to implement a perfect decolonization process in other Portugal's places? — therefore we suggest you to withdraw this question (problem) from the UN agenda." After that, the Portuguese representative stood up, even jumping up. I said that if he wants to jump up, please. He will yell, and say: "I disagree with Mr. Chairman, I don't agree to be concluded like that, I'm still the administrator of East Timor, and I should be allowed to go back to East Timor to implement the decolonisation process."

Then the debate goes on. Some will support Portugal, some will support the first delegation who suggested the withdrawal of the matter. I even told Portugal "Look, I promise I won't say anything, not to make your life difficult, I will keep silent, because I know very well my friends in NAM will speak out on behalf of Indonesia." After the debate there will be a vote, and I'm sure, and so is Portugal, that if that time voting occurs, I'm sure there was an overwhelming vote, the majority will support that first speaker.

But what was the interesting point from that plan? The interesting point was that Portugal, the foreign minister of Portugal, or its ambassador, may go back to Portugal and say: "I have fought seriously, this is my speech, I have got a lot of support from many countries, but finally we were defeated, not by Indonesia, but by the UN General Assembly, not by Indonesia. So, that's a great honour. This the world's voice. That's what the UN Secretary-General expected would be interesting, but his plan may be too risky for both parties, for us and also for them. We accepted that plan.

After a while, Portugal came up with a statement by saying "Sorry, we don't accept." All the efforts failed, all dialogues from 1983 to 1987 ended. After several months they came back. "Let's have dialogue." That happened. And I said dialogue what for? You just rejected several months ago a very constructive plan which we have accepted, now you want a dialogue again. What kind of dialogue? Then they explained: "Look, the Government of Portugal actually wanted to resolve the problem, but our parliament is stubborn. Our parliament was not well informed on the situation. So, would you accept us to send a mission of Portuguese parliament?"

It was in 1987. Keep in mind. So the idea of the Portuguese Parliament emerged when I was ambassador. That's not Ali Alatas' idea. I got the idea when I was ambassador. I replied immediately, "What's in it for us in accepting your idea?" You want to send Parliament. There were pros and contra, left wing and right wing, although they see something is white, they will say it is black. I know all of them, they want to be back to your Parliament. What will happen, and what is in it for us?

Yes, but please. If you still want dialogue, we can give Portugal's Parliament a chance so they can see by themselves that our government is "stronger" to confront them. They can see the situation. In essence, after several meetings Indonesia says, OK. However, (Alatas said) we should combine that. Portugal parliament agreed. But we should make a precise deal, who is going to come, how many people and so on. We agreed, but it must be included a UN mission who will come together, appointed by The UN Secretary General. You don't want? They, initially did not agree, but finally accepted it. Because I told them, whatever the mission is if it wish to come to East Timor it must honestly report what they see, and also honestly draw a conclusion, including the demonstrations.

I'm not afraid, I told them. Who is going to hold a demonstration. 100, 200, 300, 400 or 750,000 Timorese will keep quiet. Because 17 years ago we told already that we want peace, we want develop East Timor together with our brothers in the same island, in the island divided only by a small border caused mainly by colonialism, with same language and culture. And this was a majority decision. Not the decision of all. We never said before that this was 100% agreement of all.

In every nation, there always exists what is the "unequal perception" within the majority. In Britain up to now, there is still "firing" in the Northern Ireland. In Spanish, the Basque people, up to now are still causing terror, blowing up bombs because they

do not agree. It is normal, that there is no agreement among the people, however, if you want it must be actually "drained" through democracy. There are no normal people in Spain who insist the government has to listen to the minority Basques only and not the majority.

But, apparently they treat that it is normal, that we must listen to the minority of Fretilin, not the majority. No normal people in India or Britain who sees that, those who severely plot the government will likely to be the leader of their government, and not those from the majority. Why in East Timor, they calmly says that it must be done.

In essence, we start to make a deal. Finally we reach a consensus that there will be a simultaneous visit of two missions, the UN mission together with the mission of Portugal parliament. Even in advance a mission had gone, simply to seek which places that will be likely to visit, who is going to be visited and so on. You know, that there was still three problems unresolved. Those were:

### 1. Visa

Portugal arrogantly said "We do not want our Passport stamped by Indonesia's visa." OK. But, you enter our territory, so probably in a small (rough) paper, or another rough sheet apart from your passport, so we will not "damage" your passport with Indonesian visa. Oh, they still reject it. So what do they want, without our visa you want to enter our territory. Finally we agreed, OK without visa.

### 2. Then their second demand.

We want to directly enter East Timor. From which destination? we asked. Wherever, they said. Then we argue, look, since the beginning we started to talk, you "com tanta manha" (desculpa, que eu não sei o proprio termo em Portuguese) insisted invitation from Indonesia parliament chairman to Portugal parliament chairman. It was an invitation. I said then, but why an invitation must be written. You "com tanta manha" insisted invitation. Now you impolitely do not want to pass through Jakarta, but on the other side you are invited.

You may interpret that we have recognised East Timor (re-as yours). Oh no, no. You can make any free statement in Jakarta, you can say whatever you want. However we insist you, even though only one hour, to pass through Jakarta. So you can politely meet the "host" according to our tradition. Finally they accepted that.

### 3. The question of journalists.

They wished their journalists to be included. Of course. And we said, sure! Whoever they are, TV, radio or Newsman Okay. Welcome. But, international journalist? wait

a minute, I said. How can international journalist be included in your official delegation. I have never heard such thing. I have served as diplomat for 35 years, I've served as foreign affairs director of information, I had never heard other international journalists included in a national delegation of a independent state. Normally, international newsman will come independently to cover the event. And we will allow that. But they must be included in your delegation?

(Portugal said) That's the way we are. We want it, and you can also free to choose. So, you will select 6 (re-journalists) and we will do so.

However, I replied, it will only induce trouble. We may refuse the journalist that you choose. And you may also do so. We will fight again only in this case (re-journalist). Okay (I said) throw off this idea, drop off the whole idea, let them come alone, because independent journalist commonly do not deserve it. However they (Portugal) strongly insist it.

Finally, the intervention of the UN Secretary-General was inevitable in order to reach a compromise. What compromise? Indonesia, He told me you better accept this idea, six journalists will be elected by Indonesia and six by Portugal. Take it. That was a part of his (UN Sec-Gen.) compromise. Then he turned to Portugal and said, Okay you should accept that the two parts must approve the two lists. If there is any name that you do not want, you can ask to be replaced. That was the compromise. Logically good, isn't it. If there is no quid pro quo.

THAT WAS NOT A COMPROMISE. SO, WE MUST ACCEPT SOMETHING AND THEY DO SO, EVEN THOUGH IT WAS NOT GOOD. HENCE WE ACCEPT AND THEY (PORTUGAL) ACCEPT TOO.

Finally the list was released. In our list, we did not choose the journalists due to their stance as pro-Indonesia, yet because their quality, and because they will write things objectively. When they (re-Portugal) released the list we deliberately suspended ours. We saw there was (in their list) a name, an anti-Indonesian who I knew very well, Jill Jolliffe. She has been in Portugal for 12 years. Probably she has a boyfriend there, we do not know. However, her \_news\_ has never been a positive one, All were worst. In fact, she has not been here for twelve years, even to South East Asia, let alone East Timor. Her report confidently shows as she ostensibly knows everything. Hence when I saw that name, I told Portugal to exclude that name, instead of getting into conflict. Why? Because this person is not an objective one, I said. If you want an accomplishment, let us choose the more objective journalist, not those who pro-Indonesia, but

(please) also not those who strongly anti-Indonesia.

Suddenly, and I did not understand, they (Portugal) changed and strongly oppose. They said if this journalist cannot be included the visit will be cancelled. Oh, We desperately asked ourselves. We have prepared everything, we have started to negotiate for a long time and now we are in an advanced stage, we have prepared your accommodation, we have started to take a special satellite to cover the visit and to be used by the journalists; and you finally cancelled the visit only because of one journalist? I do not understand. I told them. They stay motionless for one day. In the next day they threatened our ambassador. If, up to 06:00 tomorrow morning there is no any positive replay we will cancel everything. The ambassador made a call. Mr. Nana rang me. How is that? I said, tell them, The man that they are confronting is a foreign minister who since 1983 with all of his flexibility, deep understanding and full consciousness tried to understand all of Portugal manipulation.

However, in such matter, do they think that they will easily manipulate Indonesia? "tell him to go and sit on the roof" I do not care again with the visit. I said, you are the wrong man, if you try to intimidate Indonesia. But if you want to replace that journalist any time, you can come, we are ready for you.

They announced (from Portugal) about the Cancellation of the visit. It is an oddity. Goebbels(?) distrusted. It was an odd because in their statement they said, we cancel the visit because Indonesia (out of our agreement) refused to accept the journalist, and Indonesia is afraid of the effect of the visit, so she is trying to avoid it.

How come? I said. How come I will react? That statement had been "the head line." Later, I had a press conference. I said, here is the agreement. Here, all that we had negotiated, this is the agreement, who is the wrong party? And that was the second time. In 1987 everything had prepared, the plan of the UN Sec-Gen. had completed, they (Portugal) went out. Now in 1991 it happen again with the same pattern.

I was not surprised because that was the way (pattern) they are. Hence we wonder whether they honestly want an accomplishment? What is their actual intention, keep on raising the East Timor question abroad, keep on going financially supporting some of our brothers abroad? What a pity. I do not want to be manipulated.

I'm not surprised any more by the Portuguese attitude. So we came to the conclusion whether they're honestly trying to find an accomplishment. What's their intention actually? They continuously put East

Timor on spotlight abroad, they're funding and using some of our brothers who're unfortunately being manipulated.

What's their objective? The objective is may be for their domestic consumption. Why? Because inside Portugal itself there is a feeling of frustration and guilt, being committed mistakes due to their total failure in its colonization. Where can they show their decolonization politics successfully? Neither in Mozambique, nor in Angola and East Timor. The remaining, yes, East Timor. Hence everybody get frustrated, that guilty feelings are manifested on a problem which has been stopped becoming a world problem.

That's the conclusion that must be drawn in our mind, because every time the problem is nearly resolved, they stand backward. But, when the situation is in 'fuss,' you can see again, the Portugal foreign minister starts to "singing" his old songs "Let's, let's make dialogue."

Now the pattern is similar again. So, he's asking to make dialogue with a certain attribute.

We have seen it before. Therefore, you brothers, I want you to know these facts.

By describing these facts, once more I have no intention to repeat the past experiences, nor reveal all what we have done, by Indonesia, by East Timor (fighters) -heroes- together with us, we have had this struggle over the past years.

We did have our own weaknesses and mistakes, but there is one thing that I couldn't accept: i.e. the attitude of Portugal, the attitude of ex-Fretilin, Fretilin remnants, they seem to be "clean or white" no sins. We are "black," we are the evil and they're the angle. Sorry! Actually the world never happens like that. Therefore I used to tell my counterpart, the foreign Minister Joao De Deus Pinheiro, yeah joking, but, it happened.

I told him like this: "When you attack us it seems that we are standing upon podium. Teaching the world, condemning Indonesia, but have you ever thought that I could ask you 'What have you done in 400 years of oppressing the East Timorese?' Bullshit. 400 years you had colonized East Timor, and you neglected the East Timorese people, now you come back as champion of human rights.

Terrific, indeed it's terrific! If another country that is doing that, we may appreciate it a little bit. But I think Portugal has no moral right at all to teach us on human rights. Moreover, I said that "if you stand upon that pedestal, podium or tribune yelling and then as you said a compromise has been reached, how do you feel afterwards, don't you feel ashamed? One day you criticize, the next day you claim that you have

established a good relation with Indonesia. Just be quiet. We'll find the solution later on.

Brothers, the world now has been internalized us that this problem must be separated, we must separate "right" and "wrong," and separate "fact" and "fiction."

And if people say that they're motivated by humanitarian, human rights, are these ways used to achieve their objectives? Is that the way to provoke, to continuously seek reasons for creating friction, or are there any other ways to sit down and start to negotiate nicely? I think the second way is logical than others, more impressive for all of us, more civilized or something like that. That's what we wanted, what we had tried over years but we never achieved.

But I never discouraged, finally we will be able to solve this problem abroad hence we could focused our attention and energy to a more enormous task, which is extremely essential. How can we achieve the prosperity, intelligence, remarkable socio-economic development of the East Timor province as soon as possible not only to be equal, but also leading other provinces in the Republic of Indonesia? Because there are 'talents' and potential. I certainly believe, and I see you (brothers) the ET intellectuals from this place who must have the right (at first) to know these facts.

Therefore I welcome every chance to dialogue with you. And I apologise you for talking too much. Thank you.

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## JAKARTA HAS LONG WAY TO GO IN GAINING ACCEPTANCE OF ITS PRESENCE IN EAST TIMOR

*By Richard Borsuk, Asian Wall Street Journal, May 31, 1993*

DILI, East Timor – Indonesia has put its most-wanted man away for life. But Jakarta still faces problems in gaining acceptance of how it runs East Timor.

On May 21 a court in this coastal town sentenced Xanana Gusmão, leader of the independence movement Fretilin, to life imprisonment for rebellion anti-state activity and illegal possession of firearms.

Mr. Gusmão, who headed Fretilin from the late 1970s, has been considered a key to keeping alive armed guerrilla resistance to Indonesia's controversial 1976 annexation of the former Portuguese colony.

Local authorities believe imprisonment of the 46-year-old former seminary student, captured in November, deals a decisive blow to armed anti-Jakarta activity, already at a low level.

However, Timorese and other analysts say the defiance Mr. Gusmão showed late in

his trial – after earlier cooperating with Indonesian officials – could make him a martyr who inspires continued resistance to integration with Jakarta. And while the high-profile case is over, there is still no verdict on whether Indonesia is winning the battle for the hearts and minds of East Timor's 750,000 people.

### Improved Atmosphere

It is only 18 months since Indonesia badly hurt itself in that effort – and put largely forgotten Timor back on world maps – when soldiers shot dead dozens of anti-government demonstrators. Compared with late 1991, the atmosphere in East Timor has improved, and some progress in promoting integration has been made. The fear widely felt by Timorese after the killings has eased, while improved military discipline has ended attacks by masked vigilantes that made Dili a ghost town after dark.

Still, there is a long way to go. While antipathy to Indonesia has diminished, it is unclear if much affection has grown in the process. Timorese remain frightened of informers and residents say abuses by security officers continue. The economy remains weak and almost wholly dependent on state spending. Continued high unemployment could provide fertile ground for sustaining resistance.

"People still feel it's occupied territory," a Timorese intellectual says. "So naturally there's still resentment of that occupation."

The province's new governor, Abilio Jose Osorio Soares, dismisses this view as one held only by a very small number of people still supporting Fretilin. Mr. Gusmão's capture and government plans for withdrawing army units make him very upbeat.

### New Flak

"There's no more security problem," the governor says "There's no more fear of soldiers." East Timor still badly needs investors, but Mr. Abilio believes they will start coming soon because of the improved security picture.

Whatever happens in East Timor after the Gusmão trial, Indonesia already has started catching new flak over human rights. The U.S. group Asia Watch, which in May praised Indonesia for letting international observers attend Mr. Gusmão's trial, said on May 21 that the court proceedings "violated (Gusmão's) rights to freedom of expression and a fair trial."

There was a surprise twist in the case that adds to the difficulties in assessing the impact of his life sentence on future developments.

After Mr. Gusmão was captured in a house on the edge of Dili, he was surprisingly cooperative with authorities. During a

televised interview, he accepted East Timor as part of Indonesia and appealed for comrades still in the hills to surrender. On the trial's opening day in February, he remained extremely pliant, stating his nationality as Indonesian rather than East Timorese.

This stunned many Timorese who expected Mr. Gusmão to fight Indonesia all the way. It disillusioned some young people in Dili, for whom the rebel leader had acquired folk-hero status. (During the November 1991 protest during which troops opened fire, many teenagers wore T-shirts bearing his image.)

Mr. Gusmão, who appeared in good health in court, changed tack and became defiant near the end of the trial. He tried to read a lengthy defense statement in Portuguese, but was stopped by the chief judge after eight minutes. When the sentence was given, he said, "Viva Timor L'Estê" (Long live East Timor), a Fretilin slogan.

### Switch in Position

Early submissiveness may have been intended to lull authorities into complacency. Their contention that resistance to Jakarta was virtually over was undercut by two ambushes in the eastern part of the territory in March, in which eight soldiers were killed.

Mr. Gusmão's switch to assertiveness appeared to frustrate Indonesian officials, who had reaped propaganda gains from his earlier attitude. Less than a week before the trial ended the commander who oversees East Timor, Maj. Gen. Theo Syafei, accused a United Nations envoy of influencing Mr. Gusmão's position during an April meeting in Dili. (In a statement, U.N. Secretary-General Boutros Boutros-Ghali said the allegation against his envoy was "entirely without foundation.")

The statement by Gen. Syafei, promoted this year to regional commander in Bali, is consistent with the hard line he has taken on East Timor. During 15 months as commander in Dili, he kept his promise to deal harshly with dissent. "I don't tolerate demonstrations," he told an Indonesian newspaper last year. "Demonstrations are prohibited by law."

His predecessor in Timor, Brig Gen. R.S. Warouw, was commander in November 1991. After the demonstration and killings, he was first replaced and later dismissed from the army. His older "prosperity approach" to running the province was dropped and there was renewed emphasis on security.

The hard line has brought changes. Gen. Syafei cleaned up the vigilantes and punished many badly behaved soldiers. But Timorese complain he has been too tough in inhibiting them from giving their opinions.

"We're scared of spies," a taxi driver says. Asia Watch, while agreeing that military discipline has improved, says Gen. Syafei's command has meant "tighter control over civilians in East Timor including severe restraints on freedom of expression and associations."

The atmosphere in Dili would likely become more relaxed if the government does what it says it will do – reduces troop strength now that Mr. Gusmão is in jail. Gov. Abilio says there already has been a cut at this year to 10 battalions from 12 (A battalion is usually about 700 soldiers.) In April, Jakarta announced the disbanding of its special East Timor field command though that mainly involves withdrawing a number of senior officers. "People will be watching to see if units are removed," a foreign diplomat says. "There will be doubts until this actually happens." One Timorese church worker expressed skepticism, saying that on the day the ending of the field command was announced, three landing craft dropped off soldiers in Dili.

Critics of the government would like to see not only fewer soldiers but also more accountability for their actions. The military hasn't cleared up questions on what happened to all the November 1991 victims. President Suharto last year asked then Armed Forces Commander Gen. Try Sutrisno, now vice president, to find the missing people but there has been little headway. The military also never found all the bodies. Gen. Try had claimed there were only 19 killed, but a national investigation commission overruled that and put the toll at about 50 and possibly more.

Some Timorese continue to call for more autonomy for East Timor to increase acceptance of Indonesian sovereignty. Proponents include Bishop Carlos Ximenes Belo of the Dili diocese, who wasn't in Dili at the end of the Gusmão trial. In a recent interview with the BBC, the bishop said abuses continued and that he has seen no change in the situation there in years.

Mr. Abilio, the new governor, sees lots of positive change. He says the persuaded Jakarta to make all the district chiefs Timorese for the first time. "There is no need for autonomy, as Timorese are already able to handle more of their affairs," Mr. Abilio contends.

Jakarta is very unlikely to give real autonomy in any case. The idea runs counter to Indonesia's highly centralized political system. Political analysts say if East Timor obtained meaningful autonomy, other remote provinces would clamor to alter their ties to the capital.

East Timor's outspoken former governor Mario Carrascalão, who complained he didn't have enough power, had strikingly

different views from Mr. Abilio. After the 1991 killings Mr. Carrascalão said he felt as if "practically everybody" in East Timor was against Indonesia. Mr. Abilio says he is convinced practically everybody is happy being part of Indonesia.

After the Gusmão trial, one question is how open the province will be to visitors. Access for reporters was denied for much of 1992, but then Timor was opened for the trial. It isn't completely open, though, as a group of foreign reporters were stopped on May 22 from reaching Baucau, the second-largest city.

### **TIMOR OPPRESSION 'INTENSIFIED'**

*The Canberra Times, 11 June 1993 By AAP*

Port Moresby: Indonesia has intensified its oppressive regime in East Timor in recent months, a spokesman for the East Timor resistance movement, José Gusmão, has told a United Nations decolonization conference.

Mr. Gusmão said the hardship and violation of human rights had been exacerbated since the arrest last November of his cousin, Xanana Gusmão, leader of the resistance's National Council of Maubere Resistance (CNRM).

Xanana Gusmão was sentenced to life imprisonment in May. "Since then he has been kept in total isolation with no visitors, not even closest family members have been allowed," Mr. Gusmão told the seminar on non-self-government territories.

He said Xanana Gusmão's successor, Mau Hunu, who was captured in April, was also in solitary confinement, and he read the CNRM's defence statement which his cousin was prevented from reading at his trial.

The statement said East Timor, a Portuguese colony which was taken over by Indonesia 17 years ago, was the responsibility of the International community and a matter of international law.

"We again reaffirm our readiness to enter into a process of dialogue with Indonesia and Portugal under UN auspices and without pre-conditions," it said.

"The aim of such dialogue will be to explore all possible avenues conducive to an internationally acceptable solution to the problem of East Timor."

The three-day seminar which ended yesterday heard also from a representative of Indonesia's Irian Jaya province, otherwise known as West Papua.

Powes Parkop, of the Melanesian solidarity group, called in the United Nations to recognise West Papua's right to self-determination under international law.

He said a 1969 Act of Free Choice, a referendum which integrated West Papua with Indonesia, was not freely and fairly conducted and exercised.

"All people has the right to self-determination....," he said.

The UN committee chairman, Renagi Lohia, told the seminar that the issue of West Papua was not within the committee's mandate because it not on the UN's list of the world's remaining 18 non self-governing territories.

### **REPORT FROM INSIDE ON MA'HUNO**

*From ETRA, Sydney, 15 June 1993*

Following is a summary of what a visitor brought from East Timor some days ago. This info is based on the content of a note written by a very reliable source from Dili-East Timor, regarding the situation of Ma'Huno and the situation of ET in terms of arrests and arbitrary imprisonments.

"(...) Ma'Huno has yet to be visited/seen by the Red Cross International. He asks ICRC to visit him. When ICRC tried to visit him, the guards hide him. Ma'Huno spoke to Amos Wako. (...).

(Ma'Huno himself is under tremendous pressure).

#### **Concerned about:**

They (the Indonesians) are forcing Xanana to give support to the Indonesian government. It may not be Xanana that wants to be in hunger strike; it may be that the Indonesians themselves are starving him. It is believed that the Indonesians may give drugs to Xanana in order to affect his brain.

#### **Lists of latest imprisonments:**

On the 16 of May 1993, the following people were arrested:

1. Augusto da Costa Leonardo
2. Octavio da Conceição Anos
3. Paulo Farol
4. Egas dos Santos
5. Manecas Soares
6. Abilio
7. Anibal Ximenes
8. Muguel Kulu-Hum
9. Juvito mailina

On the 5th of June 1993, the following people were arrested:

1. Paulo Alves
2. Jose Guterres
3. Lucas

Torture and arrests continue to take place. The telephone of Bishop Ximenes Belo is bugged.

### **EAST TIMOR STUDENTS - ASSISTANCE NEEDED**

*From CNRM.NT, June 18, 1993*

East Timorese nationalist students are a significant component of the Resistance struggle. Many have applied themselves with great dedication to the Resistance, despite the grave personal dangers they expose themselves to by doing so.

The following report is compiled from interviews with student leaders in Indonesia conducted some weeks back.

#### **1. Student hardship:**

The November 1991 student protests in Java and Bali which followed the Dili massacre, led to strong crackdowns by Indonesian security authorities. Students were subject to harsh punitive measures. As a result, many have had to interrupt their studies and go into hiding.

In particular, many students who took part in the Dili demonstrations have sought to flee persecution by the East Timor security authorities by escaping from the island and hiding in urban centres in Indonesia.

These people live under extreme hardship. Firstly they do not have any documentation, which in Indonesia is essential in order to work and carry out any normal daily life activities. Document checks in Indonesia are a highly frequent activity. Such students are thus constantly under the risk of being arrested by authorities.

Secondly, they are unable to find employment to meet their subsistence needs.

Young people in Indonesia generally experience difficulties to find employment. This is especially so for outsiders with no social links and in a precarious security position like East Timor refugee students. They thus depend on the meagre support fellow East Timorese students can provide them, leading a hopeless and harassed day to day clandestine existence, in great deprivation, with little prospects of improvement.

Given continuous security crack downs in East Timor, the number of students attempting to seek refuge outside the territory continues to be significant.

Given the sub-human conditions under which they live -in many cases in hovels- they are also under great health and moral risks. Their conditions of life are generally insalubrious and health care is not available.

Some of them are also exposed to the moral risks of living on the fringes of the lowest socio-economic levels of the poverty ridden Javanese society.

Latest reports claim that increased numbers of East Timor-based Indonesian intelligence operatives are being sent on missions to Java to hound East Timorese students

hiding there. The past 'mysterious killings,' so strongly decried by the international community, seem to be on again.

## 2. Funding needs:

So far student networks have been able to fund their Resistance work with extremely meagre resources. Limited assistance has come from some outside sources.

This is however far from sufficient. In order to function properly they need increased support for communications and transport. The recipients would endeavour to regularly account for the funds received from outside.

## 3. Material requests:

Recently requests for one video camera, a lap-top computer and one digital short-wave radio (to listen to international news) have been received. This material should be provided from abroad or purchased locally with funds made available from abroad. Medicines for wounded Resistance fighters are also needed.

## 4. Other requests:

The students in refuge outside East Timor could be greatly assisted if they were able to buy new identity documents with changed details from corrupt officials. This can be done at a cost of about US\$150 per person.

People under greater security risk would prefer to leave the country altogether. Passports may be obtained for about US\$250-400, through reliable contacts.

## 5. Other East Timorese youth welfare needs:

In addition to students in hiding, there are close to 100 young East Timorese workers brought to Java under false pretences by President Suharto's daughter Tutut over one year ago.

The work promises made to these people were not honoured, so that most of them are jobless and trying to seek a living in any way they can.

It usually means working at the roughest chores for minimal pay. A condition close to slave labour, in the words of an NGO worker trying to assist them. They mostly live in slums in Jakarta's port area, Bogor and West Java, under deplorable conditions.

Some are trying to learn some skills so as to be able to return to East Timor as soon as possible. Some funds are being provided through NGOs to assist them, but these are nowhere near what is needed to enable these people to finish some courses and return home.

This notice is posted in the hope that it may elicit initiatives among various East Timor support groups to assist materially and in any other effective way.

In many cases the plight of these young Resistance heroes is dramatic, even if it has attracted little publicity so far.

## BISHOP OF DILI UNDER SIEGE

*Publico, 16 June 1993. Original Lang.: Portuguese*

(Lisbon) Telephone calls to the house of Msgr. Ximenes Belo, Bishop of Dili, are answered by Indonesian secret service agents or by Timorese prisoners forced by the Indonesian authorities to translate the conversations. The situation, which *Publico* learned of in late May, during and after Xanana Gusmão's trial, has now been confirmed by the testimony of a political prisoner, recently released from Colmera prison, Dili, and who sent a letter to this newspaper, dated 30 May, recounting his experience. It is an impressive document, given the information it contains on the repression of prisoners, and the way in which the occupying authorities act when there is a UN or International Red Cross visit. At the end of the letter there is a simple appeal to Boutros Ghali to "bear in mind human rights in Timor..."

### Church and Priests

"In the presence of the prisoners (the Naggalas, Indonesian forces) ridicule the Catholic faith, make fun of the Rosary, statues, criticize the Bishop (he organizes the demonstrations): they speak ill of the priests - they wear cassocks but hide women underneath them and in their homes; they are the ones who give Fretilin its strength; it is they who influence the people against Indonesia..."

### Red Cross and UN

"When members of the International Red Cross visit, they take the prisoners into the city, and then say that the prisoners are not there; or that they are out visiting their families (...). When one of us is going to talk to the Red Cross, they place a small and powerful tape recorder inside our shirt, so that they can hear our replies (...). When Mr. Amos Wako (UN Secretary General's special envoy) came, I went to speak to him, and they hid a recorder beneath my shirt, so I was not free to say what I wanted" (...) Special forces' commander X, calls Mr. Wako "si hitem" (the black one)... They speak disparagingly of former Governor, Mario Carrascalão, of Mr. Abilio Osorio, the present Governor, and of all the Timorese. (...) "

### Ximenes Belo

"They have connected the Bishop's telephone to Intel (political police); calls from journalists are attended by them. In Telkom

(telecommunications, formerly Marconithey have a mechanism for recording the Bishop's and the priests' telephone conversations. At night they listen to them and write it all down. In the post office, they open the Bishop's letters, and the letters of people they are suspicious of (...). I was ordered to answer the telephone call from a woman journalist (from *Publico*) to the Bishop, and then they told me to translate (...)

### Propaganda

"(...) They say: "you Timorese, you haven't got a hope at the UN, because the UN diplomats are all bought and paid for, and so are the journalists. The UN is weaker than Indonesia because it asks Indonesia for soldiers..." They say that to torture Timorese is not a sin, it's an honour and a pleasure. "In just 17 years we have given Javanese and Timorese more children than the Portuguese did in 400 years."

## A PROBLEM OF THE SOUL

*Asiaweek, June 23, 1993*

(Hong Kong) To visitors, Dili sometimes seems like a city of whispers. Informers and military outposts abound in the capital of East Timor. But critics of Indonesian rule air their aspirations in marketplaces, inside churches or in their homes. There are risks. "If you're seen speaking to a foreigner," says a Timorese, "you'll inevitably be asked what was said." An ethnic-Chinese storekeeper argues that the issue is no longer resistance, but jobs. Others say it's much more. "It's a problem of the soul, not money," reckons Florentino Sarmento, who heads a local non-government organization. Says former governor Mario Carrascalão: "The people of East Timor love freedom."

Indonesian authorities may have put away Xanana Gusmão for life and, for the moment, broken the back of Fretilin, the East Timor resistance movement he led. But their problems are by no means over. Jakarta has yet to win the hearts and minds of many of the former Portuguese colony's 774,000 people. The U.N. still refuses to recognize Indonesia's incorporation of East Timor in 1976 as its 27th province. And Lisbon and international groups continue to deplore what they say are human-rights abuses there.

The state of affairs has its roots in history. In the 19th century, Portugal and the Netherlands divided between themselves the island of Timor in the Lesser Sunda chain. When Indonesia won independence from the Dutch in 1949, West Timor became one of its provinces. The eastern part remained a Portuguese enclave. In 1974 a coup brought a change of government in Lisbon. The new

regime decided on a decolonization program and announced a plebiscite to settle the future of East Timor.

One of the political parties formed in the territory was Fretilin, the Revolutionary Front for an Independent East Timor. The Timorese Democratic Peoples Association espoused integration with Indonesia, as the initially pro-independence Timor Democratic Union eventually did. Civil war soon erupted between the factions. On Nov. 28, 1975 Fretilin, which Jakarta suspected of being pro-communist, declared East Timor a sovereign nation. Nine days later, Indonesian troops landed.

Over the years Jakarta lavished funds on its newest province. It pushed through an impressive infrastructure program and built roads, schools, clinics, an airport and a seaport. Dili acquired a new cathedral – Timorese are predominantly Christian – and a soccer stadium. The capital's population grew from about 25,000 in 1976 to some 125,000 today.

But the tenacious Fretilin kept the dream of independence alive. At one point, the Indonesian army exiled thousands of Timorese to an outlying island. The military was criticized for alleged torture and arbitrary detentions. In recent years the world largely forgot East Timor. Then in 1991, Indonesian soldiers fired on marchers who were mourning the slaying of a Timorese youth. Many civilians died. The conduct of Gusmão's trial last month also attracted international attention.

Some in Indonesia now wonder if it has all been worth it. "We should never have gone into East Timor," says a retired parliamentarian from West Timor. "These people are different from us. We've poured money into the place for years, and all we have for it are headaches." But the government of President Suharto has made clear that East Timor is part of Indonesia. Economic factors have reinforced security concerns. Indonesia and Australia are jointly exploring for oil in the Timor Gap, off the coast of East Timor.

Jakarta insists that human rights, as defined by Western countries, is a concept that does not apply in local conditions. "The argument has proved ineffective in repulsing criticism of Indonesia," admits senior foreign affairs official Hadi Wayarabi. Foreign Minister Ali Alatas left for Vienna last week for an international conference on human rights. "The last thing I would want is for Indonesia to be identified as a single-problem country," he told reporters in Jakarta. Alatas complained about misinformation on East Timor in the international press. "If you repeat a lie over and over again," he said, "it becomes a fact in the minds of gullible readers."

The U.N. has asked its Secretary-General, Boutros Boutros-Ghali, to find a solution to the problem of East Timor. In February last year he sent his personal envoy, Amos Wako of Kenya, to Dili. Wako made a second trip two months ago. Alatas said some of the recommendations Wako made after his first visit have been implemented. Wako met Gusmão in April and said the Fretilin chief seemed to have been treated well. Wako also checked reports that the army is reducing its presence in East Timor. Some 30,000 soldiers are stationed there.

The envoy would not comment on his findings. "I don't want to be held responsible for your conclusions," he told reporters. Some observers believe the military is bringing in new units to replace those that have left. They say it regards East Timor as a good training room. The army is also said to have links with the marketing of coffee, the territory's major export. Says one analyst: "Until some degree of independence is given to civilian officials, the military will go on using East Timor as a means of making money."

Jakarta's new man in East Timor, Governor Abilio Soares, says he has real authority. "If I want a military operation in a certain region to be reduced because it's not useful anymore, that will happen." He has awakened cautious hope. "Abilio is a man of the people," says one Timorese. "Already he has won agreement that all his regional administrators should be Timorese, not military men." There is talk of a future based on more efficient agriculture, fisheries and possibly tourism.

The local economy needs a boost. Unemployment is high. Throughout the day in Dili, youths can be seen lounging in parks along the waterfront. Sarmiento, who heads the East Timor Agricultural Development Program, says Jakarta should do more. "Of all the money that the government provides, probably only 10% actually stays in East Timor," he reckons. Sarmiento says the few fledgling industries are basically operations that provide materials to upstream plants in Java.

"What we have is a lack of confidence on the part of the government itself," adds Sarmiento. He notes that the base camp for the Timor Gap oil-exploration project is in West Timor. It doesn't do much for Timorese self-esteem. "People are apathetic and this apathy is part of the process of alienation," says Sarmiento. Last month former governor Carrascalão, now attached to the Foreign Ministry in Jakarta, called for the army's withdrawal from East Timor. Said he: "You have to trust people and dismiss suspicions."

The Portuguese neglected the territory but they gave its people a level of freedom greater than they enjoy now. "If I wanted to go to another town, I just went," recalls a Timorese who looks back on colonial rule with affection. "If I wanted to go to Australia, I just got my passport. It was purely a matter of money." The nostalgia for the old days is evident in the wide use of the Portuguese language. Church attendance, particularly among the young, is also on the rise.

The resentment helps Fretilin. The group insists that the only solution is a plebiscite, a course that the U.N. has called for in two votes in the Security Council and eight in the General Assembly. "We're ready to lose, but we want to do it legitimately," says Alfredo Ferreira, Fretilin's spokesman in Darwin, Australia. Jakarta maintains that the people already voted to join Indonesia in 1976, when a Popular Assembly endorsed a petition for integration. But the whispers in Dili today make no secret of their stand.

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## AN ISLAND OF EXILES

*Asiaweek, June 23, 1993*

(Hong Kong) Abelino Soares says he is 33 years old. But his permanent stoop makes him look much older. Blind in one eye, he supports his wife and two children by working as a laborer in plantations on Atauro Island off the coast of Dili, the capital of East Timor. In 1981 the Indonesian armed forces ordered Soares to leave his home in Viqueque. The Timor district was a hot spot in Jakarta's war against the Fretilin resistance movement. The military decided that one way to choke off support for the guerrillas was to deny them their base. Accordingly, Soares was shipped to Atauro together with 3,000 others.

The Timorese were first lodged in barracks, recalls village head Vasco Lopes da Silva, whose father was an exiled journalist from the former Portuguese colony of Guinea-Bissau. Portugal had used Atauro as a detention center too. There was little to do on the rocky island. Fruit trees and corn were grown in the few pockets of arable land. Fishing was the main occupation. Many exiles returned to East Timor when the Indonesian authorities released them in 1986. But about a thousand chose to build a new settlement a few kilometers from Lopes da Silva's village. Atauro is now inhabited by some 6,500 people.

Soares and a few families stayed in Lopes da Silva's little community. "They were happy here and it was safe," says the headman. Soares insists that he was never involved in politics. "Some of the people who were brought here were active in Fretilin but I wasn't," he says. "I didn't have anything

to do with political parties." Very poor in a community that is relatively prosperous, Soares says he would like to return to Viqueque. "But I can't afford to move back to the mainland." Yet even if Soares were to return, there is no assurance that he and his family would find a better life there.

## ONCE MIGHTY EAST TIMOR SEPARATISTS DYING BREED

*The Boston Globe June 29, 1993, By Colin Nickerson, Globe Staff*

DILI, Indonesia - Separatist fighters, who for years ferociously battled the Indonesian troops that invaded East Timor in 1975, have dwindled from thousands a decade ago to fewer than 200.

Even those who quietly sympathize with the cause of independence express more pity than support for the few die-hards still defiant in the rugged hills of this remote former Portuguese colony.

"They are just sad souls, waiting with a few rifles and a few bullets to be hunted down by government troops," said an educator, one of very few Timorese willing to speak to a visitor. "The dream of freedom is fading from the hearts of the people. Now all that remains is the fear."

The United Nations has never recognized Indonesia's brutal annexation of East Timor, which occupies the eastern half of the island of Timor, located in the southeastern extreme of the world's fourth most populous nation.

But the world paid little heed in the late 1970s and throughout the 1980s as Indonesian troops killed thousands of separatists. According to Western diplomats, as many as 200,000 East Timorese also perished of hunger and disease during a vicious civil war in which whole villages were razed, fields torched and farm animals slaughtered in retaliations for rebel strikes.

The conflict was and remains both political and cultural: East Timor is an overwhelmingly Roman Catholic enclave in an archipelago-nation that is more than 90 percent Muslim.

Not until November 1991 did the plight of East Timor gain international attention, after government troops turned their guns on marchers protesting human rights abuses. Scores were slain, prompting the United States and other nations to condemn Jakarta and withhold some foreign aid.

Since then, the government has mounted a "hearts and minds" campaign intended to win the support of ordinary inhabitants—and stifle foreign criticism—by building new public housing, schools, clinics and roads.

But fear, mistrust of almost anyone outside the immediate family and a sense of

impotent outrage still seems to permeate every aspect of daily life for many of East Timor's 750,000 inhabitants.

"There is no freedom of speech, no freedom of thought," said a Roman Catholic clergyman. "To express the mildest criticism" of the government or military "is to risk an interrogation or torture."

International human rights groups and several Western governments, including the United States, charge that Jakarta continues to keep the lid on its unhappy "27th province" through harsh repression, "including the torture and killing of civilians" in the words of a recent US State Department report.

Government spies and informers are everywhere, at workplaces, lingering in cafes, even in Roman Catholic catechism classes.

Military "watchers" dressed in mufti—but still conspicuous—stand on street corners, saunter along side streets and stake out Santa Cruz Cemetery.

Much as Beijing's Tiananmen Square became the bloody symbol of China's shattered democracy movement, the dusty Roman Catholic cemetery in Dili has come to symbolize East Timor's suppressed but still smoldering desire for freedom.

On November 12, 1991, a funeral service for a slain separatist turned into an antigovernment rally. As the funeral marchers began shouting demands for an end to military occupation and human rights abuses, troops suddenly opened fire.

The number of dead remains in dispute, Jakarta has admitted that 50 people were slain while listing an extra 61 as "missing." International human rights groups put the death figure at about 150 with scores wounded.

Indonesia, stunned by the thunderclap of outrage from around the world, jailed several soldiers who participated in the massacre and fired two generals. Nonetheless, Jakarta placed the blame for the bloody melee on "extremists" and the separatist guerrillas of the Revolutionary Front for an Independent Timor, known as Fretilin.

Despite their dwindling numbers—and the apparent dwindling popular support for their cause—the Fretilin separatists are still capable of striking out against the territory's despised military occupiers.

Recent months have seen an ambush of an army patrol in the town of Los Palos that killed two soldiers—along with two innocent students caught in the cross fire. Another Fretilin attack on a military outpost left six Indonesian troops dead.

But the mere fact that the government has broken recently with a long policy of silence on such incidents and confirms the attacks in itself suggests that Jakarta now

regards the rag-tag rebels as a minor nuisance.

"There are no more human rights problems, everyone can relax. The rebels are finished, we should concentrate now on building better lives for our people," said a spokesman for East Timor Gov. Abilio Jose Osorio Soares.

## PORTUGUESE LANGUAGE NOT ALLOWED ON CATHOLIC RADIO IN TIMOR

*Diario de Noticias, 4 July 1993. By Luis Santos. Translated from Portuguese.*

(Lisbon) Radio Timor Kmanek (Voice of Our Lady) is the name of a Catholic radio station, being set up by the diocese of Dili, Timor. Due to start broadcasting this month, the station will normally use Indonesian, though some programs in Tetum will be allowed.

According to a Timorese church source, the station has come into being because the Maubere Church has long wanted "to have its own radio, so as to be able to reach every corner of Timor, and in this way carry out its evangelical work more efficiently, even though around 90 per cent of Timorese are Catholics." At the time of the Portuguese administration, the Timorese Church had a weekly 15-minutes of air time on the national radio, for pastoral work.

The launch of the project was supported by the Verbo Divino (Divine Word) priests, who run the Radio Verbum in Indonesian territory. They were willing to help materialize the idea, and gave technical and personnel support.

Contributions of money and equipment came from Belgium and England, while Radio Renascença (Portuguese church radio station) gave financial support and trained personnel.

According to the same source, "two boys are being trained at Radio Verbum in programming and location, and another is getting training on the technical side." The programming will be varied, "because we do not want a completely religious station, so as to be more readily accepted by the people. In spite of the fact that the Indonesian authorities are only allowing us to broadcast in Javanese, and occasionally in Tetum, never in Portuguese, we think it better to start off, because there is a large number of people asking for baptisms, and the number of seminarists continues to increase. Radio Timor Kmanek can supply the clarifying support they need for their life of faith.

With regards the project, "the Indonesian authorities' reaction was not negative, since the former Governor, Mario Carrascalão, agreed to the idea and even made a monetary



contribution. The military government was asked for its view, but has not said anything up to now." However, this attitude would not appear entirely innocent because, according to the same source, "the fear is that, later on, they are capable of forcing Radio Timor Kmanek to give out information which is not in line with Church teaching. But we will broadcast such news, stating that it does not come from the Church, and identifying the source."

"We Timorese are expecting a lot from Portugal. We received our faith from Portuguese missionaries, and we are proud of that, and hope that they give us their support so as to continue to maintain that faith alive. I would ask the Portuguese people to help us to find the best settlement which would satisfy both parties."

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### INTERVIEW WITH FR. DOMINGOS SOARES

*ABC (Australia) radio national. Program: Indian Pacific, 5 July 1993*

*NOTE: Our apologies for not spelling correctly the name of the American journalist.*

In Tokyo, just before the summit will be President Suharto of Indonesia, representing the views of the Non-aligned Movement. The speculation that President Suharto may meet with Clinton and as the result could be a reduced sentenced for Timorese resistance leader Xanana Gusmão. But it is just speculation at this stage. In East Timor itself opposition to Indonesia rule continues despite a more hearts and minds approach by military forces in territory. Father Domingos Soares is a catholic priest in the town of Ermera, south west of the capital Dili. In this recent candid interview with American journalist (Rick Salwick) he describe the difficulties facing coffee growers in his parish, and he says the problem is dominance of the coffee trade by military officers.

Fr. Domingos Soares: Ermera is the richest district in East Timor, this is mainly because of the coffee production. AS you know it has some of the best coffee in the world. Before Ermera was well off economically. But now due to the very low coffee prices, which is currently 800 rupiahs a kilo we cannot say that the Ermera region is not economically disadvantage due to that factor. This is the problem, we don't have a free market to export coffee. Our coffee is exported by a company called DENOK. I heard this company belongs to some generals with stars. They are the ones who are selling as well as establishing the prices. They often tell the people of Ermera that the price is low due to some local activity. And that they, Ermera people have to suffer because of this. People are very shocked and

upset about the prices. The production of coffee is what supports the population, the drop in the price means that they are unable to buy much or the money they get from the coffee goes just buying food. We have already tried to talk to those responsible about introducing free market for coffee, but because we are living under the monopolistic generals and because in Indonesia it's very difficult to oppose those who are higher up, it is very difficult for us to reach a free market status.

In the meantime, I don't know what kind of promises the Government wants to make to the people. I often come here and ask the people questions - was told that they want to kill the people by using this method. Some of us had the courage to ask the Government that this was the way they wanted to annihilate the East Timorese people.

*Q: What impact has the arrest and the trial of Xanana Gusmão and the second in command da Costa had on the morale of the people?*

Fr. DOMINGOS SOARES: Above all Xanana Gusmão is a leader of the Timorese people. He has always been seen as their leader. His 17 years of work in the jungle put him in a very favourable position with the Timorese who are hoping for their freedom, freedom of their land and freedom of East Timor. His imprisonment is seen by the people as a consequence of the war as is Mau Huno's. The people regret their capture but see them as heroes who have fulfill their duties and now at the mercy of the enemy. Even so the resistance have not died down and it has a new leader, Konis Santana who is both leader of the armed resistance and the leader of the silence resistance - THE PEOPLE. In this way, Timorese will continue to resist the strong forces of Indonesia.

*Q: Do you have fear for your own safety given the outspokenness of your views?*

DOMINGOS SOARES: Here in Timor we all fear for our safety and security. We can see when a Timorese has the opportunity to leave, they do either through the Red Cross or a higher status offices, business people with a lot of money leave through their own means. Timorese don't want to stay because they don't feel secure here. I myself, I am not afraid of death, today or tomorrow it's all the same thing. The important thing is to defence justice for our people who have suffered enough. In this world where human rights is an issue we are fighting for own rights. Dying today or tomorrow is of no

consequence to a priest, that's the least of my concern.

*Q: What is the situation with the extent of the military presence?*

DOMINGOS SOARES: Here in Timor, their presence have always been a big problem. It was supposed to be the way in which they could control the Timorese as we've seen in the November the 12 saga - that they retreated when the world cried foul, so they try other means. At the moment they are using a network of territorial command spread all over Timor. In the villages they are building houses, they work on a ricefield, and visit vegetable gardens. They aiming at conquering the people through the heart, but they just seen as an army presence who are armed even when they go to the field. Their caring strategy does not melt our hearts, because we are people of strong will who won't be bought, what we want is our freedom.

Father Domingos speaking to Rick Selwick in Ermera in East Timor.

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### US SCHOLARSHIPS FOR UNTIM

According to an Antara story carried in *Republika* on July 9, East Timor University (Untim) will take up an offer of short-term scholarships to the U.S., says former Untim Rector Dr. Paulus Wiryono. The USIS head (from the U.S. embassy, probably Richard Gong, whose tour of duty has just ended) made a donation of books to Untim in May. The scholarships are designed particularly for Untim teaching staff. Wiryono said the best possible use would be made of this offer. Since the scholarship quota was limited, selection would be tight. Teaching staff chosen would return to Untim. Paulus Wiryono, a Jesuit priest, left Untim after serving as Rector for four years. As of July 1, he became Rector of Sugiyopranoto University in Semarang. The new Untim Rector is Ribertus Pardjojo Bratasudarma, formerly Assistant Rector II at Sanata Dharma Teacher Training Institute (IKIP) in Yogyakarta.

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### TWO MORE DILI MASSACRE SURVIVORS FOUND

JAKARTA, Indonesia (UPI July 10) - The military said Saturday that after another year of searching it has found another two of the 66 people listed as missing after the 1991 massacre by government troops of unarmed civilians in East Timor.

The search was prompted by allegations the military shot dead far more people than the 50 civilians it admitted killing in the aftermath of a funeral protest in November 1991 in the East Timor capital Dili.

The two people reportedly found during the past year of searching included a man identified as only Januario, whom authorities said voluntarily surrendered May 14 after he was identified as being among the missing.

Another person was found to have returned to his family on Nov. 5, 1992, armed forces spokesman Brig. Gen. Syarwan Hamid told reporters.

Hamid, at a news briefing, did not say whether Januario surrendered to face charges or why the military believed it remained unable to find the 64 people still listed as missing.

The Indonesian government initially claimed 19 people died in the shootings, but after international condemnation it held in inquiry that initially found about 50 people died, 90 were missing and at least 91 were wounded.

East Timor, 1,250 miles east of Jakarta, was a Portuguese colony for more than 400 years before Lisbon ended its colonial empire in 1975.

Indonesia annexed East Timor soon afterward and unilaterally declared the territory its 27th province in 1976, kicking off a campaign of violence that by some accounts has killed an estimated 200,000 people.

The United Nations never recognized Indonesia's annexation of East Timor, contending the population should be allowed to determine its own future.

President Suharto, in his talks this week in Tokyo with U.S. President Bill Clinton, defended Indonesia's involvement with East Timor by saying it has been motivated solely by a desire to help the majority of its population.

Suharto also told Clinton the Dili massacre was an accident provoked by a minority of East Timorese residents who are opposed to integration with Indonesia.

The Indonesian government also has been widely criticized for the sentences it has handed out in the wake of the massacre. Dissidents and human rights groups have cited the discrepancy between the lenient sentences given to members of the military and the heavy jail terms handed to dissidents.

The Indonesian military tribunals sentenced nine soldiers and one policemen to jail terms ranging from eight months to 18 months for their roles in the Dili shootings. Convicted dissidents, by contrast, have received long multi-year prison sentences.

Indonesian authorities have responded by saying the trials were carried out in accordance with Indonesian law.

Hamid told reporters that military authorities received the help of local government officials, church leaders and citizens in carrying out Suharto's order for it to track down the missing people.

### INDONESIANS SAY FEWER MISSING FROM DILI MASSACRE

*ATVI (Australian Television international), 12.30am news, 13th July 1993*

**NEWSREADER:** The Indonesian army says the number of East Timorese missing after the Dili massacre in November 1991 now stands at 64. That is two fewer than the military's previous figure of those after troops fired on a crowd at the Santa Cruz cemetery. Australia television Ian MacIntosh reports the latest figures are unlikely to resolve uncertainties about the toll.

**IAN MacIntosh:** The Indonesian military chief spokesman brigadier general Syarwan Hamid quoted by the official Antara news-agency said the number of people still missing after the massacre had dropped from 66 to 64. The military's inquiries which began a year ago turned up two East Timorese - both alive. General Syarwan also quoted as saying it has not yet been determined whether four unidentified bodies found outside Dili were among those the armed forces listed as missing. The military's latest statement greeted with skepticism by some foreign diplomats has not clarified confusion over the issue. Last April visiting United Nations envoy Amos Wako said Jakarta had put the number unaccounted for at 61 and told reporters he didn't think anyone could say with any finality how many people were still missing. At the time, a senior Indonesian official said that of 115 East Timorese then listed as missing, 31 had been found, 23 confirmed dead and 61 were unaccounted for.

### 64 STILL MISSING FROM DILI

*The Australian, 13 July 1993. By Terry Friel (AAP)*

(Jakarta) An extensive Indonesian military investigation has failed to find 64 people still listed as missing after the 1991 Dili massacre in the disputed province of East Timor.

The investigation, launched last July, found only two of 66 people then listed as unaccounted for, media reports yesterday quoted armed forces spokesman Brigadier-General Syarwan Hamid as saying.

"It is very possible that those listed as missing ran into the jungles, are in hiding and afraid to report to the authorities or fled abroad or subsequently died," he said.

"The utmost efforts have been made by ABRI (the Indonesian armed forces), the East Timor provincial Government and the people to find the missing 64 victims."

The investigators found four bodies buried near the provincial capital, Dili, but have been unable to determine if they were among the victims of the massacre on November 12, 1991.

One missing man was found at his Dili home in April and another reported to authorities in May, the reports said. Both were allowed to go free.

General Syarwan appealed to those on the list of missing to report to authorities, pledging no action would be taken against them.

"The objective is to return them to their home towns and reunite them with their families so they can live in peace," he said.

An Indonesian government inquiry found at least 50 people died when soldiers fired on a crowd of civilians outside Dili's Santa Cruz cemetery.

*Sydney Morning Herald had similar story.*

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## TIMOR HISTORY BOOKS ATTACKED

*Sydney Morning Herald, 16 July 1993*

Jakarta, Wednesday: The Governor of East Timor has ordered that three books on the history of the disputed province's integration into Indonesia be rewritten, calling them "illogical and not factual." The books, written for the provincial education and culture office, were to have formed the basis school courses on the province's integration.

Governor Abilio Soares ordered the revision after receiving several complaints and reading the books himself.

The books have been criticised for failing to clearly explain the 1975 civil war, which proceeded and invasion by Indonesian troops that December, and for failing to consult East Timorese who witnessed the events of the mid-1970s.

"We can't turn history upside down," media reports here quoted Mr. Abilio as saying.

Future generations would suffer "if we cheat our children by offering a false history which is illogical and not factual."

After being appointed last year, Mr. Abilio said he wanted to introduce courses into the province's schools to teach children about its integration into Indonesia.

## INFANT MORTALITY HIGHEST IN WORLD

*Excerpt from: WORLD POPULATION TO STABILIZE, IN 2200 By Neill A. Borowski, Knight-Ridder Newspapers*

The worldwide infant mortality rate – a baby who dies before age 1 – is 68 out of every 1,000 births. The highest rates are 160 deaths per 1,000 births – or 16 percent – in Mali in West Africa and East Timor, an island off Indonesia.

## EAST TIMOR REBELS CONTINUE STRUGGLE AGAINST INDONESIA

*San Francisco Chronicle; July 16, 1993, by Reese Erlich*

Despite the recent arrest of its top two leaders, the East Timorese resistance movement continues to defy Indonesia and maintains considerable civilian support.

Interviews with Catholic Church and indigenous political leaders in the tense territory, the site of extensive human rights violations by the Indonesian government, make clear that the island is far from pacified.

A Portuguese colony for more than 300 years, East Timor was invaded and occupied by Indonesia in 1975. Jakarta maintains that the Timorese voluntarily agreed to join Indonesia and that the resistance – which advocates independence for East Timor – enjoys little popular support.

Years of counterinsurgency efforts by the Indonesian military paid off when it arrested the resistance's top leader, Jose (Xanana) Gusmão, last year and its second in command, Ma 'Huno da Costa Gomes, in April.

Gusmão was sentenced to life imprisonment May 21 in a trial criticized by international human rights groups. The rebel leader's lawyer was selected by the government and given almost no time to prepare, while Gusmão himself was not allowed to read his closing statement.

### Concern About Torture

A televised confession given by Gusmão before the start of the trial prompted diplomats to wonder whether he had been tortured or threatened by the military.

A Catholic official, who asked that his name not be used, said the arrests have deprived the movement of two experienced leaders and led to a "reorganization of the resistance." But he said the rebels continue to have "great popular support, (and that) many young people want to leave Dili to join the guerrillas in the hills."

The rebels are still capable of mounting selective attacks' on the Indonesians. On March 28, guerrillas ambushed an army

patrol and killed eight soldiers. Two army reservists died in another attack earlier.

The Timorese conflict began in 1975 as Portugal was preparing to grant independence to the territory. But the Indonesian army mounted an invasion and annexed East Timor the next year, giving impetus to the resistance: movement.

Human rights groups have condemned Indonesia for waging a brutal counterinsurgency campaign of murder, rape and torture ever since. As many as 200,000 Timorese are believed to have been killed, about one-third of the population.

Last year Congress cut off military assistance to Indonesia, sharply criticizing the army's massacre of as many as 100 unarmed civilian demonstrators at a Dili cemetery in 1991.

The rebel movement, the National Council of Maubere Resistance, continues to organize in the cities. The council includes the original Timorese guerrilla group, Fretilin, as well as other organizations. Since the mid-1980s, movement has described itself as Christian socialist.

In a clandestine interview with mid-level rebel council leaders, one explained, "We want Christian socialism because all the Timorese are Catholics." He said that the future independent East Timor envisioned by the rebel council would adopt the principles of European-style social democracy.

Ramon, who leads the council's central district, claims the movement has about 1,000 people in the hills of whom 350 bear arms. The movement also claims to have 24 groups in Dili, mostly among students and workers. Foreign diplomats say those figures are somewhat inflated.

The independence movement was much larger in the 1970s fielding several thousand armed guerrillas and a sophisticated network in the urban areas.

### Political Struggle

Ramon says the rebel movement no longer hopes for a military victory. "In the military struggle alone," he said, "Indonesia will win. But in the political struggle, the victory is ours."

He bases his hopes on international pressure intended to force concessions from the Indonesians.

In March, the United States joined in supporting a resolution of the U.N. Human Rights Commission expressing "deep concern" over Jakarta's East Timor policy. Indonesian officials were reportedly stunned by the shift; under former Presidents Ronald Reagan and George Bush, Washington blocked similar resolutions.

The U.N. action called on Indonesia to allow international experts on torture, executions and disappearances to visit East Timor

to investigate the allegations of repression. Indonesia which condemned the charges has in recent weeks been playing a cat and mouse game with International Red Cross officials trying to visit Timorese political prisoners -promising free access, then denying it on the day of the visit.

The rebel council hopes that the Clinton administration will back up its vote with action. "We don't need support in words but in deeds," said Ramon.

Reese Erlich was expelled for East Timor by Indonesian authorities for carrying out "unauthorized journalistic activities."

### SIDEBAR: EAST TIMOR'S STATUS

\* East Timor, a former Portuguese colony, was invaded by Indonesia in 1975 and annexed one year later. The United Nations has never accepted the takeover and has repeatedly called for Indonesia to allow the East Timorese to decide their future. West Timor has been part of Indonesia since that country attained independence after World War II.

\* Access to the island is strictly controlled by the Indonesian government. But several diplomats who have visited East Timor say the rebel movement fighting for independence, the National Council of Maubere Resistance, has at most only a few hundred combatants left after nearly two decades of Indonesian military rule. But the Indonesian military presence is so heavy-handed that most of the population of 750,000 live in a state of perpetual fear. 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. A government-appointed investigating commission said at least 50 people had died, a slap at the military's performance. Two senior generals were forced to accept responsibility and resigned.

## TROOPS BREAK UP DEMO IN DILI

*BBC World Service, 23 July 1993*

*[This is not a transcript. It is based on information received over the phone.]*

Forty young East Timorese held a demonstration outside the Cathedral in Dili on Thursday, 22 July. Troops broke up the demonstrators within minutes and took twelve of the demonstrators away for questioning, according to information conveyed to the BBC in Jakarta by Bishop Belo.

*[This is the first time any East Timorese have organised a demonstration in Dili since 12 November 1991 when troops fired on thousands of peaceful demonstrators killing nearly three hundred people.]*

The demonstrators were carrying pro-independence banners. The demonstration took place as the Vatican ambassador to Jakarta, Mgr. Pietro Sambi was on a visit to Dili.

The army has refused to confirm reports about the demonstration.

**From: Robert Davison, City Polytechnic of Hong Kong**

this same demo was reported on BBC world service TV (via Star TV) here in Hong Kong. It was said that the visiting Vatican cleric was inside the cathedral outside which the demo happened. other details correspond with those in the last email.

## BRADBURY TAPE SEIZED IN TIMOR

*THE SYDNEY MORNING HERALD, 6 July 1993. By Deborah Cornwall*

Australian documentary film-maker, Mr. David Bradbury, had all the videotape from his planned documentary on East Timor seized by the Indonesian intelligence officers last week when he was detained hours leaving the country.

Speaking from Darwin last night, Mr. Bradbury said he had spent three weeks touring East Timor with his son Dylan, 4. Last Friday six plain-clothes police went to his hotel in Dili and demanded the tapes.

He refused and insisted that the Australian Embassy be contacted, but the officers confiscated 11 hours of videotape on the grounds that he might have filmed Timorese military installations.

Mr. Bradbury, was kept under guard in his hotel room until the following day, when police escorted him to the airport. He said had been under surveillance from the time he entered East Timor.

Three days into trip, he saw a minor demonstration at a Catholic church in Dili where 24 Timorese youths were arrested for waving white handkerchiefs to protest at the Indonesian regime. The next day, he was detained for six hours.

"I was questioned about what I was doing there (at the church), what I had seen and if I had filmed any of it, which I hadn't," he said.

"Obviously, they can kill 200,000 Timorese but only white skin could cause them a bit of political embarrassment these days."

## FILM-MAKER EXPELLED FROM EAST TIMOR

*SBS TV dateline- A Current Affair, 5 August 1993, Unabridged transcript of interview conducted by Paul Murphy.*

### INTRODUCTION:

David Bradbury is an independent filmmaker who over the years has built reputation for hard hitting documentaries made in the world's trouble spots. His uncompromising style coupled with his investigative zeal have often landed in hot water. This time he had angered the Indonesian after a trip to East Timor to document the living conditions of ordinary people under rule from Jakarta. Now he is back in Darwin after been expelled by the Indonesian authorities. I asked him whether his initial intention was to make a film.

David Bradbury: well eventually I would like to do something like that. But it is basically a bit of holiday with my four year-old son and a look-see situation. I felt very strongly about what happen in Timor, we are coming up to the 18th anniversary of the deaths of the 5 Australian journalist which are yet unexplained by Indonesian and military and government. And also since the Dili massacre, I was pretty interested to see what was happening in our nearest neighbour's door-step.

*Q: So you took a camera with you, did you?*

David: I took a little a HS home video with me. Yes, to record just memories with my boy and anything else that I came across.

*Q: Well, what the conditions like when you were there? What did you see traveling throughout the country?*

David: I saw a very indignant, very angry people that are too fearful to be able to do anything about what is happening in their country. The thing that struck me most Timor is a society that is ruled by fear. The fear comes from the military. There are military everywhere, in every little village, you've got either the police or military garrison there. A lot of resettlement of people that who were living in mountains brought down to these horrible tin shacks on the coast where they got the beddings done on galvanized tin roofs, and their activities are monitored - and this was in a tent very successful I must say of isolating them from in supporting the Fretilin guerrilla forces fighting against the Indonesian the Indonesian military.

*Q: Well, David what did you manage to film? I mean it must have been just more than memories than you were getting?*

David: Well, yeah, I got a little bit of the resettlement camps, the "transmigrasi" camps, that they've set up to bring in people from Java and the overcrowded island Bali, and so on like that. But I mean, these are known facts that Indonesia Government is quite proud to insist upon that their transmigration is a happily successful way of dealing with the population of Timor and making it a happy little island. I can't say that I found too many happy people there though.

*Q: How did you get into strife with the authorities?*

David: I think the mistake was that to me it was a fairly innocent mistake. We went to a catholic mass in Dili about ten days ago and it happened to be the mass for the visiting Ambassador for the Vatican and at the end of it some of Timorese youths brought out half a dozen handkerchiefs to wave them above the heads as a symbolic protest that despite the arrest last November of their leader Xanana - that there is still opposition alive and well in Timor. It lasted literally for 2 or 3 seconds if you blinked twice you would have missed, that the intelligence plain clothes men in the crowd, and they grabbed these young kids and just stopped them from demonstrating anymore.

*Q: Did they whisk them away or what?*

A: I was told later that they were taken and the usual procedure is to beat and torture and burn them cigarettes and the like and some of them have not been released. The bishop of Dili has protested internationally about this incident.

*Q: Now, did you get this incident, this demonstration and videotape.*

David: No, I had my video camera with me but it was in my bag and it was so quickly. if you didn't what was happening you would have missed because it was literally 3 seconds that was all that it would lasted for.

*Q: Did the security police get on to you and asked what were you doing there and find your camera?*

David: The next day they came to our hotel and said "We could like you to come into our main office" an interview with the major of intelligence, grilled me for six (6) hours and finally having asked if I could speak to the Australia Embassy which didn't get through until they make a call - supposedly - but it never got through, I don't even know if they even made the call. I showed them a

video tape which showed my entry into Dili, which was just travelling shot, nothing of the demonstration at all.

*Q: Well, look you were on a tourist visa obviously you were for a holiday as you have said. Do you think you were behaving properly? Do you think that there were ground for the Indonesian authority to expel you as they then did?*

David: I think if someone come to Australia and done exactly the same things that I was doing, they would have been quite happily received and there would not have been any problem. I challenged the Indonesian authorities to show my video tapes on Australian television or any Indonesian television.

*Q: They have confiscated them have they. All the stuff you shot.*

David: Just the day that I was leaving, they came to the hotel and obliged me to bring all my gear and they searched through my staff and then confiscated the 11 tapes that I had taken in Timor.

*Q: OK, well you probably won't see them again, do you think?*

David: They claim that they would look at them and then give them back to the Australian Embassy. But we will whether there is any integrity amongst the Indonesian government in passing on if they are innocent as I say they are.

## INDONESIAN SOLDIERS KILLED IN LOS PALOS

*From BBC monitoring by TAPOL*

Portuguese radio, RDP said on 28 July that guerrillas in East Timor had killed ten Indonesian soldiers on the outskirts of Lospalos, near the eastern tip of East Timor.

It quoted the head of the East Timorese National Council of Maubere Resistance, Ramos-Horta, who is currently in Portugal, as saying the killings were the first armed action by East Timorese guerrillas since the capture in early April of resistance leader Antonio Gomes da Costa, also known as Mau Huno.

The radio did not say when the killings took place but added that a source inside East Timor had confirmed the action in a telephone call to Australia.

## E.T. STUDENTS SEEK ASYLUM IN JAKARTA

### SEVEN EAST TIMORESE STUDENTS SEEK POLITICAL ASYLUM IN SWEDISH AND FINNISH EMBASSIES

*Tapol release, June 23 (Abridged)*

*TAPOL, the Indonesia Human Rights Campaign, today issued the following press release. All solidarity groups are requested to make immediate representations to the Swedish and Finnish governments, through the embassies in their country, for the seven men to be granted asylum.*

Seven young East Timorese who have been on the run from the Indonesian army for nearly two years have today gone into the Swedish and Finnish embassies in Jakarta to ask for political asylum. They have all had terrifying experiences at the hands of the army of occupation, especially since the Santa Cruz massacre on 12 November 1991 when Indonesian troops shot dead more than 200 peaceful demonstrators.

All seven went into hiding in East Timor after the massacre and eventually left the country last year, since when they have been on the run in Jakarta. As fugitive aliens in over-crowded Jakarta, without documents or social support, they have lived a precarious existence, haunted by the threat of capture. Attempts to leave the country illegally have been unsuccessful.

In recent months, army military intelligence has stepped up its pursuit of East Timorese students studying in universities throughout Java. Fully-armed platoons are known to have surrounded student residences in Jakarta at night. The most recent incident took place on 18 May.

The three men now in the Swedish embassy are: Florencio Anunciação Fernandes, 22, who participated in the 12 November 1991 demonstration and was forced to abandon his studies after being constantly pursued by the army; Porfirio da Costa Oliveira, 23, who was badly wounded during the massacre and was treated by Catholic nuns for several months before fleeing to Jakarta; and Jose Manuel de Oliveira Sousa, 24, also a demonstrator in November 1991, who escaped arrest four days later with his brother but they got separated and his brother has since disappeared.

The four in the Finnish embassy are: Mateus Brito Ximenes, 23, who fled the army although severely wounded during massacre and reached Jakarta last July; Clementino Faria, 27, who was hounded by the army

after taking part in a demonstration in January 1990 when the UN ambassador visited Dili; Oscar Gonçalves da Silva, 20, who escaped arrest after the 1991 demonstration; and Ventura Valentino de Conceição, 23, who was detained and tortured after demonstrating during the Pope's visit to Dili in October 1989 and later took part in a pro-independence rally at his school in September 1990.

It is clear that the Indonesian government will exert all possible pressure on the Swedish and Finnish governments to convince them to hand over the seven students. TAPOL has issued an appeal to both governments to resist this pressure and give them asylum in accordance with the Universal Declaration of Human Rights and the UN Protocol on Refugees.

A number of West Papuan and Acehnese fugitives from Indonesian persecution have already been given asylum in Sweden.

## ASYLUM REQUEST TO FINLAND AND SWEDEN

*The following is the statement given to the Finnish ambassador in Jakarta by Mateus Brito Ximenes, Clementino Faria, Oscar Gonçalves da Silva and Ventura Valentino de Conceição:*

### JOINT STATEMENT AND REQUEST FOR POLITICAL ASYLUM

Wednesday, June 23 1993

#### 1. INTRODUCTION

Honoured and respected Ambassador and officials of this Embassy, we come to you in the name of the youth of East Timor who live under the Indonesian military occupation and constant threat to their lives and well-being. We request your protection in the sincere belief that the government of Finland holds in high regard the value and dignity of human life in accordance with the Universal Declaration of Human Rights.

We come to you as witnesses to the Indonesian military brutality which, since December 7, 1975, has become a fact of everyday life in East Timor, a military brutality which has consisted of torture, rape, intimidation, terror and slaughter of the kind the world witnessed on 12 November 1991 in Dili, a military brutality which has robbed us of the right to an education, has made us foreigners in our own country, and has now forced us to leave our beloved homeland and our families and friends.

We are here today, therefore, not as youths seeking adventure or a free trip out of this country (as no doubt the Indonesian government will attempt to convince you of in the days to come) but as persecuted individuals who fear for our lives. We trust that

the government of Finland will assist us in our bid for political asylum, in accordance with International Law and the Universal Declaration of Human Rights, Article 14, Clause I of which states that "Every human being has the right to seek and be granted refuge in another country for the purpose of avoiding persecution." Article 15, Clause I of the same Declaration states that "Every person has the right to citizenship," and Clause II, "No human being may be arbitrarily denied citizenship of a country or be refused their right to alter their citizenship."

## II. BACKGROUND

In order that you may be aware of the reality of our situation, we would like to inform you of the following facts:

In recent months we have been constantly pursued by members of the Indonesian intelligence acting under orders from the Special Operations Command/Udayana IX Commander, Brigadier General Theo Syafei to arrest us and to attempt to prove to the world that we are among the sixty-six youths reported missing (see attached article, Jakarta Post 3 April 1993) since the bloody incident on November 12 1991. Our names however are not included on either the lists of killed or missing, and this is purely and simply a tactic of the Indonesian government aimed at improving their image at the UN World Conference on Human Rights currently taking place in Vienna, Austria. Let us repeat that we are not among those documented as killed or missing after the Santa Cruz massacre but rather a small group of eye-witnesses to Indonesian military atrocities who managed to escape from East Timor from July 1992. We firmly believe that this latest strategy of the Indonesian government is yet a further attempt to dupe the international community in the interests of freeing themselves and ABRI [the Indonesian Armed Forces] of all blame for the deaths of our innocent East Timorese friends and relatives.

We are fully aware of the diplomatic repercussions which our request for political asylum will have for you and your government in relations with Indonesia; however, in the interests of Truth, Justice, the supremacy of International Law, we strongly appeal to you to give due consideration to our request and to act in a spirit of democracy and freedom to defend our rights as prescribed in the Universal Declaration of Human Rights.

UN Secretary-General Boutros Boutros-Ghali, delivering the keynote speech at the opening of the Vienna Human Rights Conference, stated that "The international community ... must take over from those states that fail to fulfill their obligations (in terms of respect of human rights). Since it should

be quite clear from our testimonies and those of independent international and non-governmental agencies over the past seventeen years that Indonesia has failed abysmally in the above respect, it is our fervent hope that your government may lead the way in putting this UN-endorsed principle into practice.

In the name of the peace-loving and martyred people of East Timor, we thank you for your kind attention.

Jakarta, 23 June 1993

*Mateus Brito Ximenes Clementino Faria  
Oscar Gonçalves da Silva Ventura Valentino de Conceição*

*A similar statement was handed to the Swedish ambassador by Florencio Anunciacao Fernandes, Profirio da Costa Oliveira, Jose Manuel de Oliveira Souza, with an additional sentence at the end of the third from last paragraph: We trust that we will be accorded the same rights to a life free of fear and persecution as were respected by your government in the case of Free Aceh Movement Leader, Tengku Hasan di Tiro.*

## ASYLUM-SEEKERS ON HUNGER STRIKE

23 June 1993

*Summarised in the following round-up*

### UPI:

\* Seven East Timor students entered the Swedish and Finnish embassies saying they needed protection. The Swedish embassy said it tried to turn back the three who arrived but instead began negotiations with them. The Finnish embassy declined to comment on its four asylum-seekers.

\* Amnesty International said it was gravely concerned for the safety of the seven and demanded that the Swedish and Finnish do not hand them over to the Jakarta government. "According to evidence gathered by Amnesty International, all of these young men have suffered grave persecution by the Indonesian authorities for their non-violent political beliefs and activities in recent months and years. Some are known to have been victims of serious human rights violations, including arbitrary, unacknowledged detention and torture," said Amnesty. It urged the governments of Sweden and Finland to provide the seven with political asylum and provide them with whatever protection or documentation may be required.

AI also said that any transfer of the asylum seekers to Indonesian custody would be inconsistent with the European Convention on Human Rights which both Sweden and Finland have signed. "Amnesty International demands that the Indonesian authori-

ties allow the seven to leave Indonesia and in this regard, calls on the authorities to provide effective and reliable guarantees that their right to leave Indonesia will be respected."

\* Swedish embassy officials said they could not accept the students request for asylum and asked them to leave but they remained inside after more than four and a half hours of talks.

### AP:

\* Both embassies declined to say whether asylum would be granted, but H.J. Princen, a human rights activist who accompanied three of the youths to the Swedish embassy said he was told they would have to go to Sweden to seek asylum. Sources at the Swedish embassy said that the youths there refused to go home and rejected food offered to them.

\* Along with Princen, director of the Institute for the Defence of Human Rights, an Indonesian police official also joined talks at the Swedish embassy, trying to persuade the Timorese to leave.

### AFP:

\* The seven asylum-seekers said they had started a hunger strike until a decision was made on their request. "Now, we start a hunger strike until we get a decision from the Swedish government," said Florencio A. Fernandes speaking for the three in the Swedish embassy. "In case the Swedish embassy rejects our demand, we will refuse to leave the embassy. We will go on hunger strike until a decision is taken."

\* Four others seeking asylum at Finland's embassy which is housed in the same building as the Swedish mission, told reporters who were just outside the grounds that they were also on hunger strike. The four were stopped at the Finnish embassy reception area where they demanded to speak to a diplomat. After several hours, they spoke with a high-ranking envoy who asked them to leave. But all seven have refused to leave the embassies' grounds where they are outside the jurisdiction of the Indonesian authorities.

\* Special branch Indonesian plainclothes police as well as uniformed police and soldiers were in the corridors just outside both missions.

\* Prominent Indonesian human rights activist Johannes Princen told reporters just outside the embassy he had been invited by the Swedish diplomatic corps to negotiate on behalf of the three East Timorese. "It is quite possible they will not give them asylum," Princen told journalists, adding that he was awaiting contact with Indonesian foreign ministry officials.

\* A Swedish diplomat said it was the policy of the Swedish government not to

grant asylum at embassies, but only on Swedish soil. Both embassies are awaiting further instructions from their foreign ministries.

**REUTER:**

\* The seven asylum seekers began hunger strikes at the embassies in Jakarta, saying their action was in protest at Indonesia's role in the territory. They vowed to continue their hunger strikes until a decision about their asylum was taken.

\* "They want their action to be looked upon as a protest against what is happening in East Timor," H.J.C. Princen told reporters at the Swedish embassy.

\* More than ten armed policemen waited at the two embassies, located in the same office block in central Jakarta.

\* Princen said that Swedish diplomats had told the three students in their embassy that there was no prospect of their being given asylum. "The answer from the Swedish government is quite definite, that they are not going to give asylum to those who are not in their territory. A Swedish diplomat said earlier that embassies did not count as national territory.

\* Indonesia has so far remained silent on the issue.

## BIODATA OF EAST TIMORESE REQUESTING POLITICAL ASYLUM

*Wednesday June 23, 1993*

**1. NAME: FLORENCIO ANUNCIACÃO FERNANDES**

BORN: Los Palos, 10 Sept. 1971

FAMILY: Son of Gabriel (deceased) and Marcelina Anunciacao, two brothers executed by military in Iliomar on 13/12/83

PERSONAL INFO: After the death of my father at the age of 8,

I was cared for by Father Walter van Vouve who also took responsibility for my education until I graduated from High School in Dili I continued my education at the University of East Timor, working for some time also as assistant manager and receptionist at the Hotel Turismo, Dili I was unable to continue my studies after my involvement in the demonstrations of 12 Nov. 1991 as a result of being constantly pursued by military intelligence. In order to free ourselves of this military threat to our lives, on 30 March 1992 two of my brothers (Laurindo A. Lourdes and Antonio da Silva) and I fled to Kupang. In Kupang we lived together with Gaspar Luis Xavier Carlos (Abonu's brother). On 3 September 1992, we were encircled by the military, and Gaspar was arrested. Nothing further has been heard of him since that date. The following

day I fled to Jakarta where I continue to be closely watched by the military.

**2. NAME: PROFIRIO DA COSTA OLIVEIRA**

BORN: Dili, 7 April 1970

FAMILY: Son of Sertorio da Costa Oliveira and Ana Casilda dos Santos

PERSONAL INFO: On 12 Jan 1990 I participated in the anti-integration demonstration which coincided with the visit to Dili of the former US Ambassador to Jakarta, Mr. John Monjo. Following that event, I was forced to give up my studies at the Externato Sao Jose since I was constantly pursued by members of the Joint Intelligence Unit (SGI - Satuan Gabungan Intelijen). On 12 Nov. 1991 I joined the demonstrations at the Santa Cruz Cemetery, and on that occasion was shot and badly wounded. However, I managed to flee, my body soaked with blood, to the residence of the Bishop who accompanied me to the St Antonio Polyclinic, Motael, where my serious gunshot wounds were treated by the priests and nuns. At that time it was feared that the Polyclinic would be attacked by the Indonesian military.

Two days later, one of the nuns took me to a safer village where my wounds continued to be treated over a period of 8 months. On 7 July 1992, fearing for my life since I was aware that the military were seeking to arrest all youths involved in the incident of 12 November, I fled to Jakarta where to date I continue to be pursued by the Indonesian Intelligence forces.

**3. NAME: JOSE MANUEL DE OLIVEIRA SOUSA**

PLACE AND DATE OF BIRTH: Dili, 12 April 1969

FAMILY: Son of Manuel Soares de Sousa and Regina de Oliveira Lim Sousa (Kulu-Hun, Dili)

PERSONAL INFO: As a youth involved in our national struggle, I participated in the demonstration of 12 November 1991, and was fortunate to escape the military brutality which resulted in the death of many of my friends on that day. Four days later (16/11/91) at 6 am a track full of Indonesian soldiers armed with American made automatic AR-15 and M-16 weapons burst into my home to arrest me and my brother. We both managed to flee but were separated, and to this date the whereabouts of my brother are unknown. I fled from Dili to be free of this kind of persecution.

**4. NAME: MATEUS BRITO XIMENES**

BORN: Dili, 16 May 1970

FAMILY: Son of Vicente Gusmão Ximenes and Elisa Ribeiro Brito X. (Vila Verde, Dili)

PERSONAL INFO: On 17 January 1990 I participated in the demonstration which coincided with the visit of John Monjo to Dili. Following my involvement in this demonstration, I was forced to give up my studies at the Sekolah Teknologi Menengah in Dili as a result of persistent threats to my life made by the Joint Intelligence Unit. Like many of my friends, I joined the Nov. 12 1991 demonstrations and subsequently sustained gunshot wounds when the Indonesian military opened fire on us. I was accompanied by the Bishop to the St Antonio Polyclinic in Motael where my wounds were treated. I was among seven youths who had sustained serious injuries. At the Polyclinic I was only able to sleep for one night, since it was rumored that at any minute the building would be attacked by the military. The following day I fled, still severely wounded, and hid out for a full year. On 7 July 1992 I fled to Jakarta where the Indonesian military continue to pursue me.

**5. NAME: VENTURA VALENTIM**

BORN: Ira-Ara, Los Palos, 22 October, 1968

FAMILY: Son of Pedro Valentim da Conseicao (deceased) and Terezina de Jesus (deceased).

PERSONAL INFO: My whole family has been involved in the struggle since the time of the Indonesian invasion up to the present date. As part of this struggle, I participated in the demonstrations of 12 October 1989 in Tasi Tolu which coincided with the wish of Pope John Paul II to East Timor. Following the demonstration, on 4 November, I and a number of other colleagues (including Donaciano Gomes, currently living abroad) were arrested by the military, imprisoned and tortured. I was detained without trial for three months in the Dili Komando Resort Militer, during which time I was repeatedly beaten and tortured. We were released from detention only after a visit from the International Committee of the Red Cross. On 19 September 1990, I along with a number of other students of the St Paulus Junior Catholic High School IV, Dili, demonstrated in the school's compound, unfurling a Fretilin banner. As a result, on 25 September fully armed members of the Indonesian Armed Forces arrested me and took me to Nusra Bahkti, a traditional place of detention for East Timorese anti-integrationist youth. During the two months I was detained there, I was beaten and tortured day and night, and was frequently denied food.

Whilst in detention, my older sister was intimidated daily and my brother-in-law interrogated for a full week in the Los Palos District Military Command. After my release, my every move was monitored by the

Intelligence forces and informers. In mid-May 1992 I arrived in Kupang, West Timor, and then in July that year I made my way to Jakarta.

#### 6. NAME: CLEMENTINO FARIA

BORN: Manatuto, 9 January, 1966

FAMILY: Son of Jaime Faria (Nunbai Oekussi), mother deceased

PERSONAL INFO: On 17 January 1990 I participated in the demonstration which coincided with the visit of John Monjo to Dili, and was subsequently arrested. After my release on 18 January, I was closely watched by the Indonesian military, and was forced to move daily from residence to residence to avoid arrest. On 20 August 1990, members of the Indonesian military led by former Commander of District 1627 Dili travelling in a Toyota Kijang and armed with AR-15 and M-16 automatic weapons ordered me to get on board. When I refused, they began to shoot at me, and I ran for my life. On 14 February 1991, I was again surrounded on the street by a group of intelligence officers, but again succeeded in escaping. Following my involvement in the demonstration of November 12 1991, my home was invaded by a group of armed military in civilian dress. Since I was not at home at the time, my family was threatened and intimidated and pressured to give information regarding my whereabouts.

#### 7. NAME: OSCAR GONÇALVES DA SILVA

BORN: Dili, 14 January 1973

FAMILY: Son of Jose Gonçalves da Silva and Maria Anita da Silva (East Lahane)

PERSONAL INFO: The life of my entire family has been threatened since Indonesia's 1975 invasion of my country. On 12 November 1991, I was present at the Santa Cruz cemetery to lay flowers on the grave of my murdered friend, Sebastião Gomes. Because my presence there on that day meant that my life and that of my family was put into even greater danger, I decided to escape to Jakarta.

### SEVEN TIMORESE STUDENTS ASK FOR ASYLUM IN JAKARTA

VIENNA, June 23 (IPS) - Seven East Timorese students sought asylum in the embassies of Sweden and Finland in Jakarta Wednesday, according to reports received here by Amnesty International and the head of a Timorese resistance group.

In a message sent to the organisers of the NGO Forum at the World Conference on Human Rights here, Jose Ramos-Horta, leader of the East Timor National Council of

the Maubere Resistance (CNRM) called for support from the international community.

He alleged that the building accommodating the two embassies had been surrounded by Indonesian troops. Ramos-Horta's message also included the statements allegedly made by the students to both embassies on requesting their protection.

Amnesty International confirmed the news and said it was "gravely concerned" for their safety, after three of the group entered the Finnish embassy and four the Swedish embassy.

"If they are handed over to Indonesian authorities they would be at serious risk of further violations, including torture and imprisonment as prisoners of conscience," Amnesty states.

The charge d'affaires at the Swedish embassy, Anders Stohr, said an embassy is foreign territory and that no-one is permitted to stay there. But the three youths have refused to leave.

S. Wiryo, Director General of Political Affairs and Head of the Indonesian delegation to the Human Rights Conference said in Vienna that, after consultation with Jakarta, both ambassadors had refused the students' request.

"They are still at the embassies, but our government is negotiating with the Finnish and Swedish Ambassadors to resolve the problem," Wiryo said, adding that "the students will be well treated by Indonesian authorities."

Staffan Bjork, a spokesman at the Swedish foreign ministry in Stockholm said it was against Swedish rules to apply for political asylum in an embassy abroad. "According to Swedish law they need to come to Sweden first to be able to apply," he said.

However, during the time of the military dictatorships in Latin America there were a few cases in which refugees managed to gain asylum at embassies.

Amnesty said the students "have suffered grave persecution by the Indonesian authorities for their non-violent political beliefs and activities in recent months and years" and victims of serious human rights violations, including arbitrary unacknowledged detention and torture.

### FINNISH COMMITTEE OF 100 TELLS GOVERNMENT TO PROTECT THE TIMORESE

The Committee of 100 demands the Finnish government to protect the East Timorese students who are asking for the political asylum in the Finnish embassy in Jakarta. The committee wants to press that the students should not in any case be given to the hands of the Indonesian authorities.

The committee quotes the special representative of East Timor Mr. Jose Ramos-Horta who just few weeks ago during his visit in Helsinki told that torturing of the detained East Timorese is routine in Indonesia. This announcement is parallel with the reports of the international human rights organisations. That is why the committee demands the government of Finland to give protection to the students so long they can safely leave the territory of Indonesia. The Committee of 100, which is the main Finnish peace organisation, points out that many embassies, like the US embassy in Beijing, have given protection for even years to those who are politically oppressed.

For more information: The Committee of 100, Mr. Kalle Sysikaski, tel. +358-0-141336, fax. 147297, email. [comof100@nn.apc.org](mailto:comof100@nn.apc.org)

### URGENT CAMPAIGN NEEDED FOR ASYLUM-SEEKERS

*TAPOL called for pressure on the Swedish Government*

An urgent campaign is needed to support the three East Timorese students now in the Swedish embassy in Jakarta in their desire to leave Indonesia under the protection of the Swedish government.

The four East Timorese who left the Finnish embassy today are now known to be at the home of Lopez da Cruz. It is possible that after the four who were in the Finnish embassy were persuaded (forced?) to leave the embassy with a guarantee for their safety from the Jakarta military commander (we are trying to obtain the text of this guarantee), pressure will be brought to bear on the three in the Swedish embassy to do the same.

I can confirm that a few hours ago, three East Timorese were still at the embassy and were preparing a statement which they intend to issue, tonight or tomorrow. I was not able to glean the thrust of the statement. I was however given an assurance by the Swedish Consul that he would tell the three that I had phoned and pass on a message from me urging them to stand firm because there is much pressure worldwide to help them leave Indonesia.

The Swedish authorities have been quoted as saying that they cannot grant asylum in the embassy; they can do it only on Swedish territory. This should not be taken as a refusal to help the East Timorese to leave Indonesia. The Swedish government must be pressed to work for an arrangement whereby the three East Timorese can leave the embassy under Swedish or perhaps UN protection. Once outside Indonesia, as the



Portuguese authorities have stated, they will be looked after by Portugal, since they are indeed Portuguese citizens.

Meanwhile, the three are in effect being kept incommunicado! Officials at the embassy are under instructions from the Swedish Foreign Ministry not to allow the East Timorese to accept or make telephone calls. This is a grave violation of their human rights; it isolates them and may encourage them to surrender to pressures inside Indonesia.

Solidarity groups are urged to take the following immediate action:

1. To protest to the Swedish Foreign Ministry against the denial of the right of the three in the embassy to make and receive phone calls.

2. To phone the Swedish embassy in Jakarta (+62-21 520-1551) and ask to speak to the East Timorese. You will probably be connected to the Consul, Anders Stohr. Insist on speaking to them. If he refuses, protest strongly and ask him to convey a message of support to the three. You can also ask whether they have completed their statement, what they want from us outside and so on.

The East Timorese students can receive faxes at the Swedish Embassy, +62-21-512652.

3. Put the strongest possible pressure on the Swedish Foreign Minister, Margaretha Af Ugglas, (fax no +46-8 723- 1176) to make immediate plans for the three to leave Indonesia with proper guarantees for safe conduct out of the country. Until such time as this is arranged, the three should remain in the embassy, be properly looked after and be given facilities to make contact with the outside world.

4. Pressure can also be brought to bear through the Swedish embassy in your country. Unfortunately, tomorrow, Friday is a Swedish national holiday and you will probably find that the embassy is closed until Monday.

5. Please protest to the Finnish government through the Finnish embassy in your country for have failed to help the four in their Jakarta embassy to pursue their wish to leave the country. The Committee of 100 is currently preparing a protest which will shortly be posted on reg.easttimor.

Carmel Budiardjo, TAPOL

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### **LONG STANDOFF EXPECTED ON STUDENTS' ASYLUM REQUEST**

*by Suganthi Singarayar*

SYDNEY, June 24 (IPS) - Sweden and Finland rejected the asylum requests of seven East Timorese students in Jakarta

Thursday, but the group refused to leave the embassies of the two countries despite Indonesia's assurances that they would not be harmed.

Reports from Jakarta said government troops surrounded the building housing the two embassies on Wednesday after three of the students sought refuge at the Swedish embassy and the four others at the Finland embassy.

Swedish officials explained they do not grant asylum to applicants outside Sweden. Negotiations are still going on, but there are signs of a long standoff.

The refugees rejected Jakarta's guarantees for their safety and demanded that their case be resolved under international law. Despite the denial of their asylum requests, Finnish and Swedish officials have shown no inclination to drive them out.

The incident comes at a critical time for Indonesia, when its human rights record is being scrutinized at the World Conference on Human Rights in Vienna.

The Forum for International Solidarity in Indonesia (FISI) sent a message to the United Nations meeting on Wednesday seeking assurances from Finland and Sweden that they would protect the students and help them leave Indonesia.

"These East Timorese, like thousands of them who are fighting for the national liberation of East Timor against the intervention and occupation of the Indonesian military regime, have been persecuted for their activities and fear for their lives," the group said.

FISI said the U.N. Declaration of Human Rights recognises the right of individuals to seek and be granted refuge in another country, and urged Finland and Sweden, as members of the United Nations, to respect this right and grant the students asylum.

Estanislau da Silva, coordinator of the East Timorese Community in the Australian state of New South Wales, said Indonesia had tightened surveillance of East Timorese students in Jakarta, Bali and central since the 1991 massacre of civilian in the East Timorese capital of Dili.

He said the students - Mateus Brito Ximenes, Clementino de Oliveira Faria, Oscar Gonçalves da Silva, Ventura Valentin de Conceição, Florencio Anunciacao, Jose Manuel de Oliveira Sousa and Profirio da Costa Oliveira - had sought asylum because they feared they would be arrested sooner or later. The Australian Broadcasting Corporation (ABC) reported Thursday that authorities were awaiting the arrival of the local representative of the U.N. High Commissioner for Refugees (UNHCR) to meet with the asylum seekers.

Journalists were not allowed to speak to the students, but the ABC correspondent managed to communicate with the four refu-

gees at the Finnish embassy through a glass panel. He said they had been given food and water but there was no indication if they had accepted them. The Swedish embassy three floors below was locked.

Meanwhile, Indonesia continues to draw flak from international human rights groups for its treatment of East Timorese resistance leader Xanana Gusmão who is now serving a life sentence.

His lawyer has lodged a plea for clemency, but Da Silva says this was likely done without Gusmão's consent since it contradicted a handwritten statement by the resistance leader which was smuggled out of Dili.

In the statement which he was not allowed to read at the end of his trial, Gusmão said: "I reject the competence of any Indonesian court to try me, and particularly the jurisdiction of this court which has been implanted by force of arms and crimes committed against my homeland, East Timor."

Gusmão had agreed with testimony from prosecution witnesses and took responsibility for everything that his troops were claimed to have done. Observers said he had apparently hoped he would be allowed to speak at the end of his trial. He said the East Timorese had been coerced to testify against him.

He appealed to the "new generation of Indonesians to understand that the people of East Timor attach more value to freedom, justice and peace than to the development carried out here with help from Australia, the United States and European countries which have close economic ties with Jakarta."

Gusmão also urged the Indonesian people to understand that East Timor is a non-autonomous region which is not a threat to Indonesia. "The story they tell you, that East Timor is communist, is old hat," he said.

East Timorese sources told IPS Gusmão has been transferred to a hospital where he is being force-fed after going on hunger strike.

Ma'Huno, who replaced Gusmão as head of the resistance group FRETILIN, was arrested in February but has not been tried. He was allowed to meet special U.N. envoy Amos Wako in April, but his condition remains unknown because Wako's report was not published.

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### **FOUR LEAVE FINNISH EMBASSY**

*TAPOL report, 24 June 1993*

The four East Timorese who went into the Finnish embassy yesterday to ask for political asylum, left the embassy at about

8pm Jakarta time. All we know at present is that they left on the basis of a statement giving assurances of their safety, signed by the Jakarta military commander, Major-General Hendro Priyono, Francisco Lopez da Cruz and Haji J.C. Princen who remained in the Swedish embassy along with the three who had gone into that embassy. (The two embassies are close to each other.)

They are thought to have been taken to the home of Lopez da Cruz. The statement regarding their safety is not yet available. It is difficult to assess what it was that persuaded them to leave, except to say that the Finnish authorities clearly did not make things easy for the East Timorese.

## SWEDEN SHOULD ARRANGE SAFE CONDUCT

*TAPOL, the Indonesia Human Rights Campaign, today 25 June 1993, issued the following Press Release:*

The Indonesia Human Rights Campaign, TAPOL, today called on the Swedish Government to take immediate steps to arrange for the safe conduct out of Indonesia of three young East Timorese who entered the Swedish embassy in Jakarta on Wednesday, seeking refuge from persecution by the Indonesian army.

In a letter to the Swedish Foreign Minister, Margaretha Af Ugglas, TAPOL said the three men, Florencio A. Fernandes, Porfirio da Costa Oliveira and Jose Manuel de Oliveira Sousa, had been on the run for nearly two years, at first in East Timor and more recently in Jakarta.

"Sweden has an enviable reputation as a country that gives asylum to people fleeing political persecution. In this case, since the men are Portuguese citizens, the question of asylum does not arise. Once abroad, they will surely have the protection of the Portuguese state," TAPOL said.

Until such time as safe conduct has been agreed, it called on the Swedish Government to protect the men in their embassy and not allow the Indonesian authorities to exert pressure on them.

TAPOL was amazed to learn that the Jakarta military commander, Major-General Hendro Priyono was given access to the four East Timorese who sought refuge in the Finnish embassy and persuaded them to leave the embassy. Before his appointment to head the Jakarta command, Hendro Priyono was in charge of operations at the notorious intelligence agency, BAIS. He also led the armed onslaught against villagers in Lampung in February 1989 when many dozens of people were shot dead. TAPOL warns that whatever assurances Hendro Priyono may have given, the East Timorese

are in grave danger of reprisals for their courageous bid to leave the country. Their situation could be even more precarious than it was before they went into the embassy.

Fearing for the safety of the four who left the Finnish embassy Thursday, TAPOL urges international agencies such as the International Red Cross or the UNHCR, which both have offices in Jakarta, to monitor their whereabouts and safety.

TAPOL has also protested to the Swedish Foreign Ministry for not permitting the East Timorese in the embassy to receive or make phone calls, which is a grave violation of their human rights. TAPOL was unable to speak to the men by phone Thursday evening. It later learned that embassy officials, on instructions from Stockholm, refused to pass on a fax to the East Timorese from Jose Ramos-Horta, representative overseas of the East Timorese resistance movement.

## LETTER TO THE SWEDISH FOREIGN MINISTER

*TAPOL, 24 June 1993, sent the following letter to the Swedish Foreign Minister:*

Margaretha Af Ugglas,  
Minister of Foreign Affairs, Stockholm  
Fax: 010 46-8 723-1176

Dear Foreign Minister,

I am writing, as a matter of urgency, regarding the three East Timorese, Florencio A. Fernandes (22), Porfirio da Costa Oliveira (23) and Jose Manuel de Oliveira Sousa (24), who have come to the Swedish embassy in Jakarta to ask the protection of your Government to get them out of Indonesia.

These young men have lived through hell for nearly two years, persecuted by the Indonesian army in East Timor and forced into hiding. Oliveira was badly wounded in the Santa Cruz massacre and recovered thanks to protection and treatment by Catholic nuns. Sousa fled an army raid with his brother, four days after the massacre; his brother has since disappeared. After being on the run in East Timor they made their way to Jakarta last year and have been on the run from the army ever since.

In fear of the Indonesian army, they decided that they could only be free from persecution if they left the country. Sweden has an enviable reputation as a country that gives asylum to people fleeing political persecution. In this case, since the men are Portuguese citizens, the question of asylum does not arise.

We urge you to continue in your country's fine tradition by making arrangements for the three men to leave Indonesia under strict protection. Once abroad, they will

surely have the protection of the Portuguese state.

Until such time as these arrangements are made, we urge you to protect them on your embassy grounds and not allow the Indonesian authorities to exert pressure on them in any way. Whatever assurances the Indonesian authorities may give them, their liberty and lives would be in grave danger.

We hope you will commence discussions with the Indonesian authorities regarding safe conduct out of the country for the three men, if necessary under UN protection. Until such time as this has been arranged, the men should be allowed to stay in your embassy.

I today phoned the embassy and asked to speak to the East Timorese but was astonished to be told that the staff were under instructions from your Ministry not to allow the men to take or make phone calls. I immediately phoned the Swedish embassy in London to register my strong protest at this violation of their rights. I fear that the isolation could cause them to waver in the resolve that brought them to your embassy in the first place.

On several occasions, Sweden was able to extricate political fugitives from similar predicaments in other countries. I earnestly hope that your Government will be able to help these East Timorese in this way.

Yours sincerely,  
Carmel Budiardjo

## PORTUGUESE POSITION ON EMBASSY TIMORESE

*TAPOL report, 25 June 1993*

A spokesperson of the Portuguese Foreign Ministry in Lisbon has made the following known to TAPOL:

Once the three East Timorese who are now in the Swedish embassy in Jakarta are safely out of Indonesia, the general rule with regard to all East Timorese will apply, namely that the Portuguese authorities will make arrangements for them to go to Portugal and to be integrated into Portuguese society.

All that is required of the Swedish authorities is to arrange safe conduct for the three to reach the airport and leave Indonesia.

TAPOL also understands that bilateral negotiations are under way between the Swedish and Portuguese governments regarding the fate of the three East Timorese in the Swedish embassy.

## SEVEN LOSE ASYLUM BID

*Telegraph Mirror, 25 June 1993. By Terry Friel*

Jakarta: Finland and Sweden yesterday refused requests for political asylum by seven hunger-striking East Timorese sheltering in the two countries' embassies in Jakarta. The move came despite an appeal by human rights group Amnesty International for the seven to be given asylum because they faced torture or jail if handed over to the Indonesian authorities.

But a Jakarta-based human rights activist Haji Princen, who is at the Swedish embassy said the Indonesian authorities had guaranteed the safety of the seven.

"Amnesty International believes that all would be at serious risk of further serious violations, including torture and imprisonment as prisoners of conscience, if handed over to Indonesian authorities," the London-based Amnesty International said.

But the Swedish Foreign Minister in Stockholm and the Finnish Foreign Minister Heikki Haavisto said yesterday their countries could only grant political asylum if the applicants were in their territory.

## ETRA'S LETTER TO EMBASSIES

*25th June 1993*

A group of Timorese living in Sydney were present at today's press conference - High Court Challenge to Timor Gap Legislation - Jose Ramos Horta, Jose Gusmão and Abel Guterres Vs The Commonwealth of Australia.

The press conference was well attended by the media considering being on a Friday and also not a parliament sitting day.

While in Canberra we sent letters to the embassies of Finland, Sweden, USA, United Kingdom and the Vatican.

The text follows:

Dear Mr. Ambassador,

We noted with deep concern the situation of the seven East Timorese students who applied for political asylum to the embassies of Sweden and Finland accredited in Jakarta-Indonesia, on Wednesday, 23 June 1993.

East Timor is still considered by the United Nations Organisation as a Non-Self-governing territory which must be decolonized. Over the years, eight resolutions were passed by the General Assembly of the UN demanding the withdrawal of the Indonesian armed forces from East Timor so that the Timorese people can freely choose their own future. The Security Council of the United Nations, too, passed two strong

resolutions demanding the withdrawal of the Indonesian armed forces from East Timor. Over the last eighteen years, the Indonesian government have violated the spirit of these ten resolutions. As the UNCHR noted last February, even the very basic human rights of the Timorese people have been violated by the Indonesian authorities.

The deteriorating human rights situation in East Timor led to the East Timorese students seeking protection in the Finnish and Swedish embassies. Even the International Committee of Red Cross, usually extremely prudent in making public statements, has criticised the restriction and difficulties imposed on its activities in East Timor.

The East Timor Relief Association Inc., use this opportunity to appeal to your Excellency's government, to use all your influences and international standing in the field of Human Rights to provide safe passage to the seven students to a third country.

Yours sincerely

Agio Pereira  
Executive Director

### Annexed to the letter were the following information:

1. Joint statement and request for political asylum by the seven students;
2. Info on the ICRC recent difficulties regarding its operations in ET; and,
3. Pope John Paul's statement to the pilgrims

## EAST TIMORESE IN JAKARTA SWEDISH EMBASSY UPDATE

*From CNRM/Darwin, June 26.*

The three East Timorese students in the Embassy are still holding firmly to their intention of leaving Indonesia. The long negotiating session on Friday between the students, Swedish diplomatic officials and Indonesia's Roving Ambassador Francisco Lopes da Cruz failed to produce an agreement. According to Haji Princen, the well-known Human Rights defender who is acting as a mediator, the students refuse to leave the Embassy as they can't accept Indonesian guarantees of safety. The situation is not favourable for them in Indonesia or in East Timor they hold. They ask the Swedish Government to protect their safety and for the assistance of the Portuguese Government and international institutions to assist towards their departure from Indonesia. "They are living witnesses of the 12 November 1991 massacre," Princen added. The scars from shots and torture are clearly visible on their bodies.

Princen added that it may take considerable time to find a solution. In the meantime it needs to be noted that the health of the three is not in a good condition. The Em-

bassy's room temperature is too cold, yet it has not been possible to get Embassy staff to turn up the air conditioner temperature. They do require a the visit of a medical doctor, which he was hoping to arrange for Saturday.

In the meantime, the students remain isolated from contact with outsiders through the refusal of the Swedish Embassy personnel, acting on orders from their Foreign Office, to let them accept or make phone calls or receive or send fax messages. The aim of this appears to be twofold. One, to minimize public awareness of the issue, and two, to weaken the resolve of the students to hold out, as they are kept unaware of the mounting support for them overseas.

On Saturday, a third day of negotiations is expected to begin, between Indonesian authorities attempting to convince students that their options of leaving Indonesia are exhausted, and that their safety in Indonesia is "guaranteed," and the students kept in the dark about international developments in their support.

It is imperative to pressure Sweden for a lifting of the communications restrictions on the students, which are a particularly critical violation of their human rights. It is clear that the aim at present is to delay matters as long as possible to get the students' resolve to break down.

Less than a day after, doubts are starting to be confirmed regarding the four East Timorese students who left the Finnish Embassy Thursday night after a written assurance regarding their safety was signed by Major General Hendro Pryiono and Mr. Lopes da Cruz, who was to protect them in his house. The full text of the document has so far not been released.

Finnish parliamentarians attempting to contact the students by telephone at Mr. Lopes da Cruz's house have not been connected. It was claimed that they are "unable to speak any language other than Tetum."

It is felt that the tragic outcome of the Finnish case is primarily the responsibility of the Ambassador of Finland in Jakarta. In their haste to start their mid summer night's holiday, Foreign Ministry officials left the handling of the matter primarily in the Ambassador's hands, known as a 'friend' and admirer of President Suharto. It obviously did not prove difficult for the Ambassador to intimidate and overcome the four disoriented and bewildered youngsters.

It is not too hard to imagine the state of mind of the East Timorese fugitives after being held for 24 hours in a small reception area separated by a full view glass door from a corridor teeming with threatening armed Indonesian military personnel waiting for their prey.

On one hand they faced the harsh refusal of their hosts, on the other the wiles of the sly Lopes da Cruz, famous to many Timorese for his insincerity and falsity. To add to the intimidation, no one else than the Major General in charge of Jakarta security and former head of the dreaded BAIS intelligence service was called in to give "assurances."

The Ambassador's response must have borne little relation to the idealistic picture of justice and respect for human rights of the 'civilized' country these victimized young people were so much longing for. In fact, it would have no doubt more closely approximated what would be expected from a friend of Suharto's. A bitter disappointment which must have significantly contributed to achieve the Ambassador's diplomatic 'victory.'

Who, now, will monitor and ensure that the written guarantees are actually more than a mere formality to expedite a solution to a problem interfering with the start of a holiday? Do human rights matter at all in this context?

## JAKARTA REFUSES EXIT TO EAST TIMOR ASYLUM-SEEKERS

Reuter, 25 June 1993

*Comment: As of Friday evening, London time, the three are still in the embassy. Swedish Radio reported this evening that talks at the embassy (not clear between whom) have been discontinued for the time being.*

Indonesia refused on Friday to give travel documents to three East Timorese students who have been holed up at the Swedish embassy for three days hoping to be granted political asylum.

"There's no compromise...they are asking for tickets and passports to leave the country... just for any other country," Jakarta military commander, Hendro Priyono told reporters after talking with the students for about three hours.

The three went to the embassy on Wednesday, saying they feared for their lives in Indonesia.

Another four who went to the Finnish embassy in the same central Jakarta building left on Thursday night after the government promised not to detain them.

Hendro said the students at the Swedish embassy had ended their fast, although the three indicated to journalists that they were still on hunger strike.

Both Sweden and Finland say they cannot accept asylum-seekers at their diplomatic missions. Earlier the leading Indonesian human rights campaigner, H.J.C. Prin-

cen, who has been in regular contact with the three, said they appeared to want to go to Portugal.

Portugal, the former colonial ruler of East Timor, has led a relentless campaign against Indonesia's rule of the impoverished territory which it invaded in 1975. The Indonesian military is effectively in charge of the territory and up to a third of the population is thought to have died since Jakarta took control. The UN has never recognised Indonesian rule.

The Indonesian Foreign Minister Ali Alatas, returning Friday night from an international human rights conference in Vienna, said the students had no reason to ask for asylum and denied that they had been persecuted.

"There is a strong suspicion that this thing was engineered by our enemies, even from abroad...they are trying to undermine Indonesia," he said.

## FINNISH COMMITTEE OF 100 QUESTIONS FINNISH DECISION

*The following statement was issued June 25 by the Committee of 100, Finland. (Original English, with corrections.)*

The Committee of 100 questions the decision of the Finnish Foreign Ministry, according to which the East Timorese students were allowed to leave the Finnish embassy in Jakarta yesterday. This is in contradiction with an earlier statement by Mr. Heikki Haavisto, the Finnish Foreign Minister.

According to this statement, Mr. Haavisto said that the students would not leave the embassy before the government obtained guarantees that the East Timorese would be safe.

We question the statement of the Foreign Ministry, according to which they do not know anything about the contents of the agreement in which the guarantees were given.

According to the information we have received, the students are now in the home of Francisco Lopez da Cruz, an official of the Indonesian government. In our opinion, the students lives are in danger.

We are very ashamed at the way in which the Finnish ambassador in Jakarta handled this affair. The East Timorese students in the Swedish embassy are still there and we have been informed that the Swedish Foreign Ministry is trying to get them out of Indonesia.

After all that has happened, we would like to ask whether it is the Finnish embassy in Jakarta that is leading the Foreign Ministry in Helsinki. Normally, it should be the other way round.

But we will not give up. On the contrary we are determined to follow closely the events at the home of Lopez da Cruz and the East Timorese in Jakarta.

For more information:

Kalle Sysikaski, chair of the East Timor Group

Phone: Helsinki 141 336, 490 537; Fax: Helsinki 147 297

## AMNESTY INTERNATIONAL URGENT ACTION ON ASYLUM-SEEKERS

*EXTERNAL (for general distribution) AI Index: ASA 21/14/93*

25 June 1993

### UA 212/93 Fear of arbitrary detention/Fear of torture

INDONESIA/EAST TIMOR:

1. Mateus Brito XIMENES, 23 years
2. Clementino FARIA, 27 years
3. Oscar Gonçalves da SILVA, 20 years
4. Ventura Valentina de CONCEIÇÃO, 23 years (female)
5. Florencio Anunciación FERNANDES, 22 years
6. Jose Manuel de OLIVEIRA SOUSA
7. Profirio da COSTA OLIVEIRA, 23 years

There are serious fears for the safety of seven East Timorese asylum-seekers who entered the embassies of Finland (Nos. 1-4 above) and Sweden (Nos. 5-7 above) in Jakarta on Wednesday 23 June 1993. Amnesty International believes that the seven are at serious risk of arbitrary arrest and torture for as long as they remain in Indonesia or East Timor. It calls upon the Governments of Finland and Sweden to take immediate steps, by all appropriate means, to facilitate the departure of the seven from Indonesia. It also demands that the Indonesian authorities permit the seven to leave the country.

Information gathered by Amnesty International provides clear and substantial evidence that the seven have, over a period of years, been persecuted by the Indonesian security forces because of their non-violent political opposition to Indonesian rule in East Timor. Some of the seven suffered beatings, torture and arbitrary arrest after participating in public demonstrations during and after visits to East Timor by Pope John Paul II in 1989 and by the Ambassador of the United States of America in 1990. The demonstrations aimed to alert the international community to the appalling record of human rights abuse by the Indonesian security forces in East Timor. Three of the seven were shot and wounded by the Indo-

nesian military during the Santa Cruz massacre of 12 November 1991.

On Thursday 24 June 1993 the four East Timorese who had sought refuge in the Finnish embassy left the premises, apparently after Indonesian military officials provided assurances that their human rights would be respected and that they would not be in danger. The current circumstances of the three East Timorese in the Swedish embassy are unclear; unconfirmed reports indicate that they too may leave the embassy compound in the near future.

The evidence clearly shows that those who attract international attention to human rights abuse by Indonesian forces are those most vulnerable to beatings, torture and other violations. Amnesty International believes that, far from being protected, the risk of the seven asylum-seekers being subjected to further abuse may have increased following their unsuccessful appeal for asylum.

#### BACKGROUND INFORMATION

In Amnesty International's view there are a number of compelling reasons why Indonesian military assurances of respect for the human rights of the East Timorese cannot be accepted as genuine guarantees of their safety.

In the first place, asylum-seekers who have been returned to the authorities in previous years have suffered serious human rights violations. Seven East Timorese who sought asylum in June 1989 left the embassies of Japan and the Vatican after receiving virtually the same assurances that their human rights would be respected. In February 1991 a confidential military intelligence document revealed that five of those seven, Fernando de Araujo, Marciano Garcia da Silva, Carlos da Silva Lopes, Agapito Cardoso and Lucas da Costa were under permanent military surveillance because of their non-violent political and human rights activities. In May 1992 Fernando de Araujo was sentenced to nine years' imprisonment. The judge said the long sentence was warranted because of his attempts to "gain the sympathy of the international community for the abuse of human rights in East Timor." He is a prisoner of conscience.

Second, it cannot be assumed that assurances by governmental authorities, even those at the highest level, will be respected by members of the security forces in East Timor or elsewhere in Indonesia. For example, the International Committee of the Red Cross (ICRC) in June 1993 suspended visits to political prisoners in East Timor for the third time this year, after the military in East Timor continued to place unacceptable restrictions on the visits, thus making it impossible to monitor the safety and well-

being of political detainees in the territory. These restrictions had been imposed despite assurances by the President and the Minister of Foreign Affairs that unrestricted access to prisoners would be granted.

Third, the Indonesian Government has consistently denied reports of even the most well-documented and widely publicized human rights violations in East Timor, preferring instead to question the political motives of those, including Amnesty International, who have reported them. Few reports of human rights violations are investigated by the authorities and, virtually without exception, the perpetrators have gone unpunished.

#### RECOMMENDED ACTION:

Please send telegrams/telexes/ faxes/ express and airmail letters either in English or in your own language:

To the Governments of Finland and Sweden:

- expressing concern for the safety of the East Timorese asylum-seekers who have sought refuge in their embassies;

- noting that Amnesty International has documented the arbitrary arrest and torture of some of the asylum-seekers and that some were shot and wounded by Indonesian soldiers during the Santa Cruz massacre in Dili, November 1991; - noting that Indonesian government assurances of respect for the human rights of East Timorese have consistently been breached by military authorities;

- urging the Government of [Finland or Sweden] to take immediate steps, through all appropriate means, to facilitate the departure of the seven asylum-seekers from Indonesia.

#### APPEALS TO:

Heikki Haavisto  
[Salutation: Dear Minister Haavisto]  
Foreign Minister  
Ministry of Foreign Affairs  
Merikasarmi  
00160 Helsinki, Finland  
Telegrams: Foreign Minister, Helsinki, Finland  
Faxes: +358 0 1341 5009

Margaretha al Ugglas  
[Salutation: Dear Minister al Ugglas]  
Foreign Minister  
Ministry of Foreign Affairs  
Gustave Adolfstorg 1 S-10323 Stockholm, Sweden  
Telegrams: Foreign Minister, Stockholm, Sweden  
Faxes: +46 8723 1176

#### To the Government of Indonesia:

- expressing concern for the safety of the seven asylum-seekers;

- calling upon the Government of Indonesia to permit the seven East Timorese asylum-seekers to leave the country.

#### APPEALS TO:

##### President Suharto

[Salutation: Dear President Suharto]

Presiden RI

Istana Negara

Jl. Veteran, Jakarta, Indonesia

Telegrams: President Suharto, Jakarta, Indonesia

Telexes: 44283 BIGRA IA; 44469

#### DEPLU IA

Faxes: (via Ministry of Foreign Affairs)

##### Minister of Foreign Affairs:

Ali Alatas S.H.

[Salutation: Dear Minister Alatas]

Menteri Luar Negeri

Jl. Taman Pejambon 6

Jakarta, Indonesia

Telegrams: Minister Alatas, Ministry Foreign Affairs, Jakarta, Indonesia

Telexes: 44205; 44469 deplu jkt

Faxes: +62 21 36 0517; +62 21 36 7782

## TIMORESE STUDENTS WANT TO GO TO PORTUGAL

*By Jonathan Thatcher*

Jakarta, June 25, Reuters - Three East Timorese students holed up for two days in the Swedish embassy in Jakarta now appear to want to go to Portugal, a leading Indonesian human rights campaigner said on Friday.

They probably want to go to Portugal. "They consider themselves Portuguese citizens," rights activists MH Princen, who has been in regular contact with the students, told Reuters.

They are expected to make a statement later in the day which will include an appeal for financial aid, he said.

Portugal, which colonized East Timor for 300 years, does not have diplomatic relations with Indonesia which it has consistently charged with flagrant human rights abuses in the impoverished territory.

A Swedish embassy official referred enquiries to his foreign ministry but said the students had ended a brief hunger strike.

Another four students who had gone to the Finnish embassy, in the same central Jakarta high-rise, also on Wednesday, left on Thursday night following Indonesian government assurances of their safety.

They are now staying at the home of Indonesian ambassador-at-large FX Lopes da Cruz, himself an East Timorese.

All seven had asked for political asylum, saying they feared for their lives and protesting at what they called Indonesia's brutal military rule since its troops invaded in 1975.

But both Sweden and Finland say they accept asylum seekers at their borders or inside the country but not at their diplomatic missions.

The students appear to have timed their move to coincide with an international human rights conference in Vienna where Indonesia have been expected to come under fresh attack over its human rights record in East Timor.

Portugal, still considered by the United Nations the legal administrator of East Timor though it quit the territory 17 years ago, has been holding occasional talks, with Indonesia on the issue but without any agreement.

Portugal denies Indonesia's claim that the East Timorese have already decided on rule from Jakarta.

Criticism of Indonesian rule took on fresh impetus after its troops killed up to 180 mourners in the local capital.

Most recently Jakarta was accused of staging an unfair trial of East Timor rebel leader Xanana Gusmão who in May was sentencing to life imprisonment on charges which included trying to separate the territory from Indonesia.

### **TIMORESE IN EXILE APPEAL FOR SAFE PASSAGE FOR STUDENTS**

(Reuter, June 25, Jakarta) In Sydney, Timorese exiled in Australia called on Sweden and Finland to offer the students safe passage out of Indonesia.

"I appeal to the Swedish and Finnish authorities to be true to their Nordic commitment to human rights and right of asylum and stand firm," said Jose Ramos-Horta of the National Council of Maubere (Timorese) Resistance.

"The lives of these young men are in their hands."

### **JAKARTA COMMANDER OFFERS GUARANTEES ON SAFETY OF EAST TIMORESE**

*Reuter, 25 June 1993, By AFP Dateline: Jakarta*

Jakarta Military Commander Major General Hendro Priyono today pledged that all seven East Timorese asylum-seeker, including the three still holed up at the Swedish embassy, would not be arrested.

"As long as they are in this province (Jakarta), they will never be arrested," Hendro told journalists shortly before attempting to negotiate with three East Timorese who are holding out inside the Swedish embassy for the second day.

The special territory of the Indonesian capital of Jakarta holds the status of a province.

Another four East Timorese left the Finnish embassy here late yesterday, a day after they entered the embassy premises and demanded asylum, and were now in the home of a high ranking East Timor-born Indonesian official.

Hendro said he was offering similar safety guarantees to Florencio Annunção Fernandes, 22, Porfirio da Costa Oliveira, 23, and Jose Manuel de Oliveira Sousa, 24, who were still at the Swedish embassy - as he had given the four others yesterday.

"Basically the same, but there is another request from them, and that, I'd like to find out now," Hendro said declining to say further but that he believed he would be able to get the three to leave the embassy later in the day.

Hendro had come to negotiate with the three remaining asylum-seekers along with Swedish and Indonesian, diplomats activist who had been asked by the Swedish to serve as mediator.

Princen said earlier today the three East Timorese "don't want to return" and were asking for Portuguese passports in order to leave the country.

According to them they are still Portuguese citizens," he said. Swedish premises were still on a hunger strike as they had declared late on Wednesday. They have said that it was the policy of Stockholm not to grant asylum at embassies but only on Swedish soil.

Hendron said that the four who had left the Finnish embassy yesterday were "all right now." The four were currently at the home of roving Indonesian ambassador F.X. Lopez da Cruz and Hendro said that one of them had even asked help to get to a school here.

When they sought asylum, all seven East Timorese, aged 20 and 27, said they were political refugees who have been persistently pursued by the Indonesian army was trying to arrest them and use them to prove that they were among those the government said had remained missing after Indonesian soldiers fired on civilians in the East Timorese capital of Dili on November 1991.

An official inquiry by Indonesia into the bloody incident put the death toll at around 50, but witnesses in Dili have reported up to 115 deaths. The latest official toll however said earlier this year that the bodies of 61 people remained unaccounted after the shooting.

The former Portuguese colony of East Timor was unilaterally declared Indonesia's 27th province in 1976 but the move has not been recognised by the United Nations

which still views Lisbon as the administrator there.

### **SWEDEN, FINLAND "MORALLY RESPONSIBLE" FOR ASYLUM SEEKERS**

*By Melissa Langerman of AAP*

(Reuters, June 25, Canberra) Sweden and Finland were today accused of betraying their tradition of aiding asylum-seekers by the main international spokesman of the East Timorese resistance, Jose Ramos-Horta.

The Swedish and Finnish embassies in Jakarta have refused seven East Timorese political asylum with the seven (?) leaving the embassies after Indonesian authorities promised them safety and homes.

Mr. Ramos-Horta, international spokesman for the East Timorese resistance umbrella group the National Council Maubere (CNRM), told a news conference here he would accept the assurance given to the asylum seekers.

And he said he held Sweden and Finland "morally responsible" for the fates of the seven, four of whom had sought asylum at Finland's embassy and three at the Swedish embassy.

"I have stated to the Swedish and Finnish authorities that I am prepared to fly to Stockholm and Helsinki and bring the matter to the Parliament and the courts there if anything happens to these students, he said.

"I know how great is the Swedish and Finnish tradition in granting asylum to refugees to political dissidents.

"And what they are doing now is a betrayal of that tradition and it would cause and enormous uproar in Sweden and Finland, said Mr. Ramos-Horta, East Timor's Foreign Minister before the Indonesian invasion in 1975.

It was understood the four at the Finnish Embassy left first. Mr. Ramos-Horta said he believed the three at the Swedish Embassy had held out because they were "much hardened veterans of the resistance who have been much more subjected to Indonesian deceit and lies over the years.

"They know how many people were promised amnesty and made to disaster, he said.

In December last year the Catholic bishop for East Timor had stated he would never call for any guerrilla to surrender because in the past those who had surrendered were simply killed, he said, the seven had said they feared arrest for joining in demonstrations in November 1991 against Indonesian rule in East Timor. Indonesian troops opened fire on the demonstrations, killing dozens of protesters.

Amnesty International says it is concerned about the seven asylum seekers' safety. It urged Sweden and Finland to grant them asylum and asked Indonesia to let the seven leave the country.

Under Swedish and Finnish regulations, however, applications for political asylum can be made only at the borders or on Swedish and Finnish soil, but not in their embassies abroad.

Mr. Ramos-Horta said he had appealed to the UN Secretary-General Boutros-Ghali to use his offices so the seven could leave Indonesia if they wished and travel to the nearest Portuguese embassy or consulate as Portugal had guaranteed them asylum. "So Indonesian can easily save face, I don't understand personally why Indonesia won't simply let them leave," Mr. Ramos-Horta said.

*Note: only 4 students left the Finnish embassy; the other 3 appear to be determined to stay in the Swedish embassy.*

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### **TIMORESE STUDENTS DEFIANT IN DEMAND FOR SAFE PASSAGE**

*Reuter, 26 June 1993. By Jeremy Wagstaff.  
Slightly abridged*

Three East Timorese students began a fourth day holed up in the Swedish embassy in Jakarta on Saturday defiantly demanding asylum as diplomats and Indonesian officials debated their fate.

The students, who said that they feared for their lives if they were handed over to plain-clothed military officials outside the embassy, have asked for safe passage to Portugal, which they hope will give them sanctuary.

"It all depends on the diplomats," H.J.C. Princen, a human rights activist who has acted on behalf of the three students, told reporters.

Four students who sought asylum from the Finnish embassy gave up on Thursday after officials promised not to punish them. Talks about the fate of the three in the Swedish mission ended in deadlock on Friday.

The London-based human rights group Amnesty International called on Finland and Sweden to help the students leave Indonesia as they "are at serious risk of arbitrary arrest and torture."

The students, who changed their request after Finland and Sweden turned down their pleas for asylum, said they were involved in the independence movement. Six of them said they had been at a Dili cemetery in November 1991 when soldiers opened fire on mourners, killing up to 180 people.

Indonesia's ambassador-at-large Lopez da Cruz, an East Timorese, said the four who left the Finnish embassy earlier were safe at his Jakarta residence and would leave soon as they had been guaranteed they would not be harassed. He dismissed Amnesty's claim [see AI Urgent Action of 25 June 1993] that five students, who were given assurances when they failed to gain asylum from the Vatican and Japan in 1989, had been harassed on their release and in one case later sentenced to nine years in jail.

"The guarantee given to them is not something like immunity for all things they (may) do in the future, but for what they have done in the past, including their stay at the embassies," he said.

Princen, speaking before he returned to the Swedish embassy for further talks, said the remaining three appeared determined in their demand for safe passage from Indonesia.

"They do not want to see other authorities. They do not want to see the military again, they do not want to see representatives from the Ministry of Foreign Affairs," he said.

He said Indonesia and Sweden appeared equally defiant not to accede to their request, fearing such a move would set a precedent for hundreds of other East Timorese scattered throughout Indonesia.

An additional problem is that Portugal, which acknowledges all East Timorese as its citizens, has no diplomatic relations with Indonesia and therefore cannot easily negotiate safe passage for the students, Princen said.

It has not so far offered asylum to the three.

Princen said he did not believe Indonesian claims that the asylum bid had been engineered by outsiders to embarrass Jakarta at this week's Vienna World Conference on Human Rights. Foreign Minister Ali Alatas, speaking on Friday after his return from the conference, said he suspected "enemies abroad" were responsible for the asylum bid, questioning why Portuguese journalists knew about it before he did.

"I do not agree with his assertion that enemies within and outside the country are, so to say, conspiring in this case. I didn't get that impression," Princen said.

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### **TIME, PATIENCE RUNNING OUT FOR TIMORESE STUDENTS**

*Reuter, 27 June 1993*

Three East Timorese asylum seekers began a fifth day holed up in the Swedish Embassy in Jakarta on Sunday as their reluctant hosts and the Indonesian government ap-

peared to be losing patience with their demands for safe passage.

Human rights activist H.J.C. Princen, who has mediated on behalf of the students with the government and embassy, said Indonesia appeared to be hesitating in its original offer of passports which would allow the three to leave the country.

"The situation is very difficult. Apparently the Swedish are losing patience and this is affecting the (Timorese)," he said by telephone.

Swedish diplomats were not available for comment.

The three students, who entered the embassy on Wednesday saying they feared for their life in Indonesia, have altered their original request for asylum from Sweden to Portugal after Swedish diplomats said they must first be on Swedish soil.

Indonesia has governed the former Portuguese colony of East Timor since 1975. Human rights groups have blamed it for the deaths of more than 200,000 people, most of them in the first years of its rule.

Four students who sought similar sanctuary at the Finnish embassy gave up their quest earlier in the week. Seven Timorese unsuccessfully sought asylum from the embassies of the Vatican and Japan in 1989.

They have demanded safe passage to Portugal. Lisbon, which considers all East Timorese its citizens, has yet to say whether it would give the three asylum.

Amnesty International has demanded Sweden ensure their safe passage as they were in danger of 'arbitrary arrest and torture.'

The three, aged between 22 and 24, said they were involved in the November 1991 procession in Dili when troops opened fire, killing up to 180 civilians.

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### **THREE EAST TIMORESE HOLDING OUT AT SWEDISH EMBASSY**

*AP, 27 June*

*Comment: This item suggests that the three asked for Indonesian passports. This is not the case. Someone on the Indonesian side said that passports could be issued; the source of this offer is not clear.*

*Hendro Priyono's offer to evict the three makes it clear that he is leaning heavily on the Swedish embassy/ government to end the matter fast. It is crucial that Sweden is not intimidated and that they give time to the three to work out precisely how they will leave the embassy and reach a plane safely.*  
**TAPOL**

Jakarta, Indonesia (AP) – Three East Timorese asylum seekers are holding out in

the Swedish Embassy for permission to leave Indonesia, but a government negotiator said it would be impossible to fulfill the request.

The three entered the Swedish embassy Wednesday and requested political asylum, saying they feared arrest for joining demonstrations in November 1991 against Indonesian rule in East Timor, a former Portuguese colony annexed by Indonesia in 1976.

But the request was turned down despite a plea by Amnesty International because Sweden does not accept asylum requests at its embassies abroad.

Four other East Timorese who asked for asylum at the Finnish four later left the embassy after receiving assurances of safety from Indonesian authorities.

H.J.C. Princen, a human rights activist who is acting as mediator, said he had reported the request of the three men in the Swedish embassy for Indonesian passports to Maj. Gen. Hendro Priyono, the government's representative.

Princen said the East Timorese were demanding that immigration officers come to the embassy to process the passport request and that they be escorted to the airport by the Swedish Ambassador and Princen himself, among other people.

But another government negotiator, Lopez da Cruz, ruled out the request, saying the asylum seekers had acknowledged their Indonesian citizenship by seeking Indonesian passports.

'Why as Indonesian citizens do they have to be allowed to go abroad just for seeking asylum?' da Cruz asked in a telephone interview. 'I am not about to escort them because it would mean that I was embarrassing my own country.'

A senior member of parliament, who asked to remain anonymous, explained that the government would not fulfill the request because it feared setting a bad precedent.

'Many (Indonesian) people will make a similar request just if they want to go abroad,' said the legislator.

Indonesia annexed East Timor in 1976 after intervening in a civil war there. (sic) The United Nations, however, still recognizes Portugal as the administering power of the territory.

Princen said he was not sure whether the asylum-seekers wanted to go to Stockholm, Sweden or Lisbon, Portugal.

Priyono has said that the military is ready to evict the three from the Swedish Embassy if the embassy requests. (!!!)

### THREE EAST TIMORESE SPEND FIFTH DAY AT SWEDISH EMBASSY

*Jakarta Post. 28 June 1993, Abridged*

*Comment: This piece suggests that the three are relenting and will accept assurances from Indonesia. But by reporting that the negotiations are about 'safe passage,' it means that they are going to leave. Most confusing!*

Three East Timorese spent their fifth day at the Swedish embassy, despite repeated guarantees from the government that they will not be arrested if they leave.

The men, who had insisted on political asylum from Sweden or safe passage out of the country, showed signs they were beginning to relent on their demands as negotiations resumed last night, their mediator H.J.C. Princen said.

The three "had begun to believe" in the authorities' assurances, said Princen, a human rights lawyer who has been mediating on their behalf with the government and the Swedish embassy.

A solution was already in sight, he said, before returning to the Swedish embassy for negotiations with Swedish embassy officials, Maj. General Hendro Priyono, chief of the Jakarta Military Command, and Lopez da Cruz, a respected (sic) senior East Timor politician.

Princen identified the three East Timorese who have been holed up in the embassy at the Bina Mulia Tower Office building in Central Jakarta as Florencio A. Fernandes, Jose Manuel de Oliveira Sousa and Profirio da Costa Oliveira.

The meeting is aimed at finalizing the agreement on the safe passage assurance, Princen said, "We want to make sure nobody loses face," he told The Jakarta Post. The Swedish embassy has declined their request for political asylum or tickets out of the country. Major General Hendro Priyono has repeatedly given his word that the three will not be arrested or prosecuted if they leave the embassy.

Their bid for asylum has provoked critical remarks from officials both here and in Dili. Clementino Dos Reis Amaral, an East Timorese politician said the incident should open the government's eyes to the need to give the same treatment to the East Timorese as to natives of other provinces.

Outsiders

Amaral said outsiders who went to work in the province are generally unsympathetic and have low regard for local people. "They definitely need to receive a sympathetic approach to make them willing to talk and accommodate their aspirations."

Legislator Theo Sambuaga hailed the Finnish and Swedish governments' refusal to grant asylum, saying that the seven East Timorese have no real reason to seek protection from Indonesia. The men may have been inspired by fantastic stories about East Timorese separatist leaders like Ramos Horta who travels the world and preaches about the rights of the East Timorese people.

### NO INDONESIAN PASSPORTS

(TAPOL Report, June 28) It is now clear that the Indonesian government will not offer the East Timorese three at the Swedish embassy Indonesian passports. It is unclear whether this was a serious offer in the first place and unclear where the offer came from, if it was.

Indonesian-language newspapers in Jakarta today, 28 June 1993, have reported that Indonesian passports are not on offer.

The 'offer' was clearly a red herring, intended to confuse the issue, and an attempt to trap the East Timorese into seeing this as their chance to escape, whereas agreeing to accept the passports would have given the authorities the chance to claim that they accepted Indonesian citizenship. The ploy failed and the 'offer,' if there ever indeed as one, has now evaporated.

### PORTUGAL SAYS WILL ACCEPT EAST TIMOR STUDENTS

*Reuter, 28 June 1993, By Natasha Brown. Abridged*

(Lisbon) Portugal is prepared to receive three East Timorese asylum seekers who have taken refuge in the Swedish embassy in the Indonesian capital Jakarta, Foreign Minister Jose Manuel Durão Barroso said on Monday.

"Although it is not our obligation, for humanitarian reasons we are perfectly prepared to receive these Timorese and support all the costs of their journey," Durão Barroso told reporters.

Durão Barroso declined to elaborate on contacts between Lisbon and Stockholm over the students who turned up at the Swedish embassy in Jakarta last Wednesday to request asylum, saying they feared for their lives in Indonesia.

"This is a humanitarian issue and any statement could harm the negotiations... The important thing is to find a humanitarian solution for these East Timorese who want to leave Indonesia," Barroso said.

The three students briefly went on hunger strike. They asked for safe passage to



Portugal after Sweden said they could not apply for asylum through its diplomatic missions abroad.

Indonesia offered passports to them on Saturday but on Sunday human rights activist, H.J.C. Princen, who has mediated on behalf of the students with the government and the embassy, said Indonesia appeared to be hesitating in its original offer.

"The situation is very difficult. Apparently the Swedish are also losing patience and this is affecting the (Timorese)," Princen said.

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## JAPANESE DIET MEMBER EDA APPEALS TO SWEDEN

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*From Free East Timor Japan Coalition,  
June 29, 1993*

Satsuki Eda, the secretary general of the Diet Members Forum on East Timor, a suprapartisan group of some ninety members of the Japanese Diet, sent an appeal on June 29 to the Swedish Foreign Minister, urging Sweden to arrange safe conduct out of Indonesia for three East Timorese who took refuge last week in the Swedish Embassy in Jakarta.

"I believe," Eda said, that based on what we know of the treatment the Indonesian security officials routinely mete out to Timorese, and particularly based on the terrifying experiences the three have undergone in the past few years, their fears for their safety are not exaggerated."

In his letter, Eda recalled the case of two East Timorese who sought asylum at the Japanese Embassy in Jakarta in 1989 and were persuaded to leave. One of the two, Fernando Araujo, is now serving a nine-year jail term in connection with the events surrounding the Santa Cruz massacre. The letter says, "I think events show that the Japanese Government should have helped the two to leave Indonesia."

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## FARIA: "WE'RE BEING HOUNDED!"

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*Publico, 29 June 1993, Original language:  
Portuguese*

Clementino Faria, one of the four Timorese who have been in Lopes da Cruz's house in Jakarta since they left the Finnish Embassy on Thursday, said to *Publico* that he feels hounded and wants to come to Portugal. He said this in a telephone conversation in which Mr. Da Cruz, the itinerant ambassador to the Indonesian president, acted as a translator.

If someone wants to pay for his journey, he says he wants to go to Lisbon: this was the answer transmitted by Lopes Da Cruz, a

few seconds after the conversation with Clementino Faria.

Some moments before, Clementino said, "We are all right . . . with Mr. Lopes Da Cruz." But, in spite of the fact that he understood the questions, at least partially, the young man had some difficulty expressing himself directly in Portuguese or English. So, Lopes Da Cruz took the telephone receiver again, and acted as interpreter. Suharto's adviser translated the question to Clementino about what he wanted to do and after listening to Clementino's response (close to the phone), Lopes da Cruz indicated that Clementino wanted to come to Lisbon. And, between laughs, he commented as follows: "I don't know . . . they want to study now." But, in response to the question about his motivation for participating in the demonstration on November 11 (sic) 1991, and whether he still had the same motivations, Clementino refused to answer. And Lopes Da Cruz explained, "He still feels hounded, he says he does not want to answer."

This short interview conducted by *Publico* with Clementino Faria happened after Lopes Da Cruz stated that the four young men were all right. "They are watching television." He said that "they don't speak Portuguese or English well," but ended by saying "wait a moment, let me see if some of them want to speak to you."

Note: TAPOL has tried to speak with the four, giving them the chance to speak in Indonesian, but as yet to no avail.

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## PRESSURE ON SWEDEN AND FINLAND

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*TAPOL report, 29 June 1993*

### The three East Timorese at the Swedish embassy:

The Swedish government is under growing pressure from all sides not to ask or force the three East Timorese in their embassy to leave. The critical demands being made are:

1. To give the men protection until such time as travel documents are provided.
2. To negotiate a plan for their safe passage from the embassy to a plane which would take them abroad.
3. To recognise that this may take weeks rather than days to complete.
4. In the meantime to help the three men at the embassy live reasonably comfortably, with medical attention, visits by priests, books and any change of clothing they may need.
5. To make it possible for them to make or receive phone calls.

All people and groups of goodwill towards the people of East Timor are asked to

step up pressure on the Swedish government, through the Swedish embassy in your country or directly to the Swedish Foreign Ministry.

Write to:

Foreign Minister Margaretha Al Ugglas,  
Fax: +46 8 723 1176

Cabinet Secretary, Foreign Ministry,  
Lars-Ake Nilsson, fax: +46 8 723 1171.

Use any contacts you may have with groups in Sweden or with the Swedish media.

### The four Timorese who had to leave the Finnish embassy:

It is also necessary to focus on the plight of the four East Timorese who are now being held at the home of Lopes da Cruz. One of them managed to make contact with the outside world when the Portuguese newspaper, *Publico* phoned. [See item posted separately.]

Protest in the strongest terms to the Finnish government through the Finnish embassy in your country, and directly to the government, insisting that it was not their wish to leave the embassy and that they still wish to leave the country.

Their demand to travel to Portugal must be addressed. Press the Finnish government to begin negotiations with the Indonesian government for the four men to leave the country. The Finnish government should not be allowed to forget their responsibility to these four men.

Send your messages to:

Heikki Haavisto, Minister for Foreign Affairs, fax: +358 0 1341 5009 and to the Finnish ambassador in your own country

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## LETTER TO SWEDISH KING FROM WORLD SERVICE AUTHORITY

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*The following letter was addressed to King Carl XVI Gustaf by the World Service Authority, an organisation founded in 1954 to implement sovereign human rights:*

29 June 1993

H.M. King Carl XVI Gustaf,  
Office of H.M. The King,  
Kungl. Slottet, Stottsbacken,  
S-111 30 Stockholm, Sweden

Your Majesty,

The World Service Authority (WSA) has been apprised of the situation of three people from East Timor who have sought refuge at the Swedish Embassy in Indonesia which is their right under the 1951 and 1967 Convention and Protocol Relating to the Status of Refugees.

The Indonesian military has committed acts of political persecution specifically against these three individuals as they state

in a letter to the Swedish Ambassador: "In recent months, we have been constantly pursued by members of the Indonesian intelligence acting under orders from the Special Operations Commander...to arrest us and prove that we are among the fifty...reported missing since the bloody incident on November 12 1991," they wrote regarding the Indonesian government's attempt to disavow the government-sponsored killing at the Santa Cruz massacre.

According to the standards set in the Refugee Convention, these East Timorese individuals have a well-founded fear of persecution based on their nationality and political opinion. Because of their refugee status, they have "the right to seek and to enjoy in other countries asylum from persecution," under Article 14 of the Universal Declaration of Human Rights (UDHR).

All United Nations member states are obligated to "promote the universal respect for, and observance of human rights and fundamental freedoms" (i.e. the rights proclaimed in the UDHR) under the United Nations Charter, Articles 55 and 56. Therefore your government must either grant these East Timorese refugees asylum in Sweden or must protect them from further persecution by assuring their safe departure from Indonesia to Portugal, the internationally-accepted administrative authority over East Timor.

In order to expedite their departure from Indonesia, the World Service Authority is willing to issue these individuals the WSA passport, the only neutral, global identity and travel document based on Article 13 of the UDHR - guaranteeing the right to freedom of movement. Please contact our world office in Washington, DC for assistance in the issuance of these documents.

According to Article 20(4) of Sweden's Instrument of Government, these East Timorese must not be deprived of their liberty, which would occur if they were turned over to the Indonesian authorities.

We are confident that as a representative of the Swedish people and as the highest-ranking official of the country of Sweden, which desires to maintain its reputation of respecting human rights, Your Majesty will ensure that all Swedish government officials uphold the law and prevent any human rights violations by your government.

We thank you for your consideration in this matter.

For the World Service Authority,  
David Gallup, Esq., General Counsel

### THREE TIMORESE AT SWEDISH EMBASSY IN JAKARTA CALL FOR HELP

*TAPOL, 30 June 1993 issued the following Press Release:*

In a letter from the Swedish embassy in Jakarta where they have been taking refuge since last Wednesday, three East Timorese students have appealed for help to get out of Indonesia safely.

The three men, Florencio A. Fernandes, Jose Manuel de Oliveira Sousa and Profirio da Costa Oliveira, complain that they are not being treated by the embassy in accordance with Article 14 of the Universal Declaration of Human Rights according to which "Everyone has the right to seek and to enjoy in other countries asylum from persecution." They say in the letter that they are under pressure from the Swedish embassy and the Indonesian military to sign a guarantee from the Indonesian authorities on the basis of which they would leave the embassy:

"All the time, the military and the Swedish embassy are insisting that we sign a statement that they have drawn up, but we have persisted in refusing to do so."

The statement, they say, has been drafted by the embassy and military officers "without our knowledge and without consulting us."

They also charge that they are being intimidated by Indonesian intelligence agents just outside the door of the embassy, and complain that embassy officials have cut them off from the press. TAPOL has learned independently from Jakarta that the area surrounding the embassy, on the floor below, is "swarming with Indonesian soldiers." All efforts from abroad to speak to the three men by phone have been thwarted by embassy officials.

The letter from the embassy is dated 29 June and was smuggled abroad overnight.

The three say that the representative in Jakarta of the UNHCR is also trying to persuade them to sign the statement and has refused to become involved in top-level negotiations to secure travel documents to help them leave Indonesia.

TAPOL has conveyed this information to the Swedish Foreign Minister, urging that the embassy be instructed to stop exerting pressure on the three Timorese. TAPOL has appealed to the Swedish government to act promptly to obtain travel documents for the men and to negotiate safe passage for them from the Indonesian authorities to get them from the embassy to a plane that will take them to safety, out of Indonesia.

TAPOL has also complained to the UNHCR in Geneva of a serious breach in

their obligations towards men in need of their protection and has asked them to do everything possible to expedite travel documents from the UNHCR or from another international agency.

### EAST TIMORESE STUDENTS COMPLAIN OF SWEDISH EMBASSY HARASSMENT

*MEDIA RELEASE from CNRM, 30 June 1993*

The first communication from the three East Timorese seeking refuge in the Swedish Embassy in Jakarta has reached the outside world exactly one week after they entered the embassy to escape persecution from the Indonesian military. The students are being prevented by the Swedish authorities to communicate by telephone or fax with anyone.

The letter signed by Florencio Fernandes, Jose M de O Sousa and Profirio da Costa Oliveira, dated 29 June, says: We are in poor physical condition. The three of us in the Swedish embassy are facing considerable difficulties. In the time we been here intelligence officers often come and stand outside the door, threatening and insulting us. The Swedish government has barred the press access to us. We are being terrorized from all sides: not only the Indonesian government but also the Swedish embassy and the UNHCR in Jakarta. We are not being treated in accordance with our rights as noted in Articles 14 and 15 of the universal declaration. The military and the Swedish embassy constantly try to force to sign the statement of assurance that they have drawn up..... without our knowledge or agreement..... we continue to refuse to do so. Please help us to leave Indonesia safely.

The students complain that UNHCR also appear to want to force them to sign the statement and refugees to be involved in negotiations to obtain travel documents from them.

Speaking from Northern Territory in Australia, CNRM special representative Mr. Jose Ramos Horta has strongly criticized the UNHCR for not intervening and failing to fulfill their obligation to protect these three young people whose lives are in such danger. "it is also obvious that Swedish authorities place bilateral relations with the murderous Indonesian military regime above their humanitarian obligations," he added.

Horta appeals to the UNHCR and the International Committee of the Red Cross to urgently seek safe passage out of Indonesia for the three students. He also appeals to Sweden to act according to the Nobel repu-

tation as a protector of Human Rights it has earned in the past.

Horta also drew attention to the fact that almost one week after four students left the Finnish Embassy in Jakarta, reportedly after "agreeing" to accept Indonesian "guarantees" for their safety, no one has had access to them to independently confirm that they are safe. On the contrary, media statements have quoted some of them insisting in their desire to leave Indonesia. Sources in Jakarta also claim that they are being constantly harassed by intelligence personnel. Horta added that Finland must be held responsible for the safety of these students.

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### SWEDEN CALLS EAST TIMORESE ASYLUM PLEA PROPAGANDA

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*Source: Reuter, 1 July 1993, Abridged*

(Stockholm) Reuter from Stockholm quoted the Swedish Foreign Ministry as denying "allegations" that East Timorese students stranded at its Jakarta embassy have been treated badly, and said that it will not go along with their "propaganda" tactics.

The three students said they are in bad shape and under pressure from all sides to give up their bid for asylum, according to a letter sent to a London-based human rights organisation [TAPOL], a copy of which Reuters obtained.

"The East Timorese have received everything they have asked for - food, drinks, cigarettes, clothes, showers," Foreign Ministry spokesman Staffan Bjorck told Reuters. "They are not been treated poorly," he said.

"For some reason, they have chosen the Swedish and Finnish embassies in a well-organised incident that we see as a propaganda attempt," Bjorck said. "In that situation, we believe it is not right that they use our faxed and phones because we don't want to strengthen their propaganda possibilities."

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### ET STUDENTS IN SWEDISH EMBASSY

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*Report from CNRM, July 1, 1993*

Over one week has now passed since East Timorese students Florencio A. Fernandes, Jose M Oliveira Sousa and Porfirio da Costa Oliveira have entered the Swedish Embassy in Jakarta.

The students took their decision to appeal to the Swedish Embassy for diplomatic protection after careful deliberation after over one year of persecution by Indonesian intelligence forces. The three are living wit-

nesses of the Dili massacre of 12 November 1991.

Sweden has always strongly claimed to be a champion of human rights and peoples self determination struggles, freedom and democracy. During the black years of dictatorships by Latin American colonels and generals, Swedish diplomats searched the streets picking up political dissidents fleeing from repression by security forces.

In the case of East Timor Sweden has always shown a different face. A face of hypocrisy and mercantilism. As one of the major arms manufacturers in the world, Sweden has supplied weapons to the Indonesian military throughout the last 18 years both under the Social Democrats of Olaf Palme as well as under the Liberal Conservative coalition.

In the Swedish Embassy in Jakarta the three East Timorese students continue to resist pressures by Swedish diplomats in collusion with Indonesian security forces and the puppet Francisco Lopes da Cruz, who are trying to get them to leave the Embassy premises.

I have just received a message from the three students, denouncing the pressures they are being subjected to by Swedish diplomats, the efforts to entice them on the part of Lopes da Cruz, and the insults and threats they receive from Indonesian security forces.

The three are in a precarious health condition, lacking medical assistance. They have not been visited by the International Red Cross and their request to meet an official of the United Nations High Commissioner for Refugees has been refused.

The students have said in the Tetum language : "...dala ida tan, alin ami nain tolu sei la hakfodak, la monu ba lian fuan midar sira nee be samodok sira soe ami nain tolu." (We state again that the three of us are not afraid. We are not scared, we won't fall for the sweet words the vipers say to us).

One week after the four students who sought refuge there left the Finnish Embassy, nothing is known about their situation. The Finnish authorities are morally and materially responsible for the fate of these four. They were compelled to leave the Embassy by strong pressures, threats and promises.

The Finnish government and the Indonesian authorities must produce visual proof about the health and security condition of the four students in front of ICRC and UN representatives.

Stronger actions are required before the UN, the Swedish government, the European Community and the ICRC to resolve the situation obtaining the departure of the students from Indonesia.

Over six weeks after the sentencing of the Head of the Timorese Resistance, Xanana Gusmão, his actual whereabouts are unknown. The European Community, in a show of cowardice towards the Indonesian military dictatorship, did not condemn the farcical trial, and with total lack of dignity appealed for the reduction in the sentence imposed on someone who has earned one of the highest Portuguese national decorations.

I appeal to all international solidarity organisations, human rights organisations, political parties, parliamentarians throughout the world, Churches, friendly governments, to intensify the campaign of denunciation of the arbitrary acts of the despotic Indonesian regime.

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### TIMORESE DUE TO LEAVE EMBASSY 8 AM FRIDAY

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*TAPOL report, July 2*

This is a brief summary only of news that, unless last-minute events happen to prevent it, the three East Timorese who have been taking refuge at the Swedish embassy since 23 June will leave the embassy at 8 am Friday, 2 July and will go to the home of H.J.C. Princen who has been mediating with all sides.

However, LUSA has reported an interview with Lopes da Cruz in which he confirms the decision that they will leave but says they will be taken to his house or to a Catholic church.

More details of wire-service reports will be posted shortly. Also, we will try to report events as soon as possible, should the three indeed leave as scheduled.

This is a terrible blow to the hopes of the three and their safety cannot be vouchsafed from the moment they leave the embassy. One thing is sure: if this happens, the Swedish government should be strongly condemned for making it impossible for the three to remain in the safety of their mission until they can arrange for their safe departure from Indonesia.

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### ROUNDUP OF ASYLUM NEWS, JULY 2

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*From protected sources in Jakarta, via TAPOL.*

The three East Timorese, Florencio A. Fernandes, Jose Manuel de Oliveira Sousa and Porfirio da Costa Oliveira, who entered

the Swedish embassy in Jakarta on 23 June 1993, asking for asylum and for help to leave Indonesia, have now left the embassy and are at the home of J.C. Princen who, throughout the affair, has acted as mediator.

The three left the embassy following the signing of an agreement which reads (more or less) as follows:

#### Statement, Jakarta 2 July 1993:

In a meeting attended by Military Commander of Jakarta Major-General Hendro Priyono, Special Ambassador Lopes da Cruz, J.C. Princen, the mediator, Anders Stohr, Swedish charge d'affaires and Florencio A. Fernandes, Jose Manuel de Oliveira Sousa and Proforio da Costa Oliveira from East Timor, the following agreement was reached:

1. The three signatories from East Timor are leaving the Swedish embassy of their own free will.
2. The Indonesian government, represented by Major-General Hendro Priyono and Mr. Lopez da Cruz, will not lay charges against them, interrogate them, carry out any intimidation, arrests or other such actions in relation to matters connected with
  - a. their stay at the Swedish embassy,
  - b. their activities in the past excepting such criminal activities as theft or assault as defined in the Criminal Code (KUHP).
3. The above mentioned people from East Timor are absolutely free to make contact with Mr. Princen or the Swedish embassy whenever they wish regarding matters connected with this agreement.

The three decided to leave the Swedish embassy because conditions for them to remain there had become impossible and because they also were given assurances that the International Red Cross would help arrange travel documents for them to leave the country. (The ICRC operates a 'family reunion programme' which has helped some 1,500 East Timorese people to leave the country.)

Members of the press were outside the embassy when the three men left with Princen. There were also many 'intel' people around. After they reached Princen's home, there was a press conference attended by Indonesian journalists.

The three men appear to be in good spirits and are grateful for all the efforts around the world to help them while they were at the embassy. Their protection is now largely in the hands of Princen who has been quoted as saying that anyone trying to harm them in any way would do so 'over my dead body.'

## ASYLUM SUMMARY

*Indonesia Publications, Indonesia News Service No. 377 - July 2, 1993, Excerpt*

Three East Timorese students began a fourth day holed up in the Swedish embassy in Jakarta Saturday, defiantly demanding asylum as diplomats and Indonesian officials debated their fate. The students, who said they feared for their lives if they were handed over to plain-clothes military officials outside the embassy, have asked for safe passage to Portugal, which they hope will give them sanctuary. "It all depends on the diplomats," H.J.C. Princen, a human rights activist who has acted on behalf of the three students, told reporters. Foreign Minister Ali Alatas, speaking Friday after his return from the conference, said he suspected "enemies abroad" were responsible for the asylum bid, questioning why Portuguese journalists knew about it before he did. "I do not agree with his assertion that enemies within and outside the country are, so to say, conspiring in this case. I didn't get that impression," Princen said. (RT, Jakarta, June 26)

Three East Timorese asylum seekers began a fifth day holed up in the Swedish embassy in Jakarta on Sunday as their reluctant hosts and the Indonesian government appeared to be losing patience with their demands for safe passage. Human rights activist H.J.C. Princen, who has mediated on behalf of the students with the government and embassy, said Indonesia appeared to be hesitating in its original offer of passports which would allow the three to leave the country. "The situation is very difficult. Apparently the Swedish are also losing patience and this is affecting the (Timorese)," he said by telephone. Swedish diplomats were not available for comment. (RT, Jakarta, June 27)

Indonesia offered passports to three East Timorese asylum-seekers Saturday, allowing them to flee the country, but they demanded more guarantees before abandoning their refuge at the Swedish embassy. Human rights activist H.J.C. Princen, who has acted as mediator during a four-day stand-off, said by telephone that Indonesian officials were considering the demands. "The ambassador doesn't have any problem with these proposals. I don't have any problem with these proposals. The only question is will the Indonesia government agree?" he said. Princen said that Indonesia had agreed to give the three students passports after earlier ruling out the possibility. He said Indonesia was still considering the extra demands from the students including guarantees from all parties of a safe passage to the airport, air tickets and delivery of the passports to the

embassy. "I expect to hear back from Maj. Gen. Hendro Priyono (who earlier led abortive talks with the students) by telephone, possibly tonight. It is only a matter of time," he said. (RT, Jakarta, June 26)

## EAST TIMORESE LEAVE SWEDISH EMBASSY IN JAKARTA

*TAPOL, the Indonesia Human Rights Campaign, today 2 July 1993, issued the following press release:*

Three young East Timorese who have been on the run from the Indonesian military since the Santa Cruz massacre in Dili in November 1991 and who took refuge at the Swedish embassy in Jakarta on 23 June, hoping for help to leave Indonesia, left the Swedish embassy this morning. They left believing that they will be assisted by the International Red Cross to go abroad. The three are now at the home of J.C. Princen, chair of the Indonesian Institute for the Defence of Human Rights, who acted as the mediator at the embassy.

TAPOL vehemently condemns the failure of the Swedish government to live up to its obligations under the UN Convention on Refugees to protect the men who all have well-founded fears of persecution. For Sweden, promoting profitable trade links with Indonesia counts for more than protecting the lives of East Timorese fleeing the relentless persecution of the Indonesian armed forces. The asylum bid came as a huge embarrassment, according to a Swedish official speaking anonymously in Stockholm, just as the Swedish multinational ABB was concluding a deal worth \$1.5 billion to build three power stations in Indonesia. This was a deal, he said, that Sweden had worked very hard for years to clinch.

Four other East Timorese took refuge in the Finnish embassy in Jakarta last week but left the embassy on the next day. Finland too has massive business interests in Indonesia, particularly in the paper and pulp industry. These four are now incommunicado at the home of Lopes da Cruz, the top-ranking East Timorese collaborator with the military regime.

Six of the seven men took part in the November 1991 Dili demonstration that ended in a bloodbath when troops opened fire, killing nearly 280 people. Several of them were wounded during the massacre and were treated and protected by Catholic missionaries. Other injured survivors were killed on capture. After being on the run for nearly a year, they each managed to escape separately to Jakarta where they have been in hiding for nearly nine months.

TAPOL regards the army's assurances that they will not be harmed as worthless and believes they could face persecution as soon as the regime feels that international attention has waned.

All seven men will not feel free from persecution until they have left Indonesia. TAPOL has today called on the International Red Cross to get them out of the country. It has also urged the British government and the European Community to seek assurances from the Indonesian government that they will be allowed to leave Indonesia, as is their right.

British aid to Indonesia increased threefold

The international community has shown little regard for the sufferings of the East Timorese although it was the invasion of East Timor in December 1975 that encouraged Saddam Hussein to believe that he could invade Kuwait with impunity. This week, the World Bank-led international aid consortium, the CGI, granted Indonesia \$5.1 billion financial assistance for 1993/94, an increase on last year of \$200 million. Regardless of its stated commitment to conditionality of aid relating to a country's human rights conduct, the British government's aid commitment to Indonesia this year was increased threefold, from \$35 million to \$98 million. This comes on top of a 500 million deal this month by British Aerospace to sell Hawk aircraft to Indonesia's air force.

## **TIMORESE LEAVE EMBASSY: ROUNDUP BY TAPOL, JULY 2**

*The following is a round-up of reports filed from Jakarta today by several news agencies:*

### **AFP - Endang Nurdin**

The three East Timorese asylum seekers are now hoping for assistance from the International Committee of the Red Cross to get them out of the country.

"They agreed to leave and I have signed a statement guaranteeing that they would not be arrested or intimidated," said Jakarta's military commander, Major-General Hendro Priyono. He had also promised not to bring up "their past deeds," referring to their claims that they were involved in several anti-Indonesia demonstrations in East Timor.

But he added: "I do not guarantee, if it is found out later that they have been involved in crimes." He did not elaborate.

The three were taken to the home of H.J.C. Princen. "The long-term plan is, we will contact ... the ICRC," Princen said, adding that he hoped they could be included

in the ICRC programme to reunite East Timorese with their families abroad.

But such a request would have to await the arrival of the new ICRC representative in Jakarta, expected in the middle of July. The tour of the previous representative ended Thursday.

Should the ICRC help them under its family reunion programme, they would probably go to Portugal or Australia.

Hendro said the Swedish had asked him to remove them from the embassy but without using force. As they left the embassy compound, one of the three told reporters they were doing so of their own free will.

### **UPI**

The three East Timorese moved to a house behind the home of H.J.C. Princen, an Indonesian human rights activist who served as mediator. Through the ICRC, they were to be reunited with their families, he said, adding that the Portuguese government will support them financially.

After the Swedish government turned down their request on June 23, the three refused to leave, demanding travel documents to leave Indonesia.

The London-based human rights group Amnesty International and the Indonesian human rights monitor (sic) Tapol, expressed concern over the safety of the men and appealed to the Swedish embassy not to hand them over to the Indonesian authorities.

The embassy affair has become big news in the Swedish press. A major afternoon daily carried a full-page article yesterday. Today, Sweden's leading daily, Dagens Nyheter, carried a strongly-worded editorial, rebuking the government for its handling of the case.

## **THREE ASYLUM SEEKERS APPEAL FOR INTERNATIONAL SUPPORT**

*SBS TV news, 3 July 1993, Unabridged transcript*

NEWSREADER: Three East Timor activists who unsuccessfully sought asylum in Jakarta's Swedish Embassy have appeal for urgent international help to leave Indonesia. The group have been at the home of a leading Indonesian human rights activists since leaving the embassy yesterday morning. They say they have under surveillance by Indonesian security forces since taking in the Dili demonstrations of November 1991. And despite a written guarantee of safety from Indonesia the three say they remain under virtual house arrest and are fearful of action by Indonesia.

## **THREE TIMORESE YOUTHS AND HJC PRINCEN'S FAMILY TERRORIZED**

*The following Press release was issued by Infight on July 3, one day after the three East Timorese students left the Swedish Embassy in Jakarta with assurances from Hendro Priyono, Head of Jakarta Security, that they would not be persecuted as a result of their stay in the Embassy in connection with their demands that the Swedish government ensure their safe passage out of Indonesia.*

On July 2 1993 at 10am, three East Timorese youths (Florencio AF, Profirio CO and Jose Manuel OS) who had requested political asylum from the Swedish Mission, left the Embassy after an agreement was reached between Major General Hendro Priyono, Anders Stohr of the Swedish Embassy, Roving Ambassador Lopes da Cruz and the Chair of the (Jakarta-based) Institute for the Defence of Human Rights, HJC Princen.

The agreement stated that:

"The Indonesian government as represented by Major General Hendro Priyono and Lopes da Cruz has guaranteed that the three East Timorese in question will not, except for criminal actions, be subject to demands, cross-examination, intimidation, arrest or other such treatment as a result of their stay in the Swedish Embassy."

According to information received by Infight on July 3 1993, since 10 am Princen's house has received visits by people claiming to be intelligence personnel from the local district military command. They forced their way into Princen's house, terrorizing his wife. At the time of writing, the security personnel refused to leave the house, such that Princen's family felt they were hostage to the military by receiving the three Timorese in their house. These events show that the military has clearly violated the agreement it signed.

Infight demands that all sides involved in this matter concede to the agreement which they have jointly signed. The military's violation of the agreement reflects a belittling human rights.

## **INDONESIA CHARGES ASYLUM BID ENGINEERED BY AI**

*Source: ATVI News Australia, 5 July 1993 (12.30am) Unabridged transcript*

NEWSREADER: Indonesia claims a recent bid for political asylum by a group of East Timorese men was engineered by Amnesty International and activists living

abroad. A senior Indonesia diplomat says the failed asylum bid was design to embarrass Indonesia. Amnesty International responded by saying the suggestion was absurd and irresponsible.

ADAM BROOKS: Seven East Timorese men last week entered the Swedish and Finnish embassies in Jakarta. They said they were being persecuted by the Indonesian authorities for their association with the East Timorese independence movement and they requested asylum. The bid failed. By Friday all of them have left the embassies after accepting guarantees for their safety from the Indonesian armed forces. On Saturday the Director General of Political Affairs of the Indonesian Foreign Ministry Woryono Sastro Handoyo alleged that the asylum had been engineered by Amnesty International and Jose Ramos-Horta, a senior figure in the East Timorese independence movement who lives abroad.

## AMNESTY INTERNATIONAL REPORT ON ASYLUM- SEEKERS

**INDONESIA/EAST TIMOR: Seven East Timorese Still in Danger**

5 JULY 1993

AI INDEX: ASA 21/14/93

### 1. INTRODUCTION

Amnesty International remains seriously concerned for the safety of seven young East Timorese who entered the Embassies of Finland and Sweden in Jakarta on Wednesday 23 June to seek political asylum. Four of the seven - Mateus Brito Ximenes (23), Clementino Faria Oliveira (27), Oscar Gonçalves da Silva (20), Ventura Valentim de Conceição (23) - left the Finnish Embassy on 24 June after receiving assurances from Indonesian military officials that they would not be arrested, and are currently staying at the home of an Indonesian Government official. The other three - Florencio Anuncião Fernandes (21), Profirio da Costa Oliveira (23), and Jose Manuel de Oliveira Sousa (24) - left the Swedish embassy on 2 July, and took refuge at the home of the human rights activist, Haji Prinzen.

Notwithstanding the decision of the seven to leave the two embassies, it is Amnesty International's view that their appeal for protection has yet to be satisfactorily resolved. Given the well-documented pattern of grave and persistent human rights violations against East Timorese since the Indonesian invasion of December 1975 - and in view of the particular circumstances of those who have sought protection in embassies in the past - Amnesty International

believes that all seven remain at risk of serious violations, including torture and imprisonment as prisoners of conscience, if they remain in Indonesia or East Timor. This concern has been further heightened by the actions and statements of Indonesian authorities in recent days. Amnesty International therefore reiterates its call for the Governments of Finland and Sweden to take all appropriate steps to facilitate the safe departure of the seven from Indonesia to a safe country of asylum. It also demands that the Indonesian authorities permit the seven to leave the country.

This report begins by outlining the responsibilities of the Governments of Sweden and Finland under international law, and contrasting these with each government's behaviour in this case. Amnesty International considers that, by failing to take all necessary steps to facilitate the safe passage of those who had sought protection, and by encouraging them to leave the embassies, thereby placing them at risk of being arbitrarily detained and tortured by the Indonesian authorities, the Governments of Finland and Sweden may have acted contrary to their responsibilities under international law. It urges both Governments to reconsider their positions and to take all possible measures to facilitate the safe departure of the seven from Indonesia. If they do not do so, Amnesty International believes that the Finnish and Swedish governments must accept a long-term responsibility to ensure that the guarantees given by the Indonesian military authorities are rigorously adhered to, and to intervene immediately and effectively to protect the seven if they are breached in any way.

The report also details several reasons why, in Amnesty International's view, the assurances offered by Indonesian government officials regarding the safety of the seven East Timorese do not constitute a genuine guarantee of their protection, and why the Governments of Finland and Sweden should not have accepted them as such. Official assurances of a very similar nature have been routinely breached in the past, resulting in the imprisonment as prisoners of conscience of at least five people who had sought protection in foreign embassies, and the harassment and persecution of several others. The historical evidence indicates either that the authorities are not sincere in offering such assurances, or that they are incapable of ensuring that they are honoured by their own security forces. In either case, the assurances themselves cannot be considered to constitute a satisfactory guarantee of protection. In fact, past experience indicates that those who embarrass the Indonesian Government by drawing international attention to its poor human rights record are

likely to be in even greater danger of arrest than they otherwise might be.

Finally, this report provides clear and substantive evidence that, contrary to the claims of Indonesian officials, all of the seven have suffered persecution and human rights violations by the Indonesian authorities because of their non-violent political opposition to Indonesian rule in East Timor. For example, some suffered beatings, torture and arbitrary arrest after participating in public demonstrations, between 1989 and 1991, which aimed to alert the international community to the appalling record of human rights abuse by Indonesian security forces in East Timor. Three of the seven - Florencio Anuncião Fernandes, Mateus Brito Ximenes and Profirio da Costa Oliveira - were shot and wounded by the Indonesian military during the Santa Cruz massacre of 12 November 1991, while three others took part in the demonstration. All fled the territory in 1992 fearing for their lives.

### 2. INTERNATIONAL RESPONSIBILITIES

Domestic and international legal restrictions on granting asylum in diplomatic missions do not in any way prevent governments from offering protection to those who enter embassy premises and are genuinely at risk, and facilitating their departure from a country. In this regard, Amnesty International has reminded the governments of Sweden and Finland that the prohibition on torture in Article 3 of the European Convention on Human Rights (ECHR), to which both governments are party, applies to the acts of agents of contracting states abroad, including in diplomatic or consular premises. Given the risk of torture faced by the seven East Timorese in question, the organization advised both governments that transferring them to the Indonesian authorities might be inconsistent with government obligations under the ECHR.

In a letter to the Government of Finland, dated 23 June, Amnesty International stressed that the four East Timorese then in the Finnish embassy should not, under any circumstances, be surrendered to the Indonesian authorities. On the same day Finnish government officials stated that the four would be allowed to remain in the embassy until they could leave safely, and that every effort would be made to ensure that their human rights were respected. The following day, however, Finnish embassy officials in Jakarta surrendered the four to an Indonesian official, Francisco Lopes da Cruz, apparently after receiving assurances from the Regional Military Commander for Greater Jakarta, Major General Hendro Priyono, that they would not be arrested. The Ambassador told the press that he was satisfied

with the official assurances. In Helsinki, the Finnish Government reportedly announced that it was satisfied with the arrangements but admitted, when asked, that it did not know precisely what assurances had been given. The four remained at the home of Francisco Lopes da Cruz on 4 July, but little was known about their situation since they were unable to leave the premises, and their freedom to communicate with the outside world was strictly controlled.

Like the Government of Finland, the Swedish Government stated at the outset that it would ensure the safety of the three East Timorese in its embassy. Nevertheless, after Indonesian authorities announced on 25 June 1993 that they would not issue the three with travel documents, the Swedish Government proved unwilling to provide them with safe passage out of the country. According to reports from Jakarta, but strenuously denied by the Swedish Government, the three were thereafter placed under pressure from Indonesian, Swedish and officials from the United Nations High Commissioner for Refugees (UNHCR) to sign an agreement similar to that accepted by the other four, and to leave the embassy. In a message written from the embassy on 30 June the three said:

"During all this time, Francisco Lopes, the Indonesian military officials and the Swedish Embassy have told us that there is no way for us to get out safely from Indonesia unless we sign a statement in Indonesian which they have written themselves."

Facing mounting pressure to leave the embassy, and a flat refusal of their request for safe passage out of the country, the three finally agreed to leave on 2 July, on the condition that they would not be prosecuted for entering the embassy or for their past activities. After leaving, they took refuge at the home of human rights activist Haji Princen, who acted as a mediator in the case. Immediately after their departure, they were subjected to acts of intimidation by the Indonesian authorities, which heightened fears for their safety. On 3 July 1993, for example, just one day after they left the embassy, military intelligence officers came to the home of Haji Princen, and refused to leave until a formal complaint was lodged by him to the Regional Military Commander.

Shortly after the seven entered the embassies in Jakarta, the Governments of Sweden and Finland announced that they were unable to grant political asylum to applicants unless they were at or inside their national borders. These announcements evidently contributed to the decision of the four to leave the Finnish embassy, and placed those in the Swedish embassy under pressure to do the same. In Amnesty International's view this was unfortunate since,

as noted above, the central question was not whether the Finnish and Swedish governments could legally grant asylum, but whether they were prepared to recognize that the seven were in need of protection and to assist them to leave the country safely. An announcement by the Government of Portugal on 28 June, that it was more than willing to allow the East Timorese to enter Portugal, made it clearer still that Sweden and Finland would not have to grant them asylum, but only to provide the necessary assistance and facilities in helping them reach a third country.

### 3. FALSE PROMISES

The available evidence suggests that the Governments of Finland and Sweden either encouraged or pressured the East Timorese to leave their embassies on the strength of assurances of their safety from Indonesian governmental and military authorities. In Amnesty International's view there are a number of important reasons why Indonesian military and government assurances of respect for the human rights of the seven East Timorese cannot be accepted as genuine guarantees of their safety, and why they should not have been treated as such by the Governments of Finland and Sweden. The most compelling evidence lies in the record of Indonesian government behaviour in similar circumstances in the past. Viewed against this background the actions and statements of government and military officials in the current case have a chillingly familiar quality and provide little room for optimism that official assurances will be honoured.

### The Historical Record

The historical record provides four powerful reasons to doubt official assurances that the seven East Timorese will not be arrested or persecuted for their non-violent political activities. First, others who have sought protection in foreign embassies in Indonesia and who have left their premises after receiving such assurances from the authorities, have subsequently suffered serious human rights violations. Seven East Timorese who sought protection in the embassies of Japan and the Vatican in June 1989 left the embassies after receiving official assurances that their human rights would be respected. However, in February 1991 a confidential military intelligence document revealed that five of the seven, Fernando de Araujo, Marciano Garcia da Silva, Carlos da Silva Lopes, Agapito Cardoso and Lucas da Costa had been placed under permanent military surveillance because of their non-violent political and human rights activities. In May 1992 one of the five, Fernando de Araujo, was sentenced to nine years' imprisonment for subversion

following an unfair trial. He is a prisoner of conscience.

In another case, four people who sought protection at the Consulate of Papua New Guinea in Jayapura, Irian Jaya, in December 1989 were arrested and later convicted of subversion despite having received assurances from Indonesian government and military authorities that they would not be arrested or prosecuted if they left the Consulate. The four, Drs. Jakob Rumbiak, Edison Waromi, Martinus Kambu and Jakob Matui - all of them supporters of independence for the province of Irian Jaya - went to the Consulate out of fear that they might be arrested in connection with anti-government demonstrations planned for 14 December 1989. At the time the Indonesian Minister of Foreign Affairs gave assurances that the men would not be arrested if they left the Consulate, and an Indonesian military spokesman said that the four had nothing to fear: "The safety of those proven not guilty will be well guaranteed." On the basis of these assurances, and under pressure from Papua New Guinea officials, they left the Consulate. A few weeks later all four were arrested and charged with subversion for their alleged role in the planned demonstrations. They were all found guilty in unfair trials and sentenced to prison terms of between six and 12 years. Like Fernando Araujo, they are prisoners of conscience.

Second, as these cases illustrate, it cannot be assumed that assurances given by Indonesian governmental and military authorities, even those at the highest level, will always be respected by other members of the security forces in East Timor or elsewhere in Indonesia. There are currently significant political rifts within the Indonesian state apparatus - over the issue of human rights among others - which sometimes result in one authority ignoring or overriding decisions made by another. For example, while the Foreign Ministry is principally concerned with improving Indonesia's poor human rights image, key elements in the military leadership remain preoccupied with matters of "national security" and political stability. In this respect, the recent experience of the International Committee of the Red Cross (ICRC) in East Timor is instructive. In June 1993, the ICRC suspended visits to political prisoners in the territory for the third time in six months, after military authorities in East Timor continued to place unacceptable restrictions on the visits, thus making it impossible to monitor the safety and well-being of political detainees. These restrictions had been imposed despite assurances by President Suharto and the Minister of Foreign Affairs that unrestricted access to prisoners would be granted. In short, even in its dealings with a respected

international humanitarian body, the government said one thing and did another.

Third, those who attract international attention to human rights abuse by Indonesian forces are those most vulnerable to arbitrary imprisonment, beatings, torture and other violations. For example, when Fernando Araujo was convicted, the judge said the long sentence was warranted because of his attempts to "gain the sympathy of the international community for the abuse of human rights in East Timor." Francisco Miranda Branco, another East Timorese convicted for having organized the demonstration which preceded the Santa Cruz massacre, was sentenced to 15 years' imprisonment in June 1992. The indictment against him stated that he had "attempted to give a wrong picture of the facts in East Timor to prove that the Indonesian Government did not respect human rights in the province." Yet another, Carlos dos Santos Lemos was sentenced to eight years imprisonment on the basis of allegations that he had taken photographs of the Santa Cruz procession, and for planning to send the photographs to several countries, including Australia, Portugal and Japan. Given this well-established pattern, International believes that, far from being protected, the risk of the seven East Timorese being subjected to further abuse may have increased following their recent appeal for asylum in foreign embassies.

Fourth, the Indonesian Government has consistently denied reports of even the most well-documented and widely publicized human rights violations in East Timor, preferring instead to question the political motives of those, including Amnesty International, who have reported them. This pattern has been reflected once again in the case of the seven East Timorese, thereby raising further concerns about the sincerity of the government's stated commitment to protecting their human rights. On 25 June, for example, Indonesia's Foreign Minister said that the seven had not been persecuted, and that they had no reason for seeking asylum in the embassies. This was simply untrue as the substantive evidence provided later in this report reveals. The Foreign Minister also characterized the request for asylum by the seven as a political plot hatched by Indonesia's "enemies": "There is strong suspicion" he said "that this thing was engineered by our enemies, even from abroad...they are trying to undermine Indonesia." On 3 July, a high-ranking Foreign Ministry official told journalists in Jakarta that the asylum appeal had been "engineered" by Amnesty International. As "evidence" the official cited the two-page statement of concern, entitled *Indonesia/East Timor: Seven East Timorese Seek Asylum*,

which had been issued by the organization several hours after the seven entered the embassies in Jakarta.

### **The Contemporary Evidence**

Viewed in historical context, the actions and statements of government and military authorities since the asylum bid the seven East Timorese began on 23 June, bear a striking familiarity. In Amnesty International's view they leave little room for confidence that the safety of the seven will, in fact, be guaranteed while they remain in Indonesia.

Shortly after the four left the Finnish embassy, apparently after official assurances that their rights would be protected, high-ranking government and military officials began to issue statements qualifying the assurances, and effectively establishing the grounds for the future arrest and imprisonment of some or all of the seven. On 24 June, for example, Coordinating Minister of Political Affairs and Security, Soesilo Soedarman, said that the four who had left the Finnish embassy would not be arrested for seeking protection, but stressed that they might still be prosecuted for their past activities. This clearly left open the possibility that, like scores of other East Timorese and Indonesians before them, they might be imprisoned for their non-violent pro-independence activities. Furthermore, State Secretary Moerdiono Minister clearly insinuated that their plea for asylum was in itself evidence that the four were guilty of some crime. He told the press: "If they did not do anything unlawful why should they take the trouble to seek asylum? What's their problem?."

Similarly, on 1 July 1993, the military commander of East Timor publicly alleged that at least two of the seven were wanted for their role in the Santa Cruz demonstration. In view of the fact that dozens of East Timorese have already been unfairly tried and sentenced to long prison terms for their participation in the non-violent procession at Santa Cruz, this was tantamount to a declaration that at least two of the group of seven might be imprisoned, despite official assurances that their human rights would be respected. If any were to be arrested, the Indonesian authorities would very likely claim that they were guilty of a criminal offence under the Criminal Code (KUHP). However, in Amnesty International's view, if they were to be jailed for participating in Santa Cruz procession they would clearly be prisoners of conscience.

The assurances given to those who had sought protection in the Swedish embassy have also been subject to reinterpretation and manipulation by the authorities. The agreement stipulated that they would not be

arrested or persecuted for entering the embassy or for "their actions in the past, with the exception of any criminal offense covered by the Indonesian Criminal Law (K.U.H.P), such as theft, rape or the like." In view of the fact that the Criminal Code contains provisions outlawing certain kinds of non-violent political activity, under which scores of East Timorese and Indonesians have been imprisoned over the years, this assurance provides no effective guarantee against arbitrary detention. In fact, the wording of the agreement appears deliberately to provide the grounds upon which the three may be arrested and prosecuted for their non-violent political activities.

### **4. A HISTORY OF PERSECUTION**

Indonesian forces invaded East Timor in 1975 and have occupied the territory illegally since then. In that period, Amnesty International has documented a pattern of gross and persistent human rights violations in East Timor, leading to the death of some 200,000 East Timorese, and the arrest, torture and "disappearance" of several hundreds of others. Those who have advocated independence have been especially vulnerable to human rights abuses, and East Timorese who have attempted to document, protest or publicize the pattern of abuses have frequently themselves become victims.

In early 1990, Amnesty International reported the emergence of a new pattern of short-term arrest, torture and ill-treatment of suspected political opponents of Indonesian rule in East Timor. In the years since then, thousands of East Timorese, most of them young people, have been detained without charge by military authorities for periods of a few days to several months for their real or alleged political activities. The Indonesian Government has claimed that these people have not been arrested but have simply been invited for questioning. Yet the intention of the practice has been clear - to weaken and undermine all pro-independence political activity, however peaceful, and to intimidate any who might wish to take part in it.

Many of those detained have been held incommunicado and tortured or ill-treated by their captors in order to extract confessions or political intelligence. Most have been released only after swearing an oath of allegiance to Indonesia and to the state ideology, Pancasila, and after promising not to take part in further political activities. Even after their release, political and human rights activists have been kept under heavy, often aggressive, surveillance by military intelligence, and have been required to report regularly to military authorities. Both they and their relatives and friends have been subjected to persistent harassment, threats and



intimidation by military authorities and civilian operatives working on their behalf. In short, East Timorese suspected of having pro-independence political sympathies live in a climate of fear.

While this pattern of arrest, torture and persecution has continued without significant interruption over the past five years, the majority of incidents of human rights abuse have occurred during or immediately after one of the series of peaceful pro-independence and human rights-related demonstrations which have occurred since 1989. At least 20 East Timorese young people were detained, and some were tortured or beaten, following a pro-independence demonstration staged on the occasion of the Pope's visit to East Timor on 12 October 1989. One month later, on 14 November 1989, Indonesian security forces stormed the Externato San Jose school in Dili to search for students suspected of involvement in the October demonstration. At least three students were detained and two were badly beaten by Indonesian security forces during the incident. On 17 January 1990, dozens of young people were beaten in Dili, and at least six people were detained shortly after the departure of United States Ambassador John Monjo, with whom they had spoken of their desire for independence and their fear of official persecution. Further arrests reportedly followed another peaceful demonstration on 19 September 1990. During this event students of the St Paulus Junior Catholic High School in Dili unfurled a Fretilin banner in the school compound.

The most notorious example of Indonesian military brutality in recent years was the Santa Cruz massacre of 12 November 1991, in which government troops opened fire on a peaceful pro-independence procession at the Santa Cruz Cemetery, killing at least 200 people, and wounding scores of others. In the aftermath of the massacre, hundreds of suspected political activists were detained, many of them were tortured or ill-treated, and at least 200 subsequently "disappeared." One week later, on 19 November 1991, about 70 East Timorese were arrested in Jakarta as they staged a peaceful protest against the massacre. Forty-six people were detained for two months without charge and a further 13 charged with political offenses and eventually sentenced, some to lengthy prison terms, after unfair trials.

Many of those who took part in the 12 November procession and the 19 November demonstration subsequently went into hiding within East Timor, while dozens of others fled to various parts of Indonesia, in order to evade imprisonment as prisoners of conscience, torture and possible extrajudicial execution. Since that time they have lived in a state of constant fear. Meanwhile, scores

of people in East Timor have been arrested, held incommunicado and subjected to torture and ill-treatment. They include the leader of the East Timorese resistance, Xanana Gusmão, arrested on 20 November 1992, and scores of his close associates and relatives detained shortly thereafter. Xanana Gusmão was sentenced to life imprisonment following a blatantly unfair trial in May 1993, while many others arrested at the same time had yet to be charged or tried by early July.

## 5. SEVEN LIVES

The seven who sought asylum on 23 June 1993 were among a group of ten political activists who left East Timor in the first half of 1992 to escape military harassment and persecution following the Santa Cruz massacre. Three of the seven had actually been shot and wounded in the massacre, and most had suffered human rights violations over a period of years - including beating, torture and arbitrary detention - because of their involvement in the other non-violent pro-independence demonstrations described above. Fears that the seven were in grave danger of further human rights violations, were considerably heightened after some members of the group of ten were arrested and tortured in 1992.

According to their own testimony, members of the group crossed into the Indonesian province of West Timor in early 1992 and went into hiding in the town of Kupang. Still fearing for their safety, eight members of the group moved to various cities in Java, beginning in July 1992. Two others, Agostinho Pereira and Antonio da Silva, decided to return first to Dili before proceeding to Jakarta. On 19 August 1992, Agostinho Pereira was captured by Indonesian security forces at the airport while attempting to board a flight from Dili to Jakarta. Eyewitnesses said that he was beaten on the spot by soldiers until his face was swollen and blood came from his ears, and there were reports that he was tortured further while in custody.

Shortly after Agostinho's arrest, security forces arrested dozens of other political activists and their relatives, heightening fears that he had been tortured to reveal the names of other political activists. Some of those arrested at that time are known to have been tortured and ill-treated. They include a young man named Francisco Carlos (Abonu), arrested in early September and held without charge in unacknowledged detention for one month. He has described his treatment as follows:

"At 9am the agents sought me out at the Polytechnic in Hera and I had no choice but to surrender. I was handcuffed and tortured on the spot and then taken to Colmera

prison where I was hit and kicked and generally taken revenge upon. I was asked my name, to which I responded...They laughed as they tortured me further, tearing off my rosary and forcing me to eat [it], the way they had done to the youths on the day of the Santa Cruz massacre. They ripped off and stole my gold chain and after having drawn blood, placed me in an empty room where I was left for two days without food. In a nearby house where there are cells, I heard the voices of prisoners, some of whom were moaning with hunger. One of the voices I thought to be that of my brother...but I couldn't positively identify it.

"Two days later I was interrogated again and had all of my clothing, apart from shorts, taken from me. I was accused of being the leader of the clandestine group and forced to admit that I knew about everything. Since I denied this, they began again with their dreadful torture: electric shocks, beatings with a club and, whilst forced to kneel on sharp rocks, I was burned with cigarettes and electric irons. Today my whole body bears the scars resulting from this torture. I was forced to sit on the floor with both feet up on a chair and then a huge rock weighing roughly 30 kilos was placed on my knees for a long period of time, whilst I was being interrogated. Today my left knee is crippled.

"During the interrogations one of my colleagues...was also brought in and subjected to torture. When I first saw him, I was totally unable to recognize him because of the physical state he was in. I remained in the cell for one month and, fearing that my death was imminent, I decided to escape rather than be shot."

In early September 1992, as the arrests and torture continued in East Timor, members of the group that had gone to Jakarta wrote a joint letter of appeal to the "Directors of Human Rights Organizations in Australia, America, Europe and Africa" asking for help in putting an end to human rights abuses in East Timor. Two months later, the same group wrote to the President of the United States of America, Bill Clinton, saying in part:

"The greatest desire of the youth and people of East Timor is to end the suffering which we have borne under the occupation of the Indonesian forces for 17 years. The oppression has taken various forms, both open and rigorously concealed, as acknowledged and noted by a number of American Senators and Congressmen to date. Through this message of good will and congratulation we would also like to take this opportunity to draw your attention to the desperate political situation we now face..."

In what follows, the personal histories of the seven East Timorese are summarized. Particular attention is paid to the reports of human rights violations inflicted upon the seven by members of the Indonesian security forces. The majority had participated in peaceful anti-Indonesian demonstrations in 1989 and 1990; most also joined the demonstration at the Santa Cruz cemetery in November 1991.

#### **Clementino Faria Oliveira**

Aged 27, he participated in the 17 January 1990 demonstration on the occasion of the US ambassador's visit to Indonesia and was subsequently arrested by the Indonesian security forces. After being released on 18 January he was closely watched by the military and was forced to move daily from residence to residence in order to avoid arrest. On 20 August 1990, armed soldiers stopped him and ordered him to board their vehicle. When he refused they began to shoot at him and he ran for his life. On 14 February 1991 he was again surrounded by a group of intelligence officials but managed to escape. In November 1991, after participating in the procession to the Santa Cruz cemetery, a group of armed military men in civilian dress entered his home and intimidated and threatened his family in order to obtain information about his whereabouts. Fearing for his safety, Clementino fled to Jakarta, where he lived in hiding until he entered the Finnish embassy to seek asylum on 23 June 1993.

#### **Mateus Brito Ximenes**

In January 1990 Mateus Brito Ximenes, aged 23, participated in the demonstration which took place when US ambassador John Monjo visited East Timor. Following this event military intelligence agents persistently threatened to kill him. In November 1991 Mateus joined the Santa Cruz demonstration and sustained gunshot wounds after being fired upon by Indonesian troops. He and seven other seriously wounded youths were accompanied by the Bishop of Dili to a clinic, where he was treated, but he was only able to remain there for one night because a military attack on the clinic was expected. Still wounded, he fled and lived in hiding for one year in the interior of East Timor. On 7 July 1992 he travelled to Jakarta, where he continued to live in hiding until entering the Finnish embassy on 23 June 1993.

#### **Oscar Gonçalves da Silva**

Oscar Gonçalves da Silva, aged 20 has stated that the lives of his entire family have been threatened since Indonesia's invasion of East Timor in 1975. He joined the Santa Cruz procession on 12 November 1991 in order to "lay flowers on the grave of my

murdered friend, Sebastião Gomes." After the Santa Cruz massacre, he became increasingly afraid and worried that not only he but also his relatives were at risk of persecution by Indonesian security forces and for this reason he decided to flee to Jakarta, where he remained in hiding until he sought asylum in the Finnish embassy on 23 June 1993.

#### **Ventura Valentim de Conceicao**

Ventura Valentim de Conceicao has been arrested and severely tortured by members of the Indonesian security forces on two separate occasions. Ventura took part in the October demonstration which coincided with the Pope's visit to East Timor in 1989. He was subsequently arrested on 25 September by armed Indonesian soldiers. He was detained without trial for three months in the KOREM military resort command in Dili, during which time he was repeatedly beaten and tortured. He was released after a visit by the International Committee of the Red Cross. Ventura has recounted his experience while in detention as follows:

"On 17 October it reached my ears that the intelligence men were looking for me, because I was also accused of taking a radio and a pistol, and I fled to Lospalos. On the 20 October at midnight three armed sections came to the village of Ira-Ara, Lospalos, where my family lives. They barged straight in and asked for me. My brother replied that I was in Dili; they saw my photo and took it. They took my sister and her husband to the cells of KODIM 1629, Lospalos. They were questioned, threatened and tortured until four in the morning...When they realized that I was still in Dili they searched at my dwelling and on the 4 November I was taken, tortured and locked up in the cells of the Nusra Bakti...at 7am in the morning. I was interrogated by Captain S and his men and I was brutally beaten by him and a first sergeant called B without a break until 7pm so that now I am suffering chest pains. I was in the cells for five days and five nights, after which I was freed because they thought I was innocent..."

On 19 September 1990 Ventura joined a number of other students in a further peaceful demonstration at St Paulus school compound. On 25 September, six days after the demonstration, he was arrested by members of the Indonesian armed forces and detained in the Nusra Bakti centre for two months, during which he was beaten and tortured "day and night." While in detention his older sister was subjected to daily intimidation and his brother-in-law was interrogated for one full week at the Lospalos District Military Command. After being released Ventura's every move was monitored by members of the military intelligence force and informers. In mid-May 1992 he arrived in

Kupang and in July 1992, made his way to Jakarta, where he lived in hiding until entering the Finnish embassy on 23 June 1993.

#### **Florencio Anunciao Fernandes**

Florencio Anunciao Fernandes, aged 21, was orphaned at the age of eight and was subsequently cared for by a local priest who supported him through high school in Dili. Before fleeing Dili he worked as a receptionist at the Hotel Turismo and studied English at the University of Timor. He had hoped to be able to study international relations but was forced to give up studies after being wounded during the Santa Cruz massacre of 12 November 1991.

Following the massacre, Florencio was constantly pursued by military intelligence agents. Fearing for their lives he and two others fled to Kupang on 30 March 1992, where they stayed with a friend. In a letter to a friend, dated 27 November 1992, Florencio described his reasons for fleeing:

"I fled Dili with two friends, who also joined in the 12 November demonstration in Santa Cruz. The military was constantly pursuing us, saying we were leaders and members of a youth organization which received orders from Falintil to organize the 12 November demonstration. On 28 December, around the middle of the night the military surrounded our house. I escaped through the window and went and hid at the home of a colleague. As the military continued to pursue us we decided to flee to Kupang. In Kupang we stayed with a Timorese functionary...In August 1992 we sent a colleague - Agostinho Pereira to Dili to see how the situation was and at the same time to look for some money for us to live in Kupang. He went, but on 23 August we learned he had been arrested...After four days secret agents appeared in Kupang, surrounded our apartment and captured our brother the functionary; to save ourselves me and two other companions escaped through the window."

His letter went on to describe how he and his companions remained in hiding in Kupang until they were lucky enough to meet two people who took a letter to their relatives in Dili. Their relatives sent back word that they should not go to Dili because it was too dangerous, and so they decided to travel to Jakarta. Florencio lived in hiding in Jakarta until he entered the Swedish embassy on 23 June 1993.

#### **Jose Manuel de Oliveira Sousa**

As an active opponent of Indonesian rule in East Timor, Jose Manuel de Oliveira Sousa, aged 24, joined the peaceful demonstration to Santa Cruz cemetery on 12 November 1991. He escaped from the cemetery unharmed but, four days later, on 16 November 1991, a truckful of Indonesian sol-

diers armed with automatic AR-15 and M16 rifles burst into his home to arrest him and his brother. The two managed to flee but were separated. To date he has no knowledge of his brother's whereabouts. Fearing for his own safety he decided to leave Timor and make his way to Jakarta, where he lived in hiding until entering the Swedish embassy on 23 June 1993.

#### Profirio da Costa Oliveira

Profirio da Costa Oliveira, aged 22, participated in the January 1990 demonstration when the US ambassador visited Dili. Following that event he was "constantly pursued" by Indonesian intelligence agents. As a result of military harassment and intimidation he was forced to give up his studies. On 12 November 1991 he joined the demonstrators at Santa Cruz cemetery and was shot and badly wounded when Indonesian troops opened fire on the crowd. Profirio was able to flee to the residence of the Bishop of Dili and was accompanied by him to the San Antonio clinic, run by the Roman Catholic church, where his wounds were treated. However, Profirio was unable to remain at the clinic because it was feared that it would be attacked by Indonesian troops. He was taken by friends to a village in the interior, where he spent the next eight months recovering from his wounds. In mid-1992 he learned that the Indonesian military forces were seeking to arrest all those who had joined the Santa Cruz demonstration and, fearing for his life, he fled to Jakarta in July, where he lived in hiding until entering the Swedish embassy on 23 June 1993.

#### APPENDIX I

JOINT STATEMENT AND REQUEST FOR POLITICAL ASYLUM MADE TO THE EMBASSY OF SWEDEN ON WEDNESDAY 23 JUNE 1993 (included earlier in this Document volume)

#### APPENDIX II

##### AGREEMENT SIGNED IN THE EMBASSY OF SWEDEN

At a meeting held at the Swedish Embassy, with the participation of Major General Hendro Priyono, Mr. F.X. Lopes da Cruz, Ambassador At Large of the Republic of Indonesia with special tasks, Mr. H.J.C. Princen from the Institute for the Defence of Human Rights in Indonesia, Mr. Anders Stohr, Chargé d'affaires A.I. of the Embassy of Sweden and Messrs. Florencio A. Fernandes, Profirio da Costa de Oliveira and Jose Manuel de Oliveira Sousa from East Timor, it was agreed that:

- 1) The three above-mentioned East Timorese leave the Swedish Embassy of their own free will.
- 2) The Indonesian Government, represented by Major General Hendro Priyono

and Ambassador Lopes Da Cruz, guarantees that the above-mentioned East Timorese will not be subject to any persecution, interrogation, intimidation or arrest or any similar action as a consequence of:

- a) their stay at the Swedish Embassy
- b) their actions in the past, with the exception of any criminal offence covered by the Indonesian Criminal Law (K.U.H.P) such as theft, rape or the like.
- 3) The above mentioned East Timorese shall have full freedom to contact Mr. Princen and the Swedish Embassy at any time with a view to assuring the well functioning of this agreement.

Jakarta, 2 July 1993

(Signed)

Hendro Priyono

F.X. Lopes de Cruz

H.J.C. Princen

Anders Stohr

Florencio A. Fernandes

Profirio da Costa de Oliveira

Jose Manuel de Oliveira Sousa

#### APPENDIX III

##### AMNESTY INTERNATIONAL REPORTS HUMAN RIGHTS VIOLATIONS IN EAST TIMOR SINCE 1990

East Timor: Short-term Detention and Ill-treatment January 1990 (ASA 21/02/90)

East Timor: Amnesty International Statement to the United Nations Special Committee on Decolonization August 1990 (ASA 21/09/90)

East Timor: Update on Human Rights Concerns Since August 1990 January 1991 (ASA 21/01/91)

East Timor: Amnesty International Statement to the United Nations Special Committee on Decolonization August 1991 (ASA 21/14/91)

East Timor: The Santa Cruz Massacre, 14 November 1991 (ASA 21/23/91)

Indonesia/East Timor: AI Appalled at Massacre, Calls for Impartial Inquiry, press statement, 14 November 1991 (ASA 21/21/91)

East Timor: After the Massacre, 21 November 1991 (ASA 21/24/91)

Indonesia/East Timor: AI Urges Rigorous Standards for International Inquiry into Massacre, press statement, 3 December 1991 (ASA 21/WU 03/91)

East Timor: Violations Continue and Doubts Remain Over Official Inquiry, press statement, 26 December 1991

Indonesia/East Timor - Santa Cruz: The Government Response, February 1992 (ASA 21/03/92)

Indonesia/East Timor: Human Rights Protesters Charged with Subversion, press statement 27 March 1992 (ASA 21/WU 02/92)

Indonesia/East Timor: Fernando de Araujo - Prisoner of Conscience, May 1992 (ASA 21/07/92)

East Timor: "In Accordance with the Law" Statement before the United Nations Special Committee on Decolonization, July 1992 (ASA 21/11/92)

Amnesty International refused access to East Timor for anniversary of Santa Cruz Massacre, press statement, 6 November 1992 (ASA 21/WU 04/92)

Indonesia/East Timor: Amnesty International fears further deterioration of human rights situation, press statement 9 November 1992 (ASA 21/WU 05/92)

East Timor: Xanana Trial a Travesty of Justice press statement, 21 May 1993 (ASA 21/ WU 02/93)

Indonesia/East Timor: Seven East Timorese Seek Asylum 23 June 1993 (ASA 21/13/93)

For further information on human rights violations in East Timor see:

East Timor: Violations of Human Rights - Extrajudicial Executions, "Disappearances, Torture and Political Imprisonment 1985 (ASA 21/16/85)

#### JAKARTA CLAIMS ICRC PROGRAMME IS DEFUNCT

*Jakarta Post*, 5 July 1993

*Comment: What follows is a bare-faced lie. The family reunion programme is very much still running, with families due to leave this week! How much can they get away with? - TAPOL*

#### ICRC CANNOT ASSIST EAST TIMORESE IN LEAVING COUNTRY

An official has ruled out the possibility of East Timorese asylum seekers leaving the country under the Red Cross family reunion scheme as the program is long defunct.

"The program was closed a long time ago," a ministry of Foreign Affairs official who preferred to remain anonymous said at the weekend.

He was commenting on the plan of three East Timorese to ask the International Committee of the Red Cross to arrange for their departure from Indonesia after the Swedish Embassy declined their request for political asylum and the Indonesian government refused them passage out of the country.

The three - Florencio Anuciacao, Fernandez, Jose Manuel de Oliveira Sousa and Profirio da Costa Oliveira - spent nine days holed up in the Swedish Embassy here before they left on Friday after the military assured they would not be prosecuted.

They are being accommodated in the house of human rights activist H.J.C. Princen.

cen, who had acted as their mediator during the negotiations with the authorities and the Swedish embassy. Princen said he would contact the ICRC for the possibility of the men joining the East Timor family reunion program.

The Red Cross in the 1980s ran a program for East Timorese to contact their relatives living in Portugal, the colonial master of East Timor until 1975.

The family reunion process had been completed and both Indonesia and Portuguese agreed that the case was closed, the official said. "The ICRC is not able to do anything any more in our view."

The ICRC has retained its representative office in East Timor but its responsibility is solely in seeing that political prisoners and detainees are being treated well.

The three East Timorese entered the Swedish Embassy and four others the Finnish Embassy on 23 June to seek political asylum by claiming that their lives were under constant threat after they had taken part in a series of anti-government demonstrations.

Both embassies declined their requests. The four at the Finnish Embassy left after 24 hours with military assurances that they would not be prosecuted while the three others stayed on until the standoff ended last week.

The Ministry of Foreign Affairs official reiterated an earlier assertion by Minister Ali Alatas that the incident in the two embassies was orchestrated by outsiders aimed at discrediting Indonesia in the world forum.

The event developed in the closing days of the World Human Rights Conference in Vienna and the case was reported in the conference's bulletin based on the statements by Amnesty International and Jose Ramos Horta, a leader of Fretilin, the East Timor separatist movement.

Asked whether Portugal was behind the maneuvering, the official said 'maybe' but he added he would not want to accuse anyone in particular.

He said the East Timor issue is a problem that nobody needs to aggravate further. "We don't mind that people express concern over the November 12 incident. But if they try to perpetuate the issue, I think that's malicious and we cannot possibly tolerate them."

He was referring to the Nov. 12 1991 incident in Dili in which troops clashed with East Timorese demonstrators.

## CNRM: ICRC REPATRIATION PROGRAM STILL IN OPERATION

*Press release from CNRM in Darwin, July 6, 1993.*

Sources in Geneva deny claims by an unnamed official of the Indonesian Foreign Ministry, reported in the Jakarta Post (5/7/93), that the East Timor humanitarian repatriation program under ICRC auspices has been closed.

The East Timorese students who left the Swedish Embassy in Jakarta after being refused protection and safe passage may still benefit from the family reunion and repatriation scheme under which hundreds of East Timorese have left East Timor for Portugal in the last few years.

The students are currently living in the home of human rights activist Haji Princen who acted as their negotiator whilst in the Swedish Embassy.

Concern for the well-being of the other four young students who were persuaded to leave the Finnish embassy earlier on, is mounting as human rights organisations and the international media have not been allowed contact with them.

Princen visited the four in the home of Lopes Da Cruz on Friday and was told that they were unhappy and wanted to make contact with Human Rights organisations, the media and the ICRC, and were being prevented from doing so.

A written agreement which stated simply that the four were leaving the Finnish embassy of their own free will on the 24th of June at 7.30pm had been signed by the four students, the Finnish ambassador, Mr. Veli Ollikainen, Indonesian Ambassador at-large Francisco Lopes da Cruz and Jakarta Military Chief Major Gen. Hendro Priyono. Unlike the agreement signed by the three who left the Swedish embassy it gave no guarantees about their ongoing safety.

## TENUOUS EXISTENCE AT PRINCEN'S HOME

*From protected sources in Jakarta, via TAPOL. 5 July 1993*

The three East Timorese students who left the Swedish embassy on Friday 2 July have been staying ever since in a small room at the back of Princen's home and are under his constant protection.

The Statement which they signed contained guarantees from the military commander of Jakarta, Major-General Hendro Priyono that they "will not be subject to any persecution, interrogation, intimidation or arrest or any similar action as a conse-

quence of (a) their stay at the Swedish embassy, (b) their actions in the past, with the exception of any criminal offense covered by the Indonesian Criminal Code (KUHP) such as theft, rape and the like." Further the Statement said: "The above mentioned East Timorese shall have full freedom to contact Mr. Princen and the Swedish embassy at any time with a view to assuring the well functioning of this agreement." [Taken from the original.]

However, on the first and second day, soldiers were outside Princen's home. On Saturday, a television crew from Australia which had been commissioned by Portuguese TV, RTP, visited the house and interviewed the three East Timorese for about an hour. As they were about to leave the house, soldiers entered the building and tried to confiscate the cassette. Princen and his daughter managed to drive the soldiers out and the TV cameraman left with the cassette. Footage from the visit was shown on Portuguese and Swedish television news programmes yesterday. Anyone wishing to follow this up should ask TV companies to contact RTP - phone +351-1 793-1774.

Mr. Princen reported the aggravating and intimidatory presence of troops outside his house to the Swedish charge d'affaires who made a complaint to Major-General Hendro Priyono who promised to take action. As of this morning, the troops have been withdrawn. One is stationed at the end of the alley-way where Princen's house is located. There may be others lurking unseen in the vicinity but they are not at present in front of the house.

Princen and the three East Timorese went to the ICRC office in Jakarta this morning to register to leave Indonesia under an ICRC programme for East Timorese to leave Indonesia under a family-reunion programme or for humanitarian reasons. On Friday, the Portuguese government made a formal request to the ICRC for all seven East Timorese who entered the Finnish and Swedish embassies to leave under this programme. It is now up to the Indonesian authorities to give their approval.

With regard to the basis on which the four East Timorese left the Finnish embassy on 24 June, we now know that the statement which they signed contained no guarantees at all. The document, signed by the four men, simply said: "We are leaving the embassy of Finland of our own free will after joint discussions with Major-General Hendro Priyono, Mr. F.X. Lopes da Cruz, Mr. H.J.C Princen of the Institute for the Defence of Human Rights and .... (the ambassador of Finland). [The original document has not yet been received.]

## SWEDEN APPRECIATES THE EFFORTS OF THE JAKARTA MILITARY COMMANDER

*Media Indonesia, 6 July 1993*

The Swedish government has officially conveyed its gratitude to the military commander of the Jakarta military commander, Major-General Hendro Priyono, for his efforts in removing three young East Timorese from the Swedish embassy last week.

The statement of gratitude was conveyed personally by the Swedish Charge d'affaires in Jakarta, on behalf of the Swedish ambassador, to the office of the military commander yesterday.

"The Charge d'affaires conveyed thanks for such cooperative coordination, even to the extent that the military commander himself took a personal hand in the matter," said the military commander, quoting the Charge d'affaires, Anders Stohr.

The explanation about the resolution of the asylum request by three young men from East Timor at the Swedish embassy was given when the military commander was inspecting Infantry Battalion 202/Tajimalcia in Bekasi yesterday afternoon. The military commander told journalists who had asked questions about this that he was only performing his duty as was required of him.

He stressed that the Ministry of Foreign Affairs were really the ones who played the key role. "Thanks to the Department of Foreign Affairs, the requests for political asylum by the three East Timorese youths at the Finnish and Swedish embassies were eventually rejected," he said.

Asked about the terror conducted against the youths by security forces, as reported by Princen in a release faxed to the mass media in Jakarta, the military commander said that this was totally untrue.

"Princen was the mediator for these East Timorese youth. It is not impossible that a third party is deliberately trying to stir up trouble by waging terror against these men," the military commander said. "There are others trying to stir things up. Let's find them," the commander said. "Who knows, it could be that the three youths are being watched by Fretilin splinter groups who want to murder them."

As already reported by Media Indonesia, the three young East Timorese who sought protection at the Swedish embassy were eventually removed by the Jakarta military commander last Friday. Major-General Hendro Priyono succeeded in softening the hearts of the three men who initially were determined not to leave the Swedish embassy.

Since leaving the Swedish embassy, the three men have been accommodated at the home of Princen. That is how the asylum request was eventually resolved.

## PRINCEN APPEALED TO SUHARTO

*Publico, 6 July 1993. By Sao Jose Almeida, Translated from Portuguese*

The three Timorese who requested political asylum at the Swedish embassy yesterday put their names on the Red Cross waiting list. Princen, their protector who wrote to Suharto reminding him of the "confidence-building measures" promised by Alatas, went with them. The other four are still being considered, assured Lopes da Cruz, who does not believe the Jakarta Post report that repatriation had been suspended.

Yesterday, Haj Johannes Princen, Chairman of the Human Rights Institute of Indonesia, sent letter to Suharto with and appeal that the departure of the 7 Timorese, who were refused political asylum by the Swedish and Finnish embassies, be facilitated.

According to what he told Publico, this lawyer of Dutch origin reminded Suharto that the Foreign Minister, Ali Alatas, had "said at the Rome meeting on 21 April, that he would take confidence-building measures" which would contribute towards understanding with Portugal, in order to find a solution to the Timor problem. In the letter he also upheld that allowing "the boys" to depart for Portugal would constitute such a "confidence-building measure." Today, Suharto is meeting US President Bill Clinton in Tokyo, on the eve of the start to the G7 summit.

On the telephone, Haj Princen told Publico that the three young men, who left the Swedish Embassy on Friday, are still in his house, but added that "the men in green came back," meaning that yesterday "a patrol car" was "parked" in front of his house and "two military" walked up and down outside in the street.

On Sunday he had seen nobody, in contrast to Saturday, when several military kept his house under surveillance, and even came into the property and questioned the young men when they were going out to buy cigarettes. This gave rise to a protest from the Swedish Ambassador to General Priyono, Military Commander in Jakarta, who later signed a guarantee that they would not be disturbed.

According to a foreign ministry source, although officially unaware of these events, the Portuguese Foreign Ministry has already asked the Stockholm Government to keep watch on the young men's situation, given that it was their "representative that signed

the agreement," accepting the Indonesians' guarantees.

Yesterday morning, Haj Princen accompanied the three youths to the ICRC delegation, so they could be included in the organization's Timorese repatriation program, agreed by the Indonesian and Portuguese governments. "The names and dates of birth" of Florencio Anunciacao Fernandes, Jose Manuel de Oliveira Sousa, and Porfirio da Costa Oliveira, were registered, explained Haj Princen.

The names of the four Timorese who, since the 24th, have been staying in the house of Lopes da Cruz, after they left the Finnish embassy (in which they had taken refuge the day before), are still not on the Red Cross list. They are: Mateus Brito Ximenes, Clementino Faria, Oscar Gonçalves da Silva, and Ventura Valentino da Conceição.

Haj Princen told Publico that "Lopes da Cruz said he would do it," adding that "I am no bureaucrat, but it is for him to do." For his part, Suharto's itinerant ambassador explained that the four young men staying at his house have not yet put their names on the ICRC list because "they need time to reflect and consult their families in Timor, their parents and brothers." Should they decide to ask to be repatriated, Lopes da Cruz does not intend to go with them at the time of inscription because, he assured, "they can go alone, they are free."

In Geneva, the ICRC headquarters had already "taken note that three of the seven had registered," and that "Portugal agrees to receive them," according to the organization's spokesman Joerg Stoecklin. He went on to confirm that the humanitarian organization would be dealing with the "repatriation documents after the usual procedure of checking identities." He mentioned, however, that "there are other conditions to be met," and explained: "Even with Red Cross free passage, we need Indonesian Government authorization for their departure." But he clarified that this case must be included under the heading "repatriation on humanitarian grounds rather than reunification of families."

With regards their departure date, Joerg Stoecklin said "God knows, I don't!," and stressed that it is a "slow job" and that "delays are very frequent." He gave an example of the repatriation of two Timorese families, programmed for today, but postponed indefinitely at the last minute because there were problems with the documents." This week, "probably on Wednesday," only Alvaro Baiao ("a very old man who wants to die in Lisbon") will be flying out.

Lusa's report on Friday that the seven, or some of them, would be included on this flight, was roundly denied by the ICRC

spokesman. Although he confirmed having spoken to the Portuguese news agency, Joerg Stoecklin gave assurances that he had only said that in the case of these 7 Timorese, "the same process that is used for repatriation could be used," and had "referred, by way of example, to the repatriation planned for today."

The ICRC spokesman refused to comment on yesterday's Jakarta Post report, according to which the repatriation program of Timorese to Portugal had been temporarily suspended. Joerg Stoecklin would just say "I know nothing ... We do not comment on this kind of rumor which appear, from time to time, in Indonesian or even Portuguese newspapers."

The Foreign Office also refused to comment, alleging it had not seen the report. Lopes da Cruz seemed convinced that the ICRC will continue its program and that the three young men who have already registered will be included, as well as the others, if they make the same decision. Mentioning that the "former Red Cross delegate in Jakarta offered his assistance" to settle the case, he emphasized that he felt "sure that he is going to transmit" this attitude to his replacement. He warned, however, that "Repatriation takes time, since there are many Timorese waiting to leave Timor. And what is necessary is that they find a better life there in Portugal because, if not, then they will just be victims of politics."

## JAWA POS INTERVIEWS ASYLUM-SEEKERS

*The following account, published in Jawa Pos on 11 July 1993, is by Florencio Anunciacao, one of the East Timorese who sought political sanctuary in the Swedish embassy in June. The article which runs across three columns, starting on page 1 and continuing on page 16, is illustrated by a photo of Florencio.*

*[This is an unabridged translation.]*

### WE MOVED AGAIN, WE WERE SHADOWED, SO WE MOVED YET AGAIN

How many people ran away after the Dili incident? I don't want to answer that question by giving the precise figure because that's our secret. One thing I can say for certain - I was one of those who ran away. Even so, I am sure that the security forces know quite a lot about us. The proof is that from the time of the incident up to the time I came to Jakarta - and asked for asylum - I was always being shadowed by the security forces.

We didn't stay in only one place while we were on the run. We had to do this to

keep out of the clutches of the officers who were looking for us. Nor did we all hide in the same place. Some of us fled to the hills, some fled to the homes of friends and some even fled abroad.

In my case, after helping to organise the demonstration that is now popularly known as the Dili Incident, I hid at the home of a priest in Dili. While there, I worked as the priest's assistant and did all the tasks he gave me as well as I could. The main thing was that I was out of reach of the people hunting us down.

However, I didn't feel safe because I knew that the officers knew all about me. But because I was at the home of a priest, the officers would not come and arrest me. I stayed there for quite a while, until March 1992. Then, I moved to a friend's home.

I soon realised that the security forces knew about my new hiding place so I moved again. I moved from one friend's home to another friend's home. I kept moving on. I didn't dare return to my mother's home in Lospalos. The security people would certainly have raided the house and captured me there because I was definitely known to be one of the people who helped to organise that incident. So, even though I was longing to see my family, I resisted the temptation.

However, after some time, I found it quite unbearable to be on the run from the security forces all the time so, together with two friends, Profirio da Costa Oliveira, 23 years, and Jose Manuel de Oliveira Sousa, 25, we started planning to flee to Jakarta. Profirio's name was on the list of casualties of the Dili incident who had disappeared, but my name wasn't on the list.

At first, we planned to go straight to Jakarta by plane but after thinking this through carefully, we realised that it would be too risky. Security forces were patrolling all the roads leading to the airport at all times. So we finally decided to go by bus to Kupang in Nusa Tenggara Timur.

But after we arrived in Kupang, we realised that the security knew we had fled. Fortunately they didn't know for sure which house we were staying at in Kupang so they were not immediately able to launch a raid to capture us.

To cover our tracks, we moved almost every day from one friend's home to another. We never stayed anywhere for as long as a week. The longest we stayed anywhere was four days. Usually, after being in one place for only two days, a security officer would come along and start staking the place out.

I knew very well what they were doing. If they were not absolutely sure we were in a house, if they had not actually seen us in person there, they would just keep watch from close by. I knew this because when

they started watching a house where we were staying, we would watch them from inside, either through a window or from the roof.

The next day, when they had left, we would usually move somewhere else. We could only watch them from afar, helped by what the friend we were living with told us. We closely monitored every single development. We could rarely sleep at night because if a security officer was watching the place where we were, we had to keep ourselves ready so as to avoid anything untoward happening.

We could only sleep during daylight hours and then only if things were really safe. Usually, the people whose home we took refuge in would stay on full alert. If an officer came to the house, we would be woken up immediately. We kept ourselves at all times in a state of readiness. This is how we lived during those days.

After playing cat-and-mouse for many months, things came to a head. We had been staying in that particular house for quite a while, for about four days. In the dead of the night, a number of officers came to the house. Fortunately, we had been woken by a lot of noise in the house opposite so we immediately escaped through a back window. We fled to the seashore and spent the night by the sea near Kupang. The next day, we decided to go to Jakarta. This was in June. Luckily the security people had lost track of us. The three of us travelled to Denpasar in Bali and from there we took a Garuda flight to Jakarta.

After arriving at a friend's home in Jakarta, we discovered that four other friends were in the same position as us. Those four friends are now staying at the home of Lopez da Cruz. We had all been close friends in Dili so when we met each other again at this friend's house, there was a great reunion after we had all been on the run for such a long time. We exchanged stories about all that we had been through.

In Jakarta we immediately started planning to study at a university because the three of us had all graduated from the senior high school, SMAK, in Dili. June was enrollment time for new students at the private universities. We knew that it would be extremely difficult for us to enroll at a state university because their entrance examinations are very strict.

However, we were unable to proceed with this idea because it soon became apparent that we had not escaped the attention of security. Wherever we went, from one (bus) terminal to another, from one shop to another, they trailed us. We became very familiar with the way they shadowed us all the time.

At first we thought that we would be safe in Jakarta but this was not true at all. The security forces found out that we were in Jakarta only a few weeks after we arrived at the house where we were staying. Once again, we began to feel that we were under a great deal of pressure, so the six others and I discussed what we should do to escape the forces who were hunting for us.

Finally, we decided that we would go to the foreign embassy that was nearest the place where we were staying and ask for political asylum. That's what we did on 23 June. The three of us went to the Swedish embassy and the other four went to the Finnish embassy. Both embassies are in the same building, Gedung Bina Mulia, on Jalan Rasuna Said, Kuningan, South Jakarta.

At the Swedish embassy we met the chargé d'affaires, Anders Stohr. We told him why we were asking for political asylum. The main reason was that it had become unbearable for us to be on the run all the time from the security forces.

I don't know what happened to the other four because they were separated from us. But we had agreed at a meeting beforehand that we would seek political asylum because we were on the run from the security forces.

As it turned out, both the Swedish and Finnish embassies rejected our request. Even so, we tried to hang on at the Swedish embassy. Our objective was to go on negotiating until we were able to leave the country.

But in the end, a document was signed to the effect that we were willing to leave the embassy on condition that nothing would happen to us after leaving the embassy, until we left Indonesia to go to Portugal, which is where we want to go.

During all this time, there was never any problem about money. We regularly received money from Australia, from my great-aunt who has been living there for a long time. Some money also came from Lisbon where a cousin of mine lives. And money also came from other sources. Money was never a problem.

Now, we are waiting. We have no idea whether our wish to go to Portugal will ever be fulfilled.

Translated by TAPOL, the Indonesia Human Rights Campaign

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## ASYLUM-SEEKERS MOVED

*ETAN/US report July 12, 1993*

According to Indonesian human rights activist Johannes Princen, the four young East Timorese men who had been in the house of Francisco Lopes da Cruz have been moved today (July 12) to another home in Jakarta, where they are staying under the protection of a Dutch Catholic priest. These are the

four who had sought political asylum in the Finnish Embassy.

Since their removal on June 24, they had been essentially under house arrest in the home of Lopes da Cruz, an East Timorese who serves the Indonesian government as an ambassador at large. The move improves the situation of the young men because they will be freer to seek out the help of the ICRC (Red Cross) and other agencies in leaving Indonesia. They will register with the ICRC tomorrow. The transfer was accomplished by Princen with the cooperation of Jakarta Military Chief Major Gen. Hendro Pryono.

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## EVENTS IN INDONESIA

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### REMILITARIZED ZONE - ARMY STRENGTHENS ITS POLITICS

*Far Eastern Economic Review, 27 May 1993  
Dateline: Jakarta*

After two years of keeping a relatively low profile, the Indonesian armed forces have moved back into civilian politics, maneuvering openly to strengthen their hold in the ruling Golkar party ahead of party elections and the party congress in October.

The revival is apparently the opening of a long term campaign focused on 1988 incumbent President Suharto is widely expected to relinquish office in the intervening years, the military looks set to launch an all out effort to place its candidates in positions in power both in the party and in other powerful slots such as the vice-presidency, cabinet posts and governorships.

Among the most public military moves have been the pre-empting of a civilian candidate for the vice-presidency in march in favour of former armed forces chief Try Sutrisno. Within the party, efforts are under way to ensure that Golkar chairmanship and other key party positions remain in the hands of retired generals.

The more obvious hand of the military in civilian politics has in part been prompted by Suharto's relatively advanced age - he is 71. This makes the question of succession, should he die or become incapacitated, more the largely academic exercise it has been in the past. Also spurring the drive is the military's anxiety to ensure that government maintain a broad, pan-Indonesia focus and not fall into the of a civilian group with narrower interests.

The military game plan, or at least that envisaged by one powerful faction, is simple. In the event that Suharto is unable to

hold office, the affable but politically weak Sutrisno would take office, guided from behind by a military junta presumably led by former defence minister Benny Murdani.

At the launching of the book, Benny Moerdani - Profile of a soldier statesman last month, Murdani was in top form, the ballroom crammed with a who's who of Jakarta, leaving no one in any doubt that he had relinquished little political power despite his retirement. Murdani, Indonesia's intelligence chief from 1974-83, and armed forces chief from 1983-88, he is deemed both king-maker and, since retirement, a rallying point for the "opposition from within" to Suharto.

the chief focus of military opposition within Golkar is research and technology minister B.J. Habibie, a self-avowed protégé of Suharto, who's links to the president are sufficiently close to have enabled him to push through the purchase earlier this year of a 39 German navy vessels, reputedly bypassing the naval command.

Habibie is also chairman of the Indonesian Muslim Intellectuals Association, the political platform from which he hopes to launch himself into higher office, and a group which is antithetical to the armed forces' pan-religious principal of government.

Civilian politicians and the military do agree on one thing: should Suharto be incapacitated in the next five years, the process for a smooth transition must be locked in place. With memories of abortive but bloody 1965 coup still very much alive, there is little chance the military will leave the leadership succession to chance, pro-military sources argue.

That said, the chance of another violent coup are remote. The legitimization of the dominant socio-political role that the military plays in Indonesia means the army can get what it wants without having to resort to force. That was demonstrated in March by the sophisticated maneuvering which resulted in Sutrisno's elevation to the vice-presidency.

One unexpected result of moves by the military to solidify its position could be a real taste of democracy of Indonesians, according to Burhan Magenda, dean of political science at the Universitas Nasional. The military may find its expedient to allow public debate and open political contest in its efforts to block other groups from bidding for power.

The armed forces meanwhile will be busy trying to win delegates at the provincial level ahead of the contest for party chairman at the Golkar congress in October. All are aware, however, that as Golkar's supreme adviser Suharto holds the final decision and could, if provided with a shortlist rather

than a single nominee, overturn the delegates' choice.

## INDON MOVE TO PUSH TIMOR PROGRESS

*The Age, also Canberra Times, 9 June 1993*

(Jakarta, AAP) Indonesia's parliament has urged the Government to establish a special team to try to resolve the controversial issue of East Timor. The house of representatives wanted the team to publicize East Timor's progress since the former Portuguese colony became Indonesia's 27th province in 1976, reports in Jakarta said today. It would include representatives from the provincial administration, the Department of Foreign Affairs and the Department of Information, a house of representatives member of East Timor, Mr. Salvador Soares, was quoted as saying. "Unclear prospects for the solution of the East Timor issue will only hurt Indonesia's interests," he said. He said Indonesia had been too defensive in the international debate over the province. "Portugal and Fretilin separatists have aggressively made propaganda publication to discredit Indonesia," he said. The United Nations does not recognise Indonesian control of East Timor.

## INDO NGO'S CALL FOR CHANGES IN HUMAN RIGHTS

*Source: ATVI(ABN 2) 9 June 1993*

*By Ian MacIntosh*

Presenter: A large group of Non-Government Organizations in Indonesia has called for major changes in the way human rights are defined and protected. The group comprising 56 human rights and environmental organizations issued the call ahead of next week's world conference on HR in Vienna.

Ian MacIntosh: The group, Ind. NGO's for democracy wants the UN universal declaration of HR and the international convention on civil and political rights reformed. The Ind. NGO's warned that putting an emphasis on cultural, historical and religious differences as many developing countries have proposed will only undermine the universality of human rights. And they call for strengthening of workers rights as well as those of women and indigenous people. Much of the group's declaration is sharply at odds with the policies of the Suharto administration and other Asian governments on defining and administering human rights.

## RAMOS-HORTA MALIGNED BY INDONESIAN NEWSPAPER

*Publico, 11 June 1993. Darwin. Ana Fernandes. Translated from Portuguese*

A document containing serious accusations about the private, financial and political life of Jose Ramos Horta, representative of the Maubere Resistance National Council (CNRM), was circulating yesterday in the political spheres of Darwin's Timorese community, with much secrecy and cautious reaction. The published document consists of an interview, translated into English, carried out by the Indonesian newspaper Kompas, of a woman alleging that she and Ramos-Horta had an amorous relationship and that, disillusioned, she decided to show that the Timorese politician "was not sincere."

In addition to this alleged "insincerity" on the part of Ramos-Horta, who "just wants to be the centre of attention," according to the article published in the paper's 6 June edition, Australian Wendy Holland also raises suspicions about the Timorese leader's involvement in the incidents concerning the Dili cemetery and arrest of Xanana Gusmão - of whom he allegedly felt "jealous."

Furthermore, the text gives the numbers of bank accounts, said to be in Horta's name and worth a total of 14,500,000 Escudos, in Australia, Switzerland, the US and Portugal.

The Indonesian journalist adds that, as well as photographs of Horta in "compromising situations with other women in Europe, Sydney, and Thailand," Wendy showed him a letter in which Jose Ramos-Horta recommended to supporters in Melbourne that they ignore the accusations made by Xanana's former wife, Emilia Gusmão, relating to Horta's involvement in the guerrilla leader's arrest.

Fretilin and UDT representatives in Australia refused to give their reactions to the article, saying that "commenting on an Indonesian newspaper makes no sense." The two Timorese political factions will only take up a position, to be decided jointly, once the international press (namely Australian and Portuguese) refer to the matter. The Darwin CNRM also refused to make any statement on the case.

The big question circulating the Timorese community is what made this sick woman (Wendy suffers from multiple sclerosis) choose Kompas in which to publish her story, because "if there is any truth in it, then an Indonesian paper would be the last choice for anyone seeking a minimum of credibility," they comment.

Jose Ramos-Horta has already reacted, accusing Wendy Holland of being "used by Indonesian intelligence." In a statement made on the phone to the CMR - the first medium to make public the content of the interview published by the Indonesian paper - Horta said it is a campaign "which has been dragging on for several months" and which was launched by Petrus Suriadi, the journalist, who was in Portugal recently.

The CNRM's special representative confirmed that there are bank accounts in his name, but clarified that only two of them - one in Lisbon and one in Australia - are personal. The others are in his name because of the structure of representation of Resistance abroad, which he is in charge of, has no legal existence. "I am the CNRM's representative, I put the money in some important places precisely so as to facilitate payment of expenses," he said, explaining that if he were not able to resort to those funds to pay travel expenses, he would not be able to carry out "necessary duties."

Xanana Gusmão's spokesman also denied having written the document said to have been sent to supporters in Melbourne. I sent a half-page (not even that) document which was made public at the time refuting Emilia Gusmão's allegations," he said, pointing out that a document with a different formulation "is false."

A Timorese, with an important job in local politics, told *Publico* that the Kompas interview passed unnoticed in Dili. He was still totally unaware yesterday of Wendy Holland's accusations against Jose Ramos-Horta.

## TIMOR APPEAL FAILS

*The Sydney Morning Herald, 12 June 1993*  
*By Reuter*

Jakarta: Indonesia's supreme court has rejected the final appeal of East Timorese student leaders jailed for protesting against an army massacre in Dili, a lawyer said today. The lawyer said the court upheld the jail terms for Fernando de Araujo, Joao Freitas de Camara, Virgilio da Silva Guterres.

## YELLOW STARS IN INDONESIA

### FORMER POLITICAL PRISONERS BRANDED BY SPECIAL ID

*by Lina Cabaero*

(NGO News, Vienna, June 22) In 1965, between 500,000 to 1 million Indonesians were killed by the military for either being Communists, suspected of being Communist, or being a Communist sympathizer.



Thousands others were detained and released 15 to 20 years later. Some ex-detainees remain under house arrest. They and their families are survivors. Today, their number reaches 5 million.

Survivors of the 1965 massacre in Indonesia continue to have their rights systematically violated. They are virtually excluded in the society, as they are forced to bear special identity cards bearing the remarks "Ex-TAPOL" or ex-political detainee.

An interview with Mr. B. Nasution of the Indonesian Legal Aid Foundation (LBH) revealed that bearing such a card prevents those former detainees, their families and children from finding jobs.

"Those political detainees are officially 'free people,' but in reality, they are not free at all."

Mr. Nasution spoke of a case in which the granddaughter of an ex-political detainee succeeded in attaining a job in a government agency. But when the military found out, she was fired.

Mr. S. Wiryono, Director General for Political Affairs and Deputy Head of the Indonesian Delegation to the Conference, was asked to comment on the 1965 massacre in an interview yesterday. According to him, "the people used force in 1965. The government didn't have a choice but to fight them. And the figure is not one million. It is 40,000."

Mr. Wiryono was also asked to comment on whether or not the Indonesian government played a role in selecting the Indonesian NGOs to come to Vienna. He said "Yes, we did have a hand in it. But it wasn't our hand alone." Indonesian NGOs present in the Conference have informed NGO News of the presence of GONGOs from Indonesia.

East Timor seems to be an issue on which the Indonesian NGOs prefer to remain silent, though one of them said that "this doesn't mean that we like what is happening in East Timor."

When Mr. Wiryono was asked to comment on East Timor, he said "if Indonesia wanted to occupy East Timor, they would have done so in 1960. But we never touched East Timor until 1975, and this is because Portugal left the place in total disorder. They also made the mistake of giving their arms to the FRETILIN. So you see, FRETILIN is not at all an anti-colonial group but an instrument of colonial power." When asked about the massacre in Dili, East Timor last November, Mr. Wiryono said "Dili and 1965 are black pages in our history and I'm ashamed of it. But please don't call them massacres, they were tragic incidents."

## SSDI STATEMENT ON NEW STUDENT-ARMY CLASH ON JAKARTA CAMPUS

June 23

According to a statement issued by the Students Solidarity for Democracy in Indonesia (SSDI), a coalition of campus student organisations and the Indonesian affiliate of the Asian Students' Association, at 1.00 am June 24 last week troops and police attacked protesting students, injuring several and wrecking various parts of the National Science and Technology Institute campus. The students had been protesting for the last two days over the cost of lecture fees at the private universities. The minimum cost is approximately \$1,000 per year, with many courses costing much more. These are huge amounts for the thousands of students seeking enrollment in the scores of private tertiary institutes that have mushroomed to cater for the massive demand emanating from the extremely young population.

In recent weeks, the new Minister for Education and Culture also has proclaimed that education should be more open to market forces encouraging the charging of exorbitant prices.

The several hundred students had begun their protests a day before. The university administrators refused to discuss the issue of fees and the police were called in. The students were unable to leave the campus until the morning raid by a combined force of army and police. Over 50 students were arrested and beaten outside the campus. Two were later found, severely injured, in paddy fields in Srengseng Sawah district and were taken to hospital.

Student groups from other cities are now planning a follow-up demonstration outside the Parliament.

Released in Australia by AKSI - Indonesia Solidarity Action, 24 June, 1993. P.O. Box 248, Broadway 2006, Australia. Fax: 61-2-3141508

## RIGHTS GROUP CALLS INDONESIA'S HUMAN RIGHTS COMMISSION "SERIOUSLY FLAWED"

*NEWS RELEASE from the Lawyers Committee on Human Rights, July 9, 1993.*

Today, the New York-based Lawyers Committee for Human Rights issued an 8-page statement, "One Step Forward, Two Steps Back," that is highly critical of Indonesia's new National Commission on Human Rights, which was established by Presidential Decree No. 50 on June 7, 1993.

In its analysis of the decree, the Committee found "strong reasons to believe the Commission will not be independent, that it will be composed largely of persons with close ties to the government, that its mandate is vague, and that it will have little or no power to conduct investigations of human rights violations and press for the prosecution of those responsible."

The Committee concluded that the "commission seems designed more as a response to international criticisms of human rights violations by the Indonesian government than as a serious effort to address human rights problems within the country." It called on the government "to reconsider the existing commission and provide it with a firmer basis in the law."

Presidential Decree No. 50 (1993) sets up a National Commission to promote adherence to human rights in Indonesia and to improve protection of human rights in support of Indonesian national development. Twenty-five persons are to sit on the commission, including a chairman and two vice-chairmen. In addition to a full-time secretariat, the commission is to be divided into three sub-commissions on human rights education, human rights instruments and promoting the implementation of human rights.

The Lawyers Committee believes governmental human rights commissions can play an important role in promoting and protecting human rights, so long as they are independent, have a clear mandate, consist of competent individuals and have sufficient powers to investigate violations and compel government action.

While the Presidential Decree declares the commission to be independent, the legal basis for the commission, as well provisions on appointments, tenure and funding, raise serious doubts that the commission will ever be able to function as an independent body.

The composition of the commission, as indicated by the appointment of former Supreme Court Chief Justice Ali Said as its head, undermines the government's claims that it seeks to create an independent body. Justice Ali is closely identified with the Suharto administration, the military and the Ministry of Justice. As Chief Justice of the Extraordinary Military Tribunal, created in 1966, he oversaw unfair trials of suspected members of the Indonesian Communist Party (PKI) arrested following the attempted coup of October 1, 1965. He was Attorney General of Indonesia from 1971-81, and was Minister of Justice from 1981-84 during the height of the so-called "Petrus" killings, when the police killed thousands of suspected criminals. He sat on the Supreme Court from 1984-92, during which time he played a major role in gov-

ernmental efforts to bring the country's independent bar associations under government control. According to the Committee, Justice Ali's "background strongly suggests that he is an unlikely candidate to undertake the aggressive and impartial investigations necessary to make the Commission an effective body."

The mandate of the National Commission is very vague, providing little guidance for setting priorities. In addition, the mandate is constricted by the Decree's reference to the national doctrine of Pancasila, which is frequently used to restrict the fundamental human rights of Indonesian citizens.

The powers conferred upon the National Commission under the Presidential Decree are minimal. Nowhere does the Decree specifically empower the Commission to conduct investigations of alleged violations of human rights or provide special powers that would assist in such investigations. Unlike other national human rights commissions, Indonesia's is not specifically empowered to hear and consider complaints; subpoena witnesses or documents; file information with the courts; or visit jails and prisons.

The formation of the National Commission comes at a time when the government of Indonesia is under increasing pressure to improve its human rights record. Serious human rights violations by the Indonesian government have been well documented and include extra-judicial killings, torture, unfair political trials, and severe restrictions on the rights to freedom of expression, assembly and association. In March 1993 the UN Commission on Human Rights adopted a resolution where it "expressed its deep concern" for continuing human rights violations by the Indonesian government in East Timor and expressed its regret for the government's failure to identify all those responsible for the November 12, 1991 killings in Dili and its failure to account for those still missing. Recently, foreign governments and non-governmental human rights organizations condemned blatant violations of due process rights in the trial of East Timorese opposition leader Xanana Gusmão. However, according to the Lawyers Committee, the "new National Human Rights Commission, on its face, appears to be one step forward – and two steps back."

## **LCHR ON INDONESIA'S HUMAN RIGHTS COMMISSION, FULL TEXT**

### **ONE STEP FORWARD, TWO STEPS BACK: INDONESIA'S NATIONAL COMMISSION ON HUMAN RIGHTS**

On June 7, 1993, President Suharto of Indonesia issued Decree No. 50 of 1993, establishing a National Commission on Human Rights.(1) The government has touted

the new commission as "independent and free from the government's influence" and as a body that will "monitor and investigate tile implementation of human rights domestically."(2) An analysis of the decree itself, however, shows it to be without mechanisms to ensure the commission's independence or powers that would enable it to monitor and investigate violations of human rights. The commission seems designed more as a response to international criticisms of human rights violations by the Indonesian government than as a serious effort to address human rights problems within the country.

The Presidential decree sets up a National Commission to promote adherence to human rights in Indonesia, consistent with the state doctrine of Pancasila (Five Principles),(3) the 1945 Constitution and the Universal Declaration of Human Rights."(4) The commission is also intended to improve protection of human rights in support of Indonesian national development.(5) Twenty-five persons are to sit on the commission, including a Chairman and two Vice-Chairmen.(6) in addition to a full time secretariat the commission is to be divided into three sub-commissions on human rights education, human rights instruments and promoting the implementation of human rights.(7)

The Lawyers Committee supports efforts by governments to improve compliance with international human rights standards, and governmental human rights commissions can play an important role in promoting and protecting human rights. To be effective, however, governmental human rights commissions must be 1) independent of government control; 2) have a clear mandate to investigate a wide range of human rights violations; 3) be composed of competent and impartial individuals not beholden to the government; 4) be sufficiently funded and in a manner that does not reduce their independence; and 5) have sufficient powers and expertise to investigate allegations of human rights violations, take remedial action and induce the government to respond appropriately to alleged violations.

Indonesia's new National Commission on Human Rights, however, appears designed to accomplish little of substance. As discussed below, there are strong reasons to believe the commission will not be independent, that it will be composed largely of persons with close ties to the government, that its mandate is vague, and that it will have little or no power to conduct investigations of human rights violations and press for the prosecution of those responsible. Taken together, these problems demonstrate a lack of seriousness of purpose on the part

of the Indonesian government to create an effective human rights body.

The formation of the National Commission comes at a time when the government of Indonesia has come under increasing pressure to improve its human rights record. Serious human rights violations by the Indonesian government have been well documented and include extra-judicial killings, torture, unfair political trials, and severe restrictions on the rights to freedom of expression, assembly and association.(8) In March 1993 the UN Commission on Human Rights adopted a resolution where it "expressed its deep concern" for continuing human rights violations by the Indonesian government in East Timor and expressed its regret for the government's failure to identify all those responsible for the November 12, 1991 killings in Dili and its failure to account for those still missing.(9) Recently, foreign governments and non-governmental human rights organisations have condemned blatant violations of due process rights in the trial of East Timorese opposition leader Xanana Gusmão.(10) It is evident that the Indonesian government must begin to address seriously the continuing human rights violations in Indonesia and East Timor- The new National Human Rights Commission, on its face, is one step forward – and two steps back.

#### **1. Independence:**

Presidential Decree No. 50 states tersely that the "National Commission is independent."(11) Yet the decree includes no mechanisms to protect the commission's independence. To the contrary, the legal basis for the commission, as well as the decree's provisions on appointments, tenure and funding, raise serious doubts that the commission will ever be able to function as an independent body outside of executive control.

The commission's independence is of Particular concern given the absence of an independent judiciary in Indonesia. As the Lawyers Committee concluded in a recent report, the "judiciary in Indonesia is neither independent nor impartial .... Many judges demonstrate clear partiality to government positions at the expense of individual rights."(12) Since the early 1960s the Indonesian judiciary has not been independent, nor is there a history of independent government commissions in Indonesia. This underscores the need for comprehensive provisions to ensure a human rights commission's independence and autonomy from the government.

The National commission is established by presidential decree, rather than by statute. According to the UN Principles Relating to the Status of National Institutions for

the Promotion and Protection of Human Rights ("UN Principles on National Human Rights institutions"), the mandates of such institutions "shall be clearly set forth in a constitutional or legislative text." (13) The National commission was created by presidential decree and so can simply be dissolved in the same manner. The independence of the commission would have been strengthened somewhat had it been enacted into law by the parliament with provisions on the duration of the commission's mandate.

Presidential Decree No. 50 grants the President wide authority to control the composition of the commission. AH 25 members of the full commission will initially be appointed by the president. Thereafter, they will be appointed according to rules the commission itself devises. The president will retain the power to confirm all future chairmen and vice-chairmen, who will be chosen by the full commission. (14)

The decree is less clear as to the process for reappointment to the commission. An members, including the chairman and vice-chairmen, are appointed for a five-year term and can be reappointed for a second term. (15) The role of the president in the reappointment process is not specified. By giving himself full power to appoint the initial commission, it seems all but assured that the president will retain a role in reappointing its members. This will have an obvious chilling effect on the activities of members of the commission, particularly before their reappointment to a second term.

The manner in which the National Commission is funded further undermines its independence. Presidential Decree No. 50 states merely that all funding for the implementation of the commission's activities will come out of the state budget. (16) There are no mechanisms to prevent the government from restricting or otherwise withholding the commission's budget in response to its activities. This is inconsistent with the UN Principles on National Human Rights Institutions which states that a commission's funding "not be subject to financial control which might affect its independence. In addition, the commission will be "given funds for basic expenses, offices and programs. (17) Yet no indication is given as to whether, for instance, the commission will have its own facilities or will be situated in a government ministry, or to what extent the commission will have control over its budget. The UN Principles call for funding that "enable it to have its own staff and premises in order to be independent of the Government. (18)

## 2. Composition

The Suharto government's long record of human rights violations and its failure to prosecute members of the security forces responsible for abuses places special demands on the members of the Human Rights Commission. This requires outspoken and committed individuals who are willing to call the government to account. Neither the provisions of the presidential decree nor the government's first appointment to the chairmanship suggest that the government intends to appoint such individuals to the commission.

The Presidential Decree says very little about the composition of the National Commission other than that its members are to include "prominent national figures." The UN Principles on National Human Rights Commissions calls on states "to ensure the pluralist representation of the social forces (of civilian society) involved in the promotion and protection of human rights," including, among others, representatives of non-governmental human rights organisations.

The Indonesian government has announced that the first chairman of the commission would be former Chief Justice of the Supreme Court, Ali Said. Justice Ali has long been associated with Suharto's New Order government and with the armed forces. He is a retired army Lieutenant General; as Chief Justice of the Extraordinary Military Tribunal, created in 1966, he oversaw unfair trials of suspected members of the Indonesian Communist Party (PKI) arrested following the attempted coup of October 1, 1965. More than one million suspected members of the PKI were ultimately imprisoned by the government. Justice Ali was Attorney General of Indonesia from 1971-81, and was Minister of Justice from 1981-84 during the height of the so-called "Petrus" killings, when the police killed thousands of suspected criminals. He was appointed to the Supreme Court in 1984 and sat on the bench until 1992. He played a major role in governmental efforts in the late 1980s to bring the country's independent bar associations under government control. (19)

The appointment of Justice Ali to head the, National Commission undermines the government's claims that it seeks to create an independent body. Justice Ali is closely identified with the military and the Ministry of Justice, as well as with the Suharto administration. His background strongly suggests that he is an unlikely candidate to undertake the aggressive and impartial investigations necessary to make the commission an effective body.

## 3. Mandate

The mandate of the National Commission is very vague, providing little guidance for setting priorities. According to Presidential Decree No. 50, an objective of the National Commission is to increase the protection of human rights in accordance with Pancasila, the 1945 Indonesian Constitution, and "the United Nations Conventions, including the Universal Declaration of Human Rights." (20) This broad formulation, without reference to especially important concerns, such as extra-judicial killings, disappearances and torture, threaten to misdirect the resources of the commission to less important endeavours. The decree also makes no mention of specific human rights instruments, such as the international Covenant on Civil and Political Rights and the UN Convention Against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment, to which Indonesia is not a party but which set out important human rights standards. The commission's mandate is also narrowed by the decree's reference to the 1945 Constitution and the national doctrine of Pancasila. The government's interpretation of Pancasila in particular has frequently been invoked to restrict the fundamental human rights of Indonesian citizens.

## 4. Powers

The powers conferred on the National Commission under Presidential Decree No. 50 are minimal. Nowhere does the decree specifically empower the commission to conduct investigations of alleged violations of human rights or provide special powers that would assist in such investigations. Unlike other national human rights commissions, (21) the Indonesia's is not specifically empowered to hear and consider complaints; subpoena witnesses or documents; file information with the courts; visit jails and prisons; or second police or military investigators to provide technical expertise in investigations. The commission has also not been given power to take affirmative action on behalf of victims of human rights violations, such as by providing interim relief or a witness protection program. This absence of powers is the strongest indication that the government did not intend to craft an effective human rights body.

Without such powers, the commission will have to rely on the good will of government agencies, particularly the police and military, in order to investigate alleged human rights violations. The Indonesian police and military have shown themselves to be wholly unresponsive and often hostile to outside inquiries, such as those from lawyers seeking to establish the whereabouts or condition of persons in custody or who have "disappeared." (22) Unless the com-

mission is specifically empowered to subpoena officers and information, and to have access to jails, prisons and other detention facilities, it will be unable to conduct prompt and thorough investigations.

### Recommendations

Indonesia's National Commission on Human Rights was established pursuant to a seriously flawed presidential decree. Rather than hope that the members of the commission can overcome the major institutional obstacles to its successful functioning, the Lawyers Committee urges the Indonesian government to reconsider the existing commission and provide it with a firmer basis in the law. We also urge that the government undertake to include the interested public, namely the human rights community in Indonesia, in its further discussions of the commission. A reformulated commission would include the following:

- 1) Independence: The commission needs safeguards to ensure its independence. A statute providing for the commission should be in effect for a fixed period. Checks should be placed on the power of the President to appoint members. Commission members should serve until retirement or for a single, fixed term. Funding levels for the commission should be established by law and salaries of Commissioners should be guaranteed. The commission should be provided with its own facilities and the necessary funds under its control to carry out its tasks.
- 2) Composition: To be effective, the commission will require in its top positions persons competent in the field of human rights and can be relied upon to undertake independent and impartial investigations of alleged human rights violations. The government should give priority to appointing commission members from the private sphere, particularly the non-governmental human rights community. Commission staff members should also have experience in the field of human rights and receive necessary training in monitoring and investigations.
- 3) Mandate: The mandate of the commission should be clarified and should include the authority to monitor compliance with all UN human rights instruments. Priority should be given to investigation of violations of the integrity of the person, namely extra-judicial killings, torture and disappearances. Universal principles of human rights should not be abridged by applying the doctrine of Pancasila.
- 4) Powers: The National Commission should have specific authority to conduct

investigations of alleged human rights violations. The commission should be empowered to hear and consider complaints; subpoena witnesses and documents; file information with the courts; visit jails and prisons; and second police or military investigators to provide technical expertise in investigations. The commission should be able to provide interim relief and a witness protection program, and have the necessary funding to do so.

In the absence of fundamental changes to the formal structure of the National Commission, we urge the members of the existing commission to undertake a number of specific human rights investigations to establish the body's credibility. The commission should conduct a full inquiry into the fate of persons, missing and unaccounted for since the November 12, 1991 massacre in Dili, East Timor. This inquiry should entail both on-site investigations and hearings involving military and civilian witnesses. The commission should conduct a similar inquiry into the human rights situation in Aceh, particularly the use of torture against persons arrested for alleged political offenses. The Lawyers Committee is not aware of a single prosecution of military personnel in Aceh for human rights offenses. The findings of these and other investigations should be made public.

### ENDNOTES:

1. 'Keputusan Presiden Republik Indonesia, Nomor 50 Tahun 1993, Tentang Komisi Nasional Hak Asasi Manusia ("Decision of the President of the Republic of Indonesia, Number 50, 1993 on the National Commission on Human Rights") [hereinafter Presidential Decree No. 50].
2. 'Embassy of the Republic of Indonesia, Press Release: 'Indonesia's President Suharto Sets Up the National Commission on Human Rights,' Washington, D.C., June 9, 1993. See *The Straits Times*, "Jakarta Sets Up Commission on Human Rights," June 9, 1993, for the statement of State Secretary Moerdiono. According to Moerdiono, the commission would be "an independent body whose tasks included monitoring, investigating and offering views to government agencies" on human rights in the country.
3. Pancasila is most simply defined as belief in one God, humanitarianism, nationalism, democracy and social justice.
4. Presidential Decree No. 50, art. 4.
5. Id.
6. Id. art. 8.
7. Id. art. 10.
8. See, e.g. U.S. Department of State, *Country Reports on Human Rights Practices for 1992* (Washington D.C.: 1993) pp. 568-80; Lawyers Commission for Hu-

man Rights, *Broken Laws, Broken Bodies: Torture and the Right to Redress in Indonesia* (New York: 1993) [hereinafter *Broken Laws, Broken Bodies*]; Amnesty International, *Indonesia/East Timor: The Suppression of Dissent*, July 1992; Asia Watch, 'Remembering History in East Timor,' Apr. 1993; Yayasan Lembaga Bantuan Hukum Indonesia, *Summary of the observations of the Legal Process in the Cases in Aceh* (Jakarta: 1991); Asia Watch, *Prison Conditions in Indonesia* (New York: 1990).

9. Human Rights Commission, Resolution No. 97/1993, Mar. 11, 1993.
10. See, e.g. Letter from the Permanent Mission of Portugal to the Secretary General of the United Nations, May 21, 1993 (A/48/175-S/25819).
11. Id. art. 3.
12. *Broken Laws, Broken Bodies*, p. 92.
13. "UN Principles Relating to the Status of National Institutions for the Promotion and Protection of Human Rights (annex), Commission on Human Rights, 52nd meeting, Mar. 3, 1992, in Report on the Forty-Eighth Session, E/CN.4/1992/84 [hereinafter UN Principles on National Human Rights Institutions].
14. Presidential Decree No. 50, art. 9.
15. Id. art. 8.
16. Id. art. 13.
17. Id. art. 9.
18. UN Principles on National Human Rights Institutions, p. 130.
19. See *Broken Laws, Broken Bodies*, p. 51.
20. Presidential Decree No. 50, art. 4.
21. See for example, the charters of the Philippines Commission on Human Rights and the proposed Indian Human Rights Commission, discussed in Lawyers Committee for Human Rights, *Impunity. Prosecutions of Human Rights Violations in the Philippines* (New York: 1991) 57-87, and 'India: The Human Rights Commissions Bill, 1993,' June 1993.
22. "See *Broken Laws, Broken Bodies*, pp. 37-43.

### The Lawyers Committee for Human Rights

Since 1978 the Lawyers Committee for Human Rights has worked to promote international human rights and refugee law and legal procedures in the United States and abroad. The Lawyers Committee has sent research missions to and issued reports on more than three dozen countries throughout the world. The Chairman of the lawyers Committee is Marvin E. Frankel; Tom A. Bernstein is its President; and Michael H. Posner is its Executive Director.

Copies of the Committee's report *Broken Laws, Broken Bodies: Torture and the*

*Right to Redress in Indonesia* (\$10) and this report (\$3) are available from:

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## SUHARTO DEFENDS ROLE IN EAST TIMOR

*Sydney Morning Herald, July 12. by Lindsay Murdoch*

(Singapore) President Soeharto has broken his silence on several controversial issues, including East Timor, which he said Indonesia never had ambitions to annex.

Speaking to Indonesian journalists on a flight from Tokyo, Mr. Soeharto said the former Portuguese colony had added to Indonesia's "burdens" and that the annexation was because "we wanted to respect human rights."

He said he told the United States President, Mr. Bill Clinton, during a meeting in Tokyo this week that Indonesia was responding to the wish of the majority of East Timorese when it annexed the colony in 1976.

Mr. Soeharto said he told Mr. Clinton Indonesia had only reluctantly accepted the integration because it was still facing problems in its own development programs to improve the welfare of its people.

"The task of developing East Timor has added to our burdens," The Jakarta Post newspaper quoted the Indonesian President as saying.

Mr. Soeharto also defended the 1991 shooting of scores of anti-Jakarta demonstrators in the East Timor capital, Dili. The incident was started by a small group of people which opposed the integration and had committed illegal actions, the President said.

"If anybody wants to criticize Indonesian, we ask them to please do so and we will try to give explanations," he said. "If the person is still not satisfied, he should come to Indonesia."

The comments surprised some international observers as Indonesia often refuses visas for journalists and human rights activists.

Mr. Soeharto, the chairman of the Non-Aligned Movement, went to Tokyo to meet leaders of the 7 major industrialised nations. The movement is concerned that western countries want to link aid grants to the human rights records of developing nations. Mr. Soeharto raised a variety of issues but highlighted concerns of the west's human rights policies.

"Because we suffered severely from the colonists' violations of human rights, we don't want to violated human rights ourselves," Mr. Soeharto said.

Earlier this week, in reply to questions from the Japanese newspaper, Womiuri Shimbun, Mr. Soeharto also defended the business activities of his six children which have expanded significantly in recent years, prompting complaints from other businessmen that the family has been favoured by government departments.

"Among my children, there aren't any that I have spoiled or that I have given special facilities and they manage their business professionally and pay all their tax obligations."

## SWIFT RESPONSE TO INDONESIAN REPRESSION

*Green Left #106, July 14, 1993. By Vanessa Hearman*

MELBOURNE - The news that students at the Jakarta campus of the National Science and Technology Institute had been beaten and arrested by the Indonesian military for protesting against rising course fees on June 24 led to a picket in Melbourne outside the Garuda Indonesian Airways a few days later.

The picket, organised by AKSI (Indonesia Solidarity Action), was attended by around 30 people carrying colorful placards. Speakers condemned not only this instance of repression against students but also the Indonesian government's poor human rights record - one that countries such as Australia would not expose, because of economic interests.

The radical youth organisation Resistance, one of the sponsors of the picket, also expressed its solidarity with students in Indonesia. Petitions addressed to the Indonesian government against the repression of students were signed by passers-by.

AKSI recently launched a 12-page bulletin Suara AKSI (AKSI Voice), a publication discussing Indonesian political issues, with special emphasis on news on the radical student movement in Indonesia. It is available from local AKSI groups, or in Melbourne contact PO Box 4345, Melbourne Uni, Parkville 3052.

## SUHARTO: A SOFTER LINE ON EAST TIMOR?

*Green Left #107, July 21, 1993, By Max Lane*

Supporters and observers of the independence struggle in East Timor have for some time been watching for signs of differences between the Indonesian regime's two

main factions: the Suharto clique and the armed forces (ABRI) leadership. Many observers tend to think that Suharto has been moving towards attempting some kind of political solution.

This view has been fed by the numerous twists and turns in the regime's diplomatic efforts to counteract the influence of the pro-Timorese lobby in many parts of the world. Every decision to meet with a UN or Portuguese delegation has been read as an indication that Suharto is "softening" his approach.

At the same time, the refusal of Indonesian military authorities to allow International Red Cross personnel to visit Xanana Gusmão unhindered, despite assurances from Jakarta that it would be possible, has been taken as a sign that ABRI holds a more hardline position.

The recent meeting between Suharto and US President Clinton in Tokyo logically would have provided an opportunity for Suharto to indicate some softening of the regime's approach. Clinton had just received a letter from 43 US senators calling for greater support for UN efforts to resolve the conflict in East Timor.

Even Indonesian foreign minister Ali Alatas, in Tokyo with Suharto, expected the issue to be raised. According to Alatas, Indonesia "would not think it strange" if Clinton raised the issue of human rights with Suharto. "All countries have their shortcomings," he said.

Despite Alatas' comments, on his return flight to Indonesia, Suharto made it clear to journalists that there was no change in the regime's position. Suharto told the journalists that he had informed Clinton that Indonesia had only reluctantly taken over East Timor because that was what the East Timorese wanted. There was no indication of any change in this. The Indonesian media also reported that Suharto defended the action taken against East Timorese demonstrators in Dili in November 1991.

The only real difference between Suharto and ABRI on East Timor is due to the fact that Suharto is in government and ABRI is not. Suharto has to deal diplomatically with the rising level of support, including in US, Japanese and European parliaments, for some kind of resolution to the conflict.

This pressure on Indonesia is likely to continue as a result of the continuing campaigns by the East Timorese and their supporters and as a result of rivalries between Japan, the US and Europe over influence in Indonesia and access to the oil in the Timor Gap.

Portugal has succeeded in pushing Europe in a very strong anti-Indonesia direction, while Japan provides considerable aid to Indonesia. The US, closely aligned

with elements in the Indonesian state apparatus now out of government, including ABRI, does not mind seeing some pressure on Suharto.

While Suharto must deal with the diplomatic problems, ABRI can afford to thumb its nose at international opinion. ABRI itself has suffered only minor setbacks, such as loss of small amounts of military training aid from the US. This year, with Pentagon approval, it is making an attempt to buy the training. It is increasing its weapons acquisitions from Britain and its training exercises with Australia.

There are no real signs, however, of any change by either faction towards allowing self-determination by the Timorese. Such change is not out of the question but is most likely to come with the strengthening of the pro-democracy movement in Indonesia.

### A.M. FATWA RELEASED

According to a story in *Tempo* of July 24, A.M. Fatwa, former secretary of the Petition of 50 Working Group and former personal assistant to one-time Jakarta Governor Ali Sadikin, has received day leave from Cipinang Prison, where he contracted hepatitis. Fatwa had been sentenced to 18 years imprisonment for subversion in connection with P50's "White Paper" circulated after the 1984 Tanjung Priok incident. During the day Fatwa works at the publisher PT Pustaka Antara as a consultant. He must be back at Cipinang by 5 p.m. He is barred from taking strolls (*keluyuran*) and may not speak to reporters. Now 53, Fatwa's release conditions may be further loosened to 'conditional freedom.' This request is now being processed. Barring further obstacles, a decision could be made in four months.

Fatwa may just be the first in line. Former Textile and Light Industry Minister and P50 signatory Ir. A.M. Sanusi could be next. Sanusi was sentenced to 19 years imprisonment for alleged involvement in the Bank Central Asia bombing in Jakarta nine years ago. A recent court decision set aside his concurrent sentence in another case in which he was found guilty of involvement of several alleged plots to assassinate President Soeharto. During his day leave, Sanusi, now 71, will work in Optic Kasoem. Reportedly, President Soeharto has given the green light to allow Sanusi a full amnesty. While in prison, Sanusi gave several very recent interviews to the press which were highly critical of the government.

To the best of my recollection, both Fatwa and Sanusi were adopted by Amnesty International as prisoners of conscience.

Next after them may come Abdul Qadir Djaelani, former lecturer at the Islamic

Proselytization College (PTDI) in North Jakarta. He often gave fiery sermons, including some which involved clear incitement to violence. He was sentenced to 18 years imprisonment for alleged involvement in the BCA bombing, according to *Tempo*. He is now awaiting 'conditional freedom.' Also waiting is Tashrif Tuasikal, accused as the main figure in the BCA bombing.

To the best of my recollection, neither Abdul Qadir Djaelani nor Tashrif Tuasikal were ever adopted by Amnesty International as prisoners of consciences, though their trials were closely followed.

— John MacDougall

### NEW INDONESIAN AMBASSADORS TO US, FRANCE, SAUDI ARABIA, RUSSIA

According to an article in *Tempo* of July 17, former Bank Indonesia Governor and later Trade Minister Arifin Siegar is undergoing the Foreign Affairs Department's course for prospective ambassadors. He is widely tipped to become Ambassador to the US. If this happens, he will be the first non-military Ambassador to the US from Indonesia in recent memory. Retired Gen. Benny Moerdani reportedly earlier turned down the job, so as not to be 'exiled' as were Dharsono, Kemal Idris, and Sarwo Edhie in the early consolidation days of Soeharto's rule. Possibly this is another example of Soeharto's basic current message to the Army: "You don't want to play the game? Then you lose." What will happen to Benny? Wait and see.

Residents of France may be interested to know they will likely be honored by Wiryono Sastrohamidjojo as the new Indonesian ambassador there. Wiryono currently is Director General for Political Affairs in the Foreign Affairs Department. He has served at the U.N. and long had occasion to deal with the East Timor issue. A great surprise is that Ismail Suny will be appointed as Indonesia's ambassador to Saudi Arabia. The 64 year old expert in state administrative law has a reputation as a 'hard-liner.' He was jailed twice, in 1978 and 1979, but never charged in connection with subversion allegations for inciting the student movement in 1978. He is now a member of the Advisory Council of ICMI, the Indonesian Muslim Intellectuals Association, led by Research and Technology Minister B.J. Habibie. Rachmat Witoelar, reportedly too 'vokal' for Soeharto domestically in his role as Golkar Secretary General the past five years, will become Indonesia's ambassador to Russia (plus Uzbekistan, the Ukraine, and Mongolia). Unfortunately, this means

his much more outspoken wife Erna will be removed from her long-standing roles in the domestic NGO scene.

— John

### INDONESIA'S HIDDEN WAR IN NORTH SUMATRA

by Lucy Johnson

London, July 28 (ips) — the Indonesian government-backed military campaign against the little-known armed opposition group Aceh merdeka, has led to the killing of up to 2,000 civilians in north Sumatra says human rights group amnesty international.

in a report published Wednesday, the human rights watchdog says it fears that the Indonesian military is killing innocent civilians as a terror tactic to dissuade others from joining or harboring the rebel faction.

"the characteristic features of these killings — the practice of public execution and the dumping of bodies — all bear the hallmarks of military tactics to terrify the population and quash support for the guerrillas," said an Indonesia researcher at amnesty's headquarters in London. "this is the only way that the military thinks it can crush the Aceh movement," she added.

for the past two decades, Indonesian government forces have been engaged in a campaign against Aceh merdeka (free Aceh), that calls for the establishment of an independent state of Aceh and other parts of the Indonesian province of north Sumatra.

the counter-insurgency campaign, however, has had virtually no coverage in the world's press. international attention has focused, instead, on the former Portuguese colony of East Timor, where the Indonesian military has killed an estimated 200,000 in its efforts to quell armed rebellion against Indonesian rule.

the report documents 67 pages of military atrocities in Aceh, and calls on the international community to "demonstrate similar resolve" in condemning human rights violations in north Sumatra.

but amnesty says governments — like Britain, with its lucrative 1.5 billion dollar hawk jet arms deal with Jakarta — have in the past been reluctant to speak out against Indonesia's human rights record.

amnesty also said that British diplomats attempted to block a 1992 united nations commission on human rights resolution calling for an improved human rights record in East Timor. the vote, however, went through.

but while downplaying the Indonesian authorities human rights record makes it less awkward for the British government to explain its large arms deals, it is not an imperative.

the British American security information council (basic), an anti-arms trade lobbying group analyzed the British arms trade and its human rights records. they noted that Britain announced a 19 million dollar sale of an ex-royal navy supply ship just three months after Indonesian forces shot dead over 100 peaceful protestors in Dili, capital of occupied East Timor, in 1991.

"there is a gap between the government's stated policy and what it's actually doing that it seriously needs to address," said a spokesperson for basic.

the British government, however, defends the sales on the grounds that all military hardware sold to Indonesia is used for national defence not internal suppression.

"we don't believe that any recent military equipment sent to Indonesia has been used against the civilian population." said a spokesperson for the foreign office. "should it be modified in any way to do that the contract would be curtailed."

but amnesty dismisses this argument. "in a country where people are being shot down for their peaceful views can the British government really justify supporting the military apparatus?" said the group's researcher.

Indonesia has been engaged in crushing the Aceh rebel group since its emergence in the mid-70s. led by Dr. Teungku Hasan di Tiro, a descendant of resistors against Dutch colonisers in the late 19th century, the organisation gained a measure of support and in 1976 unilaterally declared Aceh's independence.

five years of military operations drove the organisation to ground. but in 1989, it reemerged when scores of fighters returned from training in Libya.

since then, says the report, security forces have stepped up military operations and have shot an estimated 2,000 civilians, including children and old people. some have been publicly executed, while others are killed and dumped in public places.

in addition, Indonesian armed forces have arbitrarily arrested an estimated 1,000 people. the report says detainees are routinely beaten with iron bars, bottles, rocks and electric cables, burned with lighted cigarettes or slashed with razor blades. scores have 'disappeared' while in military custody.

Aceh merdeka fighters are also accused of committing human rights abuses, including the deliberate killing of civilians suspected of being informers. but amnesty dismisses this as an excuse for terror tactics among the local population.

"the Indonesian government has shown no sign of taking the problem of human rights violation seriously," says amnesty. "what's more, the international community has failed to act on persistent reports of

violations in Aceh. it is imperative they act now."

## AMNESTY INTERNATIONAL: "SHOCK THERAPY"

### RESTORING ORDER IN ACEH, 1989-1993

*The complete report is 67 pages long, with attachments. It is available on paper from Amnesty or electronically from ETAN/US, the AI Index number is ASA 21/07/93. Only the introductory section is included here.*

#### 1. INTRODUCTION

It is now four years since Indonesian security forces began counter-insurgency operations against an armed resistance movement in the province of Aceh in northern Sumatra. In that time an estimated two thousand civilians, including children and the very elderly, have been unlawfully killed, some in public executions and others while in military custody. At least one thousand people, and possibly many more, have been arbitrarily arrested on suspicion of supporting the rebel group, Aceh Merdeka, or because they were related to an alleged member of the group. Many of those detained have been held incommunicado for periods of more than one year, and subjected to ill-treatment and torture to extract confessions or political intelligence. Others have "disappeared" in military or police custody. At least 50 have been sentenced to lengthy prison sentences for subversion after unfair trials, including some who neither used nor advocated violence.

The incidence of political killings, "disappearances" and arrests in Aceh peaked in late 1990 and early 1991, and has declined significantly in the past year and a half. This decline has led many observers to conclude that there is no longer a serious human rights problem in Aceh. Amnesty International takes a different view. It believes that the pattern of gross human rights violations reported from Aceh since 1989 continues to warrant urgent international concern, and to demand prompt and concrete measures by the Government of Indonesia and members of the international community. There are several reasons why.

First, no thorough and impartial investigations of the violations committed over the past four years have yet been carried out. Independent human rights observers, both domestic and international, have been prevented from conducting proper first hand investigations, while government and military authorities have simply dismissed allegations of human rights abuse as "lies." Not only has this left unresolved the fate of thousands of victims, it has created an atmosphere conducive to future abuse both in

Aceh and in other parts of Indonesia and East Timor.

Second, the repercussions of past violations are still being felt by the victims and their families. The fate of many of those killed and "disappeared" in Aceh remains unresolved, and no compensation of any kind has been provided to their relatives. In addition, at least fifty people are only now beginning to serve lengthy prison terms, imposed after blatantly unfair trials, while an untold number of political suspects remain in unacknowledged, incommunicado detention.

Third, none of the suspected perpetrators of past violations has yet been brought to justice, and there is no indication that they will be. This slackness on the part of the authorities stands in marked contrast to the considerable effort and expense devoted to bringing alleged members of Aceh Merdeka to trial. In Amnesty International's experience, the failure to prosecute those who have committed grave human rights violations sends a clear message that such acts may be committed with impunity, thereby making future violations even more likely to occur.

Fourth, while the Indonesian Government has given repeated assurances that life in Aceh has returned to normal, the evidence in this report indicates that serious violations continue to occur, even if on a reduced scale. Scores of people have been killed in apparent extrajudicial executions within the past year and a half, and a similar number are thought to have "disappeared." That the number of victims of serious violations reported since early 1992 has been in the scores rather than the hundreds or thousands is a welcome change, but it is small consolation to the victims themselves.

Fifth, the relative "peace and order" which now prevails in Aceh, and the decline in the overall number of human rights violations reported, does not reflect any significant change in the policies or practices of the Indonesian security forces. On the contrary, it appears to reflect a continuing and 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.

Finally, the pattern of grave human rights violations reported from Aceh since 1989 is not unique. On the contrary, the heavy-handed methods employed by the security forces in Aceh are strongly reminiscent of those that have been used to "restore order" in other parts of Indonesia for more than a quarter of a century, and in East Timor since the invasion of 1975. The most conspicuous

similarity has been in the government's use of summary executions by anonymous death squads, known locally as "mysterious killings," a technique which President Suharto described in 1989 as a kind of public "shock therapy" designed to restore public order.

In short, the failure of the Indonesian Government to address the serious human rights situation in Aceh has left past violations unresolved, and has thereby created a situation conducive to future abuse, not only in Aceh itself but in other parts of Indonesia and in East Timor. In Amnesty International's view, it is incumbent on the Indonesian Government to demonstrate its stated commitment to the protection of human rights and to take immediate and concrete steps to resolve these problems.

Yet responsibility does not rest solely with the Government of Indonesia. The international community has failed to respond firmly to reports of grave violations in Aceh for almost four years. Some governments, too, have failed to offer adequate protection to Acehnese who have fled the country to seek asylum. Amnesty International urges member states of the United Nations, which have recently expressed deep concern over a pattern of serious human rights violations in East Timor, to demonstrate similar resolve with respect to violations in Aceh.

A degree of responsibility must also be borne by the leadership of Aceh Merdeka. Whether as a matter of policy or not, members of the organization are known to have committed serious human rights abuses, including the arbitrary killing and ill-treatment of civilians. The abuses committed by opposition groups, however violent, can never justify violations of human rights by government forces. Nevertheless, Amnesty International condemns them unreservedly, and calls upon the leadership of Aceh Merdeka to uphold and abide by basic standards of international humanitarian law.

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## **THE TIMORESE EXTERNAL RESISTANCE**

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### **UDT CONGRESS SCHEDULED FOR DECEMBER**

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*Kaibauk, Timorese Info. Bulletin No.3, p.7.  
May/June 1993. UDT Central Committee*

The fight for the right of the Timorese people to self-determination and independence has taken on more subtle and sophisticated forms over the past years. In this respect, the structure of the party, set up in

1974 and profoundly weakened by the events of 1975, has shown itself to be extremely deficient and to lack an adequate response capacity. Being aware and heedful of the urgent need to invigorate the Party so as to confront the challenge we face, the Leadership, represented by the Chairman of the External Relations Committee and by the Secretary General met with members of the Lisbon Delegation in August 1987, in New York. Among the decisions taken at that meeting, was the decision to hold an Extraordinary Congress.

Preparations commenced immediately so that the Congress could be held as quickly as possible. Now that the many and varied obstacles have been overcome, the Central Committee has the pleasure of announcing that conditions are finally suitable for the Congress to take place.

Having obtained approval from the absolute majority of its members, and in line with the request by 87 Party members resident in Portugal, UDT's Central Committee, with the authority conferred on it by Article 1 of Part II, appendix d-9 of the Timorese Democratic Union's Statutes, promulgated in Dili in 1975, decided:

1. To convene an Extraordinary Congress of the UDT, to be held in Lisbon, on 2, 3, and 4 December this year.
2. To authorize the UDT Regional Committee in Portugal to establish and nominate a Congress Secretariat, and submit this for approval by the Central Committee.
3. To authorize the UDT Regional Committee in Portugal to take decisions on matters relating to the Congress, apart from what is exclusively the Central Committee's area of competence.

18 May 1993, The Central Committee

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## **RESISTANCE GROUP SHIFTS EMPHASIS TO DIPLOMACY**

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Lisbon, June 10 (ips) - East Timor's national Maubere resistance council (CNRM) has announced that it will give priority to diplomatic action to free the former Portuguese colony from Indonesian occupation but will not stop its guerrilla struggle.

In a communiqué released here on Saturday, the CNRM said that diplomacy was now the decisive factor in efforts to resolve the East Timor issue, but stressed that "internal resistance will continue."

Portuguese radio stations had carried excerpts of the communiqué in June, but the complete text only arrived here on Saturday after it was relayed through the Timorese jungle to Australia.

the CNRM is made up of groups opposed to Jakarta's annexation of East Timor

in 1976. Indonesian troops have occupied the territory since 1975.

amnesty international estimates that 210,000 Timorese have died at the hands of the Indonesian army. before the invasion, the territory had a population of about 650,000.

the eight-page handwritten communiqué was signed by guerrilla commander Nino Konis Santana and another CNRM leader, Antonio Gomes da Costa Ma'Huno, who was captured by the Indonesians in May.

it stated that the CNRM's leaders in East Timor had decided that the organisation would now be led by its main representative abroad, 43-year old José Ramos-Horta.

the CNRM had formerly been headed by its guerrilla high command, which Santana has led since November last, when his successor, José Alexandre Xanana Gusmão, was captured by the Indonesian forces after leading the Maubere (Timorese) resistance for 17 years.

the new CNRM leader, Ramos-Horta, is a 43-year old law professor at the university of Sydney, Australia. he has spent the best part of 17 years pleading the cause of Timorese self-determination on international fora.

the CNRM wants the international community to pressure Jakarta into accepting two U.N. security council resolutions which call for the holding of a referendum on autonomy in East Timor.

Indonesia has rejected the resolutions and has disregarded successive condemnations by the U.N. general assembly of its invasion and annexation of the territory.

Jakarta claims that it freed Timor from Portuguese colonialism and has done more for the territory in 15 years than Lisbon did in five centuries.

Ramos-Horta has taken over the CNRM leadership at a time when the U.S. government and non-governmental organisations are expressing serious reservations about the human rights situation in East Timor.

U.S. president bill Clinton expressed concern over East Timor at a meeting on Tuesday in Tokyo with Indonesian president general Suharto.

and in an editorial widely quoted by Portuguese media on Saturday, the 'Washington post' came out in support of Clinton's decision to modify U.S. policy on East Timor.

the U.S. daily said this was a modest but necessary step towards calling Indonesia to account for robbing the territory of its independence.



## WHO'S WHO IN THE CNRM

*Publico, 16 June 1993. By Adelino Gomes. Original Lang.: Portuguese*

(Lisbon) Founded in December 1988, the CNRM (Maubere Resistance National Council) has already lost three of its leading founding members: Xanana Gusmão and Ma'Huno are imprisoned in Indonesian jails, and Ma'Hodu, after his arrest, apparently abandoned the struggle, in unclarified circumstances. Inside East Timor, the CNRM is the leading force, and consists of members of Fretilin, UDT the Falintil (the guerrilla forces, not aligned with any party) and the clandestine network.

Based on the so-called 20 November (1992) Declaration, which has still not been revoked in spite of Ma'Huno's arrest, Lu-Olo and Konis Santana (the then Vice-Secretaries of Fretilin's Directive Commission), Falintil Sub-Commander of General Staff Taur Matan Ruak, and Jose Ramos-Horta are part of the Resistance's Politico-Military Commission (CPMR).

Appointed in July 1990 special representative of the CNRM in and spokesman for the leader of the Resistance, Ramos-Horta intends to create, "in the coming months," a "coordinating body for all the Resistance abroad, encompassing the political parties and the vast majority of the community which does not belong to any party."

Representation of the CNRM abroad, which "is not attempting to substitute Fretilin and UDT," has, at the moment, is represented in the US (led by Constâncio Pinto, who was awarded a grant for study at Brown University, Providence), Canada, the EC (Jose Amorim), Japan, Australia, and Portugal (Timorese forestry technician Luis Cardoso, appointed to the post by consensus on 6 June). It also has a lobby in Washington; a human rights consultant in Geneva; it has just created a centre for information, training and education in human rights, led by a Timorese "who has had over a year's relevant training/experience in Geneva and New York"; and it has a consultant on Indonesian affairs (a diplomat).

## RESISTANCE MOVEMENT TO BE LED FROM ABROAD

*By Mario Dujisín*

LISBON, June 22 (IPS) - The new leader of the East Timorese guerrilla resistance movement is to be Jose Ramos-Horta, currently spokesman for the National Resistance Council, Commander Konis Santana announced in Portugal on Tuesday.

Ramos-Horta will take over from Jose Alexandre Xanana Gusmão, who was captured by Indonesian occupation troops last

November. Gusmão's number two, Antonio Gomes da Costa Ma'Huno was arrested in March.

The decision to choose Ramos-Horta, who will lead the movement from abroad, has not come as a surprise given that Indonesia is currently encircling the guerrilla force of some 800 men, holding out in the dense Timorese jungle.

Ramos-Horta said he was now waiting to receive "a written communication from the interior of East Timor" before deciding whether to accept the new post.

The guerrillas in East Timor, according to the new leader-designate, "are the symbol of the resistance of a whole people against the aggressor in Jakarta."

East Timor was invaded by Indonesia one week after its declaration of independence from Portugal on December 1, 1975. It was formally annexed by Jakarta one year later.

A lawyer with degrees in international relations and international public law, Ramos-Horta was foreign minister in the short-lived Republic of Timor. At present he is teaching at the Australian University of New South Wales.

However, Ramos-Horta spends much of his time in Portugal and on frequent trips around the world to promote the cause of his people, whom, he says, have been "practically forgotten by an international community which uses double standards in evaluating human rights."

Some 200,000 people in East Timor, he says, have been killed by the Indonesian army, making it "proportionally the largest genocide in the history of this century, considering that our population originally consisted of only 610,000 people."

Agreeing that there had been some progress, Ramos-Horta admitted that "Indonesia is already having more difficulty in convincing the world to accept its theory that human rights in Asia are not the same as in the rest of the world."

## "THE RESISTANCE IS WITHOUT A LEADER" – ABILIO ARAUJO

*Diario de Noticias, 30 June 1993. By Joao Pedro Henriques. Translated from Portuguese*

(Lisbon) Fretilin President Abilio Araujo rejects Ramos Horta's leadership of the Resistance, and is in favour of a general congress. He adds that the time of the guerrillas is over, and warns against Javanisation. Timor might, one day, freely choose ... integration.

Timorese resistance abroad is still divided. Perhaps more and more so. In an

interview with the *Diario de Noticias* (DN), Abilio Araujo puts his cards on the table with regards Ramos Horta's alleged leadership. He disagrees, naturally. His is the first discordant voice on the subject to be heard.

*Q.: Do you believe the reports that Jose Ramos Horta will be leader of the Maubere Resistance National Council?*

A.: I still have not had access to the documents. But whatever the outcome, the CNRM, as conceived in 1989, is barely holding up now. I say this because we all know that, today, the various components of the Resistance are going through very severe internal crises.

*Q.: Within the territory?*

A.: Exactly. In the interior, the situation is serious. We cannot just happily go on thinking that everything is just as though nothing had changed ... as if Xanana, Ma'Huno and Ma'Hodu had never been arrested. Everything must be rethought.

*Q.: Does the Resistance have a leader at the moment?*

A.: No. On the internal level, it is clear - we are going through a phase which I compare to that of 1978, when the then leader Nicolau Lobato was murdered.

*Q.: Do you believe in Konis Santana's leadership?*

A.: I do not question him being leader of the Falintil or the forces he heads. But to say that there is a leader of the whole Resistance...

*Q.: And what about Jose Ramos Horta?*

A.: There are various aspects. None of us here on the outside can possibly lead anything that is going on inside. One could, at most, represent. But to lead ... I think that is a very complicated matter... Secondly, with reference to that report (according to which Ramos Horta was appointed chief of the CNRM by Konis Santana), Ramos Horta always opposed appointments coming from inside.

*Q.: Do you support a general congress of the entire Resistance abroad?*

A.: Yes. It is time to rethink everything. With regards Ramos Horta, I believe that he himself has to take stock of his own positions. I am not denying he is spokesman for Xanana and the CNRM. But the Resistance includes everyone, even those who do not fall under any political formation. When someone presents himself as the leader of all the Resistance, there are many who do not like it...

*Q.: Including Abilio Araujo?*

A.: Yes.

*Q.: It is the first time you mention this congress...*

A.: I have already brought up the idea within limited circles. But the current concern is the reorganization of the UDT and Fretilin components. Before that happens, we cannot think about a large organisation.

*Q.: And is the armed resistance worn out?*

A.: It's worn out. There has been a military defeat which Xanana Gusmão himself acknowledged. What concerns me now is that this Indonesian presence, in such conditions, is accompanied by a significant element of Javanisation of our society. Far more serious than the actual military defeat would be the annihilation of our national and cultural identity.

*Q.: Is this about to happen?*

A.: The situation is very serious. In Timor there are around 120,000 Indonesians. The weight of this population is unbalancing our demographic equilibrium. Then there is education. No Portuguese has been taught for the past 18 years. If this situation doesn't change we run the risk of, one day, speaking about a people, when that people does not exist anymore.

*Q.: In this context, does it still make sense to be thinking of an independent Timor? Wouldn't the autonomy, supported by some, be a better solution?*

A.: I prefer not to talk in terms of statutes, because when that happens, we are considering definitive situations. I prefer to ask: what can be done? I think that the situation is not irreversible. The people of Timor are resisting culturally.

*Q.: If a referendum were held now, don't you think that, given the problem of Javanisation, the result might be integration with Indonesia?*

A.: A referendum held now would result in a victory for the independence option. I have no doubt about it.

*Q.: And would Abilio Araujo go there and vote for independence?*

A.: But of course! Everyone knows the position I have held ever since my youth. But I know that the international community's position is one of hypocrisy. The big countries - the US, Japan, the EC - only talk about human rights, but they don't talk about the right to self-determination. The Portuguese Government - and I do acknowledge that what it has done has been very significant in relation to its means - only has diplomatic weapons.

*Q.: And could that people, through a referendum in years to come, choose to be Indonesian?*

A.: Yes. And what is more, in three years time, the children of Indonesians who were born in 1976 will be 21-year-old. They will be Timorese. This is a situation we cannot ignore.

*Q.: Why do you not wish to speak of a definitive statute. Why the reticence?*

A.: I always talk in terms of the right to self-determination and the fact that this right has not been exercised. The international community ought to create conditions in which that right may be freely exercised. However, we cannot think only about that, ignoring the reality developing in Timor.

*Q.: What do you propose?*

A.: That, within the framework of negotiations between Portugal and Indonesia, with Timorese participation, conditions are created to safeguard, above all, the identity of the people of East Timor.

A contribution towards this could be the meeting, which I suggested, between the Timorese leaders on the outside and the Timorese leaders working in the Indonesian administration.

*Q.: That idea is not being taken up by the other Timorese leaders abroad.*

A.: On the inside (pro-Indonesian) the matter is being discussed. But of course we all know that they would only participate if Indonesia were to give the green light....

*Q.: Wouldn't such a meeting just deflect attention from what really matters - the meetings between the heads of the two diplomacies?*

A.: That would all depend on the agenda. I proposed specific aspects. We would not talk about the territory's statute. We are not going to say that Timor is a territory under Portuguese administration, and they are not going to say Timor is the 27th province of Indonesia. At the moment, what we want to talk about is the pacification of Timorese society, which would include the unconditional release of all political prisoners. This is a basic condition, which they also want.

*Q.: Imagine the following situation: something is achieved at a meeting between the Timorese - the opening up of the territory - which Portuguese diplomacy has not yet managed to achieve. Where would that leave Portuguese diplomacy?*

A.: If that happened, the merit would go to the UN Secretary General. Throughout this whole process it is the UN which is leading the way. Freedom of movement has always been demanded by Portugal and the UN. If it were achieved, it would not be due solely to the meeting of the Timorese, but to a group of factors.

*Q.: How do you interpret the rejection of that meeting by the majority of Timorese leaders abroad? They say the problem of Timor is not between Timorese but between Indonesia and the international community...*

A.: Exactly. For this very reason, there is no reason stopping us from talking.

*Q.: Will the meeting of Timorese take place before or after the Barroso/Alatas meeting in September?*

A.: Probably before.

*Q.: Who will be attending?*

A.: Their names will be made known at the appropriate time. But it will not be a meeting of party leaders. In fact, I think that the concept of convergence, as far as it unites forces identified with aim of independence, could be widened.

*Q.: To include whom?*

A.: All those wanting self-determination, even if they advocate going along another road for Timor, that is not independence. We also want to say to our brothers that there is a place for them, even if Timor chooses independence. They are also going to tell us that, if the people vote in favour of integration, we too will have a place.

*Q.: Was this proposal presented to the Prime Minister the last time you met him?*

A.: Yes. To the Prime Minister, to the Cardinal- Patriarch of Lisbon, to Joao Alves, Chairman of the Portuguese Bishops' Conference, to the political forces, ...

*Q.: What was the reception?*

A.: In general, it was good.

*Q.: Even from the Prime Minister?*

A.: Yes. ... it was good. Portugal sides with neither of the Timorese sides. Portugal's position is to defend the right to self-determination. The Manichaeon concept of some being good and others bad has to be pushed aside.

*Q.: How do you evaluate the management of Portuguese diplomatic activity?*

A.: I only have praise for it, especially what Cavaco Silva's government has been doing. I believe that, in spite of its scarce means, Portuguese diplomacy has made a tremendous effort.

*Q.: What difference is there between Durão Barroso's management and that of Deus Pinheiro?*

A.: There is still nothing concrete that would enable us to say there is a big difference. There certainly is a difference in style ... Anyway, in Durão Barroso, Minister Alatas is faced with a western diplomat with the astuteness of an oriental.

*Q.: Besides the diplomatic activity, don't you think that the Santa Cruz massacre was decisive in placing Timor on the international agenda again?*

A.: The subject of Timor was brought into the spotlight by the Timorese strategy of bringing the struggle to the urban front. This began in 88/89, when Indonesia announced the opening up of the territory. It was then that the Resistance, then led by Fretilin, opted for student demonstrations,

which culminated in the Santa Cruz massacre.

*Q.: At one time you criticised Xanana, accusing him of interference in Fretilin. Now, after his attitude in court, has he risen in your estimation?*

A.: Xanana has always been high in my estimation. I've always considered him to be a great patriot...

*Q.: But there are many great patriots...*

A.: In spite of all the difficulties there were between Xanana and me, I always supported him.

*Q.: What places would there be in an independent Timor for Xanana and for Mario Carrascalão?*

A.: They are both essential.

*Q.: Is the evaluation of the results of the application - or non-application - of the so-called "confidence- building measures," for the dialogue between Portugal and Indonesia, what you expect from the meeting next September between the two ministers?*

A.: Exactly. The ball is in Indonesia's court now. The sentencing of Xanana to life imprisonment, and other human rights violations has compromised the climate of trust.

*Q.: Should Portugal suspend the negotiations?*

A.: Indonesia should be made to feel that the atmosphere of trust must be created by both parties. The sentencing of Xanana represented a backsliding in relation to the Rome meeting. Indonesia will have to give some positive signals now to inspire confidence.

*Q.: If Ma'Huno is brought to trial and receives a heavy sentence, should Portugal then suspend the negotiations?*

A.: I prefer not to say as I don't know what is going to happen. We should, however, be prepared for what is going to happen in July (when Indonesia commemorates Timor's annexation). Suharto might do something with regards Xanana, commutation or some other measure. If he does, then he will have to do the same for others sentenced to life imprisonment. If that were to happen, then I would concede that Indonesia had shown some sense of openness towards the international community.

*Q.: If Suharto were to lighten Xanana's sentence, would that be a confidence-building measure?*

A.: It would be a very euphemistic way of building confidence. However, it would be an indication that the Indonesians are very sensitive to a firm position by Portuguese diplomacy.

*Q.: If Suharto did not lighten the sentence, how should Portugal react?*

A.: If the Indonesians give no sign by September, then we shall all have to think. And that includes myself, with regards the meeting of Timorese.

*Q.: "We shall all have to think," but we have not decided anything?*

A.: The messages have been delivered... and the Indonesians know... However, neither the Portuguese Government nor we, ourselves, believe there is any advantage in announcing now the suspension of negotiations.

"I would not run against Xanana"

Timor still has not gained its independence - far from it - and there is already a candidate for the Presidency: Abilio Araujo.

*Q.: Would you go back if Timor were independent?*

A.: Naturally.

*Q.: Would it be to protagonize in some political project?*

A.: Yes. I have ideas for developing Timor, and I intend to fight for them.

*Q.: Would you run for the office of President of Timor?*

A.: That is a right all Timorese would have.

*Q.: But would you consider it?*

A.: I would. And any politician who says he would not consider it is lying.

*Q.: Is Ramos Horta lying when he says he will leave politics when Timor becomes independent?*

A.: I find that funny. I do not believe it. I have told him several times that he would make a good Foreign Minister.

*Q.: If you were to run for President, what places would be "left over" for, e.g., Xanana and Mario Carrascalão?*

A.: I would be a presidential candidate if they were not in the running. If Xanana were a candidate, I would not put myself forward as one. With Mario Carrascalão I can compete.

*Q.: Would you live in a Timor that chose integration?*

A.: I won't say that I would. But I will go there, at least to be buried.

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## SEVENTEEN WASTED YEARS - J.R. HORTA

*Statement by Jose Ramos Horta, CNRM on anniversary of annexation. 17 July 1993.*

July 17 marks the 17th anniversary of Indonesia's illegal annexation of East Timor. After the brutal invasion of the former Portuguese colony by Indonesian troops on 7 December 1975, Indonesia formally annexed it as its 27th province on 17 July 1976, in defiance of United Nations resolutions and

expressing total contempt of the international community. The situation remains unresolved to this day.

What balance can be drawn of the past 17 years? Jose Ramos Horta, Special Representative of CNRM, the non-partisan organ of East Timorese Resistance, speaking in Sydney put it succinctly, saying the ill-advised aggression by the Indonesian military against the small and weak nation of East Timor has produced no winners on any side.

With the exception perhaps of a handful of corrupt Indonesian Generals who amassed fortunes out of the conflict, the East Timor saga they authored has only produced losers. For the people of East Timor, of which over 200,000 have lost their lives the experience has been profoundly traumatic. Not a single family has been spared from losing loved ones, physical dislocation, loss of property, human rights violations or cultural shock. Many have fled, often after great hardship and danger, settling primarily in Australia and Portugal. Their place has been taken by Indonesian colonisers transmigrating to the territory.

Indonesia's reign of terror has been characterized by massive killings, intimidation, plunder of local wealth and resources, exclusion of the East Timorese from meaningful participation in government, physical and cultural genocide, influx of outside settlers who exacerbate the process of marginalisation of the local population and so on. The people have nonetheless continued waging a resistance struggle for freedom and independence.

Australia's diplomatic blunder of condoning Indonesian aggression towards East Timor in 1975 has continued to be a burden to this day. Government efforts at a pragmatism aimed at suppressing the abhorrent truth of Indonesia's action in East Timor so as to curry favours with the Jakarta generals, have failed. The truth could not be covered up, and the moral principles espoused by Australian society could not be ignored. Instead of facilitating the growth of close cooperative relations between Australia and Indonesia, Canberra's policies have created a fundamental conflict between important sectors of the Australian community and their government, reinforcing an easily perceived lingering mistrust of Indonesia.

The neighborly relationship Canberra prides itself to be building with Jakarta has a false feeling to it.

East Timorese legitimate resistance against the monstrous injustice its stronger neighbours are intent on forcing upon it, lead to an ongoing resistance struggle which continues on the military, diplomatic political and even legal fronts, adversely affecting the stability of the regional neighbourhood.

Its savage approach to East Timor has been enormously costly and damaging for Indonesia. On one hand large numbers of troops have died over the years. Then there are the costs of war.

The highest cost, however, has been to Indonesia's reputation. The brutality of its corrupt occupation forces is paralleled only by the murderous Cambodian Pol Pot regime. For 17 years a growing chorus of voices have denounced in international forums the wide range of human rights violations taking place in the province.

Among the most noted of many events which have irreparably blemished Indonesia's name internationally are the Santa Cruz massacre of 12 November 1991, to this day still not adequately accounted for.

Last March the UN Human Rights Commission passed a strong resolution condemning Indonesian human rights violations in East Timor and calling for greater UN involvement in the conflict existing there.

Recently, the illegitimate mock trial of Commander Xanana Gusmão produced further international criticism. The East Timorese leader was treated in a totally unacceptable manner. At first crude attempts were made by Indonesia to make him appear as betraying the ideals he had courageously fought for during 18 years. Then, a political show trial by a Court which had no jurisdiction to try him at all was orchestrated. The trial was denounced for violating even Indonesian legal procedures. Since then Commander Xanana Gusmão has been kept incommunicado and not even the International Committee of the Red Cross has been given proper access to him.

One month ago, the ICRC was forced to suspend its visits to East Timorese prisoners because of obstacles placed in its way by the Indonesian military, despite 'assurances' from the Indonesian President Suharto that its work in East Timor would not be impeded.

Three weeks ago the plight of East Timorese youth has made headlines all over the world as 7 persecuted students attempted to seek the protection and assistance to leave Indonesia of two foreign Embassies in Jakarta.

Two weeks ago, 43 United States Senators wrote President Clinton expressing concern over the continuing widespread human rights abuses in East Timor, asking for greater access to East Timor for international humanitarian organisations and advocating "serious negotiations at the United Nations that might alter the unacceptable status quo.

Reacting to this, in Tokyo last week Clinton made East Timor a main agenda item of his meeting with President Suharto, who

was reported to have been profoundly humiliated by the harsh criticism he was forced to receive.

Earlier this week, the UN Decolonisation Committee in New York heard 24 petitioners strongly denouncing Indonesia's neo colonialist presence in East Timor and its abysmal human rights record.

Today, Malaysian NGOs are calling upon President Suharto during his visit to their country, to seek an internationally acceptable solution to the East Timor problem, which is detrimental to the interests of the ASEAN region.

For several years the CNRM leadership has advocated for the search of a peaceful and just solution for the East Timor problem, proposing direct talks with Indonesia under UN auspices, without pre-conditions.

Consistent with the above, CNRM's Special Representative José Ramos Horta, 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.

Jose Ramos Horta said when presenting this plan:

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. Moreover, an independent East Timor will be an asset for Indonesia, for ASEAN and the whole region in many ways.

On this sad anniversary of the colossal historical East Timor mistake, which only produced tragic losses during these 17 wasted years, we appeal once again to the statesmanship of the leaders of this region and the world: listen to our voice, and allow us to share with you in a win-win solution benefiting of our entire regional family.

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## RAMOS-HORTA SPEECH AT LISBON TIMOR CONFERENCE

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**Address by José Ramos Horta, CNRM Special Representative to the V Summer Session on Timor of the University of Oporto and the summer school on Indonesia and East Timor**

*Lisbon, 22-29 July 1993, abridged*

This will be one of my most important political statements of my life since at the age of 18 I began to become aware of my own personal responsibilities towards others and society, towards conflicts and dramas faced every day by human society and peoples' struggle for social justice and political emancipation.

At the age of 18 I decided to take up journalism as I found delight in reporting and political analysis. My initially confused convictions got sorted out with years of experience and learning. My initial convictions about freedom and democracy, social justice, solidarity and political emancipation of peoples became consolidated over the years. My natural opposition to totalitarian doctrines, both from the left and right, was strengthened as I observed the falsity, hypocrisy, contradictions, abuse of power, corruption, and nepotism of the preachers of scientific socialism. My human and political instinct led me towards the social democratic path.

First Phase of the Great War of Liberation

The death in battle in December 1978 of Nicolau Lobato, second Fretilin President (the first one, Xavier do Amaral, moved to a dark page of history and has been forgotten by the people) and the almost total annihilation of de Fretilin politico military leadership between 1975 and 1979, mark the end of this first phase.

Very few believed that the Resistance would re emerge. Even among the leaders of Fretilin and UDT abroad very few remained faithful after receiving the bad news from the homeland.

Second Phase of the Great war of Liberation, and the 'sleep of the just of the Portuguese'

The resurgence of the Resistance in 1981 and particularly 1983 caught most by surprise.

It was an uncomfortable embarrassment for the political class in Portugal, content to accept the defeat and ready to enjoy the 'sleep of the just'. Among the Portuguese public conscience, desperately trying to exorcise the ghost of decolonisation, only the odd citizen remembered the Maubere ghost. Only the odd journalist occasionally reported on the subject.

While Xanana Gusmão resurrected from the ashes a Resistance thought dead and desired dead, raising a truly popular liberation army, the Portuguese State remained unmoved and indifferent, if anything made uneasy by the daring and genius of Xanana. It did not occur to the President, Ministers or Generals to look for means to support that heroic resistance of a people Portugal claims not to have colonized but to have civilized and loved, and assimilated in its own image.

The Portuguese diplomacy continued its bureaucratic practices aiming merely to get a few lines in the yearly debate of the plenary meeting of the UN General Assembly. And we the Timorese always grateful anxiously counted the lines dedicated by the Foreign Minister to the East Timor issue.

It was later thought to resolve the East Timor issue administratively, sending a delegation of deputies there. They would certify that Indonesia really had built more roads and houses than the miserable Portuguese colonization. ....[they would get token assurances of cultural identity respect from Indonesia, and upon returning home would recommend re establishment of relations, after some token criticism of human rights violations].

The 12 November massacre proved deeply embarrassing to many, and the good Portuguese people demanded explanations and actions.

#### **New maneuvers : "Reconciliation"**

After a few month a part of the ruling class began again to search for 'more realistic' solutions. Referendum? Indonesia would never agree, so no need to insist. Autonomy? Perhaps. Then principles were again abandoned. The 12 November drama was forgotten (further massacres were not filmed, so they did not embarrass politicians).

New attempts were made using front-liners such as the odd Fretilinist Timorese politician or the odd obscure former Portuguese journalist sold out to the Indonesians....., in the service of Indonesian secret intelligence services. These people have been honoured by a Presidential audience, an honour denied to many Timorese leaders.

The Portuguese rulers use the so-called divergences between East Timorese leaders to cover up for their own lack of determination and courage. The Timorese in the diaspora suffer from the same shortcomings as all exiled groups anywhere in the world. They are not exceptional. It is forgotten that the heroic and martyred Timorese people inside the country have given more than sufficient proofs of unity and determination. The repeated statements and confidence motions in their overseas spokesperson seem insufficient to make the [Portuguese] rulers support with determination and creativity the peace proposals of CNRM. ....

We witness today in Portugal an alliance between political and mercantilist interests .....aiming to pact with the Indonesian devil to bury the struggle of the East Timorese people.

An obscure industrialist from north Portugal, who certainly could never have read a line of the rich history of Indonesia, created a Portuguese-Indonesian Association, claiming to have only 'cultural' aims.

We wont allow that ...opportunists attracted by perspectives of engaging in some wine or tinned food business with the corrupt Indonesian military class, interfere in the Maubere struggle for self-determination and freedom.

The so called 'reconciliation' project is a brainchild of the Indonesian secret service. they try today the same divisive attempts they tried in the past..... [Francisco Lopes da Cruz.....a destabilizing agent.....]

Today there are encouraging prospects for the Maubere people. The Timorese Resistance sees great wins internally, and internationally.

The US Congress decision to cut IMET ..., the recent Human Right Commission victory, the Clinton-Suharto meeting, considered 'humiliating' by the Indonesian media are a few of the Timorese victories which preoccupy Jakarta.

The next few months, the next two or three years will be critical for the Timorese cause and critical for the Indonesian regime.

The Resistance faces many difficulties. But we are courageous, abnegated, and faithful in our people and leaders to continue the struggle.

The capture of Xanana Gusmão did not produce the victory anticipated by Indonesia on the ground nor the diplomatic effect desired.

This led to maneuvers like the latest 'reconciliation.' ..... It is aimed to isolate the internal Resistance, as the protagonists would only be pro- integrationists from inside and the exiled pro-independence supporters.

CNRM reiterates its availability for a dialogue without pre conditions

We don't reject dialogue with our adversaries.... I always defended dialogue with Indonesia even in the years of Fretilin triumph when dialogue was seen as capitulation.

The Timorese Resistance has repeatedly its total availability for dialogue without pre conditions with Indonesian authorities under the auspices of the UN Secretary General.....

...CNRM also defends the involvement of the Timorese clergy in consultations....

There is thus no place for the so called "reconciliation" talks. It is an Indonesian ploy to deny the nature of the problem and the role of the UN SG.

#### **The Restructuring of the East Timor Resistance**

You may have had opportunity to study the handwritten documents by Nino Konis Santana about the CNRM restructuring inside the East Timorese homeland. As was widely reported in the Portuguese press, I was elected Maximum Leader of CNRM replacing Xanana Gusmão.

I provide the following views on the matter.

I have always maintained that the leadership of the Resistance must be rooted and based in the motherland soil, close to the people, living with the people, drinking its millenary wisdom and leading it through tortuous paths to peace and freedom.

The credibility and legitimacy of those who represent the people abroad rest only on the reality that there exists a movement and leadership inside of the homeland, which has given ample proofs of dedication, abnegation and competence.

I venerate those who direct the struggle inside the homeland. They are the true leaders who deserve our respect, support and love.

After the capture of Xanana Gusmão and Mau Hunu I took pains to get to Nino Konis Santana my modest recommendations about the restructuring of CNRM.

I advised Konis Santana that the present collective leadership instituted inside the motherland since April 1993 is the most credible, legitimate and closest to the requirements of the struggle.

The following structure functions inside:

As a leadership organ is a 'troika' made up by the Head of the Executive Council of the Struggle/Armed Front (CEL/FA) who is assisted by four leaders. It is also made up of the Head of the Executive Council of the Struggle/ Clandestine Front (CEL/FC), also with four advisers.

Thus the current leadership structure inside has 10 people. Nino Konis Santana is the Head of CEL/FA.

The third 'troika' member is the CNRM Special Representative, whose domain remains limited to the diplomatic area. The Special Representative answers to his 'troika' colleagues inside the motherland.

The Politico-Military Commission is the deliberative and operational organ of CNRM. It is composed of the Secretary of the Fretilin Directive Commission (CDF) and by the leadership of the General Staff of Falintil.

Xanana Gusmão retains his title of Leader of the Resistance, even if his powers are frozen given his status of prisoner of war. He will resume his role once circumstances allow it.

I proposed that the current role of the Special Representative of CNRM as member of the 'troika' be temporary. I continue to be in favour of the establishment of a coordinating body of the Resistance abroad. Once set up it would have to decide and appoint those responsible for various areas and determine the type of institutional links with the leadership inside the country.

As my colleague Mari Alkatiri, Vice Chief of the External Delegation and External Relations Secretary of Fretilin said in a meeting here, this project can only advance once the Fretilin and UDT parties finalize their current internal restructuring process.

Up to then, the Special representative will be faithful to the confidence placed in him and obey directives from Xanana Gusmão in his letter of 10 September 1992, from Mau Hunu contained in the Declaration of 20 November 1992, and of Konis Santana, in his Declaration of 25 April 1993. Accordingly he use all means too strengthen his capability to intervene through the creation of functional organs and with an ever increasing involvement of the Timorese youth.

In this context, the following have been established and have started functioning. They include several CNRM Representations, some already announced in the past, such as for the UN, European Community, USA, Canada, Japan, Portugal, SEA, South Pacific Islands. Some departments and Commissions have also been set up. For example the Technical commission, responsible for the legal action initiated in the Australian High Court against the Timor Gap Treaty. CNRM has established the Centre for Human Rights Information, Education and Formation, to operate in Sydney and Melbourne, the East Timor News Agency (ETNA), to be fully operational in late 1993. The recently formed East Timor Information and Documentation Centre in Sydney and the "Lafaek" Cultural Association in Darwin, have also formally associated with CNRM. Appointments for Community Relations Officers in Sydney, Bris-

bane, Melbourne and Darwin have also taken place. An Eminent Persons Council, a consultative and deliberative body comprising the wise elderly members of our society is being set up.

While the restructuring of Fretilin and UDT take place, we will continue in contact and dialogue so as to establish the simplest and most effective ways of cooperation between the CNRM Special representative and the two parties. I have said in the past, and repeat it again now: once that restructuring process is completed, and the elected leaders of the parties notify me that the conditions are ready for the creation of a unique coordinating organ of all Resistance activities abroad, I will promptly and with an open spirit place myself in the service of that institution.

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## **INDONESIA'S SUPPORTERS: PUSHING INTEGRATION**

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### **NUNO ROCHA LETTER TO SOARES AND GOVERNMENT ON TIMOR**

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*Publico, 6 July 1993. Translated from Portuguese*

From 27 March to 6 April I was in Indonesia, and visited Timor. While in Jakarta, I met with leading Indonesian Government figures, from generals with a lot of political influence to civilians working in high governmental posts. Indonesia's two main celebrities today are General Suharto, President of the Republic, and his Vice-President and natural successor, General Try Sutrisno. The latter knows Timor particularly well because he was an army Commander there.

In Timor, I met with the local 45-member parliament. They are all Timorese and long-standing public servants from the Portuguese administration. I talked about the Timorese situation with the Governor, Abilio Osorio, as well as with many other local politicians. On the 3-hour flight between Denpasar (on the island of Bali) and Dili, I had Msgr. Ximenes Belo, Bishop of Dili, sitting to my right, and Governor Osorio to my left.

In Jakarta, I met with Lopes da Cruz, the Timorese who came to be an Indonesian ambassador, and with deputies who represent Timor in the national parliament. For over two hours I discussed Timor with the Indonesian Foreign Minister, Ali Alatas. And I visited old acquaintances like the former Foreign Minister and today famous lawyer in Jakarta, Mr. Mochtar, and the

ambassador Nana Sutresna, currently Chairman of the Non-Aligned Movement.

When I got back to Lisbon (this had been my second visit to Indonesia and Timor in the past 8 years), I wrote an extensive letter to the President of the Republic, proposing a peace settlement for Timor and giving him relevant information. The letter was delivered on 19 April. Later on, I requested an interview with Adriano Moreira, Chairman of the Parliamentary Commission on Timor, and gave him, confidentially, a copy of that letter. To this day, Mario Soares has given me no answer, in spite of us being on good terms since even before 25 April 1974. Public silence has enveloped that 11-page letter.

Meanwhile, I sent copies to all editors of the Portuguese newspapers, to the journalist colleagues of mine for whom I have special appreciation (independent of whether they share my views on Timor), and I know that Adriano Moreira had the letter distributed to all the deputies on the Commission on Timor. The letter is also in the hands of several ambassadors to Lisbon, the UN Secretary General Mr. Boutros Ghali, various members of the Portuguese Government, including of course the Foreign Minister, Durão Barroso, and the Portuguese MEPs. One of the Prime Minister's advisers also received the letter.

After all these initiatives in favour of peace in Timor, only the newspaper *Publico* suggested the publication of this article. Being a large Portuguese journalistic project, *Publico* has always offered varied news about Timor, favouring pluralistic news coverage, the only kind to enrich information in a modern and democratic country, and be of use to man and humanity. I have always found *Publico* to be responsive on matters relating to Timor, as has been TSF, SIC, and even RTP1.

Clearly, ever since 1985, I have understood that Portugal should not be hostile in its attitude towards Indonesia, but should get along with the Jakarta regime on Timor. I have always supported negotiations as opposed to a guerrilla, which has destroyed the relations we had with the Indonesian peoples for four centuries. Mine was the first voice to be raised publicly in support of a realistic attitude on the part of Portugal with regards Timor. I suggested, for Timor, a solution along the lines of what was found at the time for Macau by General Eanes and the government.

I believe that we ought to respect the decisions of the Timorese people as a whole, and not just the proposals of those still remaining, abroad, of Fretilin. The only way for us to hear what the Timorese living in Timor wish to say is to renew our diplomatic relations with Indonesia.

During my last visit to Indonesia, I had the chance to reach some important conclusions, which I transmitted in the letter to Mario Soares. The Indonesians would be prepared to resolve the crisis with Portugal, with the following conditions:

1. Opening of embassies in the two capitals, and installation of a Portuguese consulate in Dili.

2. Joint setting-up in Dili of a Luso-Timorese Institute of Portuguese Culture, and joint cooperation in Lisbon with regards the Borja da Costa Foundation, as a Timorese cultural centre.

3. Repatriation, at Indonesia's expense, of all Timorese who want to leave Portugal and return to the land of their birth or to Indonesia.

4. Respect, as there has been up until now, for the rights of the Catholic Church in Timor.

5. Release of all Timorese political prisoners, including, of course, Xanana Gusmão, through pardons granted by President Suharto.

6. Participation of Portugal, as shareholder, in exploitation of oil from the Sea of Timor, should present investigations reveal the existence of economically viable deposits.

In an initial phase, the Portuguese and Indonesian governments would collaborate in a meeting between political leaders from Timor (who accept integration) and political leaders living abroad (who have opposed integration).

One of the most notorious differences between Portugal and Indonesia is on the question of respect for human rights in Timor. As well as considering that the same demands with regards human rights were not made on China, and that the Portuguese President goes on official visits to Turkey, Morocco and India, the fact that Indonesia has made clear signs of wanting to change its past attitude should be taken into account. Xanana Gusmão was not tortured. He has now asked for a pardon. His trial was public, even though Indonesian judicial methods could be condemned.

Recently, five members of Abilio Araujo's family, in whose house Xanana Gusmão was arrested, were released without trial. There are evident signs that the protests from Portugal and other countries about human rights in Timor are being recognised. There is a shift towards peaceful settlement of the problem.

There is no resistance in Timor. Just by chance, I saw the Governor going around the city of Dili on a bicycle, accompanied by his children. The governors have always been pro-integration Timorese, and none has ever been assassinated. The Santa Cruz massacre, which shamed humanity and stained the

Indonesian army, was declared by Suharto "an act which shocked the whole nation and which cannot be repeated."

Indonesia has not integrated Timor with the other part of the island, but kept Timor an autonomous province, with its own government and local parliamentarians. The teaching of Portuguese language disappeared as it was thought to be of no pedagogic interest. But the Portuguese street names and the monuments left by the Portuguese have not disappeared. Our football games are relayed by satellite to TV in Timor.

In defence of its territorial integrity (it comprises 13,000 islands, 300 dialects, 300 ethnic groups, and has only been independent for 47 years), Indonesia does not allow separatist movements in Timor, and deploys armed forces there (which include Timorese officials), and which are being reduced in numbers, as is publicly known. Today I am convinced, without any doubt at all, that neither the present regime nor any other that one may succeed it, will give independence to East Timor. The nation is built on ethnic and geographical diversity, and today's armed forces, preponderant in the regime, are the same ones that freed Indonesia in 1946 from Dutch colonial oppression.

I have no space, in this article, to speak about Portuguese responsibilities during the tragic months of our decolonisation. Neither is the matter relevant today. What can be said is that Timor does not have the conditions to be independent, and its people's future ought to be linked to the future of the other peoples integrated within Indonesia.

Timor is the size of the Alentejo, has seven mountains, and less inhabitants than Lisbon. Timor produces ten tons of coffee per year which, together with some recent marble, yields an income of 5 to 7 million dollars. The island of Sumatra alone produces 130,000 tons of coffee. In 1992, the Indonesian Government had to spend 175 million dollars on Timor. The painful events of 12 November led the Government to allocate 30 million dollars to help the victims' families.

The need to integrate the territory with the Indonesian nation (once Portugal had left without decolonising) forced the Jakarta Government take big strides in development. When Portugal left Timor in August 1975 (Indonesia only invaded Timor in December, following terrible slaughter between Timorese of opposing political parties), only two Timorese had obtained a university degree. There were no medical doctors in Timor. Today, there are 222 Timorese with degrees, including doctors, lawyers and economists. There is a university with three faculties in Timor. Over 700 Timorese stu-

dents study in universities on the other islands.

Thousands of healthy children go to primary schools wearing yellow uniforms. After the Timorese people's great suffering, it is both good and moving to see them leave their classrooms at the end of the morning. In 1974, there were just 47 primary schools and 3 secondary schools in Timor. Today, there are 579 primary, and 129 secondary schools. In 1974, there were 20 kms. of asphalted road: today, there are 536 kms. The number of hospitals has also grown: from two, at the time of the Portuguese, to 10 now. With regards Catholic churches, from the 100 in existence, there are now 793.

Jakarta's budget for East Timor has gone from one thousand million Rupees in 1985 to 34 million Rupees in 1990. Timor is not a paradise. For 18 years, the territory has been subjected to an atmosphere of guerrilla war and confrontation between the ancestral patriotism of the Timorese and the arrival of the Indonesians. The Timorese are sad. But I ask myself whether that sadness doesn't come from their secular suffering. And I ask whether that suffering might be eased if the Portuguese were to come back, not as colonisers, but as friends.

I condemn the Portuguese Government's policy and the Portuguese President's attitude, for not taking the necessary steps so that we return to Timor as friends. The Indonesians accept us as such. We are in an era of negotiations and peace. The dream of the Empire has come to an end. The Indonesian Government is waiting for the Portuguese Government to come up with proposals for a settlement and peaceful coexistence. The Indonesians, the Timorese and the Portuguese people are also waiting. The unrealistic ambition of politicians cannot ignore that there are 750,000 Timorese in Timor who are waiting for a word of peace. Interested radicalism was never the road to peace.

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## TIMORESE REJECT PROPOSAL FROM ABILIO ARAUJO

*Publico, 18 July*

*Remarks: this took place two days before the Indonesian agreement on Timorese/Timorese talks was announced. Gregorio Henriques is one of the Timorese who defended Xanana when he was being attacked after his "interviews" performed by Indonesian military, last December.*

*Bruno Kahn*

(Lisbon) A group of Timorese decided to recuse a proposal of Fretilin's president,

Abilio Araujo, for a meeting between independentists and integrationists. The decision was voted by a majority of about 40 people present in a meeting in Caxias, promoted by Gregorio Henriques, a member of the Timorese community. The initiative had the support of the president of UDT's Regional Committee, Zacarias da Costa, and the representative of CNRM for Portugal, Luis Cardoso. In statements to Publico, Gregorio Henriques considered Araujo's suggestion "inopportune and incorrect," adding that Fretilin, as an organisation, "did not know the contents of the proposal."

## INDONESIA PROPOSES TIMORESE TALKS

*Remark: This is obviously a major departure. How it is assessed depends in part on different readings of East Timor's likely future over the next 10 years or so. It has the potential to open some doors and close some doors. I have some thoughts on it, but maybe we can first hear others' views.*

— John MacDougall

JAKARTA, July 20 (Reuters) - Jakarta said on Tuesday it was willing to allow and take part in talks involving pro-Indonesian figures in East Timor and exiles who oppose Indonesia's presence in the former Portuguese colony.

Lopes da Cruz, an East Timorese who works as an ambassador at large for Indonesia, said President Suharto had agreed to a proposal by Timorese exiles to open ties.

Such contacts would be the first since Indonesia invaded East Timor in 1975, diplomats said.

"They (pro-Indonesian Timorese and exiles) propose to have a dialogue about the development of East Timor," da Cruz told reporters after a meeting with Suharto.

Both da Cruz and Foreign Minister Ali Alatas stressed that any such meeting would be informal, and would not discuss Indonesia's sovereignty over the territory.

Alatas said no decision had been reached about where and when talks might be held and who would attend.

The Timor issue has harmed Jakarta's international image since it annexed the territory in a move condemned by many western countries and not recognised by the United Nations.

Human rights groups have accused it of major abuses, including the deaths of some 200,000 Timorese, most of whom perished in the early years of Indonesian rule.

The United States and several European nations have suspended some forms of aid after troops opened fire on mourners in the East Timor capital Dili late in 1991. Witnesses said up to 180 people were killed.

The government, which admitted 50 civilians died, this month said a further 64 people were still missing.

Diplomats said Indonesia was showing an increasing desire to improve its international image over Timor. It is due to hold another round of talks with Portugal in September.

Da Cruz did not say which exile groups, most of them opposed to Indonesian rule but divided among themselves about how to oppose it, had made the proposal.

He said that in Belgium he had recently met Abilio Araujo, president of Fretilin — whose small guerrilla force continues to harass Indonesian troops.

In a recent interview with Portugal's *Diario de Noticias*, Araujo proposed talks between Timorese exiles and those working with Indonesia, which he said could lead to wider talks in the framework of Portuguese-Indonesian negotiations.

Indonesia has always refused to involve any exiles, saying they do not represent the Timorese population.

The paper said other exiles, including prominent Timorese leader Jose Ramos Horta, had refused to join any such meeting.

## TALKS COULD BE IN TWO MONTHS

JAKARTA, July 22 (Reuters) - Informal talks between East Timorese supporting and opposing Indonesian rule in the former Portuguese colony may be held in Europe within the next two months, the *Suara Karya* daily said on Thursday.

It quoted Lopes da Cruz, an East Timorese who works as an ambassador at large for Indonesia, as saying that a meeting between the two sides could take place either in Belgium or Switzerland.

Diplomats at both the Belgian and Swiss embassies said they had not been approached about the issue.

On Tuesday Indonesian President Suharto agreed for the first time to a proposal for talks between the two sides. Jakarta's rule has been opposed by East Timorese exiles in a loose alliance with Timorese guerrillas fighting inside the territory.

Indonesia invaded East Timor in 1975 and annexed it the following year, a move the United Nations does not recognize.

Da Cruz made clear that any talks would be informal, and he ruled out any discussion of sovereignty.

The proposal for talks was apparently made by Abilio Araujo, president of the Fretilin guerrillas.

A Portuguese radio station earlier quoted one East Timorese exile, Francisco Nicolau, deputy president of the Timorese Democ-

ratic Union (UDT), as rejecting any negotiations that did not include Portugal, the former colonial ruler.

## COMMENTS FROM BRUNO KAHN, AGIR POUR TIMOR, JULY 21

*Here are some thoughts about this move from Jakarta:*

1. As said in the story, Jakarta may want to improve its damaged international image by showing "openness" with respect to East Timor. But this approach would have two other advantages:

2. Diplomatic advantage. It would move the issue away from the international arena. Instead of UN-sponsored talks between the Occupying and Administrative powers there would be "informal meetings" not discussing Indonesia's sovereignty. Since the meetings would involve both pro- and anti-Indonesia Timorese, while the UN-sponsored talks do not involve any Timorese, Jakarta could claim that the former really represent the opinion of the Timorese while the latter do not.

3. Internal advantage. In participating the Timorese/Timorese talks, Jakarta will ensure it controls what is said in these talks. Indonesia is aware that even so-called pro-Indonesian East Timorese may not be pro-Indonesian entirely of their own will (there are notable exceptions, like Abilio Osorio; but see Xanana's comments in his defence on Arnaldo de Araujo and Guilherme Gonçalves, and also the way Lopes da Cruz very nicely helps as an interpreter for Portuguese journalists who want to interview the asylum-seekers at his home). Her participation will ensure that nothing harmful for her will come out of the meeting. And it would be difficult for pro-Indonesian Timorese to refuse this participation...

## FROM IAN MACFARLING, JULY 22

*Politics Department, University College - The University of New South Wales*

The Indonesian proposal is, as John MacDougall says, a major departure from the long standing policy on East Timor. My worry is that we non-Indonesians have an mono-maniac perception of the situation. To us East Timor is a [if not THE] major issue when we consider Indonesia. However, to Indonesians East Timor is just one of many problems and if we look at it in that light perhaps our analyses might be more useful.

The problems are not JUST political; to be sure the succession issue dominates most thinking, but what about the economy? The Summa Bank crisis is perhaps the tip of the iceberg - what about the flight of peranakan Chinese capital back to China? - what about the liquidity of some of the major corporations? - consider the problems of labour as



shown by the number of strikes, and of course there is the unemployment/underemployment problem across the archipelago. On top of this there is a pressing need for major investment in power supply. Apart from wondering where the huge amount of investment money is coming from, the thought of a nuke power plant(s) in an area where earthquakes, tidal waves and volcanic eruptions are regular occurrences frightens me guano-less.

So if you put the economic problems and consequent social problems into the equation, add the Aceh and underlying Islamic pressures, and wonder why the new P50 dialogue is happening too, then perhaps the East Timor policy change is just an additional indication that someone on high has realised that something has to change very quickly, not just in TimTim but across the nation.

In summary, I think there should be international pressure for a resolution of the Timor situation but we should keep it in perspective as one of many problems confronting the current Indonesian government.

#### FROM JOHN MACDOUGALL, JULY 22:

Thanks to Bruno and Ian for their respective comments. Anyone else want to venture an opinion? My own basic position is that East Timorese living abroad should accept the Indonesian proposal. These are not official talks. Nothing binding can come out of them. East Timorese on all sides should be talking to each other, even if they consider each other 'traitors' or 'opportunists.' If the proposal is a trap, at this point it seems an easy one to escape at any of several stages. To reject informal talks carries a good risk of charges of intransigence and excessive fear of Indonesian deviousness. Portuguese involvement is not necessary. Portuguese officials will doubtless be kept informed. Delay in accepting similar proposals in the past – such as endless dispute in Portuguese circles about accepting the DPR's invitation for a Portuguese parliamentary visit – missed chances for fact-finding and finally, after expectations built unrealistically, to the bloody November 12 tragedy. The diplomatic reality to be faced is that the Portuguese and Indonesians cannot end their deadlock. Suspicions from both sides run too deep. It is up to the East Timorese to try to move various matters a little forward. Internecine exile and solidarity group politics should not, at this point, get in the way of forward motion, however slow and niggardly. 'Corridor talk' in informal meetings might produce useful information well beyond the currently mooted 'Timtim development' agenda. Anyone can even stage a 'walkout' or post-hoc 'denun-

ciation' if the meetings turn out to look like mere propaganda or co-optation vehicles. It will be very hard to get round the Army to make any significant progress, but the situation is acute with time not on the East Timorese side.

#### FROM GERRY VAN KLINKEN

Some reactions, for what they're worth.

As far as I remember, it is not correct to say this is Indonesian agreement to an East Timorese proposal from Abilio Araujo, but an Indonesian proposal.

First appearance is of a brilliant move from the Indonesian point of view. As Bruno Kahn points out they upstage the UN process with its difficult demands. They take advantage of disarray in the ranks of ET nationalists abroad, which has been greatly exacerbated by the capture of Xanana. They would demonstrate to the international community not only that East Timorese living in Indonesia favour integration (as Indonesia has long claimed), but that a significant proportion of the exile community is also coming round, as indicated by their willingness to talk about unsubstantive issues with junior Indonesian officials. Those few who "not yet" accept integration are out of the race because they are either in jail (Xanana) or boycotting the talks (Ramos Horta?).

The Indonesian intention thus appears to be to give an impression of talks without raising real issues with real people, and even of taking the high ground by saying talks are being sabotaged by a fractured East Timorese community. Politically Indonesia appears to have very little to lose and quite a bit to gain in the propaganda stakes. I could be wrong, but that's my reconstruction of the Indonesian Foreign Ministry's point of view.

The East Timorese of course don't have to accept Indonesia's initial bargaining position about the agenda, the participants, and the meaning of the talks. As John MacDougall points out, those not under Indonesian Foreign Ministry authority are free to make declaratory statements at any time. In particular they will be anxious to insert as many of the demands they have previously put up as possible. On the agenda, they would start with the Xanana peace plan, which is still on the table; the referendum idea; perhaps the autonomy idea; UNHRC resolutions on human rights access; etc. It's difficult to see how they could avoid mentioning UN resolutions, Portuguese sovereignty, etc. On the participants, they might want to suggest a range of significant East Timorese from within Indonesia who may or may not be "pro-Indonesian." Chief among these would be Bishop Belo and Mario Carrascalão, as well as a number of

young East Timorese intellectuals such as Helder da Costa and Joao Mariano de Sousa Saldanha, who have both been educated in Java and have written a lot in the Indonesian press. The participation of Xanana could even be raised.

If Indonesia is serious about achieving its objective of upstaging the UN General Secretary, and provided the international diplomatic community is supportive of the real issues, Indonesia will have to agree to at least some of these demands.

On balance, the East Timorese can profit from this, provided they are able to meet the challenge Indonesia is throwing at them, i.e. provided Abilio Araujo and Ramos Horta can reach a common response fairly quickly.

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### CNRM REJECTS TALKS

SYDNEY, July 22 (Reuters) – Timorese rebel exiles in Australia rejected on Thursday an overture by Indonesia to open a dialogue for the first time with compatriots who accept Indonesian rule in East Timor.

Jose Ramos Horta, an official of the National Council of Maubere (Timorese) Resistance, said he was not prepared to meet with pro-Indonesian Timorese for informal talks about the territory, a former Portuguese colony taken over by Indonesia in 1975.

"I am certainly prepared to meet with Indonesian Foreign Minister Ali Alatas at any time and any place he might nominate but will never accept tactics which seek to divert attention from the problem," he said in an interview.

"The problem is not between the people of East Timor and their resistance leaders against a few puppets on Indonesia's payroll... It is between Indonesia and the United Nations, whose resolutions it ignores," he said.

On Tuesday Indonesian President Suharto agreed for the first time to a proposal for talks between Timorese who accept Jakarta's 1976 annexation of the former Portuguese territory and rebels who oppose Indonesian rule.

The United Nations does not recognise Indonesian rule of East Timor and U.N. Secretary-General Boutros Boutros-Ghali is to convene in September a third round of talks between Portugal and Indonesia on the territory.

#### COMMENTS FROM ROBERT DAVISON, CITY POLYTECHNIC OF HONG KONG

Having read through postings of the last few days, it seems to me that some sections of the East Timorese community (community here is a broad term) are driving them-

selves into an ever smaller and tighter corner. It is essential for the various groups to sit down and talk, precisely because they have different viewpoints, because they support/reject Indonesian interference/support/call-it-what-you-will. As, I think, John mentioned, those who refuse to talk are, and history proves it, removed from political reality - i.e. they become anachronisms. To reenter the process at a later date when the tide seems to be turning is well nigh impossible.

But there are lessons from the past, and present, that relate more generally to all this. I think that it is essential to be pragmatic, whilst avoiding complacency - a difficult task indeed. I am not East Timorese, Indonesian, affected directly... which means that I could be said to have either a) a more objective view point, or b) no authority to pontificate when I have not experienced the trauma of invasion/subjugation/etc. first hand.

Over the last 30 years (or longer if you prefer), there have been any number of regional conflicts: Vietnam, Afghanistan, Northern Ireland, East Timor, Kuwait, Eritrea, Namibia, Kashmir, etc. (or should the list be reversed?: USA, USSR, UK[?], Indonesia, Iraq, Ethiopia, South Africa, India/Pakistan, etc. Life is lost, suffering endured, destruction completed, etc. But there has to be an end, there has to be a renewal, and that means renewal for both sides, not just the victim or victor. The US's refusal to have anything to do with Vietnam for so many years (and their evident unwillingness for anyone else to do business, cf. IMF loans) created more trauma on both sides. How many US soldiers were killed? How many Vietnamese soldiers remain unaccounted for? Does it matter? Does Germany still demand information on soldiers still missing from WW2? They still turn up occasionally, so presumably there are some.

I think that people have to come to terms with reality, to carry on. I may be seen as a heretic, but the time has surely come to make attempts to heal, not destroy more. If Indonesia is now in a position to suggest that pro- and anti- Indonesia in Timor 'parties' come together and talk about it, then this should be an opportunity for progress. I don't think that so doing is a justification for all that Indonesia has done in ET over the last 18 years, but I do think that it would show a degree of political maturity. No one can bring back the 200,000 - but do you want that number to become 300,000 or 400,000? Perhaps East Timor never will gain independence? But is this the only issue? Life has to go on, and I think that while it is in the hands of both the Indonesians and the East Timorese, the East

Timorese themselves need to come together first.

I advocate the same for Northern Ireland - the IRA is less of a spent force than Fretilin, but even should it be removed, there would still be enormous background support for the movement, and equal animosity between the communities. The UK govt. is no better than the Indonesian govt. in this respect, but it seems that they are less willing to recognise political, military, and more important, social reality - another issue.

I am not an apologist for dictatorships, invasions,... but do feel that there is a need to adopt attitudes that transcend political convenience.

### RESPONSE TO ROBERT FROM BRUNO KAHN:

Very interesting proposal. If I am not mistaken, there have been so far 12 contributions to this discussion (excluding purely news items and one not directly related message). Of these 12 contributions, 2 were made by East Timorese: one by CNRM and one by another Timorese. No contribution by Indonesians. So it has been mostly a discussion of Westerners on what the East Timorese should or should not do in a problem with Indonesia - a much popular sport of Western intellectuals. So far I thought the people interested in the issue were either analysts or trying to help, now I learn we also are 'parties.' Rather than leaving it to the Timorese to debate on what concerns them first, we are going to do it ourselves, and even vote on it. I suggest we also participate the talks instead of them: after all we are so much more sensible and knowledgeable on Indonesian issues.

### ROUNDUP: JAKARTA 'TALKS'

*Various reports via TAPOL, 21 July 1993*

#### BBC MONITORING:

An East Timorese resistance leader has rejected an Indonesian proposal to hold talks because it did not include a role for Portugal, Portuguese Radio Renascenca reported last night. Deputy president of the UDT, Francisco Nicolau said it was out of the question to negotiate without the support of Portugal.

"As far as the Timorese Democratic Union (UDT) is concerned, it is fundamental for Portugal always to head the representation of Timorese interests at any kind of negotiations," he said.

"The matter must never be reduced to an East Timor-Indonesia issue. We would only talk to Indonesians in the presence of a strong partner - more than a partner. I would go further by saying in the presence

of a leading figure, which has to be Portugal."

Indonesian ambassador-at-large Francisco Xavier Lopes da Cruz held talks today with President Suharto on meeting representatives from East Timor, Portuguese Catholic Radio Renascenca reported.

Da Cruz said Jakarta was seeking talks with members of the East Timorese resistance on neutral territory, possibly Brussels or Geneva. He said Indonesia wanted to discuss the future of East Timor but did not want to talk about its sovereignty.

"I met the President, we talked about the meeting with the Timorese as proposed by Timorese living abroad," Lopes da Cruz said on the radio.

"This meeting will not involve Portugal and Indonesia because as you know, talks between the two are to be held at ministerial level and not at the level of Timorese leaders."

Talks with the Timorese-in-exile would be held at "a very private, informal level," he said.

"We are not going to discuss political status, we are simply going to exchange opinions on how the Timorese abroad can contribute towards the development of Timor."

#### AFP:

Military authorities in East Timor will not tolerate any separatist aspirations in the former Portuguese colony nor hesitate to act against it, the Antara news agency said Wednesday.

Antara quoted Major-General Theo Syafei, head of the Bali-based Udayana military command which oversees security in East Timor, as saying separatism and opposition to Indonesia's state ideology "do not need to be tolerated and we should not even hesitate to put them into order."

### ALATAS: TIMORESE MIGHT BE INCLUDED IN TALKS

*Australian TV international (12.20am), 21 July 1993*

(NOTE: The same story was broadcast on ABC radio Australia, 1am news on 21 July 1993).

NEWSREADER: Indonesia's Foreign Affairs Ministers Mr. Ali Alatas has suggested the possibility of informal talks between East Timorese for and against Indonesian rule in the former Portuguese colony. If the talks go ahead Mr. Alatas says he will include East Timorese living abroad.

MICHAEL MAHER: After meeting President Suharto in Jakarta today Foreign Minister Ali Alatas told Indonesian report-

ers that East Timorese with conflicting views might soon get together for heart to heart talks. While details have yet to be arranged Mr. Alatas said Timorese resident overseas now seem ready to start a dialogue with those still living in the former Portuguese colony. Despite International pressure Jakarta has consistently refused to negotiate with East Timorese exiles oppose to integration with Indonesia, Mr. Alatas stressed if the talks go ahead they will be strictly informal.

## EAST TIMORESE TO ATTEND TALKS

*The Australian, 23 July 1993*

Jakarta, AFP: An informal discussion between East Timorese for and against the former Portuguese colony's integration into Indonesia was expected to be held in August or September, an official said yesterday.

"It might be held in August or September in a third country in Europe, which could be Belgium or Switzerland," roving ambassador for Indonesia Mr. Lopes da Cruz, who was born in East Timor, said.

Mr. Lopes said the talks were being co-ordinated by the ministries of politics and security, as well as foreign affairs and the State secretariat.

The talks would be "informal and heart to heart" and "there would be no discussion on the status of East Timor and there would not be any document issued."

Mr. da Cruz gave no details of the format of the debate but said the talks would include East Timorese exiles, including Mr. Ramos Horta and Mr. Joao Viegas Carrascalão, who are living in Australia and would be likely to reject the proposed talks with the pro-integration group.

## INDONESIAN NGOS STATEMENT ON TALKS

*July 23, 1993*

*The following statement was issued by Indonesians who attended the Fifth Seminar on East Timor of Oporto University:*

Indonesians attending the Fifth Seminar on East Timor of the Oporto University received news about the endorsement by President Suharto of talks between pro- and anti-integration Timorese. We want to make the following comments:

The talks are a scheme prepared by Indonesian military intelligence, coordinated by the two military attaches in The Hague and Brussels. This initiative began to take shape prior to the UN talks between Indonesia and Portugal under the auspices of the UN Secretary-General, Boutros Boutros-

Ghali last April in Rome. It was presented as an effort to make a breakthrough in the stalemate situation of the talks and presented as an attempt at reconciliation between the divided East Timorese, pro and anti Indonesian.

The persons who were involved from the outset were Nuno Rocha, a Portuguese businessman who has strong ties with highly-placed Indonesian officials and Petrus Suryadi, an Indonesian journalist with close ties to BAIS, the Indonesian military intelligence. Some Timorese exiles were approached by the above persons.

We strongly believe that these "reconciliation" talks are part of an overall Indonesian diplomatic offensive on East Timor. This offensive wants to improve the tarnished image of Indonesia on the international scene and at the same time try to undermine the position of the CNRM, the umbrella of Timorese resistance, both inside and outside East Timor.

As Indonesians we are very much aware of the nature of the present Indonesian government. We strongly denounce such ploys and call for support to explore new avenues for a comprehensive solution to the East Timor problem. If the Indonesian government were really sincere, they would have welcomed the idea of Peace Talks proposed several years ago by the CNRM.

Confidence-building measures are strongly needed to break the stalemate situation and we propose the withdrawal of Indonesian troops from East Timorese soil immediately and the release of all East Timorese political prisoners, including Xanana Gusmão, Mau Hudo and Mau Hudo.

Estoril, Portugal, 23 July 1993  
FDI, Front Demokrasi Indonesia,  
FISI, Forum for International Solidarity  
in Indonesia,  
Perhimpunan Indonesia, Indonesian Association

## TAPOL ON JAKARTA'S LATEST 'CONFIDENCE BUILDING MEASURE'

*TAPOL Statement, July 22*

*The following is the draft of an article to be published in TAPOL Bulletin No. 188, August 1993:*

On 20 July, the Indonesian government announced that it had given the go-ahead for talks to take place between pro- integration and anti-integration East Timorese. Foreign Minister Ali Alatas gave the green light after meeting President Suharto, a standard procedure by cabinet ministers to signal that the move has Suharto's approval. Following the

announcement, Francisco Lopes da Cruz, Suharto's recently appointed 'roving ambassador' for East Timor affairs and the regime's top-ranking Timorese collaborator, stepped forward to handle the matter on Suharto's behalf.

Many commentators were taken by surprise, seeing this as a concession to world opinion made by Suharto under pressure. On the contrary, it is a slick diplomatic maneuver designed to fend off persistent calls for the East Timorese, in particular the East Timorese resistance, to be involved in the UN-sponsored talks between Indonesia and Portugal.

After insisting that Indonesian sovereignty over East Timor "will not be an issue," Lopes da Cruz set the stage for the talks by saying he recently met Fretilin's Abilio Araujo in Brussels and claimed that the initiative for the talks had come from the latter. Abilio Araujo still heads Fretilin in Portugal and was for years head of Fretilin's overseas representative body, the DEF. Others see the origins of the idea as having come from Indonesian army intelligence which played such a crucial role in the early period of Indonesia's war to grab East Timor.

## Origins of the 'talks' idea

The first mention of talks between pro-integration and anti-integration East Timorese came in April this year, just before the UN-sponsored Rome talks between Indonesia and Portugal on 21 April. The idea was mooted in interviews made by Indonesian journalist Petrus Suryadi, during a visit to Lisbon. Suryadi who writes for the Jakarta daily, Suara Pembaruan is known to have close links to army intelligence, BAIS, through the Indonesian military attachés in Brussels and The Hague. His trip to Lisbon is known to have taken place at their instigation.

Many East Timorese political exiles in Lisbon were wary of Suryadi's background. The only ones to respond to his approaches were Abilio Araujo and Jose Martins, leader of the minuscule Kota party who in 1975 threw in his lot with Indonesia, defected a year later, but more recently again took a pronounced pro-Jakarta stance. Few people doubt that Martins has all along been a tool of military intelligence. It therefore came as no surprise to read about his enthusiasm over moves from Jakarta for talks between East Timorese.

The shift in position by Abilio Araujo came as more of a surprise and it is far from clear that he is speaking as a Fretilin leader or that his enthusiastic response to such talks represents the views of a party that has been the staunchest opponent to the

Indonesian invasion and led the armed resistance in the interior from 1975 on.

In an interview with Suara Pamburuan on 8 April, Araujo came out with a number of remarks that are uncharacteristic for a Fretilin leader. He criticised the young people who participated in the Santa Cruz demonstration in Dili on 12 November 1991 for unfurling banners which, he claimed, had "acted as a provocation." He went on to accuse the Catholic church in East Timor of going beyond the bounds of its 'non-political' role and then declared that all sides in the East Timor conflict, Indonesia, Portugal and Fretilin should acknowledge that they had made mistakes in the past.

It was in a later interview with Radio Netherlands that he made the suggestion that pro- and anti-integration Timorese should talk to each other. He acknowledged that Petrus Suryadi had "offered his services" to make this possible. It is difficult to believe that Araujo does not know he is accepting the services of the very intelligence network which has played such a sinister and de-stabilizing role in East Timor throughout the history of Indonesia's war against East Timor, bringing so much suffering to the people of East Timor. He explained that the idea of direct talks between pro- and anti-integration Timorese was being promoted because Jakarta has blocked any notion of Timorese participation in the UN-sponsored talks.

In an interview last month with the Lisbon daily, *Diario de Noticias* [30.VI.1993], Araujo acknowledged that the talks could only happen if Jakarta gave the green light and thought they would take place before the next round of talks between Indonesia and Portugal in New York on 17 September this year. He also revealed that he now believes that the armed resistance in East Timor is "worn out" and that all that now remains for the East Timorese is to "wage cultural resistance."

Besides Petrus Suryadi, the other figure to emerge as a key link in this murky tale is the Portuguese journalist-turned-businessman, Nuno Rocha, a close friend of former Indonesian foreign minister, Mochtar Kusumaatmadja who became notorious for his glowing report of a visit to East Timor in the late 1980s and later published a book entitled, *East Timor, the 27th province*.

Rocha visited Jakarta in April this year to sound out the Indonesian government on Araujo's willingness to hold talks. His announcement that Jakarta would insist on Jakarta, not Bangkok, as the venue and would refuse to allow any discussion on Indonesian sovereignty over East Timor led Araujo to abort the talks at that stage.

As yet, Araujo is the only anti-integration East Timorese in exile to want to

take part in these talks. The initiative has been roundly condemned by CNRM overseas representative, Jose Ramos-Horta. The deputy chief of the UDT in Portugal has also rejected the idea, saying that the Timorese should only accept a format which involves Portugal as the administering power.

#### Discrediting the resistance

So, what are Jakarta's motives in promoting the talks? It hopes to win international favour by appearing to allow opposing East Timorese to come together in an attempt at reconciliation. Jakarta would like to dress this up as a 'confidence-building measure' to end the stalemate in the UN-sponsored talks.

But the international community should be warned that Jakarta's format is deliberately designed to exclude the East Timorese resistance. Anti-integration exiles, whoever they are, are no substitute for the mass movement that has waged resistance inside East Timor, in the mountains, in the towns and villages and within the Church.

It is Jakarta's intention in particular to exclude the embodiment of that resistance, the National Council of Maubere Resistance, whose leader, Xanana Gusmão, was sentenced to life by an Indonesian court in May this year, and now languishes, incommunicado, in some God-forsaken prison goodness knows where.

The arrest and trial of Xanana Gusmão set in trail a strategy to obliterate both him personally and the entire resistance movement, hoping to remove them as the rightful participants in any negotiations to lead to an act of self-determination in East Timor. Before his arrest, Xanana Gusmão repeatedly called for talks leading to a peaceful solution to the conflict and declared his willingness to take part in talks. He returned to this theme in the defence plea that he was prevented from reading out in court, when he called on the international community "to press Jakarta to accept dialogue with the Portuguese and the Timorese in the search for an internationally-acceptable solution."

The voice of Xanana Gusmão has now been silenced but resistance inside East Timor is in no way diminished by his absence. Its right to a place in the talks cannot be snuffed out by a diplomatic ploy from the regime that has illegally occupied East Timor for nearly eighteen years and brought untold suffering to its people.

#### MACDOUGALL: TAPOL ANALYSIS DOGMATIC, MISLEADING

Contrary to TAPOL's statement, there is nothing *new* inherent in the informal East Timorese talks proposal which would forestall East Timor involvement in the UN-

sponsored talks between Portugal and Indonesia. The main resistance over the years to anti-integrationist East Timorese involvement in the talks has in fact arisen from *all* three parties – Indonesia, Portugal, and the U.N.

Any decision to join informal East Timorese talks cannot reasonably be made on the basis of who originated the idea. This reduces ultimately to the form of an argument *ad hominem*. i.e., if Abilio Araujo or Indonesian intelligence conceived the talks, they can yield no good. In fact, whether such talks can yield any good depends far more on a *broad* (not necessarily exhaustive) range of East Timorese participation characterized by intelligence, imagination and boldness.

TAPOL claims that the Indonesian proposal is deliberately designed to exclude the main resistance leadership. Yet official Indonesian statements only stated the expectation that figures like Jose Ramos Horta and Joao Carrascalão would *exclude themselves*, an assessment which so far has proved correct. As for Xanana's involvement, while all who support the resistance might favor this and some even demand it, it is a pipe dream to imagine he would be released from prison for this purpose, at least at this time. TAPOL is well aware of this. Its position seems to be all or nothing. With such an approach, of course, nothing will ever be accomplished. The talks proposal is *not* the vehicle to obtain Xanana's release. Figures like Mario Carrascalão and Bishop Belo are by no means adequate substitutes, but Indonesia has not so far ruled out their involvement. Bishop Belo, however, might himself argue his involvement exceeds his proper role.

An interesting aspect of the proposal not yet discussed is that it has been mooted not simply as an initiative of the Indonesian Foreign Affairs Department. Rather, the Coordinating Minister for Politics and Security and the State Secretary, *de facto* Soeharto voices, have embraced the plan. The proposal, rather than being a ploy, as Portuguese diplomats claim, to deflect criticism in upcoming international meetings, seems yet another Soeharto gambit to circumvent the Army and bring it around to a softer line on East Timor more acceptable internationally.

Observers should carefully note that Soeharto has of late been winning his cold war with the Army which followed the latter's successful imposition of Try Sutrisno as Vice President. Try has been relegated to ceremonial roles. Habibie has been *de facto* assigned the job of the internationally active and intellectually shrewd Vice President whom Soeharto really wanted. Habibie's arranging of 'strategic industry' tours with Petition of 50 leaders – with

Soeharto's clear approval – has now forced Armed Forces Headquarters to cut back severely the number of Indonesians not allowed to travel abroad. The official figure is now down to 11 – including mainly the core working group of P-50. New medical treatment options were suddenly made available to sick dissidents Hoegeng, Dharsono, and Nasution after public remarks by P-50 leader Ali Sadikin during the two tours so far. None of this was 'on the tour agenda.' Bang Ali seems a much more astute politician than some too rigid East Timorese exile leaders and their putative 'supporters.'

In short, Soeharto is on a roll. While he has conceded nothing basic, he has made meaningful political concessions to Indonesian dissidents against Army leadership wishes and gain increasing room for maneuver for himself. Without informal talks among East Timorese, who can convincingly say he is prepared to give *nothing* meaningful away on East Timor? No one.

– John (apakabar@access.digex.net)

## CNRM RESPONDS TO JOHN MACDOUGALL

July 24, 1993

Over the last few days several views have been expressed on the subject of the Indonesian contrived talks between East Timorese in their service and leaders abroad.

As the non-partisan umbrella organisation of the East Timorese pro-independence forces leading the struggle for self-determination and independence of East Timor, CNRM is deeply grateful to all non-Timorese who support our efforts to end the current conflict and seek a just solution that will bring peace to our region.

In the name of the East Timorese people, CNRM appreciates the concern, dedication and good will of all those who, in such a variety of ways, assist our struggle, including John MacDougall's valuable contributions.

More than anxious to find a solution to the tragedy that has befallen our people for the last 18 years, we appreciate the sense of frustration felt by anyone well intentioned and eager to see a just resolution of the problem when faced with perceived obstructionist inter-elite factional disputes.

If the basis of the widespread rejection of the Indonesian sponsored talks proposal were no more than yet another expression of factional fighting as John MacDougall assumes, then his criticism would be valid. No one has decried East Timorese factional discord in the past more than Jose Ramos Horta. Awareness of the need to overcome this weakening reality led Xanana Gusmão to establish CNRM, and Horta to devote his services to it.

The reality of the situation concerning the 'talks' is unfortunately quite different. Tapol, in their article of 22 July, (Tapol on Jakarta's 'talks' ploy) clearly sums it up.

Far from being a genuine and sincere attempt to open dialogue, it is once again a Jakarta ruse aimed at misleading international opinion (which comes a little too soon after the grotesque Xanana trial travesty!).

Talks have been repeatedly offered for a decade by Xanana up to his famous defence statement. Ramos Horta has reiterated this in the peace plan he presented last year.

Such talks must include all parties to the conflict: the East Timorese, Portugal and Indonesia under the auspices of the United Nations.

After the Rome talks last April, CNRM in a joint statement with UDT's Vice President Joao Carrascalão and Fretilin's Foreign Affairs Department Head Mari Alkatiri, outline the East Timorese position regarding talks with Indonesia. They must be under the auspices of the UN Secretary General and the Administering Power Portugal. East Timorese participation may initially be indirectly (so far East Timorese have been regularly consulted in the negotiating process by the UN and Portugal at the highest level).

This, in the view of all except Indonesia is the most appropriate format to resolve the problem.

Let us not fall into Suharto's and Alatas' trap and lose sight of the basis of the problem: Indonesia's illegal acts since 1975 against Portugal and the East Timorese in violation of its international legal obligations as a UN member.

John MacDougall refers to Fretilin's acknowledged mistake of boycotting the 1975 Macao talks aimed at solving a domestic problem between Timorese parties and Portugal, causing their failure, as it was one of the key parties. He is also right in his observation about the historical consequences of such intransigence.

CNRM's position bears no relationship to the present situation, however. For years Indonesia has been urged to enter into talks with all key parties to the East Timor problem. It has steadfastly refused. Ramos Horta, on the other hand has time and time again reiterated his willingness to talk to Alatas or his delegate, to no avail (is it because as MacDougall writes, DEPLU feels Horta is 'hypocritical and unreasonable,' or is there something else behind the unavailability of those paragons of sincerity and reason?).

Now that it has become clear that intransigence may lead to being bypassed by historical events, as MacDougall rightly argues, Indonesia (rather than CNRM) tries to take desperate measures. MacDougall's reference

to Suharto's current approaches to former dissidents is well chosen. However, they are conscious that the old rogue is only acting out of despair.

This is also the origin of the latest 'talks' red herring. It is aimed at giving Indonesia the appearance of genuinely wishing to talk, while avoiding to address the central issues in the rightful context.

There is however a more sinister aim to this latest ruse: to isolate the Resistance. Where is Xanana Gusmão? Where is Mai Hunu? What role in the talks has there been confirmed for them? For the Church? For Konis Santana? For the urban clandestine network?

Would it really be useful to enable Indonesia to proclaim to the world that East Timorese inside the country all favour integration, and that the supporters of independence are only the ones outside?

It is precisely by supporting such divisive Indonesian maneuvers that the regrettable differences in the East Timorese community are exacerbated. Most of the East Timorese have seen through the ploy. CNRM, the entire UDT, most of Fretilin and many grass roots groups are united in their rejection, not of genuine talks, but of this new Indonesian attempt at manipulating us all!

## MACDOUGALL TO CNRM

From: John A. MacDougall, July 24

Many thanks to CNRM Darwin for the thoughtful reply to many recent postings related to the announced Indonesian plan for an informal meeting among East Timorese, the acceptance of which, in some form, I urged. CNRM rejected participation in these talks and argues my criticisms of this rejection included the assumption this rejection was due to internecine squabbles among East Timorese abroad. This was not the position I stated. The real underlying reason for CNRM rejection, I argued, went much deeper, with differences among Timorese – many healthy and legitimate – only a manifestation of this underlying reason. The real reason is continued CNRM unwillingness to consider new policy lines and dogmatic rejection of Indonesian proposals not amounting to splendidly clear concessions to CNRM positions. I do not mean to single out CNRM in this respect. The criticism I am making applies, I believe, to a very wide segment of supporters of the East Timorese liberation agenda, indeed, to some groups and individuals in many fields – not just NGOs – among the most vocal backers of this agenda. Put another way, the strategy practiced so long has now become inappropriate to the situation on the ground.

Let me state my own working assumptions. I do not in fact think that East Timor will gain independence. However, I concede the remote possibility that this aim – and definitely desirable more limited aims – just might be achieved. Since the situation in East Timor is so dire, it remains, in my view, worth the struggle. In this, though, the East Timorese side is the desperate one, not the Indonesian side. Never has East Timor been so firmly under Indonesian control and the prospects for progress looked so bleak for the East Timorese as they do now. The Indonesian President, the Indonesian Army, and the Indonesian central bureaucracy have a 'lock' on the territory. And despite brave words and deeds by some Indonesian groups and individuals, worse, Indonesian public opinion is solidly, overwhelmingly, and, not least, irrationally backing the broad East Timor policy of these three controlling pillars of the Indonesian polity.

If CNRM Darwin and like-minded groups who rejected talks do not credit this analysis, I suggest it is in large part due to another so far fatal weakness in the struggle. Here I refer to the very limited understanding of most East Timorese abroad regarding how the Indonesian political system works and how changes in policy do sometimes occur. East Timor will never be free unless those struggling for its freedom gain this understanding. And this understanding can only be gained through intensive interaction with a broad spectrum of Indonesian groups and individuals. And this interaction must go on for years and years and years. The UN-sponsored talks, even if they involved East Timorese members of the resistance rather than just the Indonesian, Portuguese, and UN sides, will not result in any quick or decisive fix. Any results achieved are even likely to be very limited and perhaps very unsatisfactory.

My view is that the only conceivable way East Timor will obtain freedom is through extensive long-term work within the Indonesian political system, however unpalatable and difficult that work will be. A long, drawn-out, incremental movement toward East Timor freedom is possible – if East Timorese abroad, in Indonesia, and in East Timor recognize this enormous task and bravely retain their idealism, identity, and ultimate goal. On the other hand, if East Timorese abroad decide from the start only to speak with East Timorese of their own choosing and Indonesians of their own choosing, the game is lost from the start. It is unlikely East Timorese in Indonesia and East Timor can gain freedom without extensive international support.

Accordingly, I urge CNRM Darwin and all champions of East Timorese freedom to shift their principal focus of activity from

pressuring international forums and foreign governments and focus their main energies inside Indonesia itself. I do not say that international struggle be abandoned, for it is indispensable, but I believe it, too, will assume new styles and agendas as small openings increasingly get created inside Indonesia. Without going into detail in this public forum, I urge East Timorese abroad to begin verbal and written dialogues on a wide range of issues with the Indonesian President, Indonesian Army, Indonesian central bureaucracy, Indonesian mass media, and Indonesian social organizations and leading private figures. Please try to think through what practical work and new tactics this might entail.

One particularly important feature I personally consider necessary is explicit abandonment of armed struggle as a tactic. Xanana has already conceded military victory to the Indonesians. Continuing the tactic as an option only provides a very convenient justification for large numbers of Indonesian troops to remain in East Timor. An explicit commitment to non-violent means of struggle would also likely lead, I think, to new sources of international support. It remains to work out how to provide safety for fighters in the field if this tactical change occurs. This is not impossible but it won't be easy. Please be clear that I am not advocating an end to clandestine non-violent resistance.

This is all more than enough wind from me for a while. I'd **prefer** others to take part in the discussion and debate, as some have already begun to do. My intention has been to break some ice by providing a small jolt of public criticism. In the final analysis, it will be up to large numbers of East Timorese, a much wider circle of friends, and, yes, current antagonists to move matters forward.

## CNRM REPLIES

July 27

*We thank John MacDougall for his open letter in reply to CNRM's (and not only CNRM Darwin, who merely posted it) reply to his earlier piece on the recent Indonesian 'talks' ruse.*

Fortunately John MacDougall provides his working assumptions explicitly, i.e. that (a) East Timor will not gain independence; (b) the current situation being very dire, the East Timorese and not the Indonesian side is desperate; (c) Indonesians broadly support the East Timor policies of their President, army and bureaucracy; and (d) East Timorese have only a very limited understanding of the Indonesian political system and its process of occasional policy changes.

If these assumptions would hold, then perhaps, one might share in John MacDougall's defeatist position, and be subserviently mendicant aiming to be granted the few limited concessions the Suharto dictatorship may deign to offer.

Fortunately, as we see it, they don't hold.

The strength of the desire for freedom and independence is not waning, neither inside East Timor nor outside. On the contrary, it is growing and reaching ever wider sectors of the East Timorese community, particularly its post-annexation young generation, as has been more than clearly seen in recent years. Furthermore, strong feelings of rejection of the brutal and corrupt dictatorship, and a longing for greater democracy, social justice and truthfulness are increasing throughout Indonesia.

In view of the previous, and the ensuing general lack of legitimacy of the regime both inside and outside, it is the Indonesian side which is increasingly desperate. We do not see policy changes coming about because of a change of heart in Jakarta, only as hopeless and belated damage control attempts, aimed primarily at the deception of international public opinion.

As for broad public support for Presidential, army and bureaucracy policies in Indonesia, we are of the impression that at no time over the entire New Order lifetime has there been less unison and more latent dissent than at present. In our view the apparent surface calm (if it is still apparent!) is highly deceptive, as we expect the nearby future to show.

As to East Timorese understanding of the Indonesian political system, 18 years of tragedy have allowed the learning of many lessons. On the basis of this practical experience, East Timorese have acquired a degree of authority which, one would expect, should entitle them to be accorded a certain measure of respect on the part of their friends.

While it is inappropriate to enter into details here, CNRM does cultivate close relations with a broad range of Indonesian brothers and sisters, who, like ourselves eagerly look forwards to a rewarding future of justice, freedom and mutual respect in the region after the demise of the Suharto dictatorship.

To hasten the advent of this new era, strong and persevering resistance together with international support is required, rather than attempts at unprincipled and defeatist accommodation with a decaying dictatorship.

## AN EAST TIMORESE VIEW

*Commentary forwarded July 26 by a list member who has been following all recent discussions but who must necessarily remain anonymous for obvious reasons.*

Being an East Timorese who is directly or indirectly affected by the continued ET status quo along with hundred of compatriots back home (inside East Timor), I heartily second the motion of initiating talks on ET regardless who initiated it.

No matter what are their political views and vested interest on this problematic issue, the main thing here is WILLINGNESS to discuss the issue. It's our hope that a 'just and comprehensive and acceptable solution of ET status' be solved as quick as possible. The sooner the better— otherwise we'll continue witness a long humiliation and hatreds among these competent parties, Indonesia, Portugal and East Timorese (either inside or abroad). However, due to its complexities, one may doubt of its thorough outcome of any proposals in the near future as we expected.

Now, having read through postings recently, it gives me a new clue of how the foreign observers analyze the matter comprehensively. I express many thanks to a number of foreign observers who have expressed their views, concerns and etc.... Your views are worth to read (they carried an insightful and weightful) assessment of all dimension that take part in the question of East Timor.

My firm standpoint (as a young East Timorese) is advocating all parties concerned, to be able to talk and seek a thorough solution in order to end the long suffering of East Timorese who are living inside ET.

Here the problem lies ahead of how to formulate the agenda of talk of the competent parties and it depends upon the goodwill and motive of each faction and how we respond to it.

As far as I can discern the exclusion of the issue of "Indonesian sovereignty over ET" has caused reactions from CNRM at first stage. On the one hand, CNRM's rejection is reasonable and is consistent with its long standing policy of struggle to liberate East Timor from Indonesia. On the other hand, the Indonesia's position is also difficult and dilemmatic in the international arena as it persists to ruled out any discussion of sovereignty. I can't imagine how difficult that would be to exclude that fundamental issue of sovereignty while in fact, this is the essential point of view of ET leaders living abroad.

A number of views have been put forward recently and I have no intention at all to assess them, I would rather come up with

a piece of thought as a young East Timorese who has been living in several parts of Indonesia and now studying in a foreign country. At least I could observe the "East Timor question" either inside Indonesia, East Timor, or abroad.

My comments are as follows :

1. The proposal which was launched by Indonesian officials through FX Lopes da Cruz (a well-known collaborator to Indonesia) in his "agenda" as a roving ambassador to open informal talks with ET leaders abroad, to me, is a very smart maneuver of Lopes da Cruz with the approval of Suharto and his close aide to give him a green light on opening talks among East Timorese.

If we examine carefully the phenomenon that happens so far, it is perfectly understandable that Indonesian officials are now pursuing a new method of carrying diplomatic propaganda in restoring its damaged international image by launching this 'proposal' as a vehicle to achieve their goal. Being defeated in the United Nations Human Rights Commission in Geneva last March for example, was a remarkable 'homework' for Indonesian government to reconsider its handling over East Timor. The Indonesians of course are fully aware how important and significant are the ET exile leaders, supporters, and other supportive organizations in countering Indonesia all the time in every international fora (despite the antagonism as claimed so far that there are no significant voice of East Timorese community abroad) they acknowledge their existence.

Therefore, I'm not surprised, when Lopes da Cruz came up with this proposal as he himself has expressed in a leading Indonesian newspaper, KOMPAS, on the eve of his promotion as ambassador, last April, that his main target was "To save Portugal's face losing in the international arena and how to avoid Indonesia being arrogant." That statement sounds rhetoric and politically aimed to impress the Indonesian authorities.

2. In response to the ET/Indonesian Proposal, one may think a little bit why such proposal being proposed just before the next meeting between Portugal and Indonesian foreign minister on September '93? Bearing in mind that the 'Confidence Building Measure' adopted from the previous meeting is now being elaborated heavily from the Indonesian point of view! Perhaps, Indonesia should take into consideration as well to the peace plan proposed by Jose Ramos Horta (CNRM special representative) last year before it come out with a bargaining position in creating its own proposal. My impression is that Indonesia was not able to give an enthusiasm response to

Horta's proposal by arguing that at that time Indonesia was still facing her own internal matters such as the general election. Yet, no official response from Indonesian authorities to this particular peace plan. As times went on, Indonesia came up with the current proposal to embrace the exile leaders in taking part of the talks INFORMALLY. How clever they are, as Gerry Van Klinken pointed out 'first appearance is of a brilliant move from the Indonesia point of view.' There is far too much political complacency in Indonesia and this is truly a difficult task for resistance leaders abroad to accept it.

3. Although the proposal is rather than being a ploy, it enables the East Timorese ranging from the so-called "opportunists, traitors, heroics" and the like to come together and sit down to have an informal talks as such meetings (please correct me) have never taken place apart from the formal forum such as the UN bodies.

No one doubts that the best way of solving the ET question is through the UN auspices (as it's being done). However, relying on this international body is not enough! It needs an extra effort to discuss the matter thoroughly despite the political differences. Regarding this matter, I advocate the East Timor exile leaders comprising of UDT, Fretilin and CNRM, must join together first to have a 'joint say' before responding to this current proposal rather than REJECTING in different manner.

It seems to me that the 'disunity' among the East Timor old party lines is very disgracing. In general, I respect the struggle of those ET prominent figures abroad, but struggling isolatedly without having extra efforts to understand the real macro-politics inside Indonesia (the occupying force) is unlikely. As John MacDougall urged for East Timorese abroad to begin verbal and written dialogues on a wide range issues with the Indonesian authorities is one of the new strategies that could be pursued.

The East Timorese inside Indonesia have no enough power (due to security reasons) at the moment to dialogue with the Indonesian authorities, possibly the Timorese leaders abroad are more capable. I do urge my compatriots who are living abroad (leaders of the concerned parties) to face this challenge.

By doing this it doesn't necessarily mean 'recognizing' the Indonesian rule over ET, but indeed it creates a 'public opinion' to carry this struggle inside Indonesia. As I notice, Indonesia is now moving to degree of maturity and altering its political policies across the country. This could be a way of influencing Indonesian intellectuals, Indonesian mass media and prominent figures who are political dissidents inside Indonesia. I have the strong opinion that the public

opinion has been set up such a manner since the trial of Xanana Gusmão. It's just a momentum for Indonesia themselves to prove their degree of maturity in reforming their own internal policies. I think Taylor has pointed out in his book by visualizing the 5 scenarios there. Understanding the macro-politics of Indonesia is one of the factor to sustain the struggle. And I think this would be a credit point for the resistance leaders to think ways/ strategies this might entail. The East Timorese younger generation (THE INTELLECTUALS) are desperately expecting an opportunity to open dialogue with their compatriots living abroad as well.

All in all, I advocate the leaders of all factions, to put aside their political interest and start to show their WILLINGNESS to open dialogue through the available channels to find out the solution. If each faction still persists with its own principle, we the Timorese who are living inside East Timor are the ones who continue suffer under this long dispute.

Regarding the CONTENT and FORMULA of the dialogue I leave this to the competent leaders and politicians to decide.

Thank you for reading this.

An East Timorese  
"Lenito"

## COMMENTS FROM GERRY VAN KLINKEN

July 27

A couple of comments in reply to the anonymous East Timorese poster about the talks proposal.

The strength of the Indonesian propaganda assault is that the talks proposal fits perfectly into their long-standing depiction of ET in terms of an internal civil war, in which Indonesia is acting with fatherly concern. The question is whether Indonesia will succeed in carrying off this piece of bluff in talks of this nature. It seems to me that CNRM rejection of such talks plays into the hands of the Indonesian bluff strategy.

The ETese can at least partially claim such talks for East Timor and combat the Indonesian depiction of them (which are surely a cruel deception). It appears to me that if ET exiles now accept this possibility, and then insist on conditions (i.e. start bargaining) on things like the venue, the agenda, etc., that some progress can be made. The reason for my confidence is that I believe the number of ET-se who have really deserted their people, even those working within the Indon establishment, is very small.

I'm aware how easy it is to make comments from the sideline, I'm aware also of the great pain the eternally wronged East Timorese must feel any time anyone sug-

gests they sit down to talk as the weaker party with those who have raped their mothers. It's a little like Britain's Lord Owen, who now is urging the Bosnians to accept the victory of Serb guns. Is there another way?

## ANOTHER EAST TIMORESE ANALYSIS ON TALKS

A number of valuable views have been put forward on the "talks proposal" between the East Timorese inside and abroad over the last few days. It is not my aim to assess those weightful opinions instead a mere participation in expressing "thoughts" on this unfinished business.

As an East Timorese who grew up in the so-called period of war, dated back from the civil war up to the tragedy of brutal occupation and annexation, I am grateful with all those non-Timorese who support my people's efforts to end this disgraceful situation and to seek a more appropriate solution that will extend peace and freedom to my territory, shortly my country.

While different views have been expressed concerning "who owns the plan" without a precise answer, it is my stance to start this piece of thought that, "the proposal talk" is an Indonesian maneuver deliberately designed to fend off persistent pressure on Jakarta. It is neither a recent Portuguese-Indonesia's hero Nuno Rocha, Indonesia's top collaborator Lopes da Cruz, and Petrus Suryadi nor Abilio Araujo's proposal. Some will, certainly, argue such move as Da Cruz programme in his capacity as roving ambassador and others will argue such move as Nuno R or Araujo's plans. Both sides could possibly true, however given place and time wherein the proposal was launched it is undoubtedly to argue such move as part of Indonesia's revision of it's whole policies being launched currently.

Bearing such given concept in mind it is worthless to view such matter not as an Indonesia's vested interest.

It is true, as John MacDougall says, a major departure from the long rigid standing policy. Yet It is also true to take into account the simultaneous move and the slightly change in Indonesia current political situation as a probable stimulus for this recent policy.

It has been a common secret, the current political atmosphere in Indonesia as the most "set back" comparing to the previous years. Externally, the significant lose in Human Rights conference in Geneva, the international pressure on the so called East Timor policy plus the country's present status as NAM leader which would have to stand perfectly (does not necessarily) as it has to be and the fluctuation of internal political tense which prompted Jakarta to

revise some of its policies (economy-Summa crisis, ethnic tension, issue of succession and restructurization within ABRI) and other problems confronting the current Indonesia government have been the most crucial phenomenon to Suharto.

Therefore one might consider this move as, at least shows, the country's willingness to revise and solve some of it burdens. Other may disagree. But, given the whole reforms in Indonesia's internal political environment it is likely evident to uphold this notion.

If so, the question is, whether the recent policy on the talk is only one of the additional indication of the whole change across the country ?

Such an East Timor policy was and is an inalienable part of the whole process in Indonesia as the facto it is. However if we think carefully all the reasons behind the scene, it is perfectly understandable that the question of East Timor is not just an indication of the whole change realised recently by the regime. It is a mere continuation of a long diplomatic propaganda to restore its damaged international image. Therefore, I am not surprised why the Indonesian is putting its effort to create this piece of bluff.

Being stood in a narrow position where the international pressure on its poor Human Rights records and its own people outcry of a more "openness and democracy" the regime resumes to launch such move. To accomplish it, particularly in the case of East Timor, Indonesia develops a simply narrow "talk plan," instead of using the proposed plan offered previously by Xanana and Jose Ramos Horta. This, certainly coupled with a number of Jakarta's vested interest as mentioned, which can be seen from the two points stated by Suharto on the status and substance of the talk, namely INFORMAL and WILL NOT TOUCH INDONESIA'S SOVEREIGNTY.

Not surprisingly, it is understandable why CNRM (the non partisan umbrella organisation most popular among the young East Timorese) took that stance. The most reasonable arguments for refusing the above proposal talks broadly can be summarized as follows:

- Useless, if the talk is to be held between East Timorese pro and anti integrationist without "touching" Indonesia's illegal control. Despite the talk will only confine to an "informal stage", if it is to be done, it implicitly implies a recognition of these parts over Indonesia sovereignty.

- Without ignoring the past historical deficiencies ( the absence in Macau meeting etc.) the current CNRM position is to adopt the line in which Xanana has been presented earlier. Regardless who will be the sponsor, CNRM must adhere to the peace plan deliv-



ered by Xanana prior to and in his famous defence plea that East Timor question is a responsibility of Indonesia towards the international community. Hence, all parts must be included in any talks concerning the problem, not between East Timorese exile and inside Indonesia.

- On the one side, besides the two possible advantages in the part of Indonesia (diplomatic and internal advantages) argued by Bruno Kahn - regarding this proposal - other alternatives should be taken into account. Keeping Xanana isolated from the talks implies Indonesia is willing to exclude the true resistance and in turn, claim and ensure it control of the talks - while on the other side, coupled with the country vested interest it can be certainly argued that the country is trying to avoid international pressure and the further talks with Portugal as "the jure" administrator power in East Timor.

To me, these are the basic premises (presumably) underlying the broad opinion among East Timorese abroad and inside East Timor. Thus, by sponsoring such talk Indonesia will claim the anti integrationist are those currently living abroad whilst- those inside East Timor are pro integrationist. The only problem remain is how to convince the anti integrationist remnants exile, as Jakarta claims, to accept it negative attitude masquerading as better future for East Timor. In this situation ABRI will play a crucial role in ruling out those "two heads" inside East Timor.

Furthermore, the persistence of different views among exiled East Timorese it is a best start for Indonesia to extend such gap and perpetuate the long conflict among Timorese factions.

Given these facts: -all talks and negotiations will remain stagnant and worthless. The nightmare of 18 years will continue. Torture, disappearances, extra judicial killings and travesty of justice will prevail forever.

A Timorese proverb said "Coalia ma'c coalia resultado laiha." (Talk over talks. No result at all)

So, what is to do with the proposal ?

I certainly and strongly agree that urgent steps taken by all Timorese factions abroad is necessary. Discharging all attributes and discrepancies among these factions are necessary as well. The precise thing to bear in mind is to provide a better atmosphere for a healthy dialogue and consider this proposal. This does not necessarily implies that we shall accept the talk. The essence thing is, a pre-talk among East Timorese exile should be held, at least, to reach a mutual acceptance whether "YES or NO" towards the planning talk.

As John MacDougall said, ET will never be free unless those struggling for its free-

dom gain this understanding i.e. to consider Indonesia political system and how it works is absolutely true. And this understanding can only be gained through intensive interaction with broad spectrum of Indonesia's individuals and group. Our leader Kay Rala Xanana has conceded the military defeat.

Hence, all possibilities to reach peace and freedom should be considered.

Such "thinking," based on my own observation has been a module in the eyes of us Youth East Timorese inside East Timor over the years of struggle. We have won politically but defeated in a true resistance. Military is absolutely impossible but there are many ways towards Rome. There is a real challenge coming up, not only to examine how strong we are but also to see how far we are united. Our long rigid position, with blind eyes relying merely on guerrilla warfare and international pressure in all diplomatic fronts need to be revised. It is not inappropriate, as some underlined, but it needs to be developed.

Hence, I firstly advocate all my compatriots to consider this slightly change. Indonesia acceptance to the talk implicitly implies our victory. It also implies that Jakarta concedes the travesty of justice of Xanana and others, and its fatal illegal invasion.

Secondly, A "JOINT SAY" among us (East Timorese exile) is indispensable and we are still possible to say NO or YES to Jakarta's invitation.

Above all, time has not run out yet. We still have time and right to persuade Indonesia to reconsider our points, the genuine ideas initiated by our Leaders previously without any preconditions: To accept all interest parts involvement in the question of East Timor and: to include -"The illegal occupation"- of East Timor. Eighteen years of struggle aimed at ending Indonesia illegal sovereignty. Hence, every items concerning East Timor is about "Indonesia illegal occupation."

All the above ideas are related to the preliminary position of the concerned parties which I argued for. Further comments on the nature of the talk will follow later.

Thank you for your time.

Another East Timorese.  
-SAMODOC-

## FROM BRUNO KAHN, JULY 27

A few more thoughts on the talks question:

1. Besides political considerations like the premises of the talks, it is only logical that political organisations like CNRM, Fretilin and UDT don't accept participating "informal" talks as organisations, simply because it would be in contradiction with the definition of "informal." On the other hand, I suppose there would be no contra-

diction that individual East Timorese participate such talks as individuals, if they wish.

2. It would be unbelievable that informal contacts between pro- and anti-integration East Timorese don't already exist. And these contacts do exist, for example between Abilio Araujo and Lopes da Cruz, as was publicly acknowledged. I am aware of others and would not be surprised they happen at every opportunity. So, a natural question is: what advantages can "official informal talks" offer to the East Timorese as compared to unofficial ones? (this is a query, not a skepticism).

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## TIMORESE 'RECONCILIATION' TO TAKE PLACE IN BRUSSELS

*EXPRESSO 24 July 1993, unabridged*

The recently announced 'reconciliation meeting' between Timorese has been set to take place in Brussels in September. The initiative for the meeting came from Abilio Araujo, head of the Fretilin external delegation and as has been supported by Lopes da Cruz, Jakarta's itinerant ambassador. Sources close to da Cruz have told EXPRESSO that a representative of the Indonesian military is expected to attend. The meeting has been strongly criticized by the four Fretilin representatives in the exterior as well as by the UDT, led by João Carrascalão.

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## 'NO' TO TALKS WITH PUPPETS

*Green Left #108, July 28, 1993, By Mitchell Hamilton*

The East Timorese resistance has rejected a proposal from Jakarta that it hold talks with East Timorese collaborators with the Indonesian occupation forces.

Jose Ramos-Horta, an official of the National Council of Maubere (Timorese) Resistance, said he was "prepared to meet with Indonesian foreign minister Ali Alatas at any time and any place he might nominate, but will never accept tactics which seek to divert attention from the problem," in an interview reported by Reuters.

"The problem is not between the people of East Timor and their resistance leaders against a few puppets on Indonesia's payroll ... It is between Indonesia and the United Nations, whose resolutions it ignores," he said.

On July 20 Indonesian President Suharto agreed for the first time to a proposal for talks between Timorese who accept Jakarta's 1976 annexation and Timorese who

oppose Indonesian rule. The proposal was first made by Indonesians close to military intelligence, BAIS.

According to the British-based Indonesian Campaign for Human Rights - Tapol, the idea was first mooted in interviews by Indonesian journalist Petrus Suryadi during a visit to Lisbon. Suryadi, who writes for the Jakarta daily Suara Pembaruan, has close links to BAIS, through the Indonesian military attaches in Brussels and The Hague. His trip to Lisbon is known to have taken place at their instigation.

The regime's "offer" is both a response to increased international criticism of Suharto's policy and a tactic to portray the East Timorese as divided. Apart from the East Timorese working with the occupation forces, only a few East Timorese exile figures have supported the plan.

Fretilin, UDT and CNRM - the three main forces in East Timor - have all rejected the proposal. The East Timorese puppet figures, including Suharto's special representative, Francisco Xavier Lopes da Cruz, have no real power or popular base.

In a statement on the anniversary of Indonesia's formal annexation of East Timor (July 17), Ramos-Horta emphasized that the resistance was willing to participate in discussions and even to approach the self-determination issue through stages. The CNRM presented a 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 CNRM proposal involves 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," including a drastic reduction of Indonesian troops and weaponry in East Timor, and the introduction of a significant UN presence. Phase two, lasting between five and 10 years, would be a period of genuine political autonomy based on a local, democratically elected People's Assembly. Phase three would be a referendum to determine the final status of the territory.

Meanwhile, on July 21 the official Indonesian Antara news agency said military authorities in East Timor will not tolerate any separatist aspirations. Antara quoted Major General Theo Syaifei as saying separatism and opposition to Indonesia's state ideology "do not need to be tolerated and we should not even hesitate to put them into order."

## TAPOL COMMENT ON 'TALKS' EXCHANGES,

*From Liem Soie Liong, July 28*

Email can really function as a democratic multiway communication. I want to thank everybody for the interesting input so far.

I've just come back from the Estoril conference on East Timor and talked with many Timorese. The majority are angry and saddened by the prospects of the talks. While I've noticed that many differences have emerged, even some sharp clashes, I feel the need also to take the plunge.

While it can be said that 'history has a way of forgetting those who refuse to talk and removing them slowly from the political process,' in real politics, each case should be considered on its merits. Chamberlain made the mistake of talking to Nazi Germany, and has made his mark on history as an appeaser of the gravest sort. The Bosnians are first ethnically cleansed and then dragged to the negotiation table to accept defeat. The Khmer Rouge, the middle east peace talks are all very complicated and John McD's general remarks don't really hold up. The bottom line, with GvK and BK making some valuable additions, is the conditions and criteria of the talks.

We from Tapol have tried to describe that the whole process was initiated by the Indonesian military intelligence (later endorsed by Ali Alatas and Suharto, there is no evidence that this is a move by Suharto **against** the military); this remains the main if not the only reason why we rejected it. It is far from dogmatic or misleading as IMcF puts it (in fact I find his contribution one of the least original, speculative and expressing a shallow understanding of contemporary Indonesian inner-regime fighting).

Let's put the record straight: what do we mean by informal talks? Informal talks between Timorese have been going on all the time, in Jakarta, in Yogya, in East Timor and also abroad. It has been a deliberate policy of the Indonesian government to send Timorese abroad to attend international gatherings. In Geneva, at the UN lobby they meet other Timorese, those who make submissions against Indonesian rule. This includes not only Francisco Lopes da Cruz and other high-placed Timorese, which by the way also have elaborate discussions with anti-integrationist Timorese. Informal talks (I mean informal in the true sense) are actually happening all the time between Timorese from all different strands and political thinking. They don't need BAIS or Deplu or even the Portuguese government to let this happen.

About reconciliation, I would say the following. It is true that deep rifts occurred

between the different Timorese political entities, notably Fretilin, UDT and Apodeti. Realizing the tragedies in the other former Portuguese colonies like Angola (between MPLA and UNITA) and Mozambique (Frelimo and Renamo), I very much favour talks to reconcile and bury the past and look at the future. At the same time one should also look at the 17 years of Indonesian rule in a dynamic way. Much has changed, including the positions of former UDT and Apodeti followers. The devastating Jakarta colonial rule has only accelerated this process.

Another process is going on, so vividly described by Ben Anderson in his article in ARENA. This is about the younger generation of Timorese who, more often than not, do not think along old party lines anymore. They have become fierce Timorese nationalists because of Indonesian rule, Indonesian education etc. etc. Reconciliation talks among the young generation is probably less urgent: it seems they all detest Indonesian rule regardless of their parent's background.

Another, very important development has been ignored by JMcD, Robert and IMcF. I regret this as it shows their lack of understanding of the present stage of the struggle for independence of The East Timorese. In 1987 Xanana Gusmão, (and he repeated this call several times) called for national unity among the Timorese and stressed the importance of support from the Indonesian democrats. This is why Timorese students in Indonesia started to join Indonesian NGOs and involve themselves in Indonesian opposition politics. This may be a bit overstated but I want to draw a comparison with the Vietnam war. Xanana has said repeatedly that the Timorese are courting towards political victory. The Vietnam war taught the world one basic lesson, it wasn't just the military strength of the Vietnamese that won the war, it was also the demonstrations in the streets of Washington, the fights in Senate and Congress and the whole international condemnation of the war.

It is just one tiny part of the truth to state that the talks should be seen in the context of the conflict between Suharto and ABRI. Everybody knows that increasingly Indonesian NGOs (look at their statement in Vienna about East Timor) have taken on board the East Timor issue as a question of principle, of the right to self-determination. Please get off your desks and computers and occasionally have a chat with people who represent the present day reality in Indonesia and East Timor.

I have noted in the new CNRM structure that the clandestine front has been promoted to the top leadership. At the same time the Falintil (armed wing) has been put firmly

under the political command. These developments were to be expected and follow JMcD thoughts but I find it very paternalistic of JMcD to demand explicit abandonment of armed struggle. It is part of internationally accepted rights to defend yourself against aggression and unlawful occupation. Why don't you demand the withdrawal of Indonesian troops, the aggressor, instead of taking a defeatist position and assuming that East Timor will never win independence? We interviewed Reese Erlich and he said quite categorically that he met nobody in East Timor who supports the occupation. It is not for us to decide. If the East Timorese decide to continue their active resistance, it is our internationalist duty to support their just struggle. Why don't we stick firmly to the main issues instead of engaging in wishy-washy talk which only gives credibility to the Indonesian rulers?

### **CABRAL E. ANSWER TO JOHN MACD.**

July 30

I wish to comment on John's argument that the CNRM rejection of the talks proposal was "weak and risks increasing CNRM marginalisation as time passes."

What John is suggesting here is that if CNRM accepts a meeting with the invading forces this means a 'de facto' acceptance of the ruthless occupation. The fact is that Ali Alatas has again come out with a proposal to gain more time. John's point of view just shows the true colours of the invader. He also mentioned the peace proposal. The peace proposal made by CNRM was to discuss the future of East Timor leading to eventual self-determination and not, as he and Ali Alatas suggest, that talks which would be conducted with East Timor will not be part of the agenda. If people meet and do not discuss the future of the territory which is at the centre of the conflict, what the hell are they going to do? There will be no negotiation in the future of East Timor if it is not discussed.

Individuals who participate in this meeting will represent themselves and not any political party. A number of East Timorese have fallen by the wayside and are now seeking to betray the principles of the original peace proposal presented by Xanana Kay Rala Gusmão. I also detect in this contribution from John the hand of the Indonesian government and its military and another classic attempt to engage in slander of the CNRM.

### **"IT'S ABILIO'S WISH, NOT INDONESIA'S" SAYS LOPEZ DA CRUZ**

*Bernas 27 July 1993 Slightly abridged*

*Comment: Lopes da Cruz can hardly expect anyone to believe that the letter from Abilio Araujo which he quotes proves that the idea originated with Araujo. The idea of dialogue was being reported long before the end of May which is apparently when Abilio Araujo first wrote to Lopes da Cruz.*

*Carmel, TAPOL*

The scheduled dialogue between pro and anti integration East Timorese has been rejected by a group of East Timorese rebels. But Roving Ambassador Lopez da Cruz reiterates that the idea came originally from Abilio Araujo in Portugal, not from Indonesia.

The rejection was made publicly by a Fretilin rebel now overseas, Alfredo Ferreira in Darwin, on 23 July. He told AFP as quoted in The Straits Times on 24 July that Indonesia is trying to shift the problem of East Timor onto the East Timorese themselves. He said that the problem does not exist among the East Timorese.

The heart-to-heart informal meeting is seen by this rebel group as a ..... (the word used, publikasi, is probably a mis-translation) because they are refusing to take part.

Roving ambassador Lopez da Cruz said that the idea of having a dialogue came from Abilio Araujo of Fretilin in Portugal, not from Indonesia.

"As a matter of fact it's not in Indonesia's interest to have such a dialogue, we are only complying with the wishes of Abilio. If Ferreira doesn't believe me, he can make a phone call to obtain the proper information."

The wish of Abilio Araujo, the Fretilin leader in Portugal, all of whose family are living in East Timor, was stated in a letter he wrote to Lopez da Cruz. The first letter from him was dated 31 May 1993 and was written in Portuguese. Here is an extract from Abilio's letter:

"I regret that because of unforeseen circumstances, I was unable to meet you in Europe. As I said when we spoke by phone. I am very keen indeed on having dialogue, very resolute about it, for the sake of reaching mutual understanding so that we can better serve our people, in whom we are deeply rooted. There are many things for us to discuss so that we can struggle for all East Timorese to be equal."

### **LISBON ON JAKARTA SPONSORED TALKS**

*In response to a request to the Portuguese embassy in London for a statement about the dialogue sponsored by the Indonesian authorities, the Portuguese government issued the following statement on 30 July 1993:*

Position of the Portuguese Government regarding eventual initiatives of dialogue among East Timorese or between East Timorese and Indonesian personalities:

1. The Portuguese Government believes that the question of East Timor is of an international nature since it centres on the decolonisation of that territory. A solution for it must be found in accordance with the UN Charter and International Law and will have to be ratified by the General Assembly of the United Nations.

2. In order to achieve this, and in accordance with GA Resolution 37/30, Portugal as the Administering Power of East Timor continues to be committed to dialogue with Indonesia under the auspices of the UN Secretary-General following the proposal presented by the Portuguese Government in January 1992. For Portugal this remains the proper form of the search for a negotiated solution to the problem.

3. Portugal stresses the need to involve in such a search representatives of the different political segments of the East Timorese people, in accordance with Article 73 of the UN Charter and Operative 1 of GA Resolution 36/30. At present, it has been established that, in the framework of his mediating efforts, the UN Secretary-General and his assistants have proceeded with consultations with East Timorese leaders.

4. The Portuguese Government does not have to support or oppose any initiatives aimed at establishing some form of dialogue among different East Timorese segments or personalities. However, due attention should be paid to the Portuguese understanding about the nature and appropriate forum to solve the problem as stated above.

### **TIMORESE TO VISIT THE POPE**

### **MISSION TO THE VATICAN ANNOUNCED**

*From Task Force Indonesia, June 9*

East Timor governor Jose Abilio Soares said a special team will be sent to Pope John Paul II in an effort to speed up a settlement for the former Portuguese colony. The group will consist of public figures

from the 13 districts in East Timor, Soares said. "I have asked the team to invite the Pope to come to East Timor," the governor said.

## PRO-RI TIMORESE TO VISIT POPE

*UPI, 9 June 1993 Abridged*

*Comment: This is in line with a suggestion months ago from Theo Syafei that Indonesia should turn to the Vatican, not the UN, to solve the East Timor question.*

(Jakarta) In an interview in the 22 April issue of the weekly, Editor, Soares suggested that as a first step towards a 'solution' to the question of East Timor, the Vatican should be persuaded by a mission of East Timorese to incorporate the East Timor church into the Indonesian Bishops' Conference.

## EAST TIMOR TEAM TO APPROACH VATICAN

East Timor governor Abilio Soares said a special team will be sent to Pope John Paul II in an effort to speed up a settlement for the former Portuguese colony, the Jawa Pos newspaper reported Wednesday.

The group will consist of public figures from 13 districts in East Timor, Soares said.

The UN has never recognised Indonesia's sovereignty over East Timor, contending that the population should be allowed to determine its own future.

Pope John Paul criticised Indonesia for its handling of the former Portuguese colony when he visited East Timor in 1989 and expressed the hope for a quick end to the fighting.

## POPE ADDRESSES TIMORESE PILGRIMS IN PORTUGUESE

### IN THE GENERAL AUDIENCE ON 21 APRIL 1993

*Kaibauk, Timorese Info. Bulletin No.3, Page 3. May/June 1993*

*[Comments: "Kaibauk" is the UDT info bulletin - Regional Committee in Portugal]*

Dear Brothers and Sisters,

Dear pilgrims of the Portuguese language, the Pope greets you all and sends his blessing to you and your families. I use this opportunity to send a cordial greeting to the group of Timorese pilgrims, coming from Portugal, who wished to demonstrate their filial loyalty to St. Peter's successor, with their presence at this Audience.

Dearest Brothers and Sisters, I welcome you affectionately, and with the unforgettable memory of my visit to Dili, and I assure you, once again, that I will never cease to follow, with deep concern, the events in your beloved land. Let us together fervently raise our prayer to Almighty God so that all those responsible for the future of East Timor may seek, through open and courageous dialogue, the well-being of the people, respecting their rights and their cultural and religious traditions.

## ECONOMIC AID ISSUES

### INDONESIA REJECTS HUMAN RIGHTS LINK TO AID

*Reuter, 10 June 1993. Dateline: Jakarta. Abridged*

Indonesia, which expects to receive some \$5 billion in foreign aid later this month, warned on Thursday against trying to link the money to human rights issues.

"What we don't accept is to make the linkage... mainly (that) human rights becomes a precondition for development aid. This is what we think is going too far," Foreign Minister Ali Alatas told reporters.

Indonesia and Belgium are still arguing over the wording of a memorandum of understanding on fresh aid because it appears to connect aid with human rights. However, the major donors such as Japan and the World Bank have effectively ignored the issue of human rights in Indonesia in the past.

Indonesia's donors meet in Paris later this month and are expected to pledge about the same amount as last year's \$4.9 billion. Alatas said he hoped the agreement with Belgium would be signed soon.

Last Friday in an apparent bid to defuse international criticism, the government announced it would set up an independent human rights commission. However, members of the commission will be appointed by President Suharto and it appears to have only a consultative role.

### FEW INVESTORS TAKE UP INVITE TO EAST TIMOR

*Australian Financial Review, June 10, 1993. Reprinted from Asian Wall Street Journal.*

Prospective investors are welcome in East Timor, but few have been willing to make a commitment because of the political strife that has plagued the former Portuguese colony since Indonesia annexed it in 1976. Investors are also skittish about East

Timor's remoteness, its lack of infrastructure and skilled workers.

"We keep on hearing about plans for investors to come from Jakarta, then thing happens," said Mr. Fatmawati Sultan, manager of a garment stitching venture employing 40 workers. Mr. T.B.M. Sinaga, chairman of the Dili branch of BKPM, Indonesia's investment coordinating board, believes that East Timor is finally going to start attracting significant private investment.

Businessmen from Japan, Hong Kong and Singapore have visited East Timor to talk about fisheries, mining, tourism and other sectors. But the business potential could remain just that; Mr. Sinaga agrees that the visiting businessmen have come to 'collect information,' but that they 'haven't yet made investments.'

The Dili BKPM office produced a smartly designed booklet talking up the "lucrative" opportunities, but the timing of its publication was hardly ideal; it appeared in December 1991, only weeks after Indonesian soldiers shot dead at least 50 Timorese demonstrating for independence.

East Timor, a Portuguese colony for more than 300 years, was annexed by Indonesia in 1976. Jakarta's rule has been resisted by armed guerrillas and has yet to be recognized by the UN.

According to another BKPM hand-out, East Timor has been catching only 0.8 per cent of the fish and other sea food that could be caught in its waters. The few small investments that have been committed in recent years include funds for a marble factory, a slaughterhouse and a coffee processing operation.

Throughout the 1980s, coffee farmers got poor prices for their beans because there was one monopoly buyer, a company linked to the Indonesian army. The monopoly was ended several years ago but now prices are dismal because of a world oversupply. If there were more tourists, the coffee surplus might be less of a problem. But the Timor tourism picture is bleak.

The few tourists who do come are mostly backpackers, who don't significantly buoy the local economy. And - in the wake of the Nov. 1991 killings only 936 tourists came last year, compared to 1,935 in 1991.

## PRE-CGI MEETING PRESSURE ON WORLD BANK

*From TAPOL. June 15*

In advance of the meeting of the Consultative Group on Indonesia (CGI) which will take place in Paris on 29/30 June, TAPOL, the Indonesia Human Rights Campaign, has

sent the following letter to the president of the World Bank.

Other groups may wish to join in writing similar letters to the World Bank, in good time before the CGI meets. It is essential to press at the very least for the Bank and other members of the CGI to make the connection between aid and human rights and to have human rights firmly on the agenda of the meeting.

The Belgian government is currently in dispute with Indonesia over inclusion of a human rights passage in a new agreement on development aid. Pressure on the World Bank and other CGI members could help to ensure that Belgium does not fight a lone battle, and prevent Jakarta from being able to pick off the countries one by one, as they did last year with The Netherlands.

15 June 1993

Mr. Lewis Preston  
President of the World Bank  
Washington, DC

Dear Mr. Preston,

We wish to convey our concern regarding World Bank policies towards Indonesia. We write as the UN World Human Rights Conference is taking place and the CGI (Consultative Group on Indonesia) is due to convene in a few weeks' time.

The World Bank will for the second time chair the CGI meeting which will decide on the amount of aid for Indonesia. CGI aid is a crucial component for the Indonesian economy; the state budget is heavily dependent on CGI money. Your 1993 report mentions the sum of nearly \$5 billion to help Indonesia meet its development targets in the coming financial year.

There is no such thing as development aid without conditions. Over the years, your Bank has designed a number of criteria and conditions which development aid must meet. Some are the result of monitoring development projects in the Third World. We note that your 1993 report on Indonesia is entitled "Sustaining Development," acknowledging the fact that development is not just a matter of statistical objectives.

While the Report places emphasis on the broad outlines of the Indonesian economy, we believe that development must advance human dignity which means that it must involve the willing and widespread participation of the people, ensure just and equitable distribution of the benefits and adhere to the principle of the sustainability of the environment. We seriously doubt whether the Indonesian government pursues these aims.

### Respect for Human Rights

Along with other human rights NGOs, we accept the universality of human rights and uphold the indivisibility of civil and political, social, cultural and economic rights. The Indonesian government does not accept this and is responsible for the suppression of civil and political rights, justifying it on the grounds of achieving faster economic growth. It frequently accuses people who raise demands about land or living conditions of 'disrupting national stability' and threatens to charge them with subversion.

Since the start of Indonesia's 'New Order' in 1965, violations of human rights have been a constant feature. To name some of the more blatant examples: the government stigmatizes 1.4 million ex political prisoners as fifth-rate citizens, the military intervene in many aspects of public life and Indonesia has engaged in expansionism as most clearly manifested in its invasion and unlawful annexation of East Timor. Killings are still occurring on a large scale in places like Aceh.

Specifically regarding East Timor, the World Bank should make it clear that, in accordance with the position of the UN, it does not recognise Indonesia's annexation of East Timor and should not allow any CGI aid to be used for projects in East Timor.

We believe that respect for civil, political and democratic rights functions as a precondition for the success of economic development in the long run. In macro-economic terms Indonesia is regarded as one of the few Third World success stories. We do not go along with this perception and would like to give a few examples:

### Starvation wages and military intervention

While Indonesia has developed a booming manufacturing industry, the wages of the average worker are pitifully low. It is widely acknowledged that Indonesian workers are the lowest paid in the Asia-Pacific region. The absence of independent unions is another serious problem; military intervention in industrial disputes is now commonplace and is sanctioned by a government decree. This leads to a high-cost economy because the military demand hand-outs from companies which seek military protection against striking workers. As the World Bank itself has recognised, this could in any case backfire as investors will go elsewhere with their money. In the long run, freedom of association and a proper relationship between workers and management can only be of benefit to all.

### Conglomerates and monopolies

The emergence of gigantic conglomerates is a relatively new phenomenon. While they

have created wealth and jobs, they are in fact an extension of state power. Most conglomerates have close ties with people in high office and give and receive favours. Deregulation measures remain cosmetic while cartels and monopolies are emerging. This creates a widening gap between the haves and the have-nots, which can lead to an explosive situation.

### Underdevelopment in East Timor

Jakarta consistently brags about their achievements in occupied East Timor: road-building, construction of houses and schools. In fact, East Timor is the most striking example of how development should not be implemented. East Timor is run by the military, the East Timorese are regarded with suspicion and are not involved in planning or implementing development projects.

### Conclusions

\* We appeal to the World Bank to make the above concerns part of the criteria for judging whether Indonesia deserves to be given aid amounting to \$5 billion.

\* These specific concerns along with human rights violations in general should be on the CGI agenda.

\* If the Indonesian government refuses to acknowledge the connection between human rights and development aid, you should make it clear that they have failed to go along with your Bank's principle of sustainable development.

Conditionality of aid has become an integral part of World Bank policy. In our view the Indonesian government cannot be classified as a state which is struggling for a better and democratic society. Nor does it strive for the welfare for the entire population.

Yours sincerely,  
Carmel Budiardjo

## WORLD DONORS SHOWER MORE AID ON RI

*TAPOL Report, 2 July 1993*

The members of the Consultative Group on Indonesia decided in Paris this week to commit \$5.1 billion to boost the Indonesian economy in 1993/94, an increase of \$200 million over last year's allocation.

Some countries cut their aid slightly, while others gave more, particularly Japan whose commitment went up from \$1.32 billion to \$1.44 billion. Britain's pledge represented the largest increase proportionately, a threefold increase from \$35 million to \$98 million.

Six countries lowered their commitments, including Australia which nearly halved its amount from \$73 million to \$40 million, while the US cut its pledge by \$4 million to

\$90 million. Belgium which committed \$16.4 million last year committed nothing at all this time round, following the breakdown in negotiations on this year's aid agreement over Belgium's insistence that a human rights clause be included.

## INDONESIA RECEIVES PLEDGES OF \$5.1 BILLION

*Official World Bank statement on CGI meeting, full text. Friday, July 2, 1993*

A World Bank-chaired meeting of donors in Paris on June 30 pledged \$5.1 billion of development assistance for Indonesia for the coming year.

The funds aim to support sustained growth, poverty reduction and environmental protection. The total is consistent with the country's estimated external financing requirements and development needs, and exceeds last year's pledge of \$4.9 billion.

The group of representatives from 18 nations and 13 international organizations congratulated the Government of Indonesia on the continuity of its sound macroeconomic management and the country's excellent economic performance. During the past decade, Indonesia's non-oil gross domestic product (GDP) has risen by an average of 6.7 percent per year. Non-oil exports, over \$24 billion in fiscal 1992/93, are more than six times higher than in 1982/83. Dependence on oil has declined correspondingly.

The Consultative Group (CG) also congratulated the government for the substantial reduction in poverty in Indonesia—from 60 percent of the population in 1970 to 15 percent—one of the most rapid improvements in the world. This was one of the major achievements of the 25-year plan. The reduction in poverty was accompanied by a significant slow-down in population growth, a pronounced decline in infant mortality, and a substantial expansion of school enrollment and health care.

The government continues to put high priority on macroeconomic stability. There was general agreement that without macroeconomic stability, Indonesia could not achieve its other objects of reducing poverty and sustaining growth.

Tight fiscal policy, together with improvements in public savings and the quality of public spending, will help sustain rapid growth, reduce the current account deficit further, and ease the external debt burden.

The CG and the government agreed that continued prudence in external borrowing and increasingly sophisticated external debt management would be needed in the context of the rapidly growing and increasingly complex Indonesian economy. The govern-

ment plans to continue to restrain public external borrowing.

The delegates also considered ways to increase Indonesia's competitiveness and productivity. There was broad agreement that increased productivity would be critical to sustaining high growth. Indonesia faces growing competition from other developing countries in expanding and diversifying its exports and in attracting foreign investment. Domestically, broad-based increases in productivity are the key to supplying consumers with better quality, lower priced goods and to rapid employment growth with increasing wages.

International experience shows that, in addition to macroeconomic stability, sustained productivity growth depends on an incentive framework that encourages export-oriented growth and domestic competition through low protection and limited but effective regulation. Also, it depends on investments in human and physical capital, including foreign direct investment, and on strong institutions, including a public sector that delivers high quality services at low cost.

During 1992/93, Indonesia's economic performance was exceptional as the government's restrained macroeconomic stance cooled an overheated economy. Overall GDP growth reached 5.8 percent.

## PARIS CANDLELIGHT WAKE AT CGI MEETING

*Report by Bruno Kahn, Agir Pour Timor, July 13*

Here is a report on the candle wake Agir pour Timor organised on June 29th, for the CGI meeting, on the Parvis des Droits de l'Homme, Place du Trocadero. This comes a little late because I was not in France at the time of this event. So this is (as last year) a report in absentia.

Last year, for the first CGI meeting, we had organised two demonstrations grouping 150 and 200 people, plus a wake at the same location as this time. Many supporters, including East Timorese from Portugal and Indonesians from Holland, had come from various countries of Europe. This year we decided not to make such a big thing for several reasons:

- the organisation of the thing last year had been very heavy for us, materially as financially.

- the coverage by French media last year had been minimal, in spite of the fact that CGI took place for the first time in Paris. We could expect worse this year.

Duration. From 9pm to 11pm. Actually we stayed until midnight.

Material. A coffin with huge black and red sheets, flowers, big candles, posters glued on the ground.

Presence. Between 30 and 50 people were present.

Impact. The Trocadero is basically a touristic place. Lots of people go to and fro, but they are mostly foreign visitors not a priori sensitive to political/human rights issues. In spite of this, many people stopped to look at the coffin and the other material, and discussed with the demonstrators. We learned at this occasion that it will be useful to also make posters in English in the future.

Media. The following media were present: TVI and RTP (Portuguese television), Radio Alfa (a Portuguese-speaking local radio, which covered the whole evening), Frequence Paris Plurielle (another local radio), IPS/Paris. A French television channel may have been there (unconfirmed). A Brazilian journalist, passing there by chance and unaware of anything related to East Timor, decided to follow up the issue after discussing with demonstrators.

We were interviewed by Radio Alfa, Frequence Paris Plurielle and the Portuguese television. The wake was shown on Portuguese television (but not, of course, on French television).

NGOs. Just as last year, few NGOs supported this event. CIMADE, a Protestant NGO, was represented by a member of its human rights section. MRAP was represented by Michel Robert (also president of the Association de Solidarité avec Timor Oriental). Militants of *Peuples Solidaires* may also have been present, since their monthly *Peuples en Marche* published a paragraph including details of the demonstration.

Spying. Early Monday morning, the day before the wake, one member of Agir pour Timor received a phone call from a Timorese. He first assumed it was Jose Antonio Amorim Dias and the correspondent confirmed. However, after a few minutes, it became clear that something was wrong. The voice did not fit and the questions were strange (How many Timorese will participate? How many are you in your group? Are there many Portuguese in France? etc.). The colleague asked for his phone number. "Amorim" answered that he was in a hotel in Vienna, then hang up, then called back giving a phone number and saying his code name was "Joseph." Afterwards, he called the place where we were to meet on Monday night to prepare the wake, but the people there were already warned and gave no information on Agir pour Timor or the demonstration.

The same evening, "Amorim" called back during the meeting, asked for more informa-

tion but received some “niceties” instead. He called back a couple of times again, including to the same colleague’s home the next morning! A car with 2 Asian-looking people stayed in front of the house, during the preparatory meeting, for 4 hours, manipulating a radio (but maybe we are too suspicious).

During the wake, we enjoyed the presence of an Indonesian we had already seen when we demonstrated against Suharto during his visit last November (presumably security personnel from the embassy), but there was no incident.

When later told this story, Amorim mentioned Paulino Gama, a former commander of the Falintil who surrendered to the Indonesians after having had problems with Xanana, in 1983. He is a known informant of Indonesia. He lives in Amsterdam and moves around to get information. He does not speak a very good Portuguese, and speaks it fast and in a sometimes slightly confused manner. (This rather fits with our colleague’s impressions.) In the Vienna conference, he was present at a forum where he sat with the Indonesian delegation and sided with them in the debate. The same misadventure as ours happened to the Belgian group SOS Timor; he was looking for phone numbers of pro-Timorese parliamentarians.

All in all, it was a successful, if modest, event, in spite of the incident related just above which had no serious consequences.

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## **LABOR RIGHTS IN INDONESIA; GSP THREATENED**

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### **THE DOLLAR-A-DAY WORKERS WHO PRODUCE MICHAEL JORDAN’S \$200 NIKE SHOES**

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*San Francisco Examiner, June 16, 1993.*

*By Dick Meister*

“JUST DO it,” say the ubiquitous TV commercials for Nike shoes. But if you’re truly concerned with health, fitness and the other virtues touted by the ads, what you might better do is to boycott rather than buy.

And while refusing to buy any new Nikes, you might send any “old dirty, smelly, worn-out” pairs in your closet to the billionaire Philip Knight, who runs Nike out of its corporate headquarters in Oregon.

That’s just what you should do says the Made in the USA Foundation, a non-profit organization of some 50,000 individuals, unions and manufacturers. Its boycott cam-

paign is backed by such influential groups as the AFL-CIO – and for very good reasons.

You know those Nike shoes that can cost as much as \$200 a pair, the kind basketball superstar Michael Jordan gets \$20 million a year to endorse? The kind that brought Nike a profit of \$329 million last year?

The shoes actually are made – every one of them – in independent Asian factories that are under contract to Nike, by workers who are among the world’s most exploited. Few get much more than \$1 a day, a poverty-level wage even in their Third World economies and one that consigns them to living conditions as abysmal as their working conditions.

Consider, for instance, one of the six plants in Indonesia that turn out Nikes – the Hasi factory in Tangerang, on the outskirts of the capital city, Jakarta:

“Workers sit or stand elbow-to-elbow. Many are barefoot. The humid air reeks of paints and glues. The temperature hovers near 100 degrees. Breathing feels unnatural . . . Stay 10 minutes . . . and your head will pound, your eyes and lips will burn. Amid the glue and paint fumes, workers without protective clothing operate hot molds, presses and cutting machines.”

The description is that of Nena Baker, a reporter for the Portland *Oregonian* who set out to explore what lay behind Nike’s hefty profits.

In what is typical of the 35 plants sprinkled throughout Indonesia, China, Thailand, South Korea and Taiwan, most of the workers in the Hasi plant are young women, their supervisors men. Their pay is 14 cents an hour, 16 cents for the overtime they must often work.

Yet Nike pays the factory, for example, about \$16 for one particularly popular shoe model, then sells it for about twice that to retailers who in turn sell it to you and me for twice what they paid.

And how do they live, those 22,000 Indonesian workers, who make such profits possible?

Reporter Baker followed one home in Tangerang:

“After a long day, Tri Mugiyanti, who claims she is 18 but looks barely past puberty, stands outside her home and says she is very tired. But home is hardly a place to relax. She shares one room in a slum less than a mile from the Hasi factory with three other workers. Smoldering piles of garbage line the dirt paths to her doorway. She sleeps on a bamboo mat.”

There is no electricity or running water in Try Mugiyanti’s shack or in those in which most of the other workers live.

“Naive and absurd” said a Nike spokesman of the notion that the corporation should be concerned about the deplorable

conditions of Mugiyanti and the others who produce 80 million pairs of shoes annually for the corporation.

Knight and his fellow executives claim they’re proud of what the shoemaker has done in Asia.

After all, they say, they’re providing jobs for Asians. But what they’re really doing is using desperately poor workers to increase Nike profits.

Nike’s profits weren’t quite so huge before the mid-1980s, back before Nike joined most other shoe companies in shifting manufacturing operations abroad. Back then, profits actually had to be shared with those whose work helped make them possible, thanks to union contracts that guaranteed U.S. shoe workers pay averaging about \$7 an hour.

Nike turned first to South Korea. After workers there won the legal right to form unions and conduct effective strikes that could raise their pay and thus cut into Nike’s ever-soaring profits, the corporation turned elsewhere. Indonesia is notably lax in protecting workers, but just in case the situation should also change there, Nike is now exploring the possibility of shifting operations to even more accommodating Asian countries and possibly Mexico.

But if the boycotters have their way, Nike won’t be going anywhere. They’re demanding that the corporation abandon its blatant exploitation of foreign workers.

They’re demanding that Nike resume manufacturing in this country, where some 65,000 workers have lost their jobs because of the shift abroad by Nike and other shoe firms lusting after profits without regard for the workers who make them possible.

*Dick Meister, a San Francisco writer, has covered labor issues for three decades as a reporter, editor and columnist.*

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## **REEBOKS, RAPPERS AND LOSERS**

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*New Internationalist (U.K.), June 1993. By Peter Hitchens*

Warning: your training shoes may have already damaged someone else’s health. Peter Hitchens reports on the Indonesian roots of the world’s favourite running shoes.

The last time you slipped into a pair of Nike or Reebok running shoes, you probably didn’t give a thought to who manufactured them or where. But it’s worth wondering...

Almost certainly they came from Indonesia. The workers of ‘Jabotabek’ there make all sorts of luxury goods for Western markets: Nike, Reebok and Adidas trainers, Levi Strauss jeans and Calvin Klein Y-fronts.

Jabotabek embraces the city of Jakarta and the hinterland of Bogor, Tangerang and Bekasi. It is Indonesia's 'showcase' industrial complex, where South Korean and Taiwanese companies use cheap Indonesian labour to manufacture shoes, shirts and textiles under licence to the Western label-owners who buy back the semi-finished products, slap on a massively marked up price, and hawk them to joggers, rappers and GQ readers in European and North American markets.

This may seem a happy image of incipient Third World capitalism but a closer look shows the underbelly of one of the world's nastiest regimes, whose industrial-relations policy makes England's during the Tolpuddle massacre seem almost benign.

And joggers through Central Park and rappers down the Champs Elysées might reflect on the amount it actually costs to make \$130 trainers: 'a few cents,' says a British industrial-relations specialist who recently toured Jabotabek.

In Indonesia, the 'legal minimum wage' is \$1.27 a day, the second lowest in Asia after Bangladesh. A survey of 12,000 factories in Tangerang last year revealed that less than 40 percent of employers even bothered to pay the minimum wage.

'Shoe-factory workers run amok' ran the headline in the Indonesian daily "Merdeka" last September, referring to 8,000 workers who went on strike actions in one district of Java during the last three months of 1992, involving nearly 50,000 factory workers and bringing to 130 the number of major strikes in Indonesia last year.

At the centre of the workers' complaint is decent wages. The \$1.27 minimum is still well below that stipulated under Indonesia's 1945 Constitution, which states that every citizen has the right to demand the basic needs for survival. Low wages have brought acute social deprivation: 80 per cent of Indonesian female workers, who make up the vast majority of the textile labour, are malnourished, according to the International Labour Office (ILO).

But there's more to it than wage levels: in many factories wages are cut if employees go to the toilet unauthorized, pregnancy results in instant dismissal, and holidays are allocated at the discretion of employers in whose ears the words 'maternity leave' and 'sick leave' sound like the language of another planet.

Content to abuse basic human dignity for as long as they can get away with it, Indonesian employers usually deduct 20 per cent of a worker's salary when she or he is absent. A normal working week is more than 50 hours, with no overtime pay, and the minimum international standards for health and safety are ignored.

Such contempt for humanity reflects the traditional Indonesian attitude to workers who, according to an editorial in the "Jakarta Post" are 'a docile people who respect their elders and leaders... easily trainable to do manual jobs. (The) puzzling question is... how the workers... could turn into a highly agitated and militant mob.'

Astonishing though it may seem to this leader-writer, inhuman conditions often breed discontent and well-organized resistance. But workers' resistance is being met with brutal suppression. Workers who complain about their conditions are dismissed; those who dare to organize collective action are rounded up and interrogated, often beaten and electrocuted by the military—and then dismissed.

The key precondition for business success in Indonesia is having a chum in the military, since Ministerial Decree 342 (1985) authorizes the military to intervene in industrial disputes. 'Employers in Indonesia who don't have a relationship with the military are finished,' explains Teten Masduki, a prominent Indonesian labour representative who was himself interrogated by the military for striking.

When 14,000 workers from Gajah Tunggal, a truck-and-tire company, went on strike in August 1992, not only the local police and the district military came to the factory, but also the army combat unit, cavalry, and Jakarta Metropolitan Command.

A year earlier 8,500 of the 9,250 female staff employed by Great River, a Korean/Indonesian textile company, went on strike against pitiful wages, 13-hour days, and the practice of docking one-fifth of wages for going to the toilet without authorization. The women's jobs involved stitching Calvin Klein and Triumph jackets and underwear; these may have made useful surrender flags but little else in the face of the massed military regiments. As it was, 10 of the ringleaders were harassed, interrogated, and dismissed. One woman was heard to ask: 'Why can't we have decent wages when each jacket we produce costs \$425 in European markets?'

Sacked workers' names are entered on a blacklist which is circulated among employers, removing any chance of their getting another job. The interrogation of ringleaders may last only six hours, but a lot can be done to a human being in six hours, explains Amnesty International's Indonesia researcher.

'They are put under extreme pressure to say whether they have links with political organizations, to fill out questionnaires about their families and relatives, to give details of their background, their attitude to the state and constitution... The interroga-

tors routinely beat people up; electric shocks are very common, and are used especially on people belonging to political organizations opposed by the Government.'

'Often,' he adds, 'the interrogators simply lay a revolver on the desk, or put it against the victim's head, shouting, "you're nothing... just speak!"'

Security is so tight that factories producing Western goods look like military compounds, constantly under surveillance by the Army.

The Suharto regime which came to power in 1965 still appears to suspect reds under the bed, drawing no comfort from the possibility that Indonesia's military might have already rounded up, tortured and eliminated the last of the archipelago's Communist bogeypeople. 'All that remains of the Indonesian Communist Party are pockets of old people who meet quietly in their twos and threes,' says a human-rights workers in Indonesia (who prefers not to be named).

The only recognized 'union' in Indonesia is the state-run SPSP (Serikat Pekerja Seluruh Indonesia), whose representatives on the factory floor genuinely try to voice workers' complaints, but find they are overruled by their seniors. By an astonishing coincidence the chair of the SPSP, Imam Sudarwo, is a large textile industrialist, while the new Minister of Manpower, Abdul Latief, owns one of the Indonesia's biggest supermarket chains. Between them they do a nifty double (triple?) act of dancing between the military, employers and workers, urging employers on the one hand to pay, and workers on the other to accept the minimum wage, the level at which they set.

Despite Indonesia's ratification of ILO Convention 98—affirming workers' right to collective action—the country's leaders cock a snook at foreign governments who condemn its practices. Indonesia, after all, is cozily patronized by Western multinationals.

This display of indifference is not surprising in the light of what happened after Indonesia's massacre of thousands of East Timorese in Dili in 1991. The Canadian and Dutch governments stopped all aid to Indonesia in protest, at which point the Inter-governmental Group on Indonesia was reformed (minus the Dutch) and actually increased aid from about \$4 billion in 1992 to \$5.2 billion in 1993. The British were very keen not to offend, while Australia, the one country which has contradicted the UN by recognizing East Timor as part of Indonesia (helped by oil and natural gas discoveries in the Timor Sea), mouthed platitudes about it not being appropriate to condemn Indonesia in public...

The Clinton Administration isn't so chirpy about these developments. The US-



based human-rights group Asia Watch asked the US Trade Representative last June to review labour rights and practices in Indonesia. Under US law the President could end preferential trade agreements with a country (like Indonesia) which is 'not taking steps to afford internationally recognized worker rights'—including the right to bargain collectively and freedom from forced labour.

In November 1992 the Indonesian Government submitted a 170- page response, drawn up by US law firm White and Case, and sent a top-level delegation to Washington to protest against the petitions.

President Clinton was to announce his decision in April 1993 but still had not done so as the NI went to press. According to Asia Watch, 'if benefits are cut as a result, the annual cost to Indonesia of the rise in tariffs on Indonesian exports coming into the US will be about \$400 million.'

Meanwhile worldwide demand for trainers is at an all-time high. The London-based Indonesia Human Rights Campaign says Nike has authorized four South Korean joint-venture factories in Jakarta and West Java. Workers in one, PT Astra Doo Yang, receive wages below the national minimum of \$1.27 a day.

But what on earth are we to make of Reebok, one of the world's largest shoemakers, which similarly contracts production from Indonesian factories? Fernando de Araujo, the East Timorese human-rights campaigners, who was tried and sentenced to nine years imprisonment in Jakarta for 'subversion,' recently received an award... from the Reebok Human Rights Programme.

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### US TELLS INDONESIA: IMPROVE LABOR RIGHTS OR LOSE TRADE BENEFITS

*Report from East Timor Action Network/US, which has been encouraging its members to communicate their view on this issue to the Administration and Congress, including how workers in East Timor and Indonesia are treated.*

The following is most of a Press Release issued June 25, 1993 by the Office of the United States Trade Representative, Washington, DC. The release is titled:

#### **Kantor Announces Results of 1992 GSP Reviews; Emphasis on Worker Rights is Underscored**

U.S. Trade Representative Michael Kantor today announced the results of the 1992 annual review of the Generalized System of Preferences (GSP) which included reviews of worker rights and intellectual property practices in several beneficiary countries. Under GSP, the United States grants duty-

free access to selected goods from developing countries. The GSP law requires that a beneficiary country be "taking steps" to provide its workers internationally recognized worker rights in order to be eligible for the program's benefits.

Kantor noted that the Administration was giving new emphasis to the worker rights criterion of the law, suspend the benefits of one country (Mauritania) and ordering that the status of six other countries (El Salvador, Guatemala, Indonesia, Thailand, Malawi, and Oman) be revisited in a short time period. "We are developing specific action plans aimed at encouraging improvements in labor practices in these countries. If countries fail to make substantial concrete progress in addressing worker rights concerns during this time, their GSP benefits will be in serious jeopardy," Kantor said. Kantor added, "We are committed to vigorously implementing the worker rights provisions of the GSP law, to ensure that countries which benefit from preferential U.S. trade treatment are making serious efforts to implement international labor norms. Short periods of review for these countries underscore the Administration's commitment to worker rights. We do not want to wait a full year before seeing these countries make progress in this important area."

With respect to Indonesia, the Administration is very seriously concerned about the lack of conformity of labor laws and practices with international norms, particularly in the area of right of association. As part of its action plan, the Administration intends to work with Indonesia in the coming months to examine what steps are being taken to meet international labor standards.

*[Discussion of other countries and GSP-eligible products deleted. The release closes by saying that the Administration proposed a 15-month extension of the GSP program, during which they will to develop a proposal for long-term extension.]*

The International Labor Rights Education and Research Fund (ILRERF), which, together with Asia Watch, requested that Indonesia's GSP status to be reviewed, issued a press release June 25. Here are some excerpts:

#### **ILRERF Welcomes Progress in Administering GSP Laws; Calls for More Rigorous Reviews**

"... it is apparent that in most of these cases, there are serious enough violations of the rights of workers to justify immediate suspension of concessionary trade privileges.

"... Indonesia's violations were singled out because of an apparent unwillingness of the Government of Indonesia to move to-

ward rectification of its labor laws. Membership in any but a government-dominated labor federation is all but prevented by Indonesia's laws, while military intervention in labor affairs is constant. Indonesia is being given 8 months to change, before being told its beneficiary status is suspended. ILRERF will work closely with the Administration to monitor progress, or its lack, during this period.

"Today's decision signals a new seriousness in the administration of the worker rights provisions of the GSP law, a welcome change from the past two Administrations. ..."

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### INDONESIA RESPONDS ON LABOR RIGHTS

*Indonesia Publications, Indonesia News Service No. 377 - July 2, 1993. Excerpt*

Indonesia, under sharp attack from the United States over its poor labour record, on Monday denied there were major problems with the way its workforce was treated. "Most voices in the International Labour Organisation (ILO) support Indonesia. This shows that we have handled this issue better," Manpower Minister Abdul Latief told reporters after meeting President Suharto. Last Friday, Washington threatened to withdraw special trading privileges from a number of countries, including Indonesia, for failing to improve workers' rights. U.S. Trade Representative Mickey Kantor said the countries could lose their access to the General System of Preferences (GSP) which allows developing countries to ship goods to the U.S. duty-free. Kantor said he was seriously concerned about labour laws in Indonesia and intended to examine in coming months what steps had been taken to meet international standards. "If countries fail to make substantial concrete progress in addressing worker rights concerns during this time, their GSP benefits will be in serious jeopardy," Kantor said. Earlier this month, Indonesian human rights lawyers said they suspected a labour rights activist called Marsinah was raped, tortured and murdered by government agents after she led a strike over pay in May. The government is looking into the case but has yet to announce any arrests. President Suharto, who rose to power in 1965, has kept an iron grip on the labour movement and only allows one trade union to operate for a total workforce of more than 70 million. Human rights groups have expressed concern that Marsinah's murder might herald the start of a fresh crackdown to deter workers from joining the growing number of strikes. Indonesia relies heavily on its vast pool of cheap labour to lure in much-needed foreign investment.

Activists say that many workers are still paid below the minimum legal wage of a little over \$1 a day. Manpower Minister Latief said Indonesia planned to explain its labour policies to Washington. The United States has in the past raised the question of the government's attitude to labour issues but has yet to take any action. Latief has himself been in the news over labour issues when workers at a factory he owns marched to parliament to demand better wages. (RT, Jakarta, Muklis Ali, June 28)

## INDONESIAN WORKERS GROUP CONDEMNS ACTU

*Green Left #106, July 14, 1993*

The Jakarta-based worker support organisation Yayasan Maju Bersama (YMB - Advance Together Foundation) has called for Australian unions to boycott plans by the ACTU and the Australian government to assist the Suharto regime's puppet trade union, the All Indonesian Workers Union (SPSI - Serikat Pekerja Seluruh Indonesia).

A report to the ACTU - first made public a fortnight ago by the journal *Solidarity* - has recommended a scheme of massive assistance to the SPSI and the establishment of an Australia-Indonesia Labour Institute.

The YMB statement accuses the ACTU of participating in oppressing the working class in Indonesia. According to YMB's information, ACTU assistance for 1992-1993 to SPSI will be A\$1 million. "This will be siphoned off by SPSI officials with the excuse that it is being used for training for workers. But the SPSI has never defended workers in Indonesia. In fact every time workers strike, SPSI officials accuse them of carrying out subversive activities."

YMB also expressed concern that the ACTU's help in expanding SPSI factory units, will increase SPSI's ability to have so-called union dues cut from workers' wages. According to YMB, workers in the Jakarta, Bogor, Tangerang and Bekasi areas are receiving Rp3100 per day, which are then cut by Rp750.

It is common knowledge in Jakarta that such "union dues" are mainly used to support the lifestyles of SPSI officials, often retired military officers. "The emergence of genuine unionism in Indonesia is being impeded. The ACTU is helping strengthen the fascist New Order regime by helping the SPSI, with its programs aimed at domesticating the working class."

YMB has asked for its call to boycott the ACTU's plans to be circulated to all Australian and European trade unions.

## INDONESIA BARS LABOR CONGRESS

*July 29 story by Jeremy Wagstaff, substantially abridged:*

CISARUA, Indonesia, July 29 (Reuter) - Indonesia on Thursday barred the country's largest independent trade union from holding its first congress.

Plainclothes police and military officials barred some 150 members and guests of the Indonesia Welfare Labour Union (SBSI) from starting the congress at a hotel in Cisarua.

"We have been told we cannot go ahead," chairman Mochtar Pakpahan told members and representatives from international groups, including the International Labour Organisation (ILO).

Diplomats, some of whom attended the abortive congress, said Indonesia had backed itself into a corner.

More than 80 SBSI members have reported being harassed, arrested without reason, having their benefits withheld or finding themselves sacked.

Chanting, shouting and clapping delegates defied the ban by unanimously passing a motion calling for legal action against the government.

The SBSI claims it has 30,000 members but labour analysts said the figure was likely to be much lower.

## U.N. DECOLONIZATION SEMINAR IN PORT MORESBY

### OUTSIDE PRESSURE ON UN DECOLONISATION COMMITTEE STAFF

*Press Release from the Pacific Concerns Resource Centre, June 8, 1993*

The staff of the Pacific Concerns Resource Centre are concerned about what they see as outside pressure being brought to bear on the staff of the UN Special Committee on Decolonisation who are organising a Pacific Regional Seminar on Decolonisation to be held in Port Moresby, PNG, June 8-10, 1993.

PCRC Director Lopeti Senituli in Auckland and PCRC/Pacific News Bulletin Editor Ellen Whelan were each invited at the beginning of April by the Acting Chairman of the Special Committee Alexander Siaby to attend the Seminar and to prepare discussion papers.

Mr. Senituli and Ms Whelan accepted the invitation separately and advised the UN

secretariat of the topics they would discuss in their papers. In reply Mr. Wilfred De Souza, Secretary to the UN Special Committee, confirmed their participation, and discussion papers were forwarded to New York.

The invitations to the Seminar in Port Moresby were identical in wording and format to an invitation Ms Whelan received from the UN to attend an earlier Pacific Regional Seminar on Decolonisation held in Vanuatu in May 1990. On that occasion, and as is usual practice, the UN paid for the plane fares, hotel accommodation and a per diem.

When Ms Whelan received no further word about travel arrangements, she faxed Mr. De Souza. On 29th May, she received a letter signed by a Mr. O. Mustafa and issued on behalf of Mr. Renagi Lohia, Chairman of the UN Special Committee and PNG Permanent Representative at the UN, informing her that they had finalised the list of Seminar participants to be funded by the UN and that her name was not on it.

Four days later Mr. Senituli received a similar letter.

Mr. Senituli said, "There is something funny going on here. The original invitations were bone fide and so I submitted a discussion paper on the 'Implications for the Pacific Island territories of issues pertaining to the environment and sustainable development and Agenda 21.'"

"The invitation did specify that we should focus on Pacific island colonies that are on the UN Special Committee for Decolonisation's list, which are New Caledonia, Tokelau, East Timor, Pitcairn Island, American Samoa, Guam and Palau; but in my paper I flagged other 'colonial' situations in the Pacific such as Bougainville, Hawaii and Johnston Atoll, West Papua and 'French' Polynesia which are bound to arise on the Special Committee's list in the near future."

"I suspect that the mention of Bougainville in my paper prompted the withdrawal of the invitation," Mr. Senituli said.

Ms Whelan said she thinks that because the monthly Pacific News Bulletin has consistently highlighted the Bougainville crisis she was taken off the list.

Mr. Senituli added, "If our suspicions about why we have been bumped off the list are correct, then it is indeed a sad and tragic commentary on the UN, the Papua New Guinea government and regional politics."

Mr. Senituli also said that Mr. Renagi Lohia as PNG Permanent Rep to the UN has done an excellent job in the Decolonisation Committee in relation to French and American colonies on the Committee's list, and that his negotiating skills are badly needed to resolve the Bougainville crisis.

Mr. Senituli also pointed to the new "Internal Security Act" to be gazetted by the PNG government. It will override or restrict some of the basic human rights and freedoms entrenched in the PNG Constitution. Under the Act, "non-citizens" can be banned from PNG. "This draconian law will allow the military open season in Bougainville and takes PNG down a road where many African, South American and South East Asian countries have gone to despair."

The international spokesperson for the Maubere resistance in East Timor, Jose Ramos Horta, was also removed from the list of invited participants but after protest was relisted for the Port Moresby seminar.

PCRC is the international secretariat for the Nuclear Free and Independent Pacific Movement.

For further information contact: Ellen Whelan at Tel: 61 2 550 9967; Fax: 61 2 560 3241 Lopeti Senituli at Tel: 64 9 307 5882; Fax 64 9 377 7651

## CHALLENGE TO UN OVER MELANESIAN RECOLONISATION

*By David Robie, June 11, 1993 (excerpts)*

Powes Parkop said the so-called act was void in international law and clearly violated UN principles for self-determination.

"The West Papuans were the first victims of the Cold War," he said.

Parkop presented a legal, cultural and ethnic case for why the case of West Papua should be reexamined and restored to the list of non self-governing territories.

He also cited a list of atrocities committed by the Indonesians against the Melanese of West Papua, including the use of napalm to kill about 37,000 people in the Baliem area in 1978 and the killing of about 1000 people killed in villages south-west of Jayapura in bombing raids by military aircraft.

"These are not all of the specific accounts of the Indonesian colonizing government's cruelty to the colonized Melanese of West Papua," he said.

"Rather it is general accounts of what had been committed which also show the methods of ongoing direct and indirect killing of Melanese by Indonesian colonisers."

Jose Gusmão, spokesperson for the East Timor National Council of Maubere Resistance (CNRM), told the seminar about the "tragic situation" in East Timor and protested over the trial and life sentence imposed on resistance leader Xanana Gusmão.

He reminded the decolonisation committee of the peace proposal presented by Xanana which had been ignored by Indonesia.

"Instead of seeking an appropriate solution, Indonesia has in recent months intensified its brutal colonial oppression in East Timor, exacerbating the situation of extreme hardship and gross violation of human rights which our people have been enduring for the last 17 years."

...

Gusmão said it was a painful paradox that the new colonial power was itself a victim of earlier forms of colonialism.

"Yet, as a result of the excesses of its armed forces, it has violated the arguments which it itself advanced at the time it sought the support of the international community for its freedom struggle."

Hadi Wayarabi, former Indonesian ambassador to the UN and now director of his country's International Organisation, attacked the speakers supporting West Papuan and East Timorese self-determination.

He claimed Portugal had "bungled" its colonial rule in East Timor and had thus abrogated any rights over the territory. Wayarabi also accused critics of Indonesian policy of "manipulating and distorting figures" over the widely accepted claim of more than 200,000 deaths in East Timor from famine and the Indonesian occupation.

On West Papua, he said that support for self-determination amounted to "proposing that one part of a sovereign country might be separated from another part."

Among other speakers were president Paul Neaoutyine of the Kanak Socialist National Liberation Front (FLNKS) and Yann-Celène Uregei of the People's Congress.

Uregei attacked the Matignon Accords as "strengthening white hegemony over every aspect of social life" in New Caledonia.

He gave a detailed account of social problems ranging from an explosion of squatter and shanty settlements in Noumea to "chaotic development" and "rumours of secret pocket lining" by some independence leaders.

## PACIFIC DECOLONIZATION SEMINAR CRITICIZED

*PNG Post Courier, Friday June 11, 1993*

*By Neville Togarewa*

"A former law lecturer and judge of the National Court and Supreme Courts of Papua New Guinea yesterday described the final report of the United Nations Pacific Regional Seminar on Decolonisation, held in Port Moresby this week, as a 'white-wash' and 'defective.'"

Mr. Brian Brunton, who lectured in law at the University of PNG for 14 years and who served two years as a judge, is now Director of the Individual & Community

Rights Advocacy Forum Inc., made up of lawyers and educators.

He presented a paper entitled 'Decolonisation in Melanesia' to the seminar at the Port Moresby Travelodge hotel on Wednesday.

Mr. Brunton also urged the UN Decolonisation Committee to 'wake up' and acknowledge that the world order has changed and that the politics of the 1960's were no longer relevant today.

He said that while several interventions on behalf of East Timor and West Papua were made to the conference, there was no mention of these important self-determination and human rights issues in the summary of discussions.

Both the Portuguese ambassador and Mr. Brunton raised the question of East Timor and the UPNG law lecturer Powes Parkop intervened on behalf of West Papua.

Mr. Brunton said: 'The report does not mention anything of importance which happened on Wednesday, such as the interventions of the Portuguese ambassador; the interventions of the Melanesian Solidarity Group; the interventions of the Individual & Community Rights Advocacy Forum; and the interventions of the representative of the Maubere people of East Timor.'

'It does not mention any of these important human rights issues and self-determination issues. From that perspective, it could be considered a white-wash.'

Committee Chairman and the PNG ambassador to the UN Renagi Lohia was reported as saying that East Timor and West Papua were not considered because they are not on the UN list on Decolonisation.

'East Timor is one of the dependencies that is listed on the agenda of the Decolonisation Committee,' Mr. Brunton told the Post Courier.

'The representative of the East Timorese people (Jose Gusmão) was excluded from sitting as a member of a territorial dependency and instead given the status of a non-government organisation.' Mr. Brunton said this meant that he was only given 15 minutes.

He said: 'In fact what the secretariat did was to review his paper before he spoke and he was told what he could say and what he couldn't say.'

He said Mr. Lohia, however, handled the proceedings well and allowed those who wanted to speak to have their say.

'The representative of East Timor should have been given the status of a person from a dependency which comes under the mandate of the Committee.'

'The report does not mention any of the powerful interventions by the Portuguese ambassador when he substantially raised the question of East Timor.'

'And to the extent that there was no word about the intervention of the ambassador and other NGO representatives, this is a defective document.'

On the question of West Papua, Mr. Brunton agreed that the Committee did not have a mandate, however, he said circumstances required it to act.

Mr. Brunton said: 'The question for the Committee to address is that where there is a patent example of a colony where a people are oppressed as to the validity of the committee's own rules; that the world is changing and in the last three years we've seen major shifts in the world community and the UN, and in international law.

'Basically, this Committee needs to wake up to itself; that it is no longer a cause of the politics of 1960's; and the Committee needs to be aware that in this region, the Indonesian Government sets the agenda, and that's not good enough.'

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## U.N. CONFERENCE ON HUMAN RIGHTS IN VIENNA

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### WORLD CONFERENCE ON HUMAN RIGHTS REPRESSION REPORT

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*Working Group on Military/Paramilitary/Police and Political Repression/ Missing/ Disappearance/ Torture/ Foreign Occupation and Human Rights*

#### COMMITTEE PROCEEDINGS

The committee met on June 10 and 11, 1993 for two days and heard speakers as well as representatives of organizations from the following countries: Argentina, Australia, Bangladesh, Bhutan, Burma, Cuba, Cyprus, Denmark, East Timor, India, Ireland, Japan, Kurdistan, Kuwait, Laos, Pacific Islands, Pakistan, Palestine, Philippines, Puerto Rico, South Korea, Sudan, Switzerland, Turkey, US.

According to the reports, we acknowledge that there are violations of human rights as follows:

Argentina: Impunity of Military, Paramilitary, Political and Police Repression  
Bangladesh: Political Repression  
Bhutan: Police Repression  
Burma: Military/Political Repression  
Cuba: Foreign Occupation and Political and Military Repression by US  
Cyprus: Foreign Occupation by Turkey  
East Timor: Foreign Occupation by Indonesia, Military, Paramilitary, Police and Political Repression

India: Military/Paramilitary, Political and Police Repression  
Northern Ireland: Military and Paramilitary, Political and Police Repression,  
Japan: Political Repression of Minorities  
Kurdistan: Foreign Occupation by Turkey, Syria, Iraq and Iran  
Kuwait: Political Repression of Minorities  
Laos: Foreign Occupation by Vietnam, Political, Military and Police Repression  
Pacific Islands: Military Repression, Foreign Occupation by US, France and Indonesia, Political Repression  
Pakistan: Military, Paramilitary, Police and Political Repression  
Palestine: Foreign Occupation by Israel  
Philippines: Military, Political and Political Repression  
Puerto Rico: Foreign Occupation by United States and Political Repression  
South Korea: Foreign Occupation by United States, Police and Political Repression  
Sudan: Political Repression  
Turkey: Military, Paramilitary, Police and Political Repression  
United States: Political Repression

It is understood that the above causes of violations of human rights and countries named as violators are the ones reported to the workshop, but are not exhaustive. Due to the above causes of violations, the people in the countries mentioned above suffer from various types of violations; physical and psychological torture, including the use of drugs, extrajudicial executions, refugees, missing persons, enslaved persons, enforced disappearances and displacement, arbitrary detention, violations of due process of law, the right to free movement and the enjoyment of property, economic blockade, freedom of development, education and health care, freedom of speech, thought and communication, right to conscientious objection to military conscription without alternative, the right to be free of cruel and inhuman treatment, right to self-determination.

We condemn the above named violators of human rights.

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### ASIAN NGO'S ATTACK ALATAS

*Asia Pacific Media Unit 15 June 1993*

#### INDONESIAN STATEMENT EMPTY RHETORIC

Asian NGOs attending the World Conference on Human Rights have strongly criticised Indonesia's statement to the Conference.

'Yesterday's statement by Indonesian Foreign Minister, Ali Alatas, was empty rhetoric and lacked credibility because it

bore no resemblance to the situation in Indonesia,' said Cecilia Jimenez, spokesperson for the Asian NGOs.

'The international community should not be duped by cleverly packaged speeches from one of Asia's most repressive regimes,' said Ms Jimenez. 'If Indonesia really believes in human rights, it should announce practical measures to address the many long-standing and well-documented abuses it has perpetrated.'

'Such measures should include ratification of the major international covenants, the outlawing of torture, withdrawal of its occupation forces from East Timor, the release of political prisoners, repeal of its anti-subversion law, upholding the rights of NGOs and trade unions to organise and an independent judiciary.'

Noting the announcement by Mr. Alatas that Indonesia has recently established a National Commission on Human Rights, Ms Jimenez said Asian NGOs were concerned at the proliferation of such bodies purporting to be mechanisms for the promotion and protection of human rights. 'We fear that governments like Indonesia will use such institutions as image building exercises to convince the international community of their commitment to human rights.'

'National institutions must be based on accession to international human rights instruments and complement, not replace, effective and independent legal structures. Indonesia fails to meet these basic conditions,' said Ms Jimenez.

The Indonesian commission is to comprise 25 members appointed by President Suharto. It will be headed by Ali Said, a retired Lt. General. Mr. Said made his name as a chief judge of military tribunals established in Indonesia following an alleged communist coup in 1965.

Ms Jimenez dismissed claims by Foreign Minister Alatas that the Commission would be independent. 'How can it be independent when it has been established by presidential decree and is thus not accountable to either the parliament or the community?'

Mr. Said was Attorney-General and Minister for Justice in Indonesia from 1973 to 1984. During those years, Indonesia has seen gross human rights including the invasion of East Timor, several massacres of unarmed civilians by the Indonesian military, widespread torture and extra-judicial killings, and continued political imprisonment. Few, if any, of those responsible for these abuses have been prosecuted and punished and the abuses continue.

[Listed spokespersons for the Asian Pacific Media Unit are: Cecilia Jimenez of the Philippines, Buyung Nasution of Indonesia and Chandra Muzaffar of Malaysia.]

In a broadcast comment on the above statement, Radio Netherlands in Hilversum pointed out that the inclusion of East Timor in the communiqué was not at all surprising because of the presence of East Timorese such as Jose Ramos-Horta among the NGO representatives. 'This is the first time that Indonesian NGOs have supported a public statement calling for the armed forces to withdraw from East Timor,' the comment said.

## ASIAN NGO'S PROTEST UN INTERFERENCE IN FORUM

*Indonesian Headlines - June 11*

Asian non-governmental organisations are angry and disappointed with a forum in Vienna ahead of next week's U.N.-organised World Conference on Human Rights. Rava Nair, who is on the Asia-Pacific NGOs coordinating committee said delegates were frustrated by U.N. interference. "We are very disappointed with the U.N's attempts to control the meeting. The cancellation of the visit by the Dalai Lama is a clear indication that the United Nations is more interested in keeping human rights within an inter-government club than making it an issue that belongs to the global family that constitutes the U.N.," he said. He said Asian delegates were also concerned about the cancellation of NGOs who are uncomfortable with their governments. "An East Timor support group from Japan was refused an invitation. Chinese pro-democracy activists from Tiananmen square are not here. Sikh human rights groups have also been kept out, and marsh Arabs from Iraq. And these are only the ones we have specific information about." "There should not be a sarong or bamboo curtain now that the iron curtain is down," he declared.

Indonesia's supreme court has rejected the final appeal of East Timorese student leaders jailed for protesting against an army massacre in the former Portuguese colony. The court upheld the jail terms for Fernando de Araujo, Joao Freitas de Camara and Virgilio da Salva Guterres. A Jakarta court last year sentenced De Araujo to nine years in jail, De Camara to 10 and Guterres to two and a half years for subversion. A small number of soldiers charged with involvement in the shooting were jailed for up to 18 months. Jakarta has never clearly explained the huge disparity in the jail terms.

Timorese rebels said on Friday that guerrilla leader Xanana Gusmão is in hospital and his hunger strike has been halted by force-feeding. Indonesian Foreign Minister Ali Alatas told reporters on Thursday that Xanana was not on a hunger strike, was in

good health and had been playing basketball. The rebels said Xanana was taken to hospital on May 26, five days after being sentenced to life on sedition and firearms charges. "The International Committee of the Red Cross (ICRC) still have not seen him," rebel official Jose Ramos Horta said in a statement from Switzerland.

## HUMAN RIGHTS: THIRD WORLD ACCUSES WEST OF DOUBLE STANDARDS

*By Thalif Deen*

VIENNA June 15 (IPS) - Asian, African and Latin American governments at the World Conference on Human Rights accused Western nations Tuesday of preaching morality and practicing hypocrisy.

Leading the attack on the West, Indonesian Foreign Minister Ali Alatas told delegates that there should be no place for the practice of exchanging "unfounded accusations or preaching self-righteous sermons to one another."

Alatas said that in a world where interference between states was still a painful reality, no country or group of countries should arrogate to itself the role of judge, jury and executioner.

A country accused of continuous human rights violations in East Timor, Indonesia was one of several developing nations fighting back from after a mauling by such western-based organisations as Amnesty International and Human Rights Watch.

"Human rights questions are essentially ethical and moral in nature. Hence, any approach to human rights questions which is not motivated by a sincere desire to protect these rights but by disguised political purposes, or worse, to serve as a pretext to wage a political campaign against another country, cannot be justified," Alatas said.

Outside the main hall where Alatas was speaking, the Dalai Lama of Tibet climaxed a diplomatic row with a brief appearance at the conference site before addressing Non-Governmental Organisations (NGOs) in a tent set up by Amnesty International about one kilometre away.

His appearance came after Nobel Prize winners boycotted the opening-day ceremonies at the conference in protest against the withdrawal of the Dalai Lama's invitation to attend the conference. China had successfully insisted that he be barred from areas under United Nations control.

Although the Austrian government later said the Tibetan spiritual head could address the NGOs at the centre, he visited it only briefly before moving off to make his speech at the Amnesty site

As of Tuesday, a total of 160 of the UN's 183 member states were participating in the conference scheduled to end June 25.

Implicitly criticising the West for its double standards in Bosnia, Nigerian Foreign Minister Chief N.T. Mbu said the Vienna conference was not a tribunal for judging countries.

Were the forum used to pass judgment on states and governments, all would plead guilty, he said. The Nigerian minister also wondered why nations and governments continue to remain silent in the face of "massive violations of human rights such as genocide?."

Quoting Nobel Laureate Wole Soyinka, Mbu said that "the man dies who keeps silent in the face of tyranny."

Mexican Foreign Minister Fernando Solana said that a number of historical abuses, such as those stemming from colonialism, had been justified as being intended to civilize the world.

Solana also argued the case for objectivity and non-selectivity in the implementation of human rights.

"Existing human rights mechanisms must be applied universally rather than being invoked for partisan political purposes," he added.

The Mexican minister also said his country could not support "unreasonable interventions which were carried out in the name of humanitarian principles."

The United Nations has intervened in Somalia, Iraq and former Yugoslavia in order to provide humanitarian assistance mostly to women and children caught up in the military conflicts there.

But member states who gave their blessings for U.N. intervention have pointed out that all three cases were "exceptional" and warranted drastic measures.

They are adamant that under no other circumstances should U.N. forces violate a country's national sovereignty in the name of humanitarian assistance.

## THE ORGANIC GROWTH

*Far Eastern Economic Review, 17 June 1993, By Sidney Jones*

(New York) Across Asia and the Pacific, non-governmental organisations (NGO) have been chipping away at entrenched power structures for more than two decades. How effective they have been in changing those structures is open to debate, but they have played a critical role in forcing governments to listen to the demands of the poor, the marginalized and the abused. In the absence of any real checks on executive power in much of the region, it is the NGOs

that hold governments accountable for human-rights violations.

Today, Asian NGOs are more numerous, better organized and more outspoken than ever before. However, they are also in a state of transition because of changes within and beyond the region.

For one thing, the definition of human rights has steadily widened to encompass the concerns of four broad groups of NGOs. The first group consists of the civil-liberties organizations, which include some of the oldest and best-known NGOs in Asia. They emerged either as a response to the erosion of the rule of law, or out of a belief that respect for civil rights was the best guarantor of social justice.

The declaration of martial law in the Philippines in 1972, for example, gave rise to the Free Legal Assistance Group and Task Force Detainees of the Philippines. The Union for Civil Liberty in Thailand was born in the aftermath of the crackdown in 1973. In India, just prior to emergency rule in 1975, activists formed the first nationwide civil-rights organization which later split into the People's Union for Civil Liberties and the People's Union for Democratic Rights. These organizations were staffed largely by middle class professionals – many of them lawyers – horrified by the arrest and detention of their colleagues. Those in Asia who say that political and civil liberties are a Western preoccupation have short memories.

By the late 1970s, the efforts of the civil-liberties organizations only highlighted the absence of sustained advocacy on behalf of less privileged sectors of society – peasants, tribal groups, the urban poor and women – and a new, grassroots movement emerged. Community-development groups have long existed in Asia, but now they began more consciously to challenge local authorities.

Two other major NGO blocs that emerged in the late 1970s and 1980s were the environmental advocacy groups and women's-rights organizations. Asian officials who dismiss women's-rights activism as a Western concern could not be further off the mark. In Pakistan, two Muslim women – both lawyers – have forced changes in the treatment of women in custody after documenting the impact on women of Islamic penal laws introduced in 1979.

Women in NGOs across Asia are uniting to demand that violence against women, such as rape in situations of armed conflict, be treated as a crime against humanity. They have also called for Japan to be called to account for its practice of "sexual slavery" – the use of "comfort women" – during World War II.

The 1990s have blurred the lines dividing these groups. Civil-liberties organizations like the Indonesian Legal Aid Institute are taking up class-action suits on behalf of peasants whose land has been destroyed by pollution. Protests against the Narmada Dam project in India and the planned resettlement of thousands of "oustees" brought development, civil-liberties and environmental advocacy groups together. Their combined efforts forced the Indian Government in March 1993 to cancel its World Bank loan for the project.

The increasing coordination of NGOs, domestically and internationally, has brought higher visibility and in some cases vulnerability. NGOs which "tarnish the good name" of their governments by getting abuses publicized abroad can find their financial lifeline cut. Many of the Asian NGOs grew with the help of Western philanthropies and aid agencies, though Indian human-rights NGOs for the most part have refused foreign aid for fear of compromising their independence – often at the expense of hindering their growth.

Such ties to foreign donors have created problems for some NGOs, as Asian governments become more strident in their rejection of aid conditionality that links development assistance to human-rights improvements. When Indonesia rejected aid from the Netherlands in 1992 in reaction to criticism by The Hague of Jakarta's actions in East Timor, the financial survival of some of the most outspoken of the Indonesian NGOs – which were heavily dependent on Dutch aid – was put in question.

But international contact can also be a form of protection. In December 1992, the UN Transitional Authority in Cambodia held an international conference in Phnom Penh to provide support for four nascent human-rights NGOs in a country where no human-rights group existed before and the risks of documenting abuses are high. Governments are less likely to jail – or kill – a person with an extensive network of international support. One test of the human-rights commitment of the new, post-election Cambodian Government will be whether it permits these NGOs to survive.

Many Asian activists express a deep sense of frustration. Indian NGOs lament that they have not been able to stop the killings and dispossession of low caste and tribal groups. Indonesian human-rights lawyers have not been able to acquit a single person accused of subversion. No human-rights NGOs at all exist in China, Vietnam, North Korea, Burma or Singapore.

But the fact remains that such NGOs are a vital element of civil society, and if they cannot stop abuses from taking place, they can at least ensure that there is some cost to

the governments involved in committing them. With fax machines and electronic mail, they can get information from the most remote corner of the region to the world media. Asian governments may wish to defend state sovereignty and keep human-rights issues a domestic affair, but they are 20 years too late.

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## PORTUGAL AND INDONESIA CLASH AT WCHR

*Excerpted from UN Press Release, 17 June*

JOSE MANUEL DURÃO BARROSO, Minister for Foreign Affairs of Portugal, said that each State had to respect the rights and dignity of its citizens and could not, in the name of any collective economic or security interest, cross the frontiers imposed by the primacy of human rights. It could not do that for reasons of power, economic prosperity, religion, ideology or politics. Nothing could justify the violation of essential human rights and values. The principle of universality was compatible with cultural, religious and ideological diversity. That diversity could not be used as an argument to limit rights.

Given the new international situation, he said, no type of conflict or rivalry should be allowed to disturb action taken on behalf of human rights. The international community should consider violations of human rights with objectivity and impartiality, without ideological bias. East Timor was an instance of special relevance to Portugal. That Territory, which the United Nations considered non-autonomous with its decolonization process not yet concluded, was a clear example of the ambiguity and ambivalence of criteria allowed by the cold war. The severe violations of human rights, beginning with the denial of self-determination caused by the Indonesian invasion, had been less noticed in the context of the former confrontation between blocs, in spite of General Assembly and Security Council condemnation.

He went on to say that the disrespect of the right of the inhabitants of East Timor to self-determination had been perpetuated. Severe and systematic violations of individual rights continued. In that, and in similar cases, the position of the international community would constitute a true test of its capacity to respect and impose objective criteria in the field of human rights. The concept of universality in itself excluded the application of double standards.

HADI WAYARABI (Indonesia), speaking in reply to the Foreign Minister of Portugal, said he had raised a non-issue and was flagrantly violating the principle that the Conference should not address country-specific matters. The East Timorese people

had not been denied the right to self-determination. On the contrary, the majority had opted for integration within Indonesia, which had occurred on 17 July 1976. They possessed the same rights and obligations as other Indonesian citizens. Religious freedom was guaranteed in East Timor, as it was in the rest of Indonesia. Indonesia sought to overcome the backwardness which had resulted from over 400 years of Portuguese repression in East Timor.

G. SANTA CLARA (Portugal) said his Foreign Minister had not presented the case of East Timor but had merely mentioned it as an example. It was the principles involved, rather than the specific instances, that were being raised in that statement. The continuing denial of the right to self-determination to the East Timorese people justified such a reference. His country would never recognize the annexation of East Timor.

Mr. WAYARABI (Indonesia) said the issues just raised were irrelevant to the Conference's work. He stood by what he had said.

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## ILLS OF THE WORLD JOSTLE FOR ATTENTION AT U.N. CONFERENCE

*The Wall Street Journal (Europe), 18 June 1993. By Roger Thurow. excerpts*

VIENNA- What with the dancing Aztecs' of Montezuma and the meditating monks of Vietnam and the wandering Korean woman wrapped in a sheet, the plight of the East Timor Liberation Front seemed doomed to obscurity.

Until Jose Ramos Horta, a Timorese exile, began wall-papering bathrooms with 1,000 stickers proclaiming, "Free Xanana, Free East Timor, Boycott Bali." Soon, he was juggling appointment with a host of curious dignitaries, not to mention three foreign ministers. "I figure bathrooms are the best place to get people's attention," he says. "For a few quiet moments, they can think and reflect on East Timor."

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## EVANS-ALATAS AXIS IN VIENNA

*By Max Lane, Greenleft, June 22.*

Among the 5000 delegates gathered in Vienna to discuss human rights are non-government organisations (NGOs) lobbying governments to take more principled and concrete stands on human rights. Already the Asia-Pacific NGOs have had to issue statements condemning the speeches of Australian foreign minister Gareth Evans and Indonesian foreign minister Ali Alatas.

Evans actually came out against self-determination as a principle. No doubt with Australia's alliance with Indonesia against East Timor in mind, Evans stated in his speech that self-determination leads to "fragmentation and a source of threats to international peace and security."

"At a conference in which regional NGOs are focusing on issues such as East Timor, Bougainville, Sri Lanka, Kanaky and Tibet, such a statement increases skepticism about the extent of Australia's commitment to solving such conflicts," said Joy Balazo, a representative of the Uniting Church in Australia, in a statement issued by the Asia-Pacific NGOs.

Evans and Alatas were also in alliance over the need for public relations fakery on human rights. Alatas trumpeted in his speech the news that Indonesian President Suharto had announced the establishment of a National Human Rights Commission.

Alatas' speech was blasted as "empty rhetoric and lack[ing] credibility because it bore no resemblance to the situation in Indonesia" by Asia-Pacific NGO spokesperson Cecilia Jimenez.

The new Indonesian commission is to be headed by Ali Said, a retired general. Said made his name as a chief judge of military tribunals after Suharto's coup in 1965 and as minister for justice from 1973 to 1984. These were years of gross abuses of human rights, including the invasion of East Timor, several massacres of unarmed civilians by the military, widespread torture and extrajudicial killings and political imprisonment. Nobody responsible for these abuses has ever been punished.

Jimenez dismissed claims by Alatas that the commission would be independent. "How can it be independent when it has been established by presidential decree and thus is not accountable to either parliament or the community?"

Gareth Evans, however, claimed to have a different view. He welcomed the establishment of the commission.

He also announced a grant of \$300,000 to the UN Centre of Human Rights Voluntary Fund for the purpose of supporting and promoting national institutions - thereby possibly channeling money to the Indonesian state bureaucracy.

According to Jimenez, what is really needed from Indonesia is measures such as "ratification of the major international covenants, the outlawing of torture, withdrawal of its occupation forces from East Timor, the release of political prisoners, repeal of its anti-subversion law, upholding the right of NGOs and trade unions to organise and an independent judiciary."

Andre Frankovits, of Amnesty International Australia, also questioned Evans'

decision to give money via the UN to such bodies. In a statement issued by the Asia-Pacific NGOs, he said that Indonesia has not even acceded to most of the international instruments to protect human rights and has been guilty of continuing human rights violations, culminating in the recent discredited trial of Xanana Gusmão.

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## INDONESIAN ACTIVIST COALITION CALLS FOR ASYLUM FOR EAST TIMORESE ACTIVISTS.

*Statement by Forum for International Solidarity in Indonesia (F.I.S.I.) sent to Vienna U.N. Human Rights Conference, June 23.*

We have been informed about the presence of East Timorese who have entered the Embassies of Finland and Sweden in Jakarta. These East Timorese, like thousands of them who are fighting for the national liberation of East Timor against the liberation of East Timor against the intervention and occupation of the Indonesian military regime have been persecuted for their activities and fear for their lives. We, Indonesians, representing the people's movement towards democracy prompt respective embassies to protect and assist these East Timorese to leave Indonesia.

According to Article 14 of the UN Declaration of Human Rights, it is clear that they have a right in international law to seek and be granted refuge in another country. And as members of the UN, the government of Finland and Sweden, which both are presently represented Vienna at the World Conference on Human Rights, must respect this right and grant them asylum.

Issued Jakarta 23 June, 1993

by Forum for International Solidarity in Indonesia (F.I.S.I.)

[F.I.S.I. is a coalition of activist groups working on workers,' farmers,' women,' student and cultural issues based in a number of Indonesian cities.]

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## TIMORESE FEAR NEW WORLD ORDER WILL BURY THEIR CAUSE

*By Senthil Ratnasabapathy*

(IPS, June 24, Vienna) Two decades after Indonesia took control of East Timor, crushing the native population in defiance of world opinion, the independence movement remains restricted but resilient, and the human rights picture depressing.

Since 1975, says Jose Ramos-Horta the 'Special Representative of the National Council of Maubere Resistance' (CNRM), Indonesia has carried out a systematic campaign to destroy the native culture.

Maubere is the name used by the native population to refer to East Timor. Ramos-Horta said one third of the Mauberean population of 750,000 has been wiped out by Indonesian troops since 1975.

The estimated population of less than 600,000 natives is totally shut out from the outside world, he said.

"In Burma, there are at least some foreign embassies, but in East Timor there is no single foreign mission."

The only organisation of an international nature that was present, the International Committee for Red Cross (ICRC), suspended its operations two weeks ago due to the severe restrictions imposed by Indonesian authorities, Ramos-Horta said.

Now, with economic interests taking precedence over human rights, the East Timorese fear their cause could get downplayed in a new 'World Order.'

Indonesia invaded East Timor after Portuguese colonists withdrew. Both the Timorese and Portuguese have struggled to get the Indonesians committed to a political settlement; to no avail.

Ramos-Horta's CNRM is an umbrella organisation with two political parties and a military wing, the leader of which - Xanana Gusmão - was arrested last year and subsequently sentenced to life imprisonment.

Although the tide is seeming changing against them, the East Timorese are keeping their hopes of an independent nation alive.

In a statement issued here, CNRM said when Maubere regains independence it would seek membership in ASEAN and the South Pacific Forum.

An independent Maubere "will not have a standing army but will rely on a treaty of neutrality to be guaranteed by the permanent five of the Security Council."

But whether the Timorese would succeed in getting the Indonesian troops out of the their country is questionable, given the fact that very few countries are in a position to influence Indonesia.

Indonesia is regarded as an emerging economic power, its exports to the United States in 1991 worth five billion dollars, and even more to Japan.

Today, native Maubereans are forbidden from speaking their mother tongue, Tetun, and to study the official language of Indonesia, Bahasa-Indonesian.

A single newspaper appears from Dili, the capital of Timor, but it is controlled by the military - a 40,000 strong force. There are no native language radio services, Ramos-Horta said.

Unemployment in the public sector runs at 30 percent and in the private sector most of the jobs are held either by the Indonesians or 'Chinese intermediaries,' Ramos-Horta said.

"They (Indonesia) have completely colonized us," he said. "Before the Indonesians came, there were only Mauberans in East Timor, ... now there are 100,000 Indonesians."

The massacre of unarmed protestors by soldiers at Dili November '91, in which at least 100 people died, created adverse publicity for Indonesia.

The government appointed a commission to examine the affair and 10 military personnel were convicted. But the highest punishment was for an officer who admitted opening fire into the crowd. He was sentenced to 18 months and two more officers were suspended from service.

On the other hand, a youth accused of organising the November demonstration was sentenced to life imprisonment. "The killings are still continuing... so are the detentions," said a senior CNRM official.

"I was severely beaten and kicked and each time it happened until I became unconscious," he said.

He was released in October 1991 and left Dili in May 1992 after being tipped off by a friend that he was to be re-arrested.

### WIRYONO: EAST TIMOR "NOT ANNEXED"

*Senthil Ratnasabapathy*

(IPS, June 24, Vienna) Indonesia, reacting to assertions contained in Tuesday's edition of Terra Viva, yesterday rejected claims that it had annexed East Timor. "It is not true," Wiryono, head of the Indonesian delegation to the conference, said in an interview.

Wiryono claimed that the article, which quoted the special representative of the National Council of Maubere Resistance (CNRM), gave the "false impression" that Indonesia was trying to crush the Timorese people.

What he called the "absorption" of the territory by Indonesia in 1976 was done at the request of the Timorese.

Wiryono also disputed claims by independent human rights groups that one third of the Timorese population - 750,000 in 1975 - was wiped out following Indonesia's takeover in December of that year. The Indonesian delegate said there were no accurate population figures for the territory because "the Portuguese never conducted any census. There were just estimates (of 750,000)."

Results of population surveys done in 1981 and again in 1992 estimated the

Timorese population at about 620,000 or 630,000, "which is more than that was in 1981."

Wiryono said the Portuguese were partly to blame for the impasse in East Timor. "In 1975, the Portuguese (who had colonized East Timor) left just like that leaving the weapons with one faction, the FRETILIN ... The FRETILIN is not like FRELIMO, the Mozambican rebels. FRETILIN (the National Front for the Liberation of East Timor) is the instrument of the colonists," Wiryono said.

Portugal and Indonesia were discussing a proposal to place a multinational force in East Timor when the rebel movement declared independence in November. "That is when the civil war started to break out," he said.

Four of five political parties in East Timor supported the "integration" of Timor with Indonesia, he said. Wiryono also denied that the Indonesian government was carrying out a campaign to destroy the Timorese culture. "If that is so, how could Catholicism flourish?" Wiryono asked.

"In fact, the infrastructure that is being established (in East Timor) helps the Church to penetrate deep into East Timor." He also denied that the native language of Timorese, Tetun, has been banned. "It is used every day."

The diplomat also denied that journalists have been barred from visiting East Timor. "Journalists are free to go there and report objectively ... and as long as they stick to their journalistic activities."

Meanwhile, IPS reported from Lisbon yesterday that Jose Ramos-Horta, spokesperson for the National Resistance Council (CNR) - quoted in Tuesday's Terra Viva - will take over from Jose Alexandre Xanana Gusmão as leader of the East Timorese guerrilla resistance movement. Gusmão was captured by Indonesian occupation troops last November.

The decision was announced in Portugal in an 8-page statement by Konis Santana.

In an 8-page statement published in Portugal, Commander Konis Santana, announced the decision.

East Timor was invaded by Indonesia one week after its declaration of independence from Portugal on 1 December 1975.

A lawyer with degrees in international relations and international public law, Ramos-Horta, 43, was Foreign Minister in the brief Republic of Timor. He now teaches at the Australian University of New South Wales.



## **"NO HISTORICAL OR LEGAL CLAIM FOR INDONESIA TO OCCUPY EAST TIMOR"**

*By Jan Willem Schilt, June 25, 1993.*

(Vienna) Among the territories which will receive special attention of the Asian regional NGO's is also East Timor, invaded by Indonesia by 1975 and in 1976 by the occupying force unilaterally declared "Indonesia's 27th province." For that reason, the National Council for Maubere Resistance (CNRM) organised a workshop on the Timorese question. Participants in it were Kathleen Scott (Catholic Institute for International Relations); Pat Walsh (Australian Council for Overseas Aid), Constância Pinto (CNRM-representative for the United States), Jose Amorim Dias (CNRM-representative for the European Community) and a representative from an Indonesian NGO.

The workshop started with a personal history of Constância Pinto, one of the initially more than 300 people missing after the Santa Cruz massacre of 12 November 1991. He had to leave his family and went into hiding until October 1992 when he managed to escape to Portugal. All the time his family had been intimidated and interrogated on his hiding place.

The second speaker, Jose Amorim Dias, had been a student in Jakarta. "I was 11 years old when Indonesia invaded East Timor. All I knew, was that a foreign country had come and killed my people." As a student in East Timor, he became involved in the Clandestine network, providing food and supplies for the resistance. After that he went to study in Jakarta. "One Indonesian student urged me to study and to understand the language, culture and laws of Indonesia in order to create a dialogue between your people and my people. I want to make quite clear: we love the Indonesian people, but we hate the Indonesian government."

"When I was small, we were taught that Indonesia had 27 provinces, including Aceh, West-Papua and East Timor," said an Indonesian student. According to her, liberation movements were being described as destroyer movements. She emphasized that Indonesia is a dictatorial regime, therefore the Indonesian people themselves were also victimized by the militarization of their society.

The last speaker, Pat Walsh, said there was no historical claims to legitimize the occupation of East Timor. It poses no economic or military threat to its neighbor. He also said there was no deep-seated conflict between Indonesian and East Timorese people, as the latter never tried to form allowances with their "extended family" in

Indonesian West Timor. The question of East Timor is a matter of concern for the international community, because the self-determination of the Timorese people has been thwarted. It also forms a burden on the image of Indonesia.

Speaking on his own behalf, a rapporteur on human rights, emphasized that there are five Portuguese speaking countries which support the Timorese claim for self-determination. He also mentioned the work of international NGOs doing the same. As a final remark, he criticized the CNRM for emphasizing the size of East Timor in its Aide Memoire. "don't mention the size; instead mention the economic possibilities of East Timor, such as the oil reserves, the mineral reserves and the agricultural possibilities. You have to convince the international community!"

CNRM adheres a peace plan which comprises of three stages. The first phase is meant for the implementation of "confidence building measures" which have to result in a drastic reduction of Indonesian troops and weaponry in East Timor, in conjunction with the introduction of significant UN presence in this territory.

The second stage will last from five to ten years and comprises a genuine political autonomy based on a democratically elected People's Assembly. The third phase would have to result in a referendum to determine the final status of the territory. Jose Amorim Dias adhered to this peace plan. The aim of the CNRM is to achieve this peace plan through lobbying within the international community. Walsh also called for the right of self-determination for the Timorese people. Once more he emphasized that the Indonesian presence in East Timor was not only a burden to their image in the international community, but also an economic burden, because of the cost of weaponry, soldiers and not in the least because of the lives already spilled.

## **DECOLONIZATION HEARINGS IN NEW YORK**

### **U.N. PRESS RELEASE ON DECOL. HEARINGS**

*Daily Highlights, 14 July, 1993 (relevant excerpts)*

The Special Committee on decolonization has heard several calls for the United Nations to intervene directly to resolve the human rights crisis in East Timor. Petitioners before the Committee yesterday urged the international community to use economic, diplomatic and other means to force

Indonesia to comply with United Nations resolutions on East Timor and with the principles of the United Nations Charter. They also called for the holding of a referendum in the Territory under the auspices of the Organization.

One petitioner, a Member of the Portuguese Parliament, said the crisis in East Timor should not be seen as a conflict between Portugal and Indonesia. Rather, it was a conflict between Indonesia and the international community and a rebellion against the Charter. Indonesia had earlier reiterated its opposition to the Committee's deliberations, saying that they constituted an unacceptable interference in its internal affairs.

In 1977, the General Assembly rejected an Indonesian claim that East Timor had been integrated into Indonesia, as the people of the territory had not freely exercised their right of self-determination. Portugal is the administering Power of East Timor.

## **PETITIONERS TO U.N. DECOLONIZATION HEARING ON EAST TIMOR**

*The following petitioners spoke before the Special Committee on Decolonization on East Timor, July 13, 1993.*

*East Timor Documents does not have the space to include all of their statements, and are only including the statements from the East Timorese groups, CNRM and Fretilin. We do have nearly all of them, however, both on paper and in computer. If you would like copies of any or all of them, and can pay copying and postage costs, contact ETAN/US.*

This the order in which petitioners spoke.

Jose Amorim Dias, National Council of Maubere Resistance

Dan Heap, Parliamentarians for East Timor, Canada

Charles Scheiner, East Timor Action Network, U.S.

Carmel Budiardjo, Indonesian Human Rights Campaign - Tapol

John M. Miller, Agir pour Timor, France

Curt Georing, Amnesty International

Claudia D'Andrea, Asia Watch

Richard Koch, Komite Indonesia; East Timor Group Holland

Roger Clark, Int'l League for Human Rights  
Pedro Pinto Leite, Int'l Platform of Jurists for East Timor

Sharon Scharfe, East Timor Alert Network, Canada

Ana Correa da Silva, CDPM, Portugal

Jose Luis Guterres, Fretilin

Thomas S. Mahedy, Pax Christi International

Miguel Urbano Tavares Rodrigues, member Portuguese Parliament  
 Adriano Jose Alvaro Moreira, President, Special Committee of Portuguese Parliament for East Timor  
 Luis Manuel Costa Geraldies, MP, SDP, Portugal  
 Antonio de Almeida Santos, MP, Socialist Party, Portugal  
 Carmel Budiardjo, British Coalition for East Timor  
 Kan Akatani, Free East Timor Japan Coalition and Japanese Catholic Council for Justice and Peace  
 Mark Salzer, Catholic Institute for International Relations, UK

## CNRM UN STATEMENT

*Statement by Jose Antonio Amorim Dias, Representative to the European Community of the National Council of Maubere Resistance (CNRM) to the United Nations Special Committee on Decolonization, New York, 13 July 1993*

Mr. Chairman,

Distinguished members of the Special Committee on Decolonization, Ladies and Gentlemen,

Firstly, on behalf of the National Council of Maubere Resistance, CNRM, allow me to express our gratitude to the Secretary of the Committee for this invitation to address you today, as the Committee once again reviews the situation in East Timor. I also extend my congratulations to you Mr. Chairman on your election to preside over this Committee.

Allow me please to introduce myself. I am Jose Antonio Amorim Dias, from East Timor. I was previously a student and human rights activist. I spent some time in a prison in Jakarta, having committed the crime of supporting the human rights of our people, so grossly violated by the present Indonesian occupiers of our homeland. After escaping Indonesia, I was appointed CNRM Representative for the European Community Countries by Mr. Jose Ramos Horta, the Special Representative of CNRM. Mr. Ramos Horta regrets not being able to be present to address you here today.

The National Council of Maubere Resistance (CNRM) is based inside East Timor. It is a non-partisan umbrella organisation, encompassing all East Timorese parties, movements and associations, struggling for self-determination and independence of the occupied territory of East Timor.

East Timor, with nearly 19,000 square kilometres of land area and a population of some 700,000 people according to the last figures prior to the Indonesian invasion of 1975, is the largest of the remaining colonial

territories on General Assembly's list of Non-Self-Governing Territories to which Resolution 1514 and 1541 are fully applicable.

The right of the people of East Timor to self-determination is beyond any question. The Indonesian invasion led the UN General Assembly and Security Council to adopt several resolutions, such as Res. 384 of 22 December 1975, condemning the invasion and calling upon Indonesia to withdraw its forces without delay from East Timor, and reaffirming the right to self-determination of the people of East Timor. Given the East-West tensions prevailing at the time, this Resolution was outstanding in itself.

Mr. Chairman,

For 18 years Indonesia has contemptuously ignored its international obligations, attempting to deceive the world as to the situation in East Timor after its illegal invasion and annexation of the territory. For 18 years the Maubere people of East Timor have suffered under Indonesia's reign of terror, characterized by massive killings, intimidation, plunder of local wealth and resources, exclusion of the East Timorese from meaningful participation in government, physical and cultural genocide, influx of outside settlers who exacerbate the process of marginalization of the local population and so on. Our people have continued waging a resistance struggle for freedom and independence of our motherland, against the barbarous brutality of the occupiers. The cost in human suffering has been enormous.

Far from heeding international calls to withdraw its forces, or allowing our people to exercise their right to self-determination, Indonesia has attempted to consolidate its military presence in East Timor, forcibly incorporating the territory it calls its 27th Province.

The consistent and systematic violations of human rights which have followed Indonesia's interference in the process of decolonization being carried out by Portugal in 1975, have been well documented. Organisations such as Amnesty International, Asia Watch and many others have published detailed accounts on repeated occasions.

On 12 November 1991 the world was shocked by TV reports of a massacre of over 200 unarmed East Timorese youth at the Santa Cruz cemetery in Dili by the Indonesian military. This sad experience - which we know not to have been an isolated incident as Indonesia attempted to claim after being forced to acknowledge the massacre - was but one of the many brutal acts of state-sanctioned murder against a defenseless civilian population which the East Timorese have been forced to endure by Indonesia.

Last March the UN Human Rights Commission passed a strong resolution condemning Indonesian human rights violations in East Timor and calling for greater UN involvement in the conflict existing there.

Recently, the illegitimate mock trial of Commander Xanana Gusmão produced further international criticism. Our leader, who at all times has tried to seek a negotiated solution with Indonesia to the East Timor problem has been treated in a totally unacceptable manner. At first crude attempts were made by Indonesia to make him appear as betraying the ideals he has so courageously fought for during 18 years. Then, a political show trial by a Court which had no jurisdiction to try him at all was orchestrated. The trial was denounced for violating even Indonesian legal procedures, such as the Judge's refusal to allow the defendant to read most of his defense statement. The statement was however smuggled out of Indonesia, and I will refer to it below.

Commander Xanana Gusmão has been kept incommunicado since the Court passed its sentence of life imprisonment on 21 May, and no one, not even the International Committee of the Red Cross has been given proper access to him. Resistance sources inside East Timor inform us that he is in bad health, is being kept in isolation in totally sub-standard conditions, and is being tortured.

One month ago, the ICRC was finally forced to suspend its visits to prisoners because of obstacles placed in its way by the Indonesian military, despite assurances from the Indonesian President Suharto that its work in East Timor would not be impeded.

Two weeks ago the plight of East Timorese youth has made headlines all over the world as 7 persecuted students attempted to seek the protection and assistance to leave Indonesia of two foreign Embassies in Jakarta. Last week, 43 United States Senators wrote a letter to President Clinton expressing concern over the continuing widespread human rights abuses in East Timor, asking for greater access to East Timor for international humanitarian organisations and advocating serious negotiations at the United Nations that might alter the unacceptable status quo. These negotiations would be in pursuit of the right of self-determination of the East Timorese people. The Senators stress the long friendship existing between their country and Indonesia, and express the belief that an acceptable solution of the East Timor problem would be in the long term interest of Indonesia. We fully share that view.

Mr. Chairman,

In his defense statement, which the Indonesian Judge refused him to read in Court, Commander Xanana Gusmão has made several very pertinent points which I would like to repeat to you today:

1. Firstly Xanana Gusmão stated: "The question of East Timor is the responsibility of the international community, a question of international law. It is a case in which universal principles are at stake, a case where the decolonization norms of the UN have been manipulated, a case where Indonesia has disregarded the resolution of the UN, a case therefore where of the flagrant violation of the principles of the Non-Aligned movement, and of the universal pattern of law, peace and justice."

2. Referring to the farcical trial he had been subjected to, Xanana's words are:

"This court claims that it is trying me for crimes committed against the Indonesian state and for the illegal possession of firearms.... [adding] The ones who should be standing before an international court are, in the first place,

- \* the Indonesian government for crimes committed in the past 17 years in East Timor;
- \* the US administration which gave the green light to the invasion on 7 December 1975 and have since given military aid and political support for Indonesia's genocide in East Timor;
- \* the governments of Australia and western Europe for their policy of complicity towards Indonesia;
- \* and finally, the Portuguese government for its grave responsibility in the decolonization of East Timor.

"The UN recognises as legitimate all means of opposition to the colonial presence in any part of the world where people are fighting for liberation. My struggle and the resistance of my people and of Falintil [the armed forces of the East Timorese resistance movement, the CNRM, the National Council of Maubere Resistance] should be placed in this context, standing above Indonesian law."

3. Referring to the battered Indonesian argument that it intervened in East Timor in 1975 in response to a call by East Timorese fearful of Fretilin domination, and that the subsequent annexation of the Territory was in response to the will of the people, Xanana Gusmão stated:

"This court must surely agree with me that it went too far in saying that Fretilin dared to impose its will on the people and that the afore-mentioned Bali Beach proclamation [the Balibo Declaration, purportedly signed in Balibo, East Timor, by several East Timorese on 30 November 1975, was

in fact signed in Bali, Indonesia at the Bali Beach Hotel] expressed the genuine will of the people of East Timor. The court omitted the political element which would have given it the juridical validity on which everyone insists: representation of the will of the majority of the people. This is the condition *sine qua non*.

"Until this very moment, the UN does not recognise Indonesian sovereignty over East Timor, a sovereignty which was imposed by the means of force, by the practice of violence and the systematic violation of the most fundamental human rights.

"This court mentioned the date 17 December 1975 as the day of the formation of a provisional government and a local assembly. And since all the Indonesians have forgotten, it is my duty to recall here the tragic day, 7 December of that same year. The 7 December 1975 which witnessed the cowardly and shameful Indonesian invasion, the day on which Indonesian troops indiscriminately massacred the defenseless population of Dili, causing thousands of deaths among the elderly, women and children, including an Australian journalist.

"While the Balibo statement was signed with the blood of four Australian journalists who were murdered by Indonesian troops during the attack on the village of Balibo, the so-called Indonesian provisional government was formed over the corpses of the Timorese massacred between the 7 and the 17 of December of that year."

...[ he then continued ]

"A government which was established to the accompaniment of the sound the sea and land shelling of the defenseless population, to the sound of advancing tanks and canons, can such a government claim any juridical standing? In my opinion, it has the same standing as the advance of the Iraqi troops in Kuwait, the same dimension as the advance of Russian tanks into Kabul, the same character as the Vietnamese invasion of Cambodia."

...[Our Commander Xanana then added in his defense plea]...

"The court said that Fretilin was opposed to the referendum, should the people choose integration. However, quoting the so-called petition, the court mentioned that Arnaldo de Araujo, Guilherme Gonçalves, and the president, General Suharto, convinced Parliament to approve in haste integration without any referendum.

"After all, who was it who did not want a referendum, Fretilin or Indonesia? On behalf of which people was that so-called petition signed?

"Today, the Indonesian government can show the world its *de facto* control of the territory, and claims to be developing the territory which is occupying, while at the

same time condemning the ones who were not able to do this, namely Portugal. Is it that because Portugal failed to develop East Timor for four hundred years, we Timorese have had to pay for the errors of one colonizer while also paying for the crimes of the other colonizer?"

...[ on this point Xanana concluded that since his capture]...

"I have been lectured a lot about the backwardness of Portuguese colonialism as if I did not lived under that colonialism. They want to show me the development in East Timor as if this were just a matter of statistics, to be compared with the Portuguese colonial period. I should ask whether colonialism can be quantified as good or bad."

Mr. Chairman,

Events of recent years in Eastern Europe, Africa and elsewhere are shaping a new world order which upholds the human right of self-determination. Greenland, Slovenia, Eritrea, Namibia, the Baltic States, the peaceful division of Czechoslovakia and the establishment of a federation in Belgium are examples of implementation of this right, which have overcome potential and actual conflicts contributing to bring peace and stability to the world.

Allow me to appeal to our Indonesian brothers to seek inspiration in this reality. Rather than persevering at their attempted subjugation of our people resorting to elaborate forms of deceit, violence, tortures and killings, they should give us the freedom and peace our people love and justly aspire to. In doing so, Indonesia will only gain. It will regain the respect of the international community, and will benefit from peaceful and cooperative relations in our region of the world. Indonesia's military leaders have fallen prey to their own myths: if treated justly we will never represent a factor of threat to Indonesian security.

It is the unjust criminal policies of oppression and defiance of international norms of behaviour of the Indonesian military rulers which are the true threats to Indonesian security.

Mr. Chairman,

For several years Commander Xanana Gusmão has been an advocate for the search of a peaceful and just solution for the East Timor problem. He has proposed direct talks with Indonesia under UN auspices, without pre-conditions in order to explore all possible ideas to bring about an end to the conflict. This remains the basic stand of the Resistance, and has been also formally conveyed by Portugal, the Administering Power of East Timor, to the UN Secretary General.

In his defense statement Xanana said in this respect:

"On the day of my capture, in the meeting I had with General Try Sutrisno, I mentioned the question of dialogue with representatives of the people of East Timor. One of the twenty generals who were present and were congratulating each other for the imminence of their easy victory, asked me, furiously: 'Rakyat mana?' [What people?] and when I answered: 'Let's have a referendum,' the Indonesian generals had to swallow their own arrogance. On the next day, 21 November - I was already in Denpasar - when the wife of the local panglima [military commander], surprised by the extent of the support I had, said,

after all, many people support him, a high-ranking officer said, 'possibly all the people of East Timor.'"

...[he added]...

"The ambassador to the UN told me: 'The problem is that dialogue as it is conceived by us (and therefore by Jakarta) has its parameters. We do not accept a referendum.'"

...[and]...

"In 1983, during the ceasefire, the [two Indonesian Majors] told us clearly: 'We do not accept a referendum because we know that all the people belong to Fretilin!'"

...[Xanana concluded]...

"In the UN, Jakarta cannot suppress the fact that Portugal is an interested party in the solution of the problem. And so, Jakarta should also never forget that the Maubere people [the people of East Timor] have already demonstrated that the idea, the objective for which they have fought and resisted to this day can never die. People die but ideas stay alive."

....[adding later]....

"I continue to recall the need for dialogue, with the participation of the East Timorese. I have always said to all those who wanted to listen to me that the Maubere people do not like the word, pembangunan [development]. The problem is that it is not free. Freedom is what my people value, the aim of their struggle. Dom Ximenes Belo put it very clearly when he wrote to the UN Secretary-General: We are dying as a people and as a nation."

Mr. Chairman,

Consistent with the above, CNRM's Special Representative Jose Ramos Horta, 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 work-

ing 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 under UN supervision and 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.

Jose Ramos Horta said when presenting this plan:

"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. Moreover, an independent East Timor will be an asset for Indonesia, for ASEAN and the whole region in many ways."

Mr. Chairman,

To conclude, I would like to express our hope that the above recommendations may be of help to resolve the colonial status of East Timor.

East Timor, among the last remnants of colonialism in our region, has been a particularly tragic case. It is a painful paradox, in so far that the new colonial power was itself a victim of earlier forms of colonialism. Yet, as a result of the excesses of its armed forces, it has violated the arguments which it itself advanced at the time it sought the support of the international community for its freedom struggle.

Our leader Xanana Gusmão included the following appeals in his defense statement:

\* I appeal to the international community to understand that it is time to show that the New World Order is about to begin. This requires acts that will bring to an end the situation inherited from the past.

\* I appeal to the Secretary-General of the UN to ensure that the solution he seeks for East Timor is based on universal principles and international law.

\* I appeal to the government of Indonesia to change its attitude and to realise that the moment has come to understand the essence of the struggle in East Timor.

In closing, Mr. Chairman, I would also like to appeal to the distinguished members of this committee to persuade Indonesia to accept dialogue with Portugal and the East Timorese in the search for an internationally acceptable solution, along the lines suggested by the CNRM Special Representative. It is time for the Indonesian government to realize that it is not East Timor which is a threat, but Indonesia's past misguided policies towards us which are the greatest damage to its interests and need urgently to be changed.

I thank you Mr. Chairman.

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## FRETILIN UN DECOLONIZATION STATEMENT

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### STATEMENT BEFORE THE UNITED NATIONS SPECIAL COMMITTEE ON DECOLONIZATION BY MR. JOSE LUIS GUTERRES ON BEHALF OF FRETILIN

Mr. Chairman

On behalf of FRETILIN, Front for an Independent East Timor, I welcome this opportunity to address the decolonization committee, on the question of East Timor.

I should like to take this occasion to thank you, Mr. Chairman, for the initiatives you have taken in the aftermath of the capture of the Leader of Timorese resistance.

As we have stated in our [letter] to you in November, last year, Xanana remains the Leader of Timorese resistance.

We extend our deepest appreciation to the efficient and balanced manner with which the Secretary General of the United Nations, Dr. Boutros Ghali, is dealing with the question of East Timor.

We should like to take this opportunity to express our gratitude to the Governments and NGOs, Political Parties, Church Leaders, Members of Parliaments, which have denounced the on-going occupation of my country and the massive violations of Human Rights.

May I express our gratitude to the decoration, recently, given by Portugal to the national hero of East Timor, Mr. Xanana.

Mr. Chairman

The approval by a large majority, of the resolution on East Timor, during the February meeting of the Commission on Human Rights was welcomed by the East Timorese. They saw it as red light to the Indonesia Government. But the Indonesian Generals,

did not comply with this resolution, as they did not comply with previous resolutions of the United Nations system.

The situation has not improved. The country is still closed. The arrest, the torture, the disappearances, the extra-judicial killings of Timorese continue. They take place in East Timor and Indonesia. The Timorese workers in Indonesia are in a very precarious situation. Their cases have been denounced by Asia Watch in its May report. We urge Indonesia to comply with the ILO conventions on that matter.

In a letter addressed to the International community, Fathers of the deceased in the Santa Cruz massacre, have appealed to those "competent to demand from the Indonesians to bury and provide the remains of our beloved children."

On 12 May, the wives of East Timorese prisoners made a dramatic appeal and I quote: "Unfortunately, we are not enjoying any progress. In fact we are now in worse situation than before. It so happens that after the visit of Mr. Amos Wako, on the very next day, 8 April 1993, seven political prisoners have been transferred/exiled to Kupang (Indonesia territory).

The Timorese civilians working for Indonesia's administration are now a military target, since the beginning of the operations headed by General Theo Syaefi code-named Tuntas and Lilin bessar. The aim is to arrest what the Indonesian security apparatus call Two-headed Timorese.

The announcement by the Indonesia Armed Forces headquarters, to disband the Kolakops-Espesial command for East Timor, can not be seen as remedy for the systematic abuses in East Timor.

The interview to Editor on 22 May, the Governor of the outlaw "provincial Government" clarified any doubts: Answering the journalist's question on the future of East Timor, now that the Kolakops has been dissolved, he said:

"No problem, because only the structure has been dissolved. But its operational activities still go on. Only its control is no longer in the hands of Kolakops Commander but rather in those of Korem. It will go on, especially since Kolakops Commander has now become the Udayana Military area commander. There won't be any changes." Mr. Chairman,

The picture of the East Timor situation can be taken from the Apostolic Administrator of Timor Dioceses, Bishop Belo, in his (May) recent interview to New York Times journalist Mr. Philip Shenon, and I quote, "We lack the freedom to speak, to walk where we want, to have different opinions."

The life sentence that was given to our leader Mr. Xanana is a matter of grave concern to us. It is a disrespect, for so many dignitaries who have made appeals to President Suharto of Indonesia. We have in appropriate time stated, the illegality of his arrest, and denounced the Travesty Tribunal; as the Indonesia Legal Aid Foundation pointed out, it is the first time in history of Indonesia tribunals that a defendant was not allowed to read his defense plea.

We urge Indonesia to release all the political prisoners, and to facilitate the work to the International Red Cross, performing their work in East Timor.

With so many difficulties, why are we the Timorese still struggling?

The answer is stated by the wives of the prisoners' letter: "We also exist as human beings, as a people with its own history, culture, religion, and ethnicity. Throughout our history we have as a people different characteristics from the Indonesian people. There is no doubt that we are not and do not wish to be part of Indonesia.

From many stages of the struggle which we have witnessed we see that the endeavors and the heroic actions of our husbands and of those heroes and martyrs who have fallen along these 17 years have not been in vain. Our struggle takes further shape day by day leading to a final solution even if the sacrifices have been hard, especially for our husbands. Their suffering as political prisoners have been immense. But we will bear these costs."

The East Timor resistance is a genuine struggle. A small, defenseless third world country, defending against an invasion and military occupation from its powerful, rich neighbor and one of the biggest countries in the world.

It was not and it is not a conflict between East or West or North or South. The records in the United Nations General Assembly and Human Rights Commission can easily demonstrate it.

Resolution 3485, approved by the General Assembly, five days after the invasion, the majority of western nations voted to abstain, while 8 Third World or south countries voted against the resolution and the overwhelming majority of UN members voted in favor.

In its first meeting after the invasion of East Timor by Indonesia, during the Non-Aligned Summit Conference held in Colombo, Sri Lanka, despite Indonesian efforts to prevent discussion of East Timor question, only eleven (11) countries out of 85 opposed the inclusion of the East Timor question in the final political declaration, which stated support for self determination and independence of the people of East Timor, and recalled the previous resolutions

of the United Nations General Assembly and Security Council.

Up to this day, we have never seen any resolution from any UN body or from the Non-Aligned Movement that has accepted Indonesia's annexation of East Timor.

We have not only our right for self defense but our rights are specifically recognized by the International Community.

Since the arrest of Mr. Xanana Gusmão, the armed resistance has intensified the level of military activities against the occupation forces. From December up to June this year, many attacks have taken place in the central and east regions of East Timor. 85 Indonesian soldiers were confirmed killed in action.

To cover up the military activities by FALINTIL, the National Timorese guerrilla forces, Indonesian Generals launched a propaganda campaign, both domestically and internationally, announcing the surrender of thousands of guerrillas. Far from the truth, after a small period of uncertainty, the top Resistance structure is at work. With great determination, courage and experience, we have been able to overcome these difficulties.

As Commander David Alex, of Eastern Region, and today member of the collective leadership of the resistance, pointed out in an article published by the Australian Magazine, "We live side by side with the enemy, we rub shoulders with him. For us this is normal."

But on the other hand we must recognize that the solution for Timorese question is not military, but political.

As Xanana Gusmão admitted in his defense plea: "The Indonesian Generals should be made to realize that they have been defeated in East Timor. Here as the commander of FALINTIL, the glorious armed forces of National Liberation of East Timor, I acknowledge our military defeat on the ground. I am not ashamed to say so. On the contrary I am proud of the fact that a small guerrilla army was able to resist a large nation like Indonesia, a Regional power which in a cowardly fashion invaded us and want to dominate us by terror and crime, by the law of violence, persecution, prison, torture and murder. The moment has come for Jakarta to recognize its political defeat on the ground."

In March this year, some Indonesian newspapers published reports accusing guerrillas of killing two Indonesian students on work study in East Timor.

Immediately after this incident the association of Youth and Students of Timor released a communiqué which stated the following: "We in the name of East Timorese Youth ask forgiveness, and join in sadness at the deaths, shot by our own forces, Falantil, brother Jokowitoyo from

the Peterkakan Karanganyr Academy, Surakarta, and brother Sukimanto from Saptataruna Technical Civil Academy, Jakarta, on March 17 in Lospalos, while on a work-study program.”

Mr. Chairman,

My organization attaches great importance to the Geneva conventions that protect civilians during armed conflicts.

The value of human life must be the same. Whether Timorese or Indonesian. Whether North or South, whether South African or Palestinian, whether Muslim or Christian, whether Buddhist or Hindu. My organization is not interested in accusing Indonesia of violations of Human Rights and at the same time close our eyes to the violations committed by the resistance guerilla army - FALINTIL.

Therefore, if the UN Secretary General feels necessary, my organization is fully prepared to cooperate in order to get clarification on that matter.

As a suggestion, the work of the Special Rapporteurs and working groups as mentioned in operative 9th of this year resolution of Human Rights Commission, L81, can be extended to operational areas controlled by Timorese resistance. As we stated, we are ready to facilitate the work including setting meetings with the new leaders and commanders of FALINTIL.

Mr. Chairman, Distinguished Delegates,

We do agree that in the past, we, the political parties of East Timor, have committed mistakes.

We, the FRETILIN and the UDT, as a whole, accepted the responsibilities for the 3000 to 4000 human loss during the period of civil war that lasted one month from August 75 to September 75. Members of Australia Parliament, who visited the territory in September found the territory at peace, save minor border clashes with Indonesian forces. In the worlds of Mr. Ken Fry, in his testimony before the United Nations Security Council in April/76: “We found the FRETILIN administration to be responsible and moderate and it obviously enjoyed strong support from the East Timorese people. The prisoners were being well cared for and it is worth noting that the prisoners included some FRETILIN members who have been apprehended for breaches of discipline.”

Our adherence to the rule of international law and to Universal Declaration of Human Rights it is based upon our conviction that the best for our country, is freedom and democracy. That there is no real development without, a strict respect for Human Rights.

On the so called progress and development propagated by Indonesia, I will not

discuss the data given by Indonesian authorities. As a country under military rule and occupied, I should like to share with you the general feeling of our population on that.

A Timorese student in economics once said to a foreigner that East Timor is like a ping pong table, the money hits in Timor with a big noise and goes back to Jakarta, silently.

As Xanana said in his statement and I quote: “Today, the Indonesian Government can show the world its de facto control of the territory, and claim to be developing the territory, which it is occupying, while at the same time condemning the ones who are not able to do this, namely Portugal. It is because Portugal failed to develop East Timor for four hundred years, we Timorese have had to pay for the error of one colonizer while also paying for crimes of the other colonizer? “I have been lectured a lot about the backwardness of Portuguese colonialism. They want to show to me the development in East Timor as if this were just a matter of statistics, to be compared with the Portuguese colonial period. I should ask whether colonialism can be quantified as good or bad. “I remember once, while in Jakarta, in order to make a change from recording all of my movements in jail, they took me handcuffed for a tour of the city and showed me the gold of Monas, national monument of Indonesia. I felt like shouting to my warders that I would never sell my soul for the crest of gold of Monas, still less would I ever sell my People. “

Mr. Chairman. Distinguished Delegates.

The future of East Timor is in the hands of the Timorese and the Indonesian Democrats. We have shared the same prisons in Jakarta or in other islands. The same military regime has oppressed us. But the winds of change have arrived in Indonesia.

For example, a leading Indonesia writer, with millions of his books sold worldwide, Mr. Pramoedia, stated in his message that: I quote: It is no longer the era to promote the idea that formation of a strong country can be achieved through cold-blooded contempt for and the theft of the rights of its own people through an apparatus and system of violence. A country is strong because its citizens are strong and fearless... And we especially say that all forms of violence in East Timor should be stopped.”

And I should like to recall the declaration of the eleven university student Senates of Indonesia, which in operative number 8 - We call on the Indonesian government to withdraw all elements of the armed forces from East Timor without delay and give the people of East Timor absolute freedom to exercise their right to self determination, in

order to put a halt to any more soiling of blood.

In operative 9 it says: We are resolute in our determination to carry out actions in opposition to armed violence against the People of East Timor, until these demands have been met.

Finally, Mr. Chairman,

We are prepared to participate in the process of negotiations under the auspices of the SG of UN. We are prepared to participate in a referendum, organized by the UN, in order to determine the future of East Timor. We are prepared to accept the popular verdict.

Thank you Sir

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## AMNESTY INTERNATIONAL STATEMENT

*EAST TIMOR: State of fear*

*Paragraphs in [square brackets] were presented only in writing, and not orally.*

### 1. INTRODUCTION

Thank you Mr. Chairman for the opportunity to address this Committee and to present to it Amnesty International's concerns about human rights in East Timor.

Amnesty International welcomes the passing of the resolution on East Timor at the 49th session of the United Nations (UN) Commission on Human Rights in March 1993. In expressing deep concern at Indonesia's persistent violation of human rights in East Timor the international community has taken a positive step in addressing the issue of state violence in East Timor. We hope that member states of the UN will continue to press the Indonesian Government to halt the widespread and persistent abuse of human rights in East Timor and to carry out the recommendations contained in the resolution.

The Indonesian Government has in recent months taken a number of initiatives aimed at promoting and protecting human rights, most recently the establishment of a national human rights commission in June. While welcoming these initiatives we remain concerned that the Indonesian Government's stated commitment to human rights has not been matched by concrete measures to remedy past abuses or to prevent future human rights violations from occurring. The Government of Indonesia has consistently failed to respond adequately to serious concerns about human rights in East Timor. Indeed, the government, and particularly the military command, has made it clear that basic human rights can and will be set aside in the name of national security, stability and order. Effectively unchallenged by the international community, and unchecked by

domestic legal or political mechanisms, the security forces have continued to commit violations with impunity.

Evidence that human rights violations are being perpetrated in an institutionalized and systematic manner in East Timor is not difficult to find and is borne out by the evidence we wish to present to the committee today.

Since we last addressed the committee in August 1992 there has been no fundamental change in the Indonesian Government's repressive posture towards those suspected of being pro-independence supporters in East Timor. From the evidence gathered by Amnesty International the military authorities continue to be free to employ virtually any means - including extrajudicial execution, "disappearance," arbitrary detention and torture - in the name of maintaining security and destroying pro-independence groups. There has been a persistent failure to investigate human rights abuses and bring the perpetrators to justice. If the human rights situation in East Timor is to improve concrete measures are urgently needed to remedy the problem. The Indonesian Government shows no signs, however, of taking the requisite measures.

Amnesty International welcomed the second fact-finding mission of the UN Secretary-General's Personal Envoy, Amos Wako, to Indonesia and East Timor in February 1993. Some of the circumstances of the visit, however, are cause for serious concern. For example, the UN Secretary-General was obliged to issue a statement refuting allegations made by an Indonesian Government official that in a meeting with the East Timorese resistance leader, Xanana Gusmão, Amos Wako had influenced him to make a strongly worded defence plea. Of additional concern were allegations that the 17 East Timorese with whom the UN delegates had meetings had been unable to speak openly for fear of reprisals and that these conversations may have been recorded by the authorities. These fears would appear to have been justified in view of credible reports that some or all of those who were at liberty at the time they met Amos Wako were later detained for questioning about what had been discussed.

## 2. POLITICAL PRISONERS AND UNFAIR TRIALS

Amnesty International has repeatedly criticized political trials in both Indonesia and East Timor for consistently failing to meet international standards of fairness, or even to conform with Indonesia's own Code of Criminal Procedure (KUHAP).

The recent trial of Xanana Gusmão provides a case in point. Xanana Gusmão was sentenced to life imprisonment on 21 May

1993 after being found guilty of rebellion and illegal possession of firearms. In Amnesty International's view his trial was a travesty of justice. Perhaps the most blatant contravention of fair trial standards was the refusal of the trial judge to allow Xanana Gusmão to read his final defence plea. After he had read two pages of a 29-page statement, the presiding judge ordered him to stop, claiming that his remarks were "irrelevant." Government officials have since repeated the judge's claim that Xanana Gusmão's remarks were "irrelevant." In fact far from being irrelevant, the statement addressed highly sensitive political issues related to the charges, such as the question of Indonesia's sovereignty over East Timor, and it therefore appears that his statement was suppressed in order to prevent Xanana Gusmão from raising publicly such critical issues.

[Since his arrest Amnesty International has been seriously concerned for Xanana Gusmão's health and safety. In his suppressed defence statement, Xanana Gusmão stated his intention to go on hunger strike, and there are fears that he may be in poor health. There have also been disturbing reports that he has been beaten in custody in recent weeks. Despite assurances from the Indonesian Government that he is in good health and is not on hunger strike this has not been possible to verify. The fact that neither his family nor the International Committee of the Red Cross (ICRC) have seen him since he was removed from court on 21 May 1993 heightens concern for Gusmão's safety in detention. Amnesty International urges that the ICRC and relatives be given immediate - and thereafter frequent and regular - access to him in prison.]

[Amnesty International is also concerned for the safety of prisoner of conscience Saturnino da Costa Belo, who was convicted of "publicly expressing hostility...toward the government" in July 1992 and sentenced to 9 years' imprisonment. While giving evidence at Xanana Gusmão's trial in March 1993, Saturnino da Costa Belo shouted pro-independence slogans, following which the hearing was suspended and he was taken away. Later that day an army doctor is reported to have told the court that Saturnino da Costa Belo was "mentally disturbed" and not fit to appear in court. He was subsequently taken to the military hospital in Lahane, and from there to Balide prison in Dili, where he was placed in solitary confinement. He is reported to have been told by his military captors that, should he try something of that kind again, he would be shot on the spot. A week later the presiding judge stated that Saturnino was "unwell"

and could not testify in person, so his interrogation report was read out.]

[In its statement to the Committee in 1992, Amnesty International expressed its serious concerns regarding the trials of 13 East Timorese, including Saturnino da Costa Belo, sentenced to long terms of imprisonment for having organized or participated in the procession which preceded the Santa Cruz massacre, or for having organized a peaceful march in Jakarta one week later to protest against the killings by Indonesian troops at Santa Cruz. Amnesty International considers all to be prisoners of conscience and is calling for their immediate, unconditional release. The Supreme Court has now rejected the final appeal of three of the 13, Fernando de Araujo, João Freitas da Camara and Virgilio da Silva Guterres (sentenced to nine, 10 and two and a half years respectively). All three have since stated through their lawyer that they will not be applying for presidential clemency as they would consider this tantamount to a confession of guilt. The life sentence of another of the 13, Gregorio da Cunha Saldanha, has also been upheld by the Supreme Court. In all four cases the prisoners' lawyer complained that, contrary to official procedure, he had not been notified that the Supreme Court hearings were taking place. In June it was reported that the families and friends of the four prisoners - who are all held in Cipinang prison in Jakarta - have not been permitted to see them and that the four have not been permitted to receive letters sent to them in jail.]

[At least three East Timorese political prisoners, convicted after unfair trials, have been in detention in Cipinang prison for the past nine years since their trials in 1984 for conspiring to commit rebellion with a view to bringing about the secession of East Timor from the Indonesian state. Fifty-five-year-old Albino Lourdes is serving a 17-year sentence, as is Mario (Marito) Nicolau dos Reis, while Domingos Seixas received a 12-year prison term. Being held so far from their families in East Timor they rarely receive visits.]

[Two other East Timorese detained in Cipinang prison who had also been tried in 1984 and sentenced to long prison terms, Jose Roberto Jeronimo and Mariano Bonaparte Soares, were released on 8 September 1992, while a third detainee David Dias Ximenes had been freed a year earlier, on 17 September 1991.]

## 3. ARBITRARY DETENTION AND TORTURE, INCLUDING RAPE

While some detainees are formally charged following their arrest and subsequently tried, the vast majority of people arrested in East Timor are held in arbitrary,

unacknowledged detention, frequently incommunicado. The period of detention ranges from a few hours to several months. Most are subjected to physical and psychological abuse before being released without being charged. This pattern of arbitrary detention appears to represent a systematic strategy aimed at silencing real or suspected political opponents of the government and at obtaining political intelligence through coercion and intimidation.

Since July 1992 Amnesty International has learned of the arrest of more than 400 people who have been detained in East Timor either because of their alleged links to pro-independence groups, or because they are relatives or friends of individuals suspected of having such links. The true figure, however, is probably much higher.

All those detained must be considered at serious risk. The use of unacknowledged, arbitrary and often incommunicado detention for interrogation facilitates, even invites torture and other ill-treatment, as a mounting volume of evidence from former detainees makes clear.

[Victims of torture include men and women, young and old. In an interview with a journalist in April 1993 the head of the Catholic church in East Timor, Bishop Belo, said that political prisoners are tortured by Indonesian troops "just like two plus two is four." Methods used take many forms. A former political prisoner described his experience while held in Colmera prison in Dili as follows:]

("The first thing they do to a prisoner is to beat him and give him blows to the stomach and the chest; he is blindfolded and electric shocks are given; they hit him with iron rods on the back; they step on his feet with their boots; they give electric shocks; they burn his body with cigarettes including his genitals...")

[Such treatment is not confined to prisons in Dili. A 24-year-old farmer living in Viqueque experienced similar treatment while he was detained in military custody in Baucau during September and October 1992. He was tortured repeatedly over a five day period during which time he was subjected to beatings and had his genitals and various parts of his body burned with cigarettes. One night he was blindfolded and his hands were tied before he was taken into the jungle and made to climb into a deep pit. A large rock was placed on him and he remained there for over three hours.]

[Victims of torture in East Timor are frequently women. A 40-year-old widow, and another woman who had recently given birth, were both tortured by members of the military in September 1992 in Baucau. Suspected of giving assistance to a pro-inde-

pendence group, they were beaten and burned with cigarettes.]

Torture of suspected political opponents has in some cases been so severe that it has resulted in hospitalization or even death. [Two youths, who were among 20 students arrested during a military operation in Baucau district on 24 December 1992, died reportedly as a result of the torture inflicted on them while in detention. Adelino Gomes Fonseca, a 27-year-old student from Baucau, was one of them. After being interrogated, he was returned to a room where another of the students was being held. He had been badly beaten, was bleeding and could barely open his eyes because they were so swollen. He was also suffering from severe pains in his chest and was breathing with difficulty. Despite the efforts of his companion to make him as comfortable as possible, Adelino Gomes Fonseca died in the early hours of 25 December 1992.]

[At least one other youth arrested with Adelino Gomes Fonseca, Fernando Boavida, also died apparently as a result of torture. During his interrogation Fernando Boavida is said to have been made to lie on a plank covered with sharp nails. When he failed to give what his interrogators regarded as a satisfactory reply, they put another plank on top of him, and placed a tyre on top of the plank. When Fernando Boavida lost consciousness after a second tyre was added, his captors are reported to have poured water over his body to revive him. He died three days after his arrest, on 27 December 1992.]

Torture and ill-treatment is not only confined to those suspected of political opposition. The relatives of real or suspected political opponents - including young girls and elderly men and women - have also been subjected to torture and ill-treatment, including rape, in an effort to make them provide information about the whereabouts or activities of their relatives, or to force those being sought to give themselves up.

[One woman and her family faced several days of torture by members of the military in Baucau who were looking for her 22-year-old son whom they suspected of being an active member of a pro-independence group. The woman, a 50-year-old widow from Baucau, was arrested on 8 September 1992 and interrogated about her son's whereabouts. When she denied knowing where he was, she was reportedly stripped naked, beaten and kicked and given electric shocks. Three days after her arrest, one of her nephews and her unmarried sister-in-law were called in for questioning. They too were interrogated about her son's whereabouts and about the pro-independence group to which the military believed he was linked. They were also tortured. The nineteen-

year-old nephew was reportedly beaten, kicked and given electric shocks; he was stripped naked and lighted cigarettes were applied to his genitals and his pubic hair was set alight. For two of the six days that he was detained he was denied food. When he cried out with hunger, he was thrown on the floor by soldiers who then trod on his neck. The 26-year-old unmarried woman was reportedly beaten, kicked, stripped naked and tortured with electric shocks, and repeatedly sexually abused by soldiers during her five days in detention.]

[The three were released several days after their arrest on condition that they try to find two suspects - their relatives - whom the military also wished to question. On 24 September they went to report their efforts to the military. Because the information they provided was deemed "unsatisfactory" the two women were again detained for three days, during which they allege they were beaten and raped. On the third day the 26-year-old woman was taken to a beach by one of the military officers and told to incriminate her sister-in-law as a condition of being released. When she refused to do so, she says she was threatened with death and raped again before being allowed to go home.]

[A number of other cases of rape have been reported to Amnesty International in the last year. One case involved a 16-year-old schoolgirl from Laleia, Manatuto. In November 1992 she was accused by members of the security forces of being a pro-independence sympathizer. After being interrogated about her activities she was apparently raped and tortured by a member of the local military command.]

[In Baucau a 25-year-old student of a senior high school from Quelicai, living in Bahu, was apparently raped repeatedly by a military officer whose name is known to Amnesty International following her arrest on 20 December 1992. Subsequently released, the woman is understood to have become pregnant as a result of being raped.]

#### **Internal banishment**

Amnesty International is deeply concerned about reports of individuals being arrested and subsequently "banished" to various regions of East Timor. As of early 1993 at least 30 people who had previously been detained in police custody in Dili were reported to be detained at remote military posts in Lospalos, Viqueque, Manatuto, Aileu, Ainaro and Same. At least 24 of the 30 were people arrested shortly after the Santa Cruz massacre and Amnesty International believes that they may be prisoners of conscience. [The military initially claimed that they had been released. It was only on 9 March 1992 that the then military com-



mander of East Timor, Brigadier General Theo Syafei, admitted that they were still under military control, having been assigned to company commanders in order to be "given guidance, to be educated to become sound Indonesians."]

[According to information received by Amnesty International detainees undergoing such "guidance" are obliged to act as labourers and servants of the military and are subjected to various forms of abuse. Visits by family members are apparently allowed and those held at military posts in Aileu and Ainaro were permitted to return home for a visit towards the end of 1992 to spend Christmas with their families. At the beginning of 1993 it was reported that six people being held at a military post in Lospalos were being subjected to particularly harsh treatment.

[These are not the only cases that Amnesty International is aware of. Seven detainees who were "released" on 27 October 1992 are said to have been banished to Baucau four days later. A number of people who were arrested in Dili following Xanana Gusmão's arrest in November 1992 are also reported to have been banished to various parts of East Timor including Laga, Baucau, Manatuto, Suai, Ainaro, Lospalos and Viqueque. In Ainaro an allegiance swearing ceremony for a number of people detained in the wake of Xanana Gusmão's arrest is similarly said to have been followed by their banishment to Natarbora.]

In Amnesty International's view, the widespread use of arbitrary, unacknowledged detention, both in official detention centres and at military posts, makes it vital that the ICRC be granted regular access to all places of detention. It is therefore of very serious concern that the ICRC was obliged to suspend visits to political prisoners in East Timor last month for the third time this year. The reason for this was that the military were placing unacceptable restrictions on the visits, thus making it impossible to monitor the safety and well-being of political detainees in the territory. These restrictions had been imposed despite assurances by the President and the Minister of Foreign Affairs that unrestricted access to prisoners would be granted.

#### **4. "DISAPPEARANCES" AND EXTRAJUDICIAL EXECUTIONS**

The identity of at least 100 civilians, and possibly as many as 250, killed by government forces in the Santa Cruz massacre and its immediate aftermath remains unresolved. [More than eighteen months after the government-appointed Commission of Inquiry was set up, the government has yet to identify the vast majority of those killed.]

The Indonesian Government has also failed to resolve the fate of the more than 200 people who reportedly "disappeared" after the massacre. The official government figure of 66 "disappearances" falls far short of the more than 200 people who remain unaccounted for. [Eyewitnesses and relatives of the "disappeared" believe that many were killed and their corpses buried outside Dili or thrown into the sea. Despite the government's repeated claim that it wants to establish the facts, its failure to do so indicates otherwise.] Amnesty International believes that the Indonesian Government has a responsibility to provide a full account of the truth to the relatives of victims of "disappearance" and to ensure that the results of any investigations are made public.

Amnesty International has received reports of dozens of new "disappearances" in East Timor since the massacre. [Some of the victims were later discovered to have been in incommunicado military or police detention. Others are feared to have been killed and their bodies disposed of in secret. The "disappeared" included Marcos dos Santos and Ercolano Soares, both residents of Dili, who "disappeared" after being detained by the police on 14 July 1992. According to reports, they were beaten by their captors, then taken to the military hospital in Lahane, after which their whereabouts are unknown. Another victim was Gaspar Xavier Carlos, who was arrested in early September together with several friends. He is believed to have been held incommunicado in Colmera Prison in Dili for some time, but subsequently "disappeared." Relatives feared that he has been killed.]

Amnesty International has also received reports of at least 45 extrajudicial executions in the eighteen months since the Santa Cruz massacre. These reports, though difficult to confirm, suggest that unlawful killing by Indonesian forces persists in East Timor. Amnesty International considers that, in view of past practice, such reports warrant immediate investigation.

[At least two extrajudicial killings are reported to have been carried out by Indonesian forces in the Lospalos region during a period of heightened counter-insurgency activity in the area in mid-1992. A man called Humberto was said to have been shot by Indonesian soldiers of Battalion 745 while working in his field in August. According to reports, the soldiers cut off his head and arms and hung them in a tree beside the road to frighten passers by. One month previously Jose Valente, a pro-independence activist, was also reported to have been killed by soldiers of Battalion 511 while collecting wood from a village.]

[More recently Carlos, a 30-year-old farmer from Dili, was reportedly killed by

members of the security forces in April 1993. Two different accounts of his death have emerged. According to a report in the 15 April edition of the Jakarta Post, Carlos died as a result of being beaten by a village headman and two police officers after he was arrested following a family dispute. Another report, however, alleges that Carlos was arrested by members of 507 Battalion at 10am on 10 April, and that they killed him in the early hours of the following morning and dumped his body in front of the Chinese cemetery in Dili. In early May, Amnesty International sought clarification from the police authorities in East Timor concerning the exact circumstances of the killing of Carlos, but has to date received no reply.]

We have also been disturbed by reports that a vigilante group, closely linked to Indonesian Government forces, has been operating in East Timor as recently as March 1993. The members of the group are known as Ninjas. [In mid-March 1993 three students from Dili, 21-year-olds Paulo Jeronimo and Roberto Belo and 22-year-old Jose Antonio, are reported to have been killed on their way home by Ninjas.]

#### **5. A CLIMATE OF FEAR**

Regular forms of harassment and intimidation meted out by the military on the civilian population have contributed to the creation of a climate of fear in East Timor. Bishop Belo has described the situation in East Timor thus:

("There is always fear. We lack the freedom to speak, to walk where we want, to have different opinions. If people talk, they know they will be interrogated. They will be tortured.")

[The families and close associates of political detainees may be particularly affected, often being kept under surveillance and subjected to various other forms of harassment.]

[Relatives of prisoner of conscience Saturnino Belo are reported to have faced considerable harassment since his arrest in November 1991. They have also become victims of more severe human rights violations. The most serious to date was the extrajudicial execution of Alcino Freitas Belo, Saturnino's brother, in October 1992. Claiming that Alcino was a guerrilla, soldiers in Baucau are reported to have seized him from a hospital where he had sought treatment for a bullet wound and then beat him to death. Several days later, on 17 October 1992, 60-year-old Afonso Freitas, Saturnino and Alcino's father, was arrested in Ossaluga and detained for several days. Also arrested with him and briefly detained were his daughter and daughter-in-law. These examples of violations perpetrated against the family

makes Amnesty International particularly concerned for their safety following Saturnino Belo's actions during Xanana Gusmão's trial (see page 3, above).]

[Relatives of other prisoners of conscience arrested and tried in connection with the Santa Cruz massacre and its aftermath have also faced harassment, intimidation and arrest. Close relatives of prisoner of conscience João Freitas da Camara were subjected to interrogation and detention following his arrest, as were members of Fernando de Araujo's family. While the majority were subsequently released, one of Fernando's relatives, Lucas da Silva, was reported to remain in a military jail in Aileu district as of early 1993. Meanwhile the whereabouts of another family member, Arnaldo de Araujo, remained unknown two months after his arrest from his home in Lahane, Dili, in September 1992.]

[At least 20 close associates or relatives of Xanana Gusmão were detained and held incommunicado shortly after his arrest on 20 November 1992. There were fears that they may have been tortured or ill-treated while under interrogation or that they were being held as "hostages" in order to make Xanana Gusmão comply with the demands of the authorities.]

The threat of torture, including rape, and other forms of ill-treatment is often used by the security forces as a method of intimidation. [An elderly woman, the wife of a long-term East Timorese political prisoner, who has been called for questioning on several occasions, described her treatment after she was detained for 24 hours in September 1992:]

("I was subjected to rigorous interrogations and whilst I was not beaten I was threatened with a gun if I didn't speak the truth, and the pistol was always on the table. They accused me of being an organizer of the youth, and particularly of my children, who according to them I had sent to Kupang, Jakarta and Lisbon with the aim of informing the world of the Indonesian military's activities in East Timor. I responded that I knew nothing about this. They told me that they had proof of the people involved in the clandestine network in Dili and Jakarta, that I should confess to everything, and I was asked about people I didn't know. They threatened me, telling me that it was just as well I was an elderly woman. If I were a man or a younger woman I would be subjected to torture and raped. After each interrogation session they requested that I work together with them, and I accepted although my conscience rebelled against this. Prior to Xanana's capture, my home was often closely watched by the military since they suspected that I was harbouring him

and other members of the clandestine network...."]

[Young people are frequently the target of arbitrary arrest in East Timor. Shortly before the meeting of the Non-Aligned Movement which was held in Jakarta in September 1992 at least 50 students were arrested in Dili on the pretext of "preserving security" for the summit. They are said to have been interrogated and, in at least some cases, tortured. Young people were again the target of arrests that took place in Dili, Bibileo and Viqueque two months later, apparently in order to prevent any demonstrations from taking place to mark the anniversary of the Santa Cruz massacre.]

[Daily life in East Timor is regularly disrupted by military operations which can cause hardship for the civilian population. Following guerrilla activity in the Lospalos region which had resulted in casualties among the security forces, some military personnel are reported to have fired on a group of people working in their fields as a reprisal. Villagers were also prevented from working on their land. In a document received by Amnesty International in October 1992 the military is reported to have told them:]

("We are asking you to force your brothers and sisters who have taken up arms against us and all those who are still in the bush to surrender. If you don't obey this request of ours, the consequences for you will be grave. We have introduced certain measures and you are going hungry; if you enter your gardens there will be further deaths. This is your fault, but mainly that of Fretilin.")

With members of the Indonesian military present in even small villages, often living in the houses of civilians, and the encouragement given to East Timorese to report the activities of their friends and neighbours, the population faces constant surveillance. The widespread use of arbitrary arrest adds to an atmosphere of tension and unease. [During periods deemed particularly politically sensitive the military presence becomes even more apparent. For example, when the "Lusitania Expresso" was on its way to East Timor in March 1992, many strategic bridges in the country were occupied by Indonesian armed forces. Educational institutions often become a focus of military attention at times of increased tension. For example, military encampments were set up near colleges, as well as along main routes leading from the Dili to the interior, at the time of Xanana Gusmão's trial.]

[The Catholic church hierarchy in East Timor, whom the authorities suspect of being an important source of support for pro-independence groups, is also a particular target of suspicion. Senior church offi-

cials are subjected to close surveillance, including the tapping of phones and interception of letters, and members of the clergy face intermittent harassment by the security forces. For example, nuns at the Cannossian dormitory in Baucau district are reported to have faced intimidation by Indonesian troops who had periodically visited them since the Santa Cruz massacre.]

In the face of continuous military threats and intimidation, seven young East Timorese activists sought protection in the Embassies of Finland and Sweden in Jakarta on 23 June. Of the seven, most are known to have been tortured in the years between 1989 and 1991 and three of them were actually shot by Indonesian troops during the Santa Cruz massacre. All were forced to live in hiding for more than a year after the events of November 1991.

## 6. CONCLUSION

Mr. Chairman, in this statement we have presented examples of the range of human rights violations carried out in East Timor since we addressed the committee last year, and which continue to this day. They represent only a selection of the cases Amnesty International has documented over the past year. Yet the difficulties inherent in information gathering in East Timor - the control of access to the territory by the Indonesian authorities, monitoring of postal and telephone communications, and the close surveillance of those suspected of disseminating human rights information - indicate that the information we have gathered represents only a fraction of the picture and that the scale of human rights abuse in East Timor may in reality be far greater.

In order to demonstrate its stated commitment to the promotion and protection of human rights, Amnesty International urges the Government of Indonesia to adopt the recommendations of the Commission of Human Rights and to invite the Special Rapporteur on Torture, the Special Rapporteur on extrajudicial, 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.

International human rights organizations, including Amnesty International, should also be permitted to visit East Timor on a regular basis, in order to monitor human rights developments. We regret the Indonesian Government's repeated refusal to permit such access which, we fear, reflects a wish on the part of the authorities to conceal the full nature and extent of the violations being perpetrated by Indonesian Government forces in East Timor.

Mr. Chairman, we believe that unless the international community takes firm action to ensure that genuine human rights guarantees are implemented, and institutes effective mechanisms to monitor their implementation, the people of East Timor will continue to face the daily threat and reality of serious human rights violations.

Thank you Mr. Chairman.

## EVENTS IN AUSTRALIA

### CRACK INDONESIAN TROOPS (KOPASSUS) IN AUSTRALIA

*NT News (Australia), early June 1993*

Some of Indonesia's toughest soldiers - the equivalent of Australia's SAS - are exercising in Australia.

This is the first time Indonesian ground troops have been deployed here other than for low-key visits by senior Indonesian officers and occasional observer groups at events like the 'Kangaroo' exercises in northern Australia.

Their arrival underscores a remarkable rapprochement between Jakarta and Canberra in recent years.

The armed forces of the two countries have provided much of the impetus for the improved co-operation: the first official visit overseas by the new chief of the Australian Defence force, Admiral Alan Beaumont, was to Indonesia. And Australian troops have been training there.

An Indonesian special forces detachment is exercising with the Australian Special Air Service Regiment at its bases at Bindoon and Swanbourne in Western Australia. Meanwhile an Australian SAS troop is engaged in reciprocal maneuvers with its Indonesian counterparts at jungle training facilities in Indonesia in an exercise called 'Night Komodo.'

The Australian SAS also sent a 26-man team to take part in water operations with a unit from the Singapore navy.

The military of the two countries have been officially encouraged to collaborate more.

There has also been political support for the idea of joint air exercises and an Indonesian contingent to take part in the next major 'Kangaroo' exercise.

There is a political push for greater 'transparency' in military capabilities and operations with neighbouring countries, so they understand Australia's aims and difficulties rather than suspecting them.

Jakarta is prepared to take part in joint maneuvers, such as those underway, taking

collaboration to a level which until recently would have been unthinkable.

## NORTHERN TERRITORY LABOR PARTY RESOLUTION

*The following resolution was passed unanimously at the Annual Conference of the Northern Territory Australian Labour Party on 13 June 1993.*

*The NT ALP is the opposition party in the Territory Legislative Assembly. The CLP ruling party has held a strongly subservient attitude to the Jakarta government for almost 15 years.*

### EAST TIMOR / INDONESIA

The NT ALP will seek to develop close and friendly relations with our near international neighbours, in particular Indonesia. Such relations should be to the mutual benefit of both parties, and will be based on accepted international standards of relations.

A mutual respect for the accepted norms of international human rights will be expected, particularly as applicable to the difficult situation regarding East Timor.

We note that East Timor remains on the United Nation General Assembly's list of Non-Self-Governing Territories to which Resolutions 1415(XV) and 1541(XV) are fully applicable, and that 2 Security Council and 8 General Assembly resolutions on East Timor remain applicable without Indonesia complying.

The NT ALP believes that as a matter of urgency Indonesia must allow the entry to East Timor of international non-government and UN agencies and not inhibit their work. This should be the first step to urgent action taken to peacefully resolve the unconscionable situation in East Timor where it appears that around 250,000 people have died since the Indonesian military invasion of 7/12/75.

We note that the Australian government voted at the UN Human Rights Commission in Geneva in March for the resolution which expressed deep concern at the continuing human rights abuses in East Timor. We urge full respect by Australia and Indonesia for the principles of the UN Charter, the Universal Declaration of Human Rights, and the UN Covenant for Civil and Political Rights.

In particular at the time of this conference we express grave concern for the health and well being of East Timorese leader Xanana Gusmão, who has not been seen since being sentenced to life imprisonment 3 weeks ago, and of the other East Timorese political prisoners: urge that immediate access be provided to ICRC: and suggest that ways be sought to bring such people into the peace process.

moved: Didge McDonald  
seconded: Mark Crossin

## VICTORIA LABOR PARTY RESOLUTION

### RESOLUTION ON EAST TIMOR CARRIED AT VICTORIAN BRANCH OF THE AUSTRALIAN LABOR PARTY STATE CONFERENCE

20 June 1993

#### Recognizing that:

The people of East Timor gave indispensable support to Australian troops stationed in the territory during the second world war, for which many of them paid with their lives

Seventeen years of occupation of the former Portuguese Timor by Indonesian armed forces and settlers have done nothing to reconcile the majority of East Timorese with the idea of being part of Indonesia. Indeed the continued resistance indicates that the reverse appears to be the case, and political stability in Indonesia could well be threatened by events in East Timor.

The people of East Timor have yet to exercise their rights to self-determination under the UN Charter, Chapter XI sections 73 and 74.

The 28 page defence plea which Xanana Gusmão was prevented from reading at his trial, which was later smuggled out, shows him to be a highly thoughtful person, deeply committed to his people, who desires peace and respects the Indonesian people as neighbours but not the policies of their army.

Friendly relations between the peoples of Australia and the peoples of Indonesia, while highly desirable, must be based on mutual respect and cannot grow out of the extinguishing of the rights of our common neighbours, the East Timorese.

In the post-cold war period, where tensions should be lessening, an independent East Timor should not prove a threat to either of its large neighbours, Indonesia or Australia.

#### Conference therefore

Reaffirms the inalienable right of the East Timorese to self-determination, and points to the urgency part of the Indonesian nation, and have never asked to be part of it

Vote in international fora for resolutions in support of self-determination for the East Timorese and urge the Indonesian Government not to block the possibility of talks without preconditions between themselves and the Timorese resistance

Suspend the Defence Co-operation programme with the Indonesian Army and halt all arms sales to Indonesia until its govern-

ment agrees to talks with genuine representatives of the Timorese people

Recognize that the waters of the Timor Gap Zone are internationally disputed territory, and that International Law still recognizes Portugal as the sovereign power over such waters. The Australian-Indonesian joint venture thus appears to be in violation of international law (as well as expropriating resources rightfully belonging to the East Timorese people).

Calls on the Victorian ALP to join and support the East Timor Talks Campaign (124 Napier Street, Fitzroy 3065, 417 7505), as a way of raising within the international community the call for dialogue between the Indonesian Government and the Timorese, and resolves that the Victorian Branch join this campaign.

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### **AUSTRALIAN NGO'S DISAPPOINTED BY EVANS' ADDRESS TO HUMAN RIGHTS CONFERENCE**

*ASIA PACIFIC NGO MEDIA UNIT, 16  
June 1993*

Foreign Minister Evans has missed a golden opportunity to ensure Australia's place as a leading country in the human rights movement, according to representatives of Australian human rights organisations at the UN World Conference on Human Rights in Vienna.

In a low-key speech marked by a conciliatory approach to the concerns of the plenary, Senator Evans avoided committing Australia to its own national plan to promote and protect human rights while at the same time proposing that the countries attending the Conference set up their own plans.

Australian NGOs welcomed the clear assertion that human rights are universal and indivisible but are disappointed there was no clear call for the urgent ratification and implementation of the principal human rights instruments particularly by governments in the Asia-Pacific region.

Australia's support for increased funding for the UN Centre for Human Rights and the creation of a Special Commissioner for Human Rights were also welcomed. 'We also appreciate the real cooperation extended to Australian NGOs by the government,' said Mr. Pat Walsh from the Australian Council For Overseas Aid.

However, the speech was long on suggestions for international action and short on specific commitment by Australia.

'Senator Evans could have declared Australia's plans to address the implications of the Mabo Decision or it could have followed up on its commitment to allocate 0.5% of

Overseas Development Assistance to human rights projects by announcing the types of projects that would be funded,' said Mr. Walsh.

'These should include support for human rights NGOs and human rights education and training for local communities,' said Mr. John Scott-Murphy from the Diplomacy Training Program at the University of New South Wales.

The statement makes no reference to NGOs or to an NGO proposal that UN human rights bodies should meet outside Geneva in the Asia-Pacific and other regions.

In a friendly gesture to the Indonesian government, Senator Evans welcomed Indonesia's establishment of a human rights commission headed by a former Minister in the Suharto government. He also announced a grant of \$300,000 to the UN Centre of Human Rights Voluntary Fund for the purpose of supporting and promoting national institutions.

While Australia has been promoting the formation of human rights commissions, the record of such bodies as the Philippines Human Rights Commission and the Mexico Human Rights Commission does not bode well for genuine protection of human rights in countries like Indonesia which continue to abuse them.

'The statement by Senator Evans does not make clear the principles which should guide such institutions,' said Andre Frankovits from the Human Rights Council of Australia. 'Australian NGOs insist that such Commissions can only be effective if they go hand in hand with an effective and impartial and independent justice system. They also say that countries must accede to the international treaties such as the Convention against Torture before such Commissions can hope to be successful.'

Indonesia, for example, has not acceded to most of the international instruments to protect human rights and has been guilty of continuing human rights violations culminating in the recent discredited trial of Xanana Gusmão.

Australia has been playing an important role in the debate over self-determination at the UN Commission on Human Rights. Yet, Senator Evans chose to echo the views of a number of Asian governments by referring to self-determination as leading to 'fragmentation and a source of threats to international peace and security.'

'At a Conference in which regional NGOs are focusing on issues such as East Timor, Bougainville, Sri Lanka, Kanaky and Tibet, such a statement increases skepticism about the extent of Australia's commitment to solving such conflicts,' said Joy Balazo,

representative for the Uniting Church in Australia.

Further information: Pat Walsh Tel. 43 1 534 98915

Andre Frankovits 43 1 504 5196

John Scott-Murphy 43 1 504 5196

Joy Balazo 43 1 534 98900

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### **TV AD ON EAST TIMOR**

*ABC TV, 16 June 1993*

*The following is a transcript of a program broadcast on prime time TV at 6.30pm which reviews TV commercials.*

Presenter: TV commercials in a political content tend to be seen only in Australia screens around election time. Overseas is relatively common for interest groups to buy space to push their message. The following commercial has never been seen in Australia and attempts have been made in other countries to suppress it. It was made by the Portuguese Journalist Union and deals with events very close to our home.

Image - it shows an orange cut into half and squeezed in a glass orange juicer)

'There is an island in South East Asia split into two. Half belongs to Indonesia, the other is East Timor which Indonesia forcibly seized 16 years ago. Since then, more than 200,000 Timorese been massacred, exterminated, and nothing is done. But now that you know the other of Indonesia, if you still plan to visit Java or Bali do something about the situation. Even if it's only to raise glass to the thousands died while you enjoy your trip in Indonesia.'

'Don't spend your holidays in Indonesia'

Presenter: More Australians visit Indonesia than any other nationality. 185,000 Australians holidayed there last year alone. Considering that this commercial is aimed at the holidaymaker and bearing in mind the Australian Government's conciliatory approach to Indonesia over East Timor. It's ironic that we have not seen nor heard of that commercial until now.

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### **PICKETS AT GARUDA, MELBOURNE**

*June 21, 1993*

For the past two weeks vigils have been held outside the Melbourne office of Indonesia's government-owned airline Garuda (45 Bourke St) from 1 am to 2 pm each Friday. The pickets are aimed at calling for the release of East Timorese resistance leader, Xanana Gusmão.

The pickets, organised by Australia-East Timor Association in conjunction with Fretilin and UDT, will continue indefinitely.

We are calling on members of the Australian public to think twice about taking their holidays in Bali while Indonesia remains in East Timor and especially while Xanana remains in prison. We remind Australians to remember that it was a long but effective campaign of sanctions against the apartheid regime in South Africa which led to the release of Nelson Mandela. Bali is the headquarters for the sub regional military command responsible for military activities in East Timor.

For more information contact John Sinnott on 4897661

### **"STILL A 'GLITCH IN THE SYSTEM' MR. EVANS?"**

*AUSTRALIANS FOR A FREE EAST TIMOR  
Press Release, Mon 21 June 93*

*Box 2155 Darwin NT Australia 0801 ph/fx  
+61 89 832113*

Australia's Foreign Affairs Minister Gareth Evans said last Wednesday 16/6 that he had been assured by his mate Ali Alatas, his counterpart in Indonesia, that jailed East Timor leader Xanana Gusmão "will be visited within a couple of days by the International Red Cross."

That the military in East Timor has denied access by visitors to Xanana is only a 'glitch in the system,' Evans claimed.

Well, by Friday 18th the ICRC delegation was back in Jakarta complaining that once again their agreed program of prisoner visits had been thwarted by the military.

"Another 'glitch in the system,' Mr. Evans?"

What now Mr. Evans, or is it true that Xanana has been on hunger strike and/or has been tortured again, as is rumored, and as is likely, Mr. Evans?" (The UN. and Bishop Belo, say that torture of prisoners is routine by Indonesian captors).

We need access to political prisoners by doctors especially experts in detecting torture, lawyers, family, etc. in accordance with the International Law, and who can tell of their observations and not be limited by the specific conventions applying to ICRC.

Further, of course, since the Indonesian regime is illegal in East Timor, it should release unconditionally all its political prisoners and get out of East Timor as the UN demands.

The real message of the latest debacle is the impotence of Ali Alatas and that slightly more human face of the Indonesian military government that he ineffectively represents. The Military rules Indonesia, and the Suharto regime is shaky. Australia has no foreign policy to deal with this.

Indonesia has suffered major foreign set policy setbacks and human rights criticism

at all major international forums this year, including UN Human Rights Commission Geneva in March, and now in Vienna. Further Japan has stated that protecting human rights enhances development. Thus again putting to roost the opposite nonsense of the SE Asian authoritarian regimes.

East Timor is again proving to be the "sharp stone in the shoe" for Alatas and Indonesia internationally, while not forgetting West Papua too. For Alatas and Evans to be taken seriously, they need to deliver good deeds not just empty words.

ROB WESLEY-SMITH, a spokesperson for AFFET

### **HIGH COURT CHALLENGE TO TIMOR GAP LEGISLATION**

*MEDIA RELEASE BY CNRM, 25 June*

**Jose Ramos Horta, Jose Gusmão and Abel Guterres vs. The Commonwealth of Australia.**

A press conference will be held in the Parliamentary Press Gallery, Canberra Room 2S1 on Friday 25th June 1993 at 10.30am EST to announce the filing of the Timor Gap Legal Challenge in the High Court of Australia.

The plaintiffs, Ramos-Horta, Gusmão and Guterres challenge the validity of the Acts of the Commonwealth Parliament establishing the Australia-Indonesia Zone of Co-operation. The acts purport to implement the treaty signed in midair over the Timor Gap by Australian Foreign Minister Mr. Gareth Evans and Indonesian Foreign Minister and Mr. Ali Alatas in 1989.

The validity of the treaty between Australia and Indonesia is the central issue in the proceeding in exercising its executive power to enter into treaties the Commonwealth of Australia is bound by International law.

Neither the international community or international law have recognised the annexation of East Timor by Indonesia in 1975.

The Australia Democrats support the legal challenge to the Timor Gap legislation by Jose Ramos Horta and his colleagues in the National Council of Maubere Resistance "said Victorian Senator and Law and Justice Spokesperson Senator Spindler: "We have consistently condemned the legislation and were the only party in the Parliament to vote against it. We also oppose Indonesia's annexation of East Timor and have contributed to generating the international condemnation of Indonesia's aggression which the Democrats have always seen as sell out of human rights for material gain.

Copies of the statement of claim are available from Chris Caleo, Phillips Fox solicitors. Melbourne (03) 274 5000

For more information, call:

Margherita Tracanelli  
Media & Communication Director,  
CNRM

Phone: 61-2-369 2676; Fax: 61-2-389 2488

*Following are the opening remarks from Jose Ramos Horta at the Press Conference, 25th June 1993, Canberra.*

Today after much deliberation we have instructed our solicitors, to file proceedings in the High Court of Australia to challenge the Timor Gap legislation.

Australia is a fortunate country which has never been invaded by a foreign power.

East Timor is only 600 kms north of Darwin, but the East Timorese are not so fortunate. Colonized by European powers for almost 500 years, invaded and occupied by the Japanese Imperial Army for most of the duration of WW2 and now for 18 years by Indonesia, East Timor has known only deprivation, poverty, torture, persecution and the systematic massacre of its people.

Australians do not fear persecution for their beliefs, they do not go to bed in fear of being woken up in the middle of the night and being "disappeared," they are not subjected to arbitrary arrest, interrogation and torture. Australians are not shot in cold blood when they protest against Government policies.

For the past 18 years I have been fortunate enough to live in exile in relatively comfort and security. The same goes for the my country-fellows Abel Guterres and Jose Gusmão.

We are East Timorese, we are part of a people's movement which seeks to redress the wrongs done to us. We do not seek confrontation. We are in fact grateful to the Australian people for their generosity in welcoming thousands of East Timorese into this country which gave us shelter, food, education, peace and security.

We have not been indifferent to Foreign Minister Gareth Evans' efforts to compel the Indonesia authorities to take serious steps towards improving the human rights situation in East Timor. We thank him for these efforts. We also understand that Australia is compelled by the overwhelming reality of geography to co-exist with the Republic of Indonesia and that it is extremely difficult to reconcile two conflicting interests and beliefs.

We have trust in the Australian system of government and the highest regard for its judiciary which has proven that it is capable of standing above political pressure to up-

hold its independence, integrity and the rule of law.

We owe loyalty to our people and are compelled by a profound moral responsibility to seek redress through the Australian system of justice to which our people aspire. Thank you

### **TIMORESE CHALLENGE AUSTRALIA-INDONESIA OIL TREATY**

*By Wilson da Silva, Reuters*

(Reuters, Sydney, June 25) Exile Timorese on Friday launched a challenge in Australia's highest court to the 1989 oil exploration treaty for the potentially rich Timor Gap seabed between Australia and Indonesia, a move legal experts said could jeopardize hundreds of millions of dollars worth of investment.

Under the treaty, seven of the world's biggest oil firms are to plough Australian \$500 million (US\$345 million) into drilling 45 exploration wells in the area. Analysts estimate potential output at 200,000 barrels of oil a day by 1995.

The writ argues that since Indonesian annexed East Timor in 1976, after invading it previous year, and the action is not recognised by the United Nations, Indonesia does not represent the Timorese and can not sign a treaty on their behalf.

International treaties such as the Timor Gap agreement must be signed between sovereign states.

"We have no special objections to Australian mining interests in the Timor Sea region" Timorese resistance official Jose Ramos-Horta told a news conference in Canberra.

"(But) we believe the policies of the past 18 years pursued by Australia to appease Indonesia have produced nothing of benefit to the people of East Timor," he said.

Legal experts said the action could potentially void the treaty and leave the Australian government open to compensating oil companies which have signed contracts to explore the region, lying between, north-western Australia, the Indonesian archipelago.

Indonesia's annexation of the former Portuguese colony of East Timor is not recognised by the United Nations which still considers Portugal the administering power. The UN has called for a vote on self-determination by the Timorese.

"If it could be established that the East Timorese are entitled to self-determination, then obviously the Timor Gap treaty would be a flagrant violation of international law," said Rafiqul Islam, law lecturer at Sydney's Macquarie University.

"It could be argued that it is the East Timorese who have the right to enjoy seabed resources, and not the Indonesians," Islam told Reuters.

Eleven contracts have been awarded under the treaty, requiring the seven companies to shoot 52,000 km (32,000 miles) of seismic surveys over the next six years.

The plaintiffs are Horta and Jose Gusmão, and Abel Guterres, an Australian national who is an organiser for Fretilin, the leftist party which was toppled by Jakarta's invasion.

The court action was backed by the Australian Democrats, a small leftist party which (holds) the balance of power in the Senate (Upper House).

Australia is currently defending the treaty against Portugal in the World Court, where Lisbon is also seeking to void the treaty and demanding compensation. The UN court is likely to begin hearing the case in late 1994 at the earliest.

International law specialists say the case is a complex one that breaks new ground and is unpredictable. Australian legal experts say Australia probably has the upper hand, while many Americans believe Portugal stands a good chance of winning.

USX-Marathon Oil Co of the United States was the first to begin drilling in December last year, and is to be joined by the Broken Hill Pty Co Ltd., Phillips Petroleum Co, Woodside Petroleum Ltd., Petroz NL, Enterprise Oil Plc and the Royal Dutch/Shell Group.

The treaty zone is split into three areas - Zone A is jointly managed by Australia and Indonesia and once oil production begins, tax and revenue will be split between Australia, Indonesia and the oil companies.

Zone B is controlled by Australia and Zone C by Indonesia. But Zone A is where the bonanza is expected, being surrounded as it is by the existing fields of Challis, Jabiru and Skua.

### **HIGH COURT CHALLENGE TO BE LODGED AGAINST TIMOR GAP TREATY**

(AAP, Canberra, June 25) The major East Timorese resistance group is to lodge a high court challenge to the validity of the Timor gap treaty exploration agreement signed by Australian and Indonesia in 1989.

Details of the challenge by the National Council Maubere Resistance groups - will be announced at a news conference in Canberra later today.

The challenge will dispute the validity of federal legislation introduced to implement a 1989 agreement to explore and exploit the resources of the gas and oil-rich Timor gap

continental shelf between East Timor and Australia's northwest coast.

Plaintiffs in the challenge include the CNRM's international envoy Jose Ramos-Horta and its southeast Asian representative Jose Gusmão, the cousin of jailed Fretilin leader Xanana Gusmão.

It is understood the challenge is being made on the grounds that no agreements were reached with Portugal on exploration prior to Indonesia's invasion of East Timor in 1975.

The argument is that because neither the international community nor international law recognise Indonesia's annexation of East Timor, the treaty is void under Australian and international law and therefore the federal legislation implementing the treaty is also void.

Under the agreement the Timor gap is divided into three exploration areas, one under control of each country and a third under joint control.

The CNRM's challenge has the backing of the Australian democrats.

The party's law and justice spokesman, Sid Spindle said today the democrats wanted to assist the CNRM in using international law to bring attention to the situation in East Timor.

"We have consistently condemned the treaty and we were the only party in the parliament to vote against it," senator Spindler said today.

He said the democrats has always seen Indonesia's aggression in East Timor as a "sell-out of human rights for material gain."

The challenge by the CNRM is the second to the validity of the treaty following international legal action against Australia by Portugal.

Portugal's challenge, lodged with the international court of justice (ICJ) in the Hague about 18 months ago, applies for unspecified damages against Australia over the Timor gap agreement following Portugal's exclusion from the agreement.

It argues the agreement does not support the sovereign rights of the people of East Timor to self-determination, in territorial integrity and unity and to permanent sovereignty over their wealth and natural resources.

It argues the agreement breaches United Nations security council resolutions on East Timor whose annexation by Indonesian is still not recognized by the UN.

The ICJ's consideration of the case is expected to resume later this year after Australia submits written reply to Portugal's arguments, which it must do by July 1.

Negotiations are scheduled between Indonesia and Portugal in September under UN auspices.

So far East Timorese leaders have been excluded from plans for the negotiations despite a UN resolution calling for all interested parties to find a peaceful solution to the issue.

Resistance groups have called for the release of East Timorese leaders like Mr. Gusmão, sentenced to life imprisonment last month, to allow their participation in the negotiations.

### SELF-DETERMINATION BASIS OF COURT MOVE

*The Canberra Times, 26 June 1993, By Ian McPhedran, Foreign Affairs reporter*

(Canberra) The East Timorese resistance movement has lodged a High Court challenge to the validity of Australian legislation on the Timor Gap Treaty exploration agreement between Australia and Indonesia.

The challenge was launched yesterday by the leader of the National Council Maubere Resistance (CNRM), Jose Ramos Horta, and East Timorese representatives Jose Gusmão and Abel Guterres.

The 26-page challenge claims that the Treaty, signed in 1989 by the Minister for Foreign Affairs, Gareth Evans, and his Indonesian counterpart, Ali Alatas, is and at all material times has been, void in accordance with the rules of international law.

They cited the breach of international law as the major grounds for issuing the challenge and claimed that at the time of entering into the Treaty the Commonwealth was bound by international law to recognise the illegality of the acquisition of East Timor by Indonesia by use of force in 1975.

The challenge also claimed that Australia was bound by international law to recognise the illegality of Indonesia's presence in East Timor and to accept the sovereign rights associated with East Timor over the continental shelf between East Timor and Australia were not vested in Indonesia.

It also claimed that Australia had no right to negotiate with Indonesia on the delimitation of the continental shelf between East Timor and Australia.

The High Court challenge also focuses on the right of the Commonwealth to pay taxation revenue to Indonesia - a rate of 10% is payable from revenues earned in the Australian sector of the Timor Gap to Indonesia - without appropriation in accordance with section 81 of the Constitution. Section 81 limits the Commonwealth to spending the proceeds of taxation on matters it is constitutionally authorised to spend it on and paying taxation revenue to Indonesia pursuant to an invalid treaty is not one of them.

The CNRM case is being made on similar ground to those which Portugal - which

claims sovereignty over the Timor Gap - has lodged against Australia on the Timor Gap issue in the International Court of Justice in the Hague.

AT a press conference in Canberra yesterday, Mr. Ramos Horta said the East Timorese community was not trying to upset or harm Australian economic interests.

He said an independent East Timor would continue to maintain a beneficial relationship with Australia.

"Our decision to challenge the legislation is based solely on our right to self-determination which is recognised by the United Nations and is enshrined in the covenants which Australia is bound by."

Mr. Ramos Horta would not be drawn on the subject of who was underwriting the High Court challenge but he was confident that the East Timorese would win and avoid what would be an estimated \$300,000 in costs.

### TIGHT SECURITY AS DARWIN INDONESIAN CONSULATE OPENED

#### TIMOR PROTEST

Darwin, 25 June AAP - Police outnumbered pro-independence East Timor protesters today as a central Darwin street was sealed off for the opening by Indonesian ambassador Saban Siagin of Darwin's Indonesian consulate.

Protesters opposing the Indonesian rule in East Timor shouted slogans as a large delegation of Indonesian dignitaries and business people arrived at the consulate.

A delegation of some 400 Indonesians is in Darwin for a trade expo highlighting trade possibilities between eastern Indonesia and the northern territory.

About twenty northern territory police officers patrolled barricades keeping out the placard-waving protesters, who had also planted about a dozen white crosses opposite the consulate.

The Indonesian consulate moved to the new premises earlier this year from suburban Stuart park.

Indonesian troops entered East Timor in 1975 and Jakarta declared the territory its province the following year.

### TIMOR VIGIL IN MELBOURNE

*From Green Left Weekly, June 27*

MELBOURNE - Supporters of East Timor are holding weekly vigils outside the Garuda Airlines office to protest against the imprisonment of Xanana Gusmão and other leaders of the East Timorese struggle for independence.

The protesters are calling on people not to holiday in Bali, which is the headquarters for the Indonesian army in East Timor. The vigils are to be held every Friday from 11 a.m. to 2 p.m.

### BASIC FLAW IN AUSTRALIAN DEFENCE TIES WITH INDONESIA

*Canberra Times, 5 July 1993. By Harold Crouch*

Last month 30 troops from Indonesia's elite Kopassus (Special Forces Command) completed two weeks of exercises with Australian troops in Western Australia while a similar group of Australian forces carried out joint exercises in Indonesia. These were the first major joint exercises involving army units. Until now joint exercises with Indonesia have been limited to naval and air-transport exercises. Australia's defence planners, however, want to increase co-operation between the two armies and it is envisaged that battalion-level land exercises might be held in five years' time.

The Australian policy is based, in the words of Senator Ray, on the belief that 'both countries have a common interest in the maintenance of security and stability in Southeast Asia.' While there is much to be said for increasing defence co-operation between Indonesia and Australia in some areas, the policy of training Indonesian ground troops suffers from a fundamental flaw.

Australia's conception of defence and security is very different to Indonesia's. When Australians think of security we are thinking about defence against external enemies. We are not concerned with putting down a rebellion in Queensland, dealing with separatists in Western Australia or suppressing strikes in Victoria. But when Indonesians think of security they are thinking overwhelmingly of internal security. The Indonesian ministry concerned with defence is not called simply the Department of Defence but the Department of Defence and Security, and in this context security means internal security.

In recent years Indonesian military leaders have regularly stated that they do not envisage Indonesia being faced with an external threat in the foreseeable future. This perception is supported by their current capabilities. The air force has only one squadron of modern fighter aircraft (consisting of 12 F-16s) while the navy's main function is to patrol Indonesia's territorial waters and its EEZ.

The main focus of Indonesia's military preparedness lies with the army. Indonesia's army is not deployed at its borders

ready to meet an external aggressor but is overwhelmingly concentrated on the politically crucial island of Java, especially in the environs of Jakarta, as well as in provinces experiencing rebellion, particularly East Timor and Aceh. Of the army's 102 battalions, 67 are engaged in 'territorial' duties spread throughout the entire country. 'Territorial' units are placed in all provincial capitals and small towns where their prime function is to ensure that political challenges to the regime do not eventuate. They have extensive powers to arrest people considered to be threats to 'security.'

Apart from the 'territorial' battalions, the army has six infantry brigades (18 battalions) under its Strategic Reserve Command (Kostrad) and another five Kopassus battalions. It is these forces which can be mobilized to meet emergencies, whether external or internal. In practice their main purpose has been to suppress internal challenges to the regime. In recent years they have been in action in East Timor, Irian Jaya and Aceh.

The difference between Australia's and Indonesia's perceptions of 'security' raises fundamental questions about the nature of 'security co-operation' between the two countries.

It could be argued that military co-operation designed to enhance Indonesia's capacity to defend itself against external aggression also enhances Australian security. Australia also has an interest in promoting greater transparency to avoid misunderstandings about each others' intentions. Thus, for example, the training of Indonesian officers in defence strategies and tactics etc. at Australian staff colleges can benefit both sides. Joint naval exercises which strengthen the capacity of the Indonesian navy to deal with incursions into its territorial waters can also benefit Australia. On the other hand, some types of joint air exercises which enhance the capacity of the Indonesian air force are more dubious because of the air force's potential role in counter-insurgency operations in Indonesia.

But the main concern of the Indonesian military is internal security. Given the fundamentally different perceptions of the proper role of the army in the two countries, it is hard to see what Australian purpose can be served by training programs and joint exercises with the Indonesian army. Does Australia have an interest in strengthening the capacity of the Indonesian army to carry out its internal security operations? What quarrel do Australians have with the peoples of East Timor, Irian Jaya, or Aceh? What business is it of Australia to enhance the capacity of the Indonesian military to suppress dissident Muslims, demonstrating students and striking trade unionists?

As part of our military co-operation with Indonesia, Australia has provided training to small groups of Indonesian combat instructors at the Land Warfare Centre in Canungra, Queensland. It is obvious that the graduates of such courses and the troops that they in turn instruct are not likely to go into action to defend Indonesia against an external enemy but will continue to use skills acquired in Australia for military operations against their fellow-countrymen and women. It is sometimes argued in defence of such training that the experience of training in Australia brings Indonesian military officers into contact with a democratic society and that some of our democratic values 'rub off' onto them. There is, however, no evidence to support this extraordinary proposition.

I am not suggesting that Australia should discontinue military co-operation with Indonesia. That co-operation, however, should not be 'comprehensive.' It should be limited to those areas where it enhances Indonesia's capacity to defend itself against external aggression but should not strengthen the military's capacity to make war on Indonesia's own people.

### DEMONSTRATION AT OPENING OF CONSULATE IN DARWIN

*Green Left #106, July 14, 1993. By Bernie Brian*

DARWIN - Members of Darwin's East Timor Independence Support Group organised a peaceful but angry picket on June 25 to protest at the opening of an Indonesian consulate in the city.

During the picket one protester had his bag confiscated, and the entire proceedings were photographed and filmed by both police and consulate staff. Protest organisers could not get a confirmation or denial from police of a sighting of a police marksman on an adjacent office block. Attempts to photograph this police officer as he departed via a waiting fire engine ladder were blocked by police.

This increased level of intimidation of the East Timorese and their supporters here corresponds with attempts by the territory government to increase trade with Indonesia. At the time, Darwin was also host to a 400-strong Indonesian trade delegation.

Jose Gusmão, cousin of jailed East Timorese independence leader Xanana Gusmão, told Green Left that such activities were designed to "intimidate us and our families back home. My own brother was poisoned by Indonesian intelligence because I have always spoken out about the continuous violation of human rights in East

Timor. All we want is a peaceful solution to the conflict in East Timor according to the UN resolution, which includes holding a referendum to give the East Timorese a say in their future."

### INDONESIA IN NAVAL GAMES IN DARWIN

*The Australian, 13th July 1993*

Indonesian and Australian naval forces will participate in a significant maritime exercise off Darwin next month.

Exercise New Horizon 7 will be the first joint exercise with Indonesia since 1991 and is the latest in the New Horizon series of maneuvers that began in 1977.

Defence officials in Darwin confirmed the plans yesterday but declined to specify what forces would be involved.

They also refused to comment on reports suggesting Indonesia's component would be its entire eastern fleet of nine warships.

"You're a bit early for that kind of detail" a defence spokesman said yesterday.

"All we are saying at the moment is that News Horizon 7 is part of Australia's continuing commitment to joint exercises with nations in our region."

The spokesman also denied suggestions details were being kept secret because of fears about protests from supporters of East Timorese independence.

### RELATIONS WITH ASIAN ARMIES

*Sydney Morning Herald - Editorial, 16 July 93*

The Prime Minister likes to say it is time for Australia to get closer to Asia. That is, of course, a laudable objective. But it seems that Canberra is discriminating about how this is done, and in a way that leaves many Australians uneasy. Not long ago, the Government placed an entry visa ban on Thai army officers associated with the 1992 Bangkok massacre. At about the same time it revealed that 30 members of Kopassus, the Indonesian Army special forces unit, had completed a two-week course at the Australian SAS base near Perth. Is there any reason for treating Thailand and Indonesia differently?

In May last year, Thai soldiers opened fire on pro-democracy forces in the streets of Bangkok. The official death toll was 52 dead, with hundreds injured. Another 200 people were listed as missing. Six months earlier, Indonesian soldiers opened fire on Timorese demonstrators in Dili. An official enquiry put the death toll at about 50, with another 90 missing. News agencies said that as many as 180 dead.



Canberra argues that there is a difference. It says that the killings in Dili were not authorised by Jakarta and notes that the Indonesian Army moved to discipline itself after the affair, sacking two generals. That is true enough. Canberra has also regretted that there was a profound discrepancy in the sentencing of those involved in the Dili affair. The sentences of unarmed Timorese demonstrators ranged from 6 months to life imprisonment. Indonesian soldiers who did the killing got off with 18 months' jail or less.

The US Congress responded to the Dili massacre and aftermath by canceling a 40 year old military education program for Indonesian officers. The Keating government has not cut military aid to Indonesia. Quite the reverse. It has stepped up the training military personnel. We all already have a program of naval and air force exercises with Indonesia. Now, Canberra has extended that co-operation, with the first exchange of army units. This development, which comes only 20 months after the Dili shooting, must raise concern. The choice of the first Indonesian army unit to train here is even more troubling. Kopassus is the glamour unit in the 458,000 member Indonesian armed forces. It serves as a quick reaction force which can deal with unrest in any part of the archipelago. It operates clandestinely in other countries as the need arises. Inevitably, it has got its hands dirty, both at home and abroad.

The red beret unit played a leading role in the massacre of communists in Central Java in 1965-66 during a bloodbath that might have cost as many as 400,000 lives. It went out of its way to create instability in Portuguese Timor ahead of an Indonesian invasion which was claimed, disingenuously, to be aimed at "restoring stability." It led the attack on Balibo, where 5 Australian journalists were killed, some in highly suspicious circumstances. It hunted down and killed the Fretilin president Nicolau Lobato. It killed Arnold Ap, a Papuan academic and activist in Irian Jaya. In the early 1980's it played a key role in the garroting, stabbing and shooting of up to 4000 suspected criminals.

Australia needs to establish the best possible relations with Indonesia, not least in the military field. But the defence department, with narrow objectives seems to have got the bit between its teeth. A broader approach is required. The government should stand back and reconsider the sort of relations Australia establishes with Asian armies, some of which turn their guns on their own people, not on foreign enemies.

## INDONESIAN TROOPS TRAINING DEFENDED

*THE AGE, 29 JULY 1993 By Lindsay Murdoch*

(Singapore) The Foreign Minister, Senators Evans, today defended Australia's training of elite Indonesian troops that Amnesty International claims have been responsible for systematic human rights violation in East Timor and the staunchly Islamic northern province of Aceh.

Speaking in Singapore, Senators Evans said the purpose of training Indonesian troops in Perth was not to improve their capability to deal with internal trouble spot like East Timor or Aceh, but to improve their skills to "an environment for more effective cooperation in external defence policy."

In a report issued today, Amnesty, the London-based human rights group, called on Australia to suspend all contact between Australia's defence forces and the Indonesian army's special commander forces (Kopassus) regiment until it could be established the training would not contribute to "further human rights violations by this regiment."

The report said "2000 innocent civilians have been killed by Indonesian troops in Aceh, more than 10 times the number gummed down by the same army in Dili, East Timor, in 91." It said other violations included the disappearance of suspected opponents, the widespread use of torture, unfair trials and the imprisonment of people for their peacefully held beliefs.

The Indonesian military has been fighting for decades to quash a separatist rebel movement in Aceh.

Amnesty Australia's campaigns director, Mr. Andre Frankovits, said in Sydney today that Amnesty was simply asking that the Australia government "be able to demonstrate that any Australian contact with the Kopassus regiment will not lead to further violations of human rights."

He said: "If it is unable to do this, then Amnesty International believes the Australian government should suspend all such contact."

The report alleges that Kopassus is consistently associated with human rights violations in Aceh and elsewhere in Indonesia and Timor.

It said there had been no inquiry into any of an estimated 2000 mysterious killings.

Senators Evans, attending annual talks with the Association of South East Asian Nations, said Australia was helping to train Indonesian military personnel to foster a climate of confidence between the defence forces of the two countries. He said he had

not seen the Amnesty report and could not comment further. Indonesian Foreign Minister Mr. Ali Alatas, also said he could comment on the report because he had not seen it. A 30-man team from Kopassus recently spent two weeks at a base near Perth.

## SOME ADVICE TO A PRESIDENT ON FREEING TIMOR

### AN OPEN LETTER TO PRESIDENT SUHARTO OF INDONESIA FROM SHIRLEY SHACKLETON

*Letter to the Editor of the Melbourne Age  
Printed 22 July 1993*

Dear President Suharto,

Your statement regarding East Timor ('The Age,' 10/7) surprises me, however I believe you are a truthful person so when you say that you "Never had any ambition to annex East Timor," one must conclude that you were unaware of the establishment of the huge subversive organisation, 'Operasi Komodo,' which was created in 1974 for the express purpose of destabilizing East Timor as part of General Murdani's 1975 invasion plans.

When you state: "the task of developing East Timor has added to our burdens," I sympathize not only with you but with all Indonesian families mourning the lost of sons in this unwanted and undeclared war.

The solution is obvious. Order all military personnel and Indonesian civilians to leave the territory of East Timor. Instruct your generals to close down an intelligence operations and forbid the arming of Timorese collaborators; in fact, give them permanent resident in Indonesia. There are only a few, so they will not make a difference to 180,000,000 subjects. I do not suggest this plan of action lightly, I commend it to you because of the immense advantages to yourself and your people. Such action would allow restoration of admiration for the heroic struggle Dutch colonialism before your military moguls took things to their own hands and forced war and colonialism upon the East Timorese.

In purely materials terms, the money spent in East Timor has been given to you many times over in the form of aid, so the structures that you leave behind have not been paid for by your own money and have not disadvantaged any Indonesians. In fact, many Indonesian army personnel have become immensely rich as a result of their activities in East Timor! Your army has received quite enough experience fighting against armed resistance and since you continue to lose soldiers each day there really

isn't an excuse for your people to continue to sustain such severe losses.

East Timor can support itself. Gold, marble and minerals are being mined; the excellent Arabica coffee crop amounts to a fortune and now that oil and natural gas-fields have been revealed to exist in the Arafura Sea, it is obvious that the Timorese can look after themselves in the same way as the people of Brunei. Once your armies quit the country it will be a wonderful place for a holiday so tourism will flourish.

Regarding your comments on human rights violations, the occupation of East Timor is in itself a massive violation of human rights! Add to that detention without trial, trial by a foreign power, torture, rape, seizure of property and the sad history of massacres and you will have an idea of how this record weighs against Indonesia,

Once you free the Timorese, countries will be free to present you with aid on a scale hitherto undreamed of. Perhaps 18 years ago there were Timorese who dreamed of becoming part of Indonesia, but unfortunately, your armies have been cruel and the devastation so complete that the majority do not want anything to do with you. The resistance is so widespread that there is no way for you to gain acceptance by staying on in East Timor.

Think of the respect you would gain with Indonesian colonialism a thing of the past. Imagine the relief and the honor. The whole world would salute you, President Suharto.

SHIRLEY SHACKLETON,  
South Melbourne.

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## EVENTS IN BRITAIN

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### WELCOME THE INDONESIAN AMBASSADOR TO LONDON

*TAPOL Report, 8 June 1993*

The new Indonesian ambassador to London, J.E Habibie, who is also Indonesia's ambassador to Dublin, is in Dublin today and will present his credentials to the Irish president, Mary Robinson tomorrow. As a welcoming salvo, the Irish Times, Ireland's leading paper, which yesterday published a hard-hitting article about East Timor by Hugh O'Shaughnessy, has today published an editorial strongly criticising Indonesia, entitled, 'Indonesia's Shame.' The editorial is posted separately.

This evening the East Timor Irish Solidarity Group is holding a vigil outside the Conrad Hotel where ambassador Habibie is staying.

Tom Hyland of the ETISC was interviewed today on the prime-time news bul-

letin today and will be interviewed on Irish TV this evening.

Four Senators have tabled an emergency motion in the Irish Senate, on the occasion of the credentials ceremony, strongly criticising Indonesia's annexation of East Timor. We hope to post the text of the motion shortly.

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### BRITISH AEROSPACE GETS HAWK ORDER

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*Indonesian Headlines - June 10*

British Aerospace Plc said on Thursday it had won an order for 24 Hawk trainer/fighters for the Indonesian Air Force that would give a year's work to two of its factories. Industry sources said the order was worth 500 million pounds (\$756 million).

BAe Chairman and Managing Director John Weston said the contract, "builds on the strong business relationship which has evolved over a number of years between BAe and Indonesia and its aerospace IPTN, through collaboration on both military and civil projects." The jets will be used for advanced flying training and tactical training.

Prime Minister John Major congratulated British Aerospace Plc on winning a 500 million stg order for Hawk trainer aircraft to Indonesia. "I am delighted to confirm that," Major told parliament. He said the order was good news for the British defence industry which had won orders worth more than five billion stg so far this year, equal to sales for the whole of 1992.

Rolls-Royce Plc said it had won an engine contract worth about 50 million sterling (\$76 million) for the Hawks ordered by Indonesia. It said it will begin delivering the engines from its Bristol facility in southwest England in 1995.

Indonesia on Thursday denied reports that East Timor rebel leader Xanana Gusmão was on hunger strike. Timorese exiles, quoting a defence plea Gusmão was stopped from reading at his trial, have said the Fretilin leader had carried out a promise to begin a hunger strike as an appeal for international support. "He (Xanana) is not on hunger strike. I can categorically say so and add that he is in good health," Foreign Minister Ali Alatas said.

Portuguese President Mario Soares awarded jailed East Timor rebel leader Xanana Gusmão one of his country's top honours on Thursday and hailed him as a hero to his people. Soares awarded him the Order of Liberty during ceremonies to commemorate Portugal's national day. Xanana's award was due to be presented to Xanana's son, Paulo Gusmão, in the Portuguese embassy in Sydney, Australia.

### UK WINS INDONESIAN ARMS DEAL

*The Sydney Morning Herald, 12 June 1993  
By The Independent and Reuter*

London, Friday: British Aerospace (BAe) was at the centre of an arms controversy last night after announcing that it had won a \$UK500 million (\$A1.36 billion) order to supply Hawk military aircraft to Indonesia.

The sale involves 24 aircraft with weapons, spares and training. It is likely to be controversial because Indonesia's human rights record in the former Portuguese territory of East Timor.

Although the Hawk is design as a trainer, BAe's promotional literature makes it clear that it is also suited to ground attack.

A BAe spokesman would say when the planes will be supplied or which version of the Hawk they were. The Hawk is a basic trainer aircraft but can be equipped as a fighter.

However, another company spokesman said, BAe had sought and obtained assurances from the Indonesian Government that the aircraft would not be used in an offensive role against rebels.

Indonesia has already had 20 hawk trainers in service since the early 1980s.

### BRITISH HAWKS FOR INDONESIA

*Peace News, June 17, 1993*

British Aerospace (BAe) is to supply Indonesia with 24 Hawk aircraft, following a mid-May visit to Indonesia by defence secretary Malcolm Rifkind to iron out last-minute difficulties that were delaying the signing of the deal.

There were cheers from the otherwise beleaguered Conservative benches in parliament as the sale was announced. MPs who spoke out against the sale were jeered at for "talking Britain down" – the latest thought-crime according to defenders of the Major government.

"Although the British government has refrained from giving formal recognition to Indonesia's illegal annexation of East Timor and has occasionally expressed concern at the grave human rights violations and atrocities perpetrated by the Indonesian armed forces against the people of East Timor, it sees nothing wrong in allowing, even promoting, the sale of warplanes that bolster Indonesia's armed capability" the Indonesia human rights watchdog group TAPOL noted.

Chris Cole, who smashed the nosecones of some of the Indonesia-bound Hawks at the BAe plant in Stevenage (Herts) in January this year, is still in Bedford prison awaiting trial. BAe Ploughshares, c/o 155 Adnitt Rd, Northampton NN1 4NH, England An international rotating hunger strike

in solidarity with the imprisoned East Timorese leader Xanana Gusmão is now in its third week. Strikers have held 48-120 hour fasts in London, Lisbon, Toronto, and Amsterdam as we went to press.

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### **TAPOL CONDEMNS WARPLANE SALE TO AGGRESSOR REGIME**

*TAPOL, the Indonesian Human Rights campaign, issued the following Press Release today, 10 June 1993:*

British Aerospace has today announced a deal to supply Indonesia with twenty-four Hawk aircraft. The deal has been signed despite the fact that Indonesia is unlawfully occupying East Timor which it invaded in December 1975, despite the fact that the UN Security Council and General Assembly have adopted ten resolutions condemning the occupation and calling for self-determination in East Timor.

The British government has not only endorsed the deal. It was Defence Secretary Malcolm Rifkind himself who three weeks ago made a special trip to Indonesia to iron out last-minute difficulties that were delaying the signing of the deal.

Although the British government has refrained from giving formal recognition to Indonesia's illegal annexation of East Timor and has occasionally expressed concern at the grave human rights violations and atrocities perpetrated by the Indonesian armed forces against the people of East Timor, it sees nothing wrong in allowing, even promoting, the sale of warplanes that bolster the armed forces of an aggressor state which has been in open defiance of the United Nations for nearly eighteen years.

TAPOL would like to remind the Government that the human rights situation in East Timor is graver today than ever. Hundreds if not thousands of East Timorese are in detention. Torture is commonplace. Timorese convicted for taking part in a peaceful demonstration in November 1993 have been forcibly removed from East Timor and are now in Indonesian prisons.

The East Timorese resistance leader, Xanana Gusmão, sentenced last month to life, is incommunicado and is known to be on hunger strike. Neither his family nor the International Red Cross have been given access. Still worse, the International Red Cross which has for years been allowed to visit political detainees in East Timor has now been compelled to abandon these visits, in protest against the restrictions imposed by military forces of occupation on the proper conduct of its mandate.

Instead of supplying warplanes to an aggressor state, the British government should

be pressing Jakarta to allow the Red Cross to resume the visits, to insist on immediate access to Xanana Gusmão and all East Timorese prisoners and to end without delay the worsening human rights situation in East Timor.

Carmel Budiardjo of TAPOL said today: "Indonesia's criminal invasion of East Timor was a precedent which encouraged Saddam Hussein to invade Kuwait. While western powers including Britain went to war to punish that aggressor, Indonesia is not being punished. Its military forces are on the contrary being cheered on and equipped with their most basic war needs."

TAPOL most vehemently condemns the Government for allowing this sale to go ahead and calls on British people of goodwill to condemn this outrage.

### **DEMONSTRATION**

Members of TAPOL, the Campaign Against Arms Trade and the British Coalition for East Timor, will be loudly condemning the sale outside the Ministry of Defence on Whitehall between 5pm and 6.30pm tomorrow, Friday 11 June.

Liberal Democrat MP Nick Harvey, who today said he was "outraged at such an immoral deal which the British government has actively encouraged," will be handing in a letter to the Ministry on behalf of these organisations.

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## **EVENTS IN EUROPE**

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### **IN THE EC PORTUGAL "ISOLATES" INDONESIA**

*Expresso, 29 May 1993. Lisbon*

*By F.M. Translated from Portuguese*

For the first time at an international forum, the European Community is going to formally acknowledge the possibility of ceasing all cooperation with States that violate human rights. This position, approved at a meeting last Tuesday, was proposed by Portugal, with Indonesia in view as a target. However, Secretary of State for Cooperation, Brios e Gala, who was present at the meeting, refused to admit it in so many words: "There are no pre-determined targets," he told *Expresso*, "but there is concern that the heaviest sanctions are not just applied to small countries and to the African continent, as has been the rather cynical practice, closing our eyes to the big transgressors, such as the case of Indonesia"

The declaration, passed by the last meeting of the Council of Ministers for Cooperation & Development, and destined to interpret the position of the Twelve at the next Vienna Conference on Human Rights in

June, states: "In the case of serious and continuous human rights violations, or the interruption of the democratic process," the EC will take measures "proportional to the gravity of each case, which could result in suspension of cooperation with said State."

This is the first time, according to the Secretary of State for Cooperation, that the EC assumes, as a whole and towards the exterior, such a decisive position on suspending cooperation with countries violating human rights. Up until now, this possibility was only considered by member states within the Community itself, but never stated by the Twelve at other international arenas.

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### **SHIPS OCCUPIED IN FEAST FOR EAST TIMOR**

*From War Resisters International, June 17.*

In a protest against the sale of 39 former East German warships to the Indonesian government (*Peace News* June 1993) about 70 nonviolent activists held a "feast for peace" in Peenemünde harbour on board some of the mothballed ships. Seven protesters stayed on board one ship and locked themselves in, declaring that they would stay on board until the sale had been cancelled and the scrapping of the ships agreed.

The occupation ended after a show of force by state police, with the on-board squatters surrendering so as not to provoke violence. "The results of this demonstration are both encouraging and dismaying" protest organisers Timor und Kein Trupp said. "Once again it showed that the government in Bonn is under no circumstances prepared to take responsibility for the implementation of human rights, but carries on supplying dictatorships with arms and does not hesitate to infringe its own laws. On the other hand, we succeeded in denouncing this disgrace of German politics. We developed effective resistance – with nonviolent means – that informed the public and disturbed the arrogant complacency of the political powers in Germany. Our feast of peace was an initiation to intervention. We shall continue with it."

Meanwhile, Portuguese WRI associate ALOOC has issued an appeal calling for international action against the sale. ALOOC and two East Timor human rights groups, plus the National Youth Council, the main trade union federation, and five maritime unions, are calling on governments to refuse the former East German ships passage through their territorial waters, and call upon port workers and maritime workers not to cooperate with the movement of the ships (or any other war cargo) to Indonesia.

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## UNION OF WESTERN EUROPE PARLIAMENTARY ASSEMBLY'S RESOLUTION

*June 18, 1993 (?), Translation from French*

### RESOLUTION NO. 91 ON THE SITUATION IN EAST TIMOR

The Assembly,

(I) Recalling its Resolution no 84 on the situation in East Timor, adopted in December 1991,

(ii) Considering the condemnation to life imprisonment of "Xanana" Gusmão for "rebellion," "secessionism" and "illegal detention of weapons" by an Indonesian tribunal, and the arbitrary arrests of many more East Timorese;

(iii) Recalling that the annexation of East Timor by Indonesia is still not recognised by the United Nations;

(iv) Considering that the policy of forced annexation of the Indonesian government still comes together with the non-respect of human rights and the right of peoples to self-determination and independence;

(v) Considering that the international community has the duty to take new measures in order to create the conditions allowing the people of East Timor to exercise its right to self-determination and independence, a right that is recognised to it by the Charter of the United Nations and by resolutions of the Security Council and the General Assembly of this organisation, by the Parliamentary Assembly of the Council of Europe and by the European Parliament,

1. Demands that the Indonesian government:

(a) ceases all violence and all violations of the international norms safe-guarding the respect of human rights and the right of peoples to self-determination and independence, and frees the political prisoners;

(b) proceeds to the withdrawal of [its] armed forces from the territory of East Timor and creates the political conditions necessary for the free exercise of self-determination;

(c) lets humanitarian and human rights organisations, as well as the missions of the United Nations, practice their humanitarian activities on the territory of East Timor and evaluate the situation, concerning human rights violations;

2. Requests all member States of UWE to decide:

(a) to consider an immediate embargo on weapons bound for Indonesia;

(b) to suspend immediately military assistance to Indonesia;

(c) to encourage Portugal and Indonesia to approach their dialogue on East Timor with the purpose to reach a solution of this problem that is acceptable internationally.

## APPEALS IN THE ITALIAN SENATE

*Publico, 25 June 1993. Translated from Portuguese*

Yesterday, in the Senate, various Italian deputies condemned human rights violations in Timor, and requested Foreign Minister Beniamino Andreatta to support the demands and independence of the people of East Timor. Members for the Christian Democrats and Liberal Party, the governmental alliance, and from the Liga Nord, in opposition, intervened on the subject. In a motion addressed to the Minister, the three MPs affirm that Indonesia "acts without the slightest respect for the most basic human rights," adding that the former guerrilla leader, Xanana Gusmão, was sentenced to life imprisonment following a trial which violated human rights. They even quoted Portuguese President Mario Soares' view that the whole judicial proceeding was a farce. The MPs reported that, in spite of Xanana Gusmão not being an Indonesian citizen, but Portuguese according to international law, he was forced to face trial in a language which was not his own, without any interpreter. They went on to strongly condemn the behaviour of Suharto's country. In the motion, the MPs also ask Andreatta to request the organisation of a referendum on the territory's self-determination.

## GO BACK TO YOUR COUNTRY AND TORTURE TIMORESE

*Publico, 24 June 1993. Translated from Portuguese*

Yesterday in Strasbourg, a member of the European Parliament's Inter-Group on East Timor interrupted a press conference with the Indonesian Foreign Minister, calling him a "torturer" and saying that his presence there was "an insult."

"Go back to your country, and carry on torturing the Timorese. Your presence here is an insult to me and to this Parliament," shouted Niall Andrews.

Indonesia's diplomatic chief, Ali Alatas, said he was "embarrassed to have been ad-

ressed by such a rude person," but was determined to continue to answer the dozens of journalists attending the press conference.

Commenting on the Portuguese Foreign Minister's intervention at the Human Rights Conference in Vienna, Alatas thought it was "regrettable" that Durão Barroso had taken advantage of the occasion to speak about the specific case of East Timor, "when what was being discussed was the subject of human rights in general."

"I am used to hearing the Portuguese talk about Timor at every opportunity, even when the occasion is not appropriate," said the Indonesian Minister, adding that Durão Barroso's speech would not, however, jeopardize the next meeting the two Foreign Ministers are to have on the subject of Timor.

Referring to reports about the transfer of Xanana Gusmão from Dili to a prison in Indonesia, Alatas said they were "just speculation, because there has been no judicial decision in this regard."

The Indonesian diplomatic chief confirmed that Xanana's lawyer had delivered an appeal to President Suharto for a pardon to be granted for Xanana, and that the second resistance leader arrested, Ma'Huno, would be tried, although the date of that trial had not yet been announced.

## IRELAND MAY SEND GROUP TO EAST TIMOR

*Irish Times, 2 July 1993. By Colm Bolland, Abridged*

(Dublin) The first overseas delegation of the new Joint (Parliamentary) Committee on Foreign Affairs may go to East Timor following a detailed examination of Irish and EC policy on reports of summary executions, torture and other violations of human rights there by the occupying Indonesian authorities.

While the committee heard on Wednesday of mounting international pressure on Jakarta, the suspicion was expressed by many that lucrative trading interests, including arms sales to Indonesia by Britain, France and Germany, had compromised EC statements on what were seen as atrocities of genocidal proportions.

Fine Gael deputy leader said the (Prime Minister) and Foreign minister Dick Spring should be more active. There was an opportunity "as one small nation on behalf of another" for Ireland to take the lead.

The committee heard an oral submission from Mr. Tom Hyland of the East Timor Ireland Solidarity Campaign. The leader of Democratic Left, Proinsias de Rossa proposed that the committee act on Mr. Hy-

Hyland's suggestion of sending a delegation to East Timor. The committee chair, Brian Lenihan, said they might also invite the Indonesian ambassador, based in London, to address them.

### EUROPEAN DELEGATION MIGHT VISIT TIMOR

*Diario de Noticias, 4 July 1993*

According to the Irish Times, the EC Foreign Affairs Joint Committee might be sending a delegation to Timor, following a report elaborated and presented by Ireland. The report considered that the sale of military equipment by England, Germany and France to Jakarta, is not compatible with commitments undertaken by the EC.

### IRISH PARLIAMENT'S RESOLUTION

At its meeting of 14 July 1993 the Joint Committee on Foreign Affairs having heard oral presentations on 30 June 1993 on the subject of East Timor from the Ambassador of Portugal and from the Director of the East Timor Ireland Solidarity Campaign:

- \* condemned the reports of continuing human rights abuses in East Timor;
- \* recalled the resolutions of the United Nations on East Timor which recognised, inter alia, the right of all peoples to self-determination in accordance with the principles of the UN Charter;
- \* considered that the Government should use all means open to it at the United Nations and through the European Community to seek to assist in the achievement of a comprehensive political settlement of the issue of East Timor on the basis of self-determination for the people of East Timor;
- \* considered that the Government should continue to raise Ireland's concerns about the human rights situation in East Timor both bilaterally with Indonesia and multilaterally through the European Community and at the UN;
- \* considered that the Indonesian Ambassador might be invited to meet the Committee;
- \* considered that a delegation from the Joint Committee should visit East Timor at an early date;
- \* decided that this resolution be transmitted to Foreign Affairs Committees in all EC countries and other countries as appropriate with a view to getting Community-wide support for international action.

The resolution was adopted unanimously in the Irish Parliament.

### A VERY QUIET GREEN LIGHT ON A (SWISS) ARMS SALE TO INDONESIA

*Forwarded by Pierre-Alain Tissot, Groupe de Travail sur Timor Oriental, CH-1304 Allens, Switzerland, via Bruno Kahn.*

*Le Courrier, 12 July 1993. After ATS. Translated from French*

Oerlikon-Contraves will be able to sell equipment to a country that little respects human rights. The silence kept on this matter creates disturbances.

Parts for anti-aircraft cannons and ammunition, the whole for a value of SF 10 million [US \$ 15 million]. This is what the group Oerlikon-Contraves was authorised to deliver Indonesia, according to a green light granted on June 23rd by the Federal Council [the Swiss government]. The information, published in several dailies, had up to now been passed over in silence by the Federal authorities. On Saturday, Daniel Eckmann, spokesman of the Federal Military Department, confirmed it.

Why this silence then? According to the FMD spokesman, the matter was submitted to the Federal Council because of its possible political implications. That this decision had not been the object of a communication can be explained, according to Mr. Eckmann, by the fact that in this case only a change in the current practice is subject to an information. Arms sales without political or human rights problems are dealt with directly by the administration. As a rule there is no information on these matters, and the data concerning them should be searched for in the monthly statistic of the Customs General Direction.

#### Defensive arms

Indonesia had not, up to now, been a customer of Swiss arms producers. Voices have risen against arms sales to this country. They denounce in particular the human rights situation, described by various circles as unsatisfactory and problematic. But anti-aircraft weapons are considered as purely defensive and cannot be used against civilian populations, according to Mr. Eckmann. On the other hand, the law on arms exports forbids deliverance to countries or regions where there are tensions, or where human rights conditions don't satisfy the rules followed by Switzerland.

Concerning export rights, it will now be the administration's responsibility to rule when the contracts between the firm and Indonesia are signed. Without a true change of the present situation, permission should be granted, Mr. Eckmann said.

*(Similar articles by 24 Heures and Le Nouveau Quotidien.)*

### ARMS EXPORTS: SWISS SOCIALIST PARTY CRITICIZES THE FEDERAL COUNCIL

*Le Nouveau Quotidien, 13 July 1993*

The Socialist Party criticizes the decision of the Federal Council to allow the export to Indonesia of spare parts and Swiss ammunition for anti-aircraft cannons. According to it, the Federal Council's commitment to human rights is "selective and determined by the interests of foreign trade."

### SWISS ARMS EXPORTS TOWARDS INDONESIA DENOUNCED BY AI

*Le Nouveau Quotidien, 29 July 1993*

The Swiss section of Amnesty International exhorted the Helvetic authorities not to allow any arms exports to Indonesia, because of the systematic human rights violations committed by the military in the province of Aceh.

### EVENTS IN CANADA

#### CANADIAN LIBERAL PARTY POSITION ON EAST TIMOR

*Letter received June 9 from the Honourable Lloyd Axworthy, Liberal Party External Affairs critic.*

Dear Ms. Scharfe:

Thank you for sending me a copy of your letter to the Secretary of State for External Affairs on Mr. Gusmão's arrest and the situation in East Timor. I fully support your strong condemnation of the Canadian government's policy towards Indonesia. The Liberal Opposition has vigorously challenged the Secretary of State for External Affairs on numerous occasions on this matter.

We denounced her endorsement of the Indonesian government's flawed investigation of the November 1991 massacre in Timor and requested an independent international inquiry. We opposed the dispatching of Canadian trade officials to Jakarta only a few months after the tragedy. We are shocked by the increase in military exports to Indonesia for the year 1992-93 and the continuation of \$46 million aid projects.

As you well pointed out, these initiatives are occurring in the context of a deteriorating human rights situation in East Timor, where extra-judicial executions, arbitrary arrests, ill-treatment, disappearances and political imprisonment are common place.

It is clear the government's declared policy of linking human rights to foreign aid and arms sales is being ignored in the case of Indonesia as in many others. The Secretary of State should be registering Canada's protest of the treatment of Mr. Gusmão and halt military exports and foreign aid. Please be assured, we will continue to press for change and accountability in government policy. Sincerely,

Hon. Lloyd Axworthy, M.P.  
Winnipeg South Centre

## ETAN/CANADA EAST TIMOR UPDATE

June 8, 1993

East Timor's resistance leader, Kay Rala Xanana Gusmão, has been sentenced to life imprisonment after an Indonesian court found him guilty of rebellion and illegal possession of firearms. The May 21 sentence drew immediate condemnation from around the world and comparisons between Xanana and African National Congress leader Nelson Mandela.

"Like all political trials in East Timor and Indonesia, this one failed to meet international standards of fairness, or even to comply with Indonesia's own Code of Criminal Procedure," noted Amnesty International.

"This was a trial organised by a dictatorship and therefore it was a travesty which showed that there is no justice in Indonesia," Portuguese President Mario Soares told reporters. The Indonesian court, which under international law has no jurisdiction in East Timor, even abused its own process. Most notably, Xanana was prevented from reading a statement in his own defence, which the court called "irrelevant."

Xanana had initially seemed to co-operate with the Indonesian government's case against him. However, his final defence plea declared defiantly: "I am resistance commander Xanana Gusmão, leader of the Maubere resistance against the cowardly and shameful invasion of the 7 December 1975 and the criminal and illegal occupation of East Timor for the last 17 years.... according to international law, I continue to be, like all Timorese, a Portuguese citizen and before my own conscience I am a citizen of East Timor. It is in these terms that I reject the competence of any Indonesian court to try me, and particularly the jurisdiction of this court which has been imposed by force of arms and crimes against my homeland, East Timor."

Following the verdict, Xanana began a hunger strike to focus international attention on East Timor. He has not been visited by the Red Cross, and supporters are gravely concerned for his health while in prison.

Xanana's court-appointed lawyer has made an appeal for in his client's name to Indonesian president Suharto, an apparent violation of Xanana's wishes, as expressed in his defence plea.

The government of Canada was one of the few to announce support for the life sentence against Xanana. "We are of the impression that the trial has been run fairly and openly," an External Affairs spokesperson told Southam News. After severe criticism by New Democrat MP Svend Robinson, External Affairs Minister Barbara McDougall has agreed to "review" Amnesty International's report on the trial, which describes it as "a travesty of justice."

### Red Cross can't see Timorese prisoners

Citing obstruction by Indonesian government officials, the International Committee of the Red Cross has suspended its program of visits to East Timorese political prisoners. ICRC visits are the only thing ensuring the safety of some prisoners, so their suspension puts several prisoners in a serious situation.

"Unfortunately, we had to suspend this programme (of visits) because all the conditions of the ICRC were not met," said spokesperson Pierre Pont. "It is also distressing and upsetting that we cannot carry out our humanitarian task." Pont said the conditions set by the ICRC for access to political prisoners were the same in East Timor as everywhere else in the world: access to all prisoners and all places of detention, interviews with prisoners without witnesses present, and follow-up visits. President Suharto committed the Indonesian government to respect these terms early in May.

ETAN is urging the Canadian government to pressure its Indonesian counterparts to live up to their obligations and allow the ICRC to go about its humanitarian work, with particular regard to the situation of long-term prisoners like Xanana Gusmão. In the long run, Canada should also be working for the release of these prisoners. Letters in support of these goals should be sent to External Affairs Minister Barbara McDougall, House of Commons, Ottawa Ont., K1A 0A6, with a copy to Ray Funk MP of Parliamentarians for East Timor at the same address. Both letters are postage free.

### CIDA whitewashes Timor record

On April 30, the Canadian International Development Agency released its first comprehensive report on Canada's aid programs in East Timor. the report contradicts past statements by CIDA officials that no Canadian money goes to back the Indonesian administration of East Timor, and includes a whitewash of Indonesia's military-dominated regime and its record in East

Timor. It refers to "the steadfast leadership of President Suharto" and his government's "prudent economic policies," and describes the invasion of East Timor as "Indonesia fill(ing) the vacuum created by the departure of the European administration." Most Canadian aid to East Timor is funneled through the Canada Fund, which is exempted from sanctions on bilateral aid to Indonesia. In 1992-93, the Canada Fund spent \$500,000 to fund 26 small projects in East Timor. Future projects, the report says, will "continue to focus on development at the community level" – a noble-sounding goal, but one which has the net effect of strengthening Indonesian control over a territory they occupy in violation of international law. The Timorese resistance movement CNRM has called for a suspension of all aid until East Timor is allowed a referendum on self-determination.

### CLC backs Timor

The 2.5 million-member Canadian Labour Congress has blasted the Canadian government for supporting Indonesia's occupation of East Timor. In a statement issued in May after meetings with ETAN/Windsor members, the CLC called on the government of Canada to take a leading role in international efforts to secure East Timor's right to self-determination. "There are an estimated 300 companies present in Indonesia and, with Canadian acquiescence, the international financial institutions continue to ignore the tragic plight of the people of East Timor," the statement said. The CLC also demanded that aid to Indonesia be tied to respect for human rights, and pledged to work with the International Confederation of Free Trade Unions to help free East Timor.

### East Germans protest warship sale

A coalition of peace groups in Germany has launched a direct action campaign to halt the sale of 39 warships from the former East German navy to Indonesia, a sale made in violation of the German government's own guidelines on arms exports and European Community policies supporting East Timor.

Seventy protesters from the East German Peace Movement and Berlin-based Indonesia Watch shut down Peenumunde harbour, where the ships are docked, on May 28, occupying four corvettes and a landing-ship. "The situation in Indonesia is comparable to the situation in East Germany under the communist regime," said the East German Peace Movement. The plan is to continue the occupation until the German government calls off the sale. According to police, the demonstrators have inflicted damage worth half a million German marks (\$400,000) on electronic equipment on the ships.

## HUNGER STRIKE BEGINS IN VANCOUVER

*ETAN/Canada events in support of Xanana Gusmão*

On Wednesday June 23 at noon, 3 members of the East Timor Alert Network began a hunger strike in Vancouver, Canada. Sabrina Hong, Eric Thorgeirson and Bob Burgel kicked off a 50-hour hunger strike outside Prime Minister-designate Kim Campbell's office (Ms Campbell replaces Brian Mulroney as PM and leader of the Conservative Party on Friday, June 25, and is expected to announce her new cabinet at the same time).

The fast began with a rally outside Ms Campbell's Vancouver Centre constituency office, with readings from Xanana's defence statement, poems, and a statement which will be presented to staff at the new PM's office.

For details, contact ETAN/Vancouver's voice-mail at (604) 739-4947.

The Vancouver hunger strikes follow 2 5-day fasts in Toronto by ETAN members Maggie Helwig and Rev. Brian Burch. *[See the Reactions to Xanana's imprisonment section above.]*

ETAN/Toronto will be holding a rally on Saturday at Toronto City Hall, with speakers Abé Soares from East Timor, Dan Heap MP, City Councillor Martinhu Silva, and others. Protesters will then march to a Bata Shoes store (Bata is a major Canadian investor in Indonesia) and leave a mound of bloodstained shoes.

## EVENTS IN PORTUGAL

### PORTUGAL PUTS PRESSURE ON EC AND UN

#### Diplomatic action for Timor underway

*Publico, 26 May 1993. Translated.  
By Sao Jose Almeida*

(Lisbon) Cavaco made the announcement as soon as Xanana was sentenced, but the Foreign Office had already prepared it. It is a diplomatic offensive aimed to get the EC and UN to condemn Indonesia once again. The Jakarta Government is accused of being "irresponsible" and of contradictory behaviour.

The Portuguese diplomatic action - "the greatest pressure possible on the Indonesian regime" - announced Friday by the PM Cavaco Silva, when he condemned the life sentence passed on Xanana Gusmão by the Dili court, is already underway.

Publico learned from the Foreign Office that the government initiatives commenced "on the very same day," and are mainly directed towards the "EC partners and the UN."

The action, which had already been organised, aims to increase the awareness and gain support among the two organisations and, by extension, among the international community in general, in order to lead to a "position being taken" which forces Indonesia to put in practice a solution for Timor, in accordance with international law.

The specific ways in which the action is developing remains a government secret. From what we could find out, however, the Portuguese position has hardened and is based on the same arguments used in the elaboration of the communiqué issued by the Foreign Office following the passing of Xanana's sentence. Thus, Portugal is insisting, as mentioned by the Foreign Office in its communiqué, on the "urgent need to reach a settlement" for Timor. Such a settlement "must be based on respect for international law, and the rights of peoples and individuals, namely the right to self-determination."

Portuguese diplomacy also intends to highlight the "enormous contradiction" between, on the one hand, Indonesia's "exasperating" behaviour and its "contempt" for international condemnation, such as the last UN Human Rights Commission's resolution, and on the other hand, Jakarta's "proclaimed desire" to reach, by way of dialogue, a "fair, comprehensive and internationally acceptable" solution.

The government is emphasizing, yet again, in its offensive, that in Timor Indonesia wields "illegitimate power," since it seized by force a non-autonomous territory, whose decolonization process was underway. It underlines the fact that Jakarta occupies Timor, with "disrespect for the most elementary principles of the UN Charter and International Law," as well as continues to refuse to abide by resolutions on Timor, which were passed by the UN General Assembly and Security Council.

It is not only the independence slant of the Timor case that is being used in the Portuguese diplomatic offensive. Also prominent are the human rights abuses carried out by Indonesia in Timor. Special focus is on Xanana Gusmão's trial and the irregularities associated with the refusal to allow Xanana to read out his testimony in court, as well as the restrictions imposed on diplomats, international observers, and journalists who wanted to be present.

Portugal has also stressed the "irresponsible way in which the Indonesian authorities accused the Kenyan Justice Minister, Amos Wako, of having influenced Xanana

Gusmão to alter his strategy during the trial. It may be recalled that Amos Wako was in Timor as personal envoy of the UN Secretary to report on the human rights situation in the territory and, in that capacity, met with Xanana Gusmão.

## SOARES WANTS SOLIDARITY FROM EUROPE

*Publico, 2 June 1993. Lisbon. Portuguese, Abridged*

The European Community's need for exterior relations and the "inescapable reality" of the "internationalization of problems," led Soares to bring up the matter of Timor. Referring to the "determination" of the Irish President, the Government, and of the Irish people in general, in the fight for respect for human rights and "against discrimination and violations of fundamental rights," Soares recalled the "sacrificed people of Timor, who continue hope that the international community will ensure fulfillment of the UN resolutions (...), with a view to satisfying their legitimate aspirations to freedom and to exercise their essential right to self-determination."

## XANANA GETS TOP LISBON AWARD

*The Sydney Morning Herald 11 June 1993*

(Lisbon, Reuter) Portuguese President Mario Soares awarded the jailed East Timor rebel leader Xanana Gusmão the Order of Liberty, one of Portugal's top honors, yesterday and hailed him as a hero to his people. In Jakarta, the Indonesian foreign Minister, Mr. Ali Alatas, said yesterday Xanana was in good health and not in hunger strike. Xanana, 46, was last month jailed for life for rebellion, secessionism and the illegal possession of firearms. Since then, there have been widespread calls for the international community to intervene to verify the state of his health.

## PORTUGAL PAYS TRIBUTE TO GUERRILLA LEADER

Lisbon, Jun. 10 (ips) Portugal's socialist president, Mario Soares, has paid tribute to the jailed leader of the East Timorese independence movement, José Alexandre Xanana Gusmão, by awarding him the order of freedom, the country's second highest honour.

for 17 years, the rebel commander led the struggle against the Indonesian army of occupation, which invaded the former Portuguese colony of East Timor in 1975.

according to the human rights organisation amnesty international (AI), Indonesian

occupation forces have been responsible for the deaths some 210,000 East Timorese, out of a total population of 600,000, since they seized control of the territory nearly two decades ago.

Gusmão was captured by the authorities last November and last month was sentenced to life imprisonment by an Indonesian court which is not recognised internationally.

the united nations regards Portugal as the administrator of East Timorese territory until a referendum on its autonomy is held.

the Indonesian tribunal that sentenced Gusmão was widely criticised by international jurists and humanitarian organisations for not allowing Gusmão to prepare his final defence in Portuguese, his mother tongue, and insisting instead that he answer charges in Indonesian, a language which he does not speak.

president Soares explained that he had bestowed his country's second highest honour on Gusmão as part of his country's national celebrations on June 10th, a day on which Portugal "should remember Timor and its national hero, Xanana Gusmão."

Meanwhile, the Portuguese foreign ministry confirmed that the subjects of Angola and East Timor will be included on the agenda of Thursday's talks in Athens between foreign minister José Manuel Durão Barroso and the secretary of state of the united states, warren Christopher.

## HAMUTUK NAFATIN: "A TIMORESE STORY"

20 June 1993. By Joan Oliveira

(Lisbon) On 20 June, the 47th birthday of former Resistance leader Xanana Gusmão, the "Freedom for Xanana, Freedom for Timor" Commission organised a solidarity gathering in the Lisbon suburb of Alfragide.

The mainly Timorese refugee participants heard speakers from the Commission, UDT (Timorese Democratic Union), CNRM (Mauere Resistance National Commission) and Timorese community recall the plight not only of Xanana, whose current whereabouts and condition are unknown, but of all political prisoners, victims of torture and other human rights violations in East Timor. They referred to the brutal activities of Indonesian troops in East Timor, which offer a cruel contrast to the Indonesian Foreign Minister's "rhetorical" statements on human rights (strongly criticised by Asian NGOs) made recently at the UN Conference on Human Rights in Vienna. Both the new CNRM representative in Portugal and the UDT leader appealed, especially to the younger generation, for greater efforts and collaboration in consoli-

dating unity within the Timorese community in Portugal.

The theme of repression in East Timor carried through to an impressive music and dance drama, entitled "A Timorese Story," performed by the refugee theatre group "Hamutuk Nafatin" (meaning Always Together in Tetum). Formed less than a year ago, when it performed to mark the 1st anniversary of the Santa Cruz cemetery massacre on 12 November 1991, this group of young Timorese has continued to attract public interest to the situation in East Timor through its song and dance, performing most recently at the International Festival of Iberian Theater held in Oporto.

Solemn-faced, in traditional woven dress, the casts' plaintiff songs in Tetum, warrior dance, swords, and depiction of the cemetery massacre, vividly expressed their tragic message, and well deserved their audience's standing ovation. Encore Hamutuk Nafatin!

## "OLHO VIVO" IN OPORTO

*Publico, 28 June 1993. Translated from Portuguese*

There was no answer from the fifth floor at number 517 Sa da Bandeira street - where the Swedish Consulate in Oporto is located. This did not stop over a dozen young people from gathering in front of its closed doors to ask that safe-conducts be given to the three Timorese who have taken refuge inside the Swedish Embassy in Jakarta. "A democratic country does not support dictatorships," said one of the placards at the gathering, which was organised by the youth group "Olho Vivo. A young man, who had recently returned from Timor, "after nearly ten years waiting for authorization" to leave, expressed his innocent incredulity: "Why is it that Indonesia can do what it likes? It seems that everyone is afraid of them...."

## PORTUGAL TO MAINTAIN VETO ON EC / ASEAN AGREEMENT

*EXPRESSO 17 July 1993, abridged*

Sources in the Portuguese Foreign Affairs Ministry have said that Lisbon will again exercise its veto on the signing of the EC/ASEAN agreement when the groups meet next October.

## PRO-JAKARTA LOBBY IN PORTUGAL

*EXPRESSO 17 July 1993, unabridged translation*

A Portuguese businessman, Manuel Macedo, will be present at the National Indone-

sia Day, 17 August. The invitation came from President Suharto in response to the setting up this month of the Luso-Indonesia Friendship Association early this month by the north Portugal-based industrialist.

Claiming that neither on the part of the Indonesian or the Portuguese government had there been "political courage to arrive at a positive consensus" Manuel Macedo guaranteed that the organization would "make strenuous efforts to bring about solutions to the conflict" which divides Lisbon and Jakarta. Nevertheless, apart from contacts with Nuno Rocha, he has not revealed who might be the public figures or political groups willing to support this campaign, Macedo was one of the principal defendants in the trial in the 5th military court of members of a group accused of responsibility for the bombings during the 'Hot Summer' campaign; he was however, absolved.

## 83 PORTUGUESE FIRMS STILL TRADE WITH INDONESIA

*EXPRESSO 17 July 1993, abridged*

Although the volume of trade between Portugal and Indonesia has dropped significantly since the government called for a trade boycott in the wake of the Santa Cruz massacre in November 1991, figures from the Portuguese National Institute of Statistics show that, during 1992, the number of firms with trade links with that country almost doubled, reaching a total of 83.

A number of the firms, such as the Portuguese branch of Reebok, maintain that the goods arrive through parent companies in other countries such as the US and the UK. Expresso lists 46 firms which imported directly from Jakarta in 1992. These include the semi-state tobacco company Tabaqueira. A representative of the latter firm, Adolfo Cruz, told the paper that the last consignment of tobacco leaves bought was in June 1991 and claimed that the receipts signed monthly throughout 1992 were all for stock which had been stored from the previous year.

Figures released by Eurostat show that the largest EEC trader with Indonesia is Germany (1008 million ecus in imports and 1544 ecus in exports) followed by the UK (778,420), Holland (675, 332) and France (553, 1041). Ireland (42,15) and Greece (29,5) are the smallest traders along with Portugal itself (12,0.05).



## **GALVÃO DE MELO WANTS TO GO TO JAKARTA**

*EXPRESSO 24 July 1993, abridged*

General Galvão de Melo, a member of the 'Junta de Salvacao Nacional' formed in reaction to the overthrow of the fascist regime on 25 April 1974 has told EXPRESSO that he would be available to go to Jakarta along with Manuel Macedo on 17 August.

Macedo told the paper that he would 'ask the authorities to be allowed to visit East Timor'. Macedo, a former leader of the now-defunct [right-wing] MDLP hopes to meet President Suharto and Ali Alatas and has not ruled out the possibility of an encounter with Xanana Gusmão.

## **EVENTS IN THE UNITED STATES**

### **ETAN NORTH AMERICAN CONFERENCE**

The East Timor Action Network (United States) and the East Timor Alert Network (Canada) will hold the first Continental ETAN Conference in New York, Friday-Sunday, July 9-11, 1993

East Timor activists from across the US and Canada, many of whom have never met in this rapidly-growing movement, will come together to share experiences, assess strengths, and plan strategy.

Although we will not have extensive presentations on the history, background, and current situation in East Timor, many knowledgeable resource people will be present.

Friday evening and Saturday will be spent on global issues, while Sunday will be separate US and Canadian discussions on country-specific issues.

Advance registration is required. The conference fee is \$75, which includes food and housing.

If you would like a paper or email copy of the full conference brochure, or additional information, contact:

East Timor Action Network/US PO Box 1182, White Plains, NY 10602 USA Phone (914)428-7299 fax (914)428-7383 email: cscheiner@igc.apc.org

This is a working conference, and is only for people committed to East Timorese self-determination. We reserve the right to refuse registrations (and return fees) from people who are not part of this movement.

## **CLINTON CONCERNED OVER TIMOR**

*Publico, 11 June 1993. Lisbon. Translated from Portuguese*

Portuguese Foreign Minister, Durão Barroso, said yesterday that the US is concerned about the situation in East Timor and that both President Clinton and Secretary of State Warren Christopher are going to personally question Jakarta's highest leaders "at the first opportunity." Barroso accused Indonesia of not "implementing the confidence building measures" between the two countries, agreed during the 21 April round of negotiations in Rome, under the auspices of the UN Secretary General, to whom the Minister will be making a protest. The Portuguese diplomatic leader - who met for half an hour with his US counterpart, while at the Spring Meeting of NATO in Athens - revealed that the two countries might create a permanent commission on cooperation relations between both countries, namely in the scientific and technological areas, and not just in connection with the Lajes Base (as was the case until now), which would bring about greater benefits for Portugal.

## **SUHARTO AND CLINTON TO CONFER**

*From Free East Timor Japan Coalition, July 2, 1993*

The NHK 9 PM news on July 2 reported that U.S. president Clinton would meet with President Suharto of Indonesia, who is chair of the Non-Aligned Movement, on the morning of July 7 at the American Embassy in Tokyo. The news announcer commented that attention was focused on whether the issue of repression of human rights in East Timor would be raised.

*Further details of this meeting are in the Japan section of this issue of East Timor documents.*

## **INDONESIA AND HUMAN RIGHTS**

*Editorial, Washington Post. July 9, 1993 Full text.*

First Bill Clinton, reversing Reagan-Bush policy, joined a tough resolution in the United Nations criticizing Indonesia on human rights. Then, at the G-7 summit this week, President Clinton used a meeting that Indonesian President Suharto had requested to talk about development to talk about rights violations in East Timor as well. These are modest but necessary steps to hold Indonesia to account for its theft of East Timor's independence. President Su-

harto grabbed the territory just as it was breaking out of a disappearing Portuguese empire in 1975 and has been repressing a popular nationalist movement since. Most recently Indonesia gave a life sentence to the captured leader of the Timorese resistance after a trial that Lisbon denounced as farcical and illegitimate. "The Jakarta government should be the one to be tried for what it has done in East Timor," an official statement said.

The Indonesian authorities are not pleased to be rebuked for a colonial policy in East Timor. As a market of 185 million people, as the largest Muslim state and as a "moderate" leader in development, Third World politics and regional affairs, Indonesia ordinarily evades the heavy criticism this part of its policy deserves. President Suharto has profited substantially from Western favor, including American favor, since his accession in 1965 in the wake of a massive slaughter of local Communists.

A raw colonial impulse is usually given as the source of Indonesia's intent to keep East Timor down. It may also matter that this archipelago of ethnically diverse islands is wary of setting a precedent for other separatist movements. But neither Indonesia's imperial pride nor its political convenience requires the 600,000 remaining East Timorese to forfeit their U.N.-endorsed right of self-determination. No doubt Indonesia can carry the international costs of holding on to East Timor, even if the Clinton administration adds to them. But why would a nation aspiring to modernization and a major Pacific role want to burden itself so? President Suharto could leave his country a rich legacy by accepting the process for Timorese self-determination that the U.N. stands ready to arrange.

## **AGIO PEREIRA TO VISIT NORTHWEST US**

**Cultural Evening at UW (Seattle)**

**EAST TIMOR CULTURAL EVENING, JULY 26**

Photo Exhibit by Award-Winning Canadian photo-journalist Elaine Brière

Concert by East Timorese folk singer-songwriter Agio Pereira

Panel Exhibit on the traditional culture And the History of East Timor

Discussion of the Present Situation in East Timor

Auditorium of the Hub Building, University of Washington, Seattle

Exhibits open At 6:00 Pm, Concert Starts t 7:00 Pm

Sponsored By: Seattle Coalition for Human Rights in East Timor and Southeast

Asia Studies Program, Univ. of Washington  
in Coordination with Amnesty International.

### **EVENING IN SOLIDARITY WITH THE PEOPLE OF EAST TIMOR**

Wednesday, July 28, 7:00 to 9:00 pm  
with East Timorese Folk Singer/Songwriter  
Agio Pereira

Clinton Street Theater, 2252 SE Clinton  
St., Portland, Oregon. for more information  
contact: William Seaman, (503) 241-8289

### **JORDAN'S F5 SALE BLOCKED**

*Letter received by a constituent from Representative Nancy Pelosi (8th Dist., CA)*

July 26, 1993

Dear \_\_\_\_\_:

Thank you for contacting me to express your opposition to the government of Jordan's proposed sale of F-5 fighters to Indonesia.

After consulting with Congress, the U.S. Department of State, on July 23rd, decided that the proposed sale of U.S.-made F-5 fighters by Jordan to Indonesia could not take place. This decision reflects Congressional and Administration concerns about Indonesia's human rights abuses against the people of East Timor.

I agree with you that the United States should act to end the brutal occupation of East Timor. You may be interested to know that the House Foreign Operations Appropriations Subcommittee, on which I serve, included a prohibition in the fiscal year 1994 bill on the use of International Military Education and Training (IMET) military assistance for Indonesia. The provision of any other form of assistance to Indonesia is subject to Congressional notification procedures, providing an opportunity for Congress to object to any proposals. Enclosed, for your information, is a copy of the FY'94 report language on East Timor and Indonesia expressing the Subcommittee's concerns about the continuing human rights abuses and our recommendations for diplomatic action.

Congressional awareness of the tragic situation in East Timor is growing. Please be assured that I will continue to work to educate my colleagues and to encourage the Administration to reflect our concern in our relations with Indonesia.

Thank you again for taking the time to express your views on this important subject. I hope you will continue to communicate with me on matters of concern to you.

Sincerely,

NANCY PELOSI  
Member of Congress

## **U.S. CONGRESSIONAL ACTION**

### **US HOUSE APPROPRIATIONS COMMITTEE REPORT**

**June 1993 Draft report of the House of Representatives Appropriations Committee, which may be revised as the legislative process continues, on H.R. 2295, the FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS BILL, 1994**

*(excerpt; full text relating to Indonesia and East Timor)*

#### **INDONESIA AND EAST TIMOR**

The Committee has commented on the situation in East Timor on a number of occasions in the past and continues to be concerned with the flagrant abuses of human rights to which the Timorese people are routinely subjected by the Indonesian military.

The human rights of the East Timorese continue to be routinely violated and the Indonesians have made no concessions at all to the principle of meaningful participation by the East Timorese population.

Secretary of State Warren Christopher in his confirmation hearings responded in writing to the Senate Foreign Relations Committee that "the situation in East Timor deserves a fresh look by the Clinton administration." This was followed by United States support for a very strong resolution on the human rights situation in East Timor during the proceedings of the United Nations Human Rights Commission in March.

The Committee welcomes these measures but believes now that a first step that could bring real change to the human rights situation is to convince the Indonesian government to commit itself to carry out a phased demilitarization of the island. A second and parallel step would be for the Indonesians to permit participation by the Timorese in government by the holding of local elections in which all parties, including the guerrillas, could take part.

Since demilitarization also requires action by the guerrillas and since East Timorese would rightfully be wary of any elections unilaterally announced by the Indonesians, both steps should be negotiated through talks sponsored by the United Nations between Indonesia and the former colonial

ruler, Portugal. Such talks could also be a forum for discussion between Indonesia and the East Timorese people. The Committee urges the Administration to give strong support to these talks and urges the Secretary-General to take a more personal and direct role in the talks.

The Committee strongly believes that the United States, Europe and Japan must unite behind a human rights policy that evolves from the more narrow human rights policy of the past and focuses on demilitarization and local self-rule in East Timor in the short term with a final settlement in the medium or long term based on a genuine act of self-determination in the form of a United Nations supervised referendum.

### **PENTAGON WANTS TO RESUME TRAINING THE INDONESIAN MILITARY**

*Action Alert from the East Timor Action Network/US, June 28, 1993*

#### **CALL CONGRESS NOW!**

In 1992 Congress terminated military training assistance for Indonesia under the International Military Education and Training (IMET) program. They took this action, which ended all U.S. military aid to Indonesia, despite opposition from the Bush administration and corporate lobbyists working for Jakarta.

This victory for human rights and self-determination over realpolitik may soon be undermined. The Pentagon wants Indonesia to purchase military training under the Foreign Military Sales (FMS) program. The Fiscal Year 1994 Congressional presentation document, jointly prepared by the Departments of State and Defense includes the following:

"Although the Administration is not requesting IMET for Indonesia in FY 94, Indonesia plans to purchase professional military education, resource management and Naval Post Graduate School courses through FMS. Other current and projected FMS sales would support previously acquired U.S.-origin aircraft."

Please call, fax or write Senators and Representatives to ask them to oppose resuming military training under the FMS program. Although there needs to be a special emphasis on military training, also ask that all other assistance under FMS and licenses for commercial arms sales be terminated.

On May 21, Senator Leahy told Lynn Davis (Undersecretary of State for International Security Affairs) that "It is inconsistent for the U.S. to license sales of weapons to governments that, because of human

rights problems, are deemed unsuitable for military aid. Indonesia is a case in point." On June 2, Senators Pell, Kennedy, Feingold and Harkin made the same argument to Secretary of State Warren Christopher, calling Indonesia's human rights record in East Timor "abysmal." This reasoning also applies to military training.

Supporters of East Timor in both the House and Senate should be asked to find a legislative means to prevent any training of Indonesian soldiers by the United States.

Senators are crucial, especially members of the Appropriations Subcommittee on Foreign Operations, the Foreign Relations Committee, and the Armed Services Committee. All Congressional offices can be reached through the Congressional switchboard at (202)224-3121. When available, fax numbers (all area code 202) are listed below.

#### **Senate Appropriations Foreign Operations Subcommittee**

Democrats: Patrick Leahy (VT, Chair 224- 3595), Daniel Inouye (HI 224-6747), J. Bennett Johnston (LA 224-9735), Dennis DeConcini (AZ 224-2302), Frank Lautenberg (NJ 224-9707), Tom Harkin (IA 224-9369), Barbara Mikulski (MD 224-8858).

Republicans: Mark Hatfield (OR 224-0276), Alfonse D'Amato (NY 224-5871), Arlen Specter (PA 224- 9029), Don Nickles (OK 224-6008)

#### **Senate Foreign Relations Committee**

Democrats: Claiborne Pell (RI, Chair 224-4680), Joseph R. Biden, Jr. (DE), Paul S. Sarbanes (MD), Christopher J. Dodd (CT), John Kerry (MA 224-8525), Paul Simon (IL), Daniel Patrick Moynihan (NY 228-3815), Charles S. Robb (VA 224-8689), Harris Wofford (PA), Russell Feingold (WI), Harlan Mathews (TN).

Republicans: Jesse Helms (NC), Richard G. Lugar (IN), Nancy Landon Kassebaum (KS), Larry Pressler (SD), Frank H. Murkowski (AK 224-5301), Hank Brown (CO), James M. Jeffords (VT), Paul Coverdell (GA).

#### **Senate Armed Services Committee**

Democrats: Sam Nunn (GA, chair), J. James Exon (NE), Carl Levin (MI), Edward Kennedy (MA), Jeff Bingaman (NM), John Glenn (OH), Richard Shelby (AL), Robert Byrd (WV), Robert Graham (FL), Charles Robb (VA 224-8689), Joseph Lieberman (CT).

Republicans: Strom Thurmond (SC), John Warner (R), William Cohen (ME), John McCain (AZ), Trent Lott (MS), Daniel Coats (IN), Robert Smith (NH), Dirk Kempthorne (ID), Lauch Faircloth (NC).

#### **House of Representatives, key Members who support East Timor**

Democrats: Ronald Dellums (CA 225-9817), David Obey (WI), Tony Hall (OH), Barney Frank (MA 225-0182), Nita Lowey (NY 225-0546), Gary Ackerman (NY 225-2029).

Republicans: Ronald Machtley (RI 225-8291), Frank Wolf (VA 225-0437).

### **SENATORS WRITE CLINTON ON TIMOR**

*The attached letter signed by 43 United States Senators regarding East Timor was transmitted to President Clinton late Friday, July 2, 1993.*

United States Senate  
Washington, DC 20510  
June 30, 1993

The Honorable William J. Clinton  
The President  
The White House  
Washington, D.C.

Dear President Clinton:

For many years, many members of the United States Senate have been greatly concerned over the tragic situation in the former Portuguese colony of East Timor, which was invaded by Indonesia in 1975 and continues to be the scene of widespread human rights abuses. We hope that you will use the occasion of your meeting with Indonesian President Suharto at the time of the G-7 meeting in Tokyo on July 6, and other high level diplomatic exchanges, to stress American concern over these abuses and the pressing need to have greater access to East Timor for international humanitarian organizations. Additionally, we would urge you to seek the support of our G-7 allies for a lasting settlement under United Nations auspices of the East Timor conflict.

We appreciate the action taken by your Administration at the United Nations Human Rights Commission in Geneva in March, when the United States co-sponsored a resolution which strongly condemned the human rights abuses in East Timor and called for greater U.N. involvement. The resolution sent an appropriate signal to the Government of Indonesia regarding America's interest in this matter, which has received increased attention since Indonesian troops killed more than 100 unarmed people at Santa Cruz cemetery in East Timor in November 1991. The Indonesian action was condemned by the Bush Administration and other democratic nations throughout the world.

We believe that the United States should review its policy on East Timor with an eye toward facilitating serious negotiations at

the United Nations that might alter the unacceptable status quo. These negotiations would be in pursuit of the right of self-determination of the East Timorese people, a course of action which the Senate supported in a resolution passed on November 21, 1991. These negotiations would also include East Timorese representatives as well as Indonesia and Portugal, the other diplomatic parties to the conflict. We believe that the United States should work with its allies in Asia and elsewhere to convince Indonesia by diplomatic means that it is not in Indonesia's long-term interest to pursue the policies it has followed in East Timor since 1975.

We believe that resolutions to these problems would benefit Jakarta over time. We recognize the long-term friendship between the United States and the Republic of Indonesia. We note that bipartisan action taken by the United States Senate in 1949 is generally recognized to have hastened Indonesia's independence from the Netherlands. It is in the spirit of this long friendship and historical link that we make these suggestions on the East Timor situation.

Sincerely,  
Malcolm Wallop  
Claiborne Pell  
John McCain  
Russ Feingold  
Alfonse D'Amato  
Dave Durenberger  
Edward M. Kennedy  
David L. Boren  
Paul Simon  
Byron L. Dorgan  
Jeff Bingaman  
John D. Rockefeller, IV  
Herb Kohl  
Daniel P. Moynihan  
Barbara Boxer  
William V. Roth, Jr.  
John J. Chafee  
Frank R. Lautenberg  
Howard M. Metzenbaum  
Carl Levin  
Charles E. Grassley  
Charles S. Robb  
Harris Wofford  
Dennis DeConcini  
Paul Wellstone  
Tom Harkin  
John F. Kerry  
Joseph Lieberman  
Bill Bradley  
Barbara A. Mikulski  
Patrick J. Leahy  
Thomas A. Daschle  
Christopher J. Dodd  
Larry E. Craig  
Richard H. Bryan  
Donald W. Riegle, Jr.  
Mark O. Hatfield

Paul S. Sarbanes  
Harlan Mathews  
Daniel K. Akaka  
Joseph R. Biden, Jr.  
Jim Sasser  
Bob Graham

## SENATORS: DON'T LET INDONESIA PURCHASE MILITARY TRAINING

*United States Senate*

WASHINGTON, DC 20510

June 30, 1993

The Honorable Warren Christopher  
Secretary of State  
Washington, D.C. 20520

Dear Mr. Secretary:

Last year, in response to the massacre by Indonesian troops of an estimated one hundred unarmed civilians in a cemetery in Dili, East Timor, the Congress cut off IMET assistance to the Indonesian armed forces.

Since then, little has changed in East Timor. Thousands of Indonesian troops continue to occupy the island. Freedom of expression and association are restricted. Dozens of people believed to have been killed in the massacre are still unaccounted for. While several soldiers received light jail terms, the civilian demonstrators received sentences ranging from several years to life. Recently, at the World Conference on Human Rights in Vienna, Indonesia was among the most vocal opponents of the US position in support of the universality of human rights.

We were encouraged by your comments earlier this year that the situation in East Timor deserves a "fresh look." We also commend the administration for supporting the March 1993 resolution in the UN Human Rights Commission which urged the Indonesian Government to address the continuing human rights problems.

We are therefore disturbed to learn that the Indonesian government is planning to purchase military education courses through the FMS program. When the Congress took the extraordinary step of cutting off IMET assistance last year it was not only to deny the Indonesian armed forces access to US taxpayer aid. It was to send a strong message that the Indonesian Government should take decisive steps to deter further human rights abuses. The need for that message has not diminished. Any decision by the administration to license sales of military education would be directly contrary to the intent of Congress.

Thank you for your consideration.  
Sincerely,

Patrick Leahy Chairman, Foreign Operations Subcommittee  
Claiborne Pell Chairman, Foreign Relations Committee

## TELL CONGRESS TO END US ARMS SALES TO INDONESIA

*Action Alert from the East Timor Action Network/US PO Box 1182, White Plains, NY 10602. (914)428-7299 fax:(914)428-7383 email:cscheiner@igc.apc.org*

July 31, 1993

### HELP STOP KILLING AND REPRESSION IN EAST TIMOR

### SENATE SUBCOMMITTEE VOTES THIS TUESDAY - CALL TODAY

On Tuesday, August 3, Senator Russell Feingold (D-WI) will introduce an amendment to the Foreign Aid Authorization Bill to ban government and commercial arms sales to Indonesia. He plans to do this in the Subcommittee on International Economic Policy of the Senate Foreign Relations Committee, which will vote the same day. Please contact members of the Subcommittee immediately.

The amendment prohibits arms sales until the President certifies that Indonesia has allowed international human rights groups to visit East Timor, that they report that there are no forms of inhumane treatment (including torture), and that Indonesia has complied with Security Council resolutions that call for withdrawal of its troops from the territory and an act of self-determination by the East Timorese. It would also prevent Indonesia from purchasing US military training to replace the IMET military training aid cut off by Congress last year.

All of the Democrats on the subcommittee signed a June 30 letter to President Clinton calling for a review of US policy on East Timor "with an eye toward facilitating serious negotiations at the United Nations that might alter the unacceptable status quo. These negotiations would be in pursuit of the right of self-determination of the East Timorese people. ... We believe that the United States should work with its allies in Asia and elsewhere to convince Indonesia by diplomatic means that it is not in Indonesia's long-term interest to pursue the policies it has followed in East Timor since 1975."

US arms sales to Indonesia vary from year to year, and were over \$100 million in 1991. They include high-technology aircraft as well as the M-16 automatic weapons such as were used to massacre over 271 unarmed Timorese protesters at Santa Cruz cemetery on November 12, 1991. A cutoff

would go a long way toward convincing Indonesia to alter its course in East Timor.

The Arms Export Control Act prohibits the US government from selling weapons or granting licenses for commercial arms sales to countries with a consistent pattern of gross violations of human rights. Many groups, including Amnesty International, have documented such a pattern in East Timor.

International Economic Policy Subcommittee members should be urged to support the Feingold amendment. All can be phoned at (202)224-3121. If your Senators are not on the Subcommittee, call Chairman Sarbanes and people you know who live in the states represented on the subcommittee.

The members of the Subcommittee are:

Democrats: Paul S. Sarbanes (MD), chair; Joseph R. Biden Jr. (DE); Christopher J. Dodd (CT); John Kerry (MA); Harris Wofford (PA); Russell D. Feingold (WI)

Republicans: Jesse Helms (NC), ranking member; Nancy Landon Kassebaum (KS); Frank H. Murkowski (AK); Hank Brown (CO); James M. Jeffords (VT)

## EVENTS IN JAPAN

### SUHARTO WILL GO TO JAPAN

*Report from ETAN/US, June 29, 1993*

According to the noon News in Japan Tuesday, Suharto is indeed going to Japan next week. He is scheduled to meet with Miyazawa July 6, and probably also with Clinton. Although Suharto and Indonesia are not part of the G-7 economic summit, he hopes to take advantage of the summit to meet with world leaders.

So pressure on Senators to sign the letter to Clinton posted last week in reg.easttimor is even more urgent! It will be open for signatures until the end of this week.

## TOKYO SUMMIT PREVIEW

*TFI's Indonesian Headlines - July 2*

President Clinton goes to Tokyo next week to talk world economics with leaders of other industrial nations, but the trip has a second goal: to focus on a region that hasn't gotten much attention during his presidency. "We consider it very fortunate that the president's first overseas trip is a trip to Asia," Secretary of State Warren Christopher said Friday, announcing that Clinton would give three major speeches outlining U.S. Asian policy. Clinton is to make speeches on Asian policy in San Francisco on Monday, in Tokyo on Wednesday and in

Seoul on July 10. "In each of these speeches he will touch different aspects of the Asian relationship," Christopher said. Clinton plans to meet with President Suharto of Indonesia soon after he arrives in Tokyo. He also plans bilateral meetings with Japanese Prime Minister Kiichi Miyazawa, who is not expected to survive in office after a July 18 election, and Russian President Boris Yeltsin. In Seoul, Clinton is to meet with Korean President Kim Young-Sam.

Indonesia and the United States have agreed to a meeting between their heads of state in Tokyo prior to the July 7-9 summit of the Group of Seven (G-7) major powers, State Secretary Mardiono said Friday. Mardiono told reporters the date for the meeting between President Suharto and President Bill Clinton is being discussed by Jakarta, Tokyo and Washington. Suara Pamburuan, quoting an unnamed source, reported that Suharto will talk with Clinton at a breakfast meeting Wednesday, just before the summit officially kicks off. Suharto will also possibly meet separately with other leaders of the G-7, which includes Britain, Canada, Italy, France and Germany. Mardiono said Tuesday the summit is a good opportunity for Suharto to convey new initiatives on a constructive North-South dialogue. Foreign analysts suggested that Suharto's trip to Tokyo will be a major attraction of the summit.

#### Asylum seekers update

Three East Timorese students finally quit on Friday the Swedish Embassy. Human rights activists said they still hoped the students could leave the country. "It's over. They're free. They can go anywhere," Jakarta military commander Major-General Hendro said as the three left the embassy premises in a motor cavalcade. H.J.C. Princen, a human rights activist who has mediated on their behalf, said he hoped to persuade the International Committee of the Red Cross (ICRC) to help the students leave under its family reunion programme. The students will for the time being stay at his home in east Jakarta. It remained unclear whether Indonesia would allow the students to leave the country. Major-General Hendro said only that the three would not be charged unless they had committed criminal acts. Asked if they had, he said: "As far as I know, they have not done anything criminal." The students, who said earlier in a letter smuggled out of the embassy that they did not trust such assurances by Indonesian officials, said they now trusted their promises. "Yes, I believe the general," said one of the students, Florencio Anunciacao Fernandes, as he left the embassy. Despite their earlier claims of mistreatment, the three

asylum seekers appeared in good shape after their ordeal.

"They agreed to leave and I have signed a statement guaranteeing that they would not be arrested and intimidated," said Jakarta Military Commander Major General Hendro Priyono. Hendro said he had also promised not to "bring up their past deeds," referring to their claim that they were involved in several anti-Indonesian demonstrations in East Timor. But he added: "I do not guarantee, if it is found out later that they have been involved in crimes." Hendro did not elaborate. Princen hoped they could be included in the ICRC programme to reunite East Timorese with their families abroad. But such a request would have to await the arrival of the new ICRC representative in Jakarta, expected by the middle of this month. The tour of the previous ICRC head delegate ended Thursday. Should the ICRC help them under its family reunion programme, their destination was expected to be either Australia or Portugal, two countries with large East Timorese communities. The ICRC has dealt with the cases of 1,500 Timorese under the family reunion programme since 1979.

### MERCHANTS OF DEATH, NO MORE GUNS FOR SUHARTO!

*Statement by Free East Timor Japan Coalition on the G 7 Summit in Tokyo*

July 4, 1993

#### PRESIDENT SUHARTO... SPOKESMAN FOR THE THIRD WORLD?

The leaders of the seven main industrialized nations meet in Tokyo July 7 to iron out a common strategy for their "leadership" of the rest of the world. The Third World, comprising most of the rest of the world, will have no voice in the discussions in Tokyo, although the strategies that emerge will have profound repercussions on their lives. President Suharto of Indonesia, current chair of the Non-Aligned Movement, will be present on the fringe of the G 7 summit to strike a pose as the "representative of the Third World."

Thanks for the guns!

It is recalled that General Suharto came to power after unleashing a bloodbath that claimed between 500,000 and 1 million innocent Indonesians' lives. The regime which he established and has run for a quarter century was enthusiastically embraced by the countries which form the G 7 because it promised a green light to foreign investment and guaranteed "stability" enforced by a tight security apparatus. These countries also kept Indonesia's military supplied with

weapons, and when Indonesia invaded East Timor in 1975, none of them raised objections.

Arms and military/police training provided by countries attending the G 7 summit contributed to some 200,000 deaths in East Timor, creation of tens of thousands of West Papuan refugees, and terrorization of the Aceh district in Indonesia. The weapons sales and training programs continue to this day.

Summiteer Helmut Kohl concluded a deal with Indonesia in February to sell 39 naval vessels of the defunct East German naval fleet. Summiteer John Major's government is now negotiating a deal for 100 British Aerospace Hawk fighter planes. Summiteer Bill Clinton, whom President Suharto is said to be particularly anxious to meet in Tokyo, must decide whether or not to approve a sale by Jordan of four U.S.-made F53 supersonic fighters.... Meanwhile, summit host Miyazawa's government, legally prohibited from exporting weapons per se, provides roughly half of the worldwide total of ODA to the Suharto regime. East Timorese victims of the regime assert that this ODA is contributing to their extermination as a people.

**PRESIDENT SUHARTO DOES NOT REPRESENT THE PEOPLE OF THE THIRD WORLD!**

**STOP ARMS SALES TO SUHARTO! INDONESIA OUT OF EAST TIMOR!**

### TIMORESE, SUHARTO IN TOKYO

*By Jean Inglis, FETJC, July 6, 1993*

Constancio Pinto, 30, will be the main speaker at a public meeting in Tokyo on Tuesday evening sponsored by the Tokyo East Timor Association and the Japan section of Amnesty International. Mr. Pinto, a leader of the Timorese students' resistance movement, fled Indonesia in 1992 after being hunted by Indonesian security forces after the bloody Santa Cruz massacre.

On July 3 and 4, Mr. Pinto attended a "People's Tribunal" in Tokyo at which scholars and activists in the field of Third World development issues "tried" the G 7 structure of economic domination of the South by the North.

Mr. Pinto's visit coincided with the visit to Tokyo of Indonesian President Suharto. Suharto met with lame duck prime minister Miyazawa at the state guest house Monday night and is scheduled to meet with President Clinton at the American Embassy before the Summit begins on July 7.

Summit host country Japan is in the midst of an election campaign for the Lower House of the Diet, a campaign necessitated

by the abrupt dissolution of the Lower House last month. Miyazawa is going through the motions of the "good host" after his guest ignored urging over the past months to "stay home." Mass media coverage of the visit has been largely perfunctory, but at least two national TV news programs mentioned the East Timor issue in connection with Suharto's meeting with Clinton. One of them ran brief footage of the Santa Cruz massacre.

Meanwhile, according to a July 5 Kyodo report, a British man was arrested Monday after splashing tomato juice on the wall of the Indonesian Embassy in Tokyo in protest against Indonesia's occupation of East Timor. Police identified him as John McLister, 35, a teacher. "President Suharto is responsible for the blood of thousands of East Timorese people killed by the Indonesian Army," shouted McLister. Before being taken away by police, McLister told reporters, "People die every day in East Timor and Clinton and Suharto are going to have a cup of tea together."

## CLINTON BROACHES EAST TIMOR PROBLEM WITH SUHARTO

*Japan Economic Newswire, Tokyo, July 7 Kyodo*

U.S. President Bill Clinton expressed concern over human rights problems in Indonesia, including East Timor, in a meeting Wednesday with Indonesian President Suharto, a senior White House official said.

Clinton referred to the human rights issue when he met Suharto Wednesday morning at the U.S. Embassy before attending the Group of Seven (G-7) summit of leading industrial nations later in the day.

During the 40-minute meeting, in which the two leaders discussed "a range of issues" from trade to human rights, they spent about 10 minutes on human rights issues, the official said.

The official declined to comment, however, on how Suharto reacted to Clinton's remarks on human rights problems.

Suharto, as the leader of the 108-nation Non-Aligned Movement, appeared to have told Clinton that a 'constructive' dialogue between developing and developed nations should be promoted.

Suharto was in Tokyo for four days until Wednesday for talks with Japanese Prime Minister Kiichi Miyazawa and Clinton in a bid to revitalize the North-South dialogue.

Indonesia invaded East Timor shortly after the Portuguese left in 1975 and annexed the territory in 1976. The United Nations does not recognize Indonesian sovereignty over East Timor.

Late last month, a bipartisan group of 43 U.S. senators sent a letter to Clinton urging him to express American concern about the East Timor situation when he met Suharto in Tokyo.

The U.S. senators said in the letter that "the U.S. should work with its allies in Asia and elsewhere to convince Jakarta by diplomatic means that it is not in Indonesia's long-term interest to pursue the policies it has followed in East Timor since 1975."

Suharto asked summit host Miyazawa on Monday to convey to the other G-7 leaders a message urging the industrialized nations to help developing nations solve economic problems that have hindered their development.

The message included a request to industrialized nations "not to link economic aid to the human rights issues of recipient countries," Japanese Foreign Ministry officials said.

Suharto originally campaigned to address the G-7 leaders collectively in a meeting modeled after the 'G-7 plus 1' session that will bring Russian President Boris Yeltsin to the gathering for the second year in a row.

The G-7 nations opposed the request, however, fearing it could set a precedent with other parties making similar requests. Japan and the U.S. offered instead to hold separate meetings with Suharto.

## CLINTON, SUHARTO IN TALKS ON EAST TIMOR

*SOURCE: THE AUSTRALIAN*

(AP, AFP, Tokyo) Under pressure from almost half the United State Senate, President Clinton met Indonesia's President Suharto yesterday to discuss human rights violations in East Timor and other issues.

The US presidential adviser, Mr. George Stephanopoulos, in a briefing before the close-door meeting, said MR. Clinton planned to talk about trade and human rights, including the situation in East Timor.

A bipartisan group of 43 of 100 senators had sent a letter to Mr. Clinton asking to express US concern about East Timor during his meeting with President Suharto.

"We have a lot to talk about. President is the leader of the Non-Aligned movement this year, "Mr. Clinton as the talks got under way, only hours before the Three-day summit of the Group of Seven industrialised nations began.

"We have many things in common. we often work together at the UN."

Mr. Clinton, who was accompanied by the US secretary of State, Mr. Warren Christopher, the National Security Adviser, Mr. Tony Lake and his Deputy, Mr. Sandy Berger, said "we will" discuss human rights but did not elaborate.

Details of the talks were not immediately available. President Suharto, accompanied by Indonesian Foreign Minister Mr. Ali Alatas, later left from Tokyo's Haneda airport and flew home to Jakarta.

Mr. Alatas said on Tuesday that he "would not think it strange" if Mr. Clinton raised the issue of human rights with president Suharto.

"All countries have their shortcomings," he said. Mr. Alatas also revealed that Indonesia had invited the US Trade Representative, Mr. Mickey Kantor, to sent a mission to review the country's labour laws after Washington recent threat to withdraw special trade advantages for Indonesia under its generalized system of preferences.

"There is a lot that needs to be clarified with Mr. Kantor. There seem to be some lingering misconceptions," Mr. Alatas said.

President Suharto was in Tokyo to express developing nations' views to the G-7 leaders. Third World nations says their interests are often ignored at the industrial summits.

East Timor, a former Portuguese colony, was annexed by Indonesia in 1975. however, the UN continues to consider Portugal its administrator.

Indonesia has been trying to suppress an East Timor independence movement. in November 1991, Indonesian soldiers shot and killed dozen of East Timorese during a pro-independence protest.

President Suharto had asked to attend the summit itself but was turned down. Earlier this week he met the Japanese Prime minister and summits host, Mr. Miyazawa.

The senators asked Mr. Clinton to work with US allies" to convince Indonesia by diplomatic means that it is not in Indonesia's long-term interest to pursue the policies it has followed in East Timor since 1975.

Many countries, including Australia, recognise Indonesia rule but UN continues to uphold Portugal's interests because many residents of East Timor have resisted Jakarta.

"We believe that the United States should review its policy on East Timor with an eye toward facilitating serious negotiations at the United Nations that might alter the unacceptable status quo," the Senators said in a letter to President Clinton.

"Similar patterns of repression have been documented in other regions of the Indonesian archipelago... torture, detention of prisoners of conscience and political prisoners as well as unfair trials are routine throughout Indonesia," they said.

## CLINTON ANNOUNCES APEC CONFERENCE

*The Asian Wall Street Journal Weekly, July 19, 1993. Excerpts*

"Clinton in a speech at Tokyo's Waseda University this month appeared to take many governments in the region by surprise (...) [when he] said he is consulting with the 15 members of the Asian-Pacific Economic Cooperation forum or APEC, about convening "an informal leadership conference" after the group holds its annual ministerial meeting in Seattle in November. The summit meeting would be the first to bring together such a large number of Asian-Pacific leaders."

"U.S. diplomats in the region...[stress] that the idea is still under discussion."

"As the largest of the 6 ASEAN countries, Indonesia often is viewed as the most influential member. Officials in Jakarta say Mr. Clinton told Indonesian President Suharto about the proposed summit when the two met in Tokyo this month, but that Mr. Suharto made no commitment to attend. Indonesia "in principle will support the leaders meeting, but needs to consult other members," says an ASEAN diplomat."

"Even before taking office, [Clinton] signaled that APEC would be the vehicle the administration would use to emphasize economics in America's Asia policy, after years of giving primacy to military concerns."

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## EVENTS IN ASIA

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### MALAYSIAN NGO'S CHALLENGE SUHARTO VISIT

**Malaysian NGOs/Opposition Parties Call for Immediate Resolution on East Timor during President Suharto's Official Visit to Malaysia.**

*Media Release, July 19*

The effects of the current situation in East Timor has spread beyond merely the East Timorese and the Indonesians; and has also had a strongly negative bearing on all of us in ASEAN. On the occasion of President Suharto's visit to Malaysia starting 16th July 1993, we the NGOs and Opposition Parties in Malaysia wish to express our gravest concern about the continuing violation of fundamental human rights of the East Timorese. We call for the immediate resolution of this tragic and protracted regional problem.

For 18 years since the 1975 invasion by the Indonesians, the people of East Timor

have been subjected to gross violations of human rights at the hands of the Indonesian Armed Forces. A broad spectrum of international organizations such as the Asian Students' Association (ASA), the International Red Cross, and Amnesty International have endlessly denounced the reported abuses of human rights, and the isolation of East Timor from international scrutiny.

On 12 November 1991 the world was shocked by TV reports of a massacre of over 200 unarmed East Timorese youth at the hands of the Indonesian military at the Santa Cruz cemetery in Dili. Among those massacred was a Malaysian student, Kamal Bamadhaj, whose concerns for the East Timorese people cost him his life.

In March this year, the UN Human Rights Commission passed a strong resolution condemning Indonesian human rights violations in East Timor, and called for a greater UN involvement in resolving the conflict there. The United Nations has never recognized Indonesia's jurisdiction over East Timor. East Timor maintains its representative to the UN as a territory administered by its Portuguese colonizers. However, many positive plans to resolve the conflict have been compromised by the US and its client-state Indonesia.

Recently, the illegitimate mock trial of Commander Xanana Gusmão, captured late last year, produced further international criticism. Xanana, who has tried to seek a negotiated solution of the East Timor conflict with Indonesia has been treated in a totally unacceptable manner. A political show-trial by a Court which had no jurisdiction to try him at all has been orchestrated.

The trial has been denounced for violating even Indonesian legal procedures by internationally known groups like Amnesty International and the International Commission of Jurists in Australia. Xanana Gusmão has been kept incommunicado since the Court passed its sentence of life imprisonment on 21 May; and no one, not even the International Committee of Red Cross has been given proper access to him. Similarly, Resistance Leader Mau Hunu has been kept in isolation since his capture last April.

One month ago, the International Commission for Red Cross (ICRC) was finally forced to suspend its visits to prisoners because of obstacles placed in its way by the Indonesian military, despite "assurances" from President Suharto that its work in East Timor would not be impeded.

Two weeks ago the plight of East Timorese youth made headlines all over the world again as 7 persecuted students attempted to seek the protection and assistance of two foreign Embassies in Jakarta to leave Indonesia. They still have not been able to leave.

Last week, 43 United States Senators wrote a letter to President Clinton expressing concern over the continuing widespread human rights abuses in East Timor, advocating "serious negotiations at the United Nations that might alter the unacceptable status quo." These negotiations would be in pursuit of the right of self-determination of the East Timorese people. The Senators expressed their belief that an acceptable solution of the East Timor conflict would be in the long term interest of Indonesia.

While we denounce the acquiescence of the United States and its Western allies during Indonesia's 1975 invasion of East Timor, we endorse this recent change-of-heart, and urge President Suharto to acknowledge fully the call by the international community to come to a peaceful resolution with the East Timorese people.

We further urge the United Nations to be directly involved in resolving the East Timor conflict.

A mutually acceptable resolution of the East Timor conflict will prove our respect for human rights in the third World, as well as strengthen our international standing.

With what authority can our leaders denounce the present situation in Palestine, South Africa, or Bosnia if they keep silent about the East Timor tragedy on the doorsteps of our own region?

As concerned neighbours, we appeal to President Suharto to work towards an honourable resolution of the conflict in East Timor, not only as a matter of principle, but for the direct benefit of all peoples of our region.

In solidarity with the people of East Timor,

Aliran, Penang

AWAM (All Women's Action Society),  
CCM (Council of Churches of Malaysia),  
COAC (Centre for Orang Asli Concerns),  
DAP (Democratic Action Party)

IPK (Institute for Community Education),  
JUST,

National Civil Rights Committee,  
PACOS (Partners of Community Organisations)

PAN (Pesticide Action Network, Asia Pacific)

Persatuan Sahabat Wanita Selangor

PRM (Parti Rakyat Malaysia)

Selangor Chinese Assembly Hall

Selangor graduates Society

SUARAM (Suara Rakyat Malaysia)

WDC (Women's Development Collective)

## EAST TIMOR HIGH ON AGENDA IN EC-ASEAN TALKS

by bob mantiri

Brussels, July 23 (ips) - human rights will be high on the agenda when top European community (EC) officials meet southeast Asian foreign ministers for talks due to begin in Singapore on Sunday, EC officials said here on Friday.

the talks are to be attended by foreign ministers from all six association of south east Asian nations (ASEAN) countries – Thailand, Malaysia, Indonesia, Brunei, Singapore and the Philippines.

the EC is to be represented by its current president Belgian foreign minister Willy Claes, external affairs commissioner Hans van den Broek and the commissioner in charge of development cooperation, Manuel Marin.

one of the main reasons delaying the formalisation of a new economic and trade agreement between the ASEAN countries and the EC is because Portugal continues to protest against Indonesia's violation of human rights in the former Portuguese colony of East Timor.

Indonesia invaded East Timor shortly after its independence from Portugal in 1975. human rights group amnesty international estimates 210,000 out of an original population of 650,000 have died under brutal Indonesian rule since then.

forced colonization of the territory and continued repression have kept East Timor in continued crisis and led to worldwide condemnation.

but while the EC has made the granting of development aid conditional on respect for human rights, such a condition has been challenged by the ASEAN countries in a 30-point declaration issued at their meeting in Bangkok, Thailand, in march.

the declaration said the ASEAN countries would "discourage any attempt to use human rights" as a condition for providing development aid and reiterated the "interdependence and indivisibility of economic, social, cultural, civil and political rights."

it also said there was an "inherent interrelationship" between development, democracy, universal enjoyment of human rights and social justice, which needed to be addressed in "an integrated and balanced manner."

a spokesperson for the Belgian foreign ministry said that, in talks with Indonesian officials, Claes would raise the issue of East Timor.

Belgium, which has categorically condemned the violations of human rights in East Timor, has already frozen its development aid to Indonesia.

despite the conflict over human rights, the EC and the six ASEAN countries have still developed close trade relations. according to EC statistics, trade between the two regions amounts to more than 50 billion dollars, about twice the level of five years ago and about three times the level in 1980 when an EC-ASEAN cooperation agreement was signed.

more recent figures show that ASEAN enjoys a remarkable trade surplus. in 1992, it reached some 3.72 billion dollars, three times the 1987 surplus.

the EC ranks third among ASEAN's trade partners, after japan and the united states. a total 15.4 percent of ASEAN exports go to the EC and 17.2 percent of ASEAN imports are from the EC.

EC investments in ASEAN continued to grow during the 1980s, but, as investments from other sources grew rapidly, the EC's share then declined, except in Singapore.

most of the EC's investments in ASEAN countries are in oil- related activities, chemicals, pharmaceuticals, processed food, electrical and electronic products, car manufacture and banking and finance.

development cooperation is also an important feature of the EC- ASEAN relationship. however, the largest part of EC aid will continue to finance bilateral projects, specifically designed to meet the needs of individual countries.

in 1992 alone, the EC committed 216 million dollars in grants to ASEAN and its member countries.

Marin said ASEAN countries benefited greatly from low tariffs in trade with Europe. "but it is two-way street. ASEAN has to reciprocate."

before going to Singapore, Marin is due to visit Bangladesh. his talks with the Bengali government will focus particularly on a recent agreement between the EC and Bangladesh on a cooperation strategy for 1993-96. the democratization process in Bangladesh since the country's first democratic elections in 1991 will also be discussed.

Bangladesh is the second largest beneficiary of EC aid in Asia after India. an agreement on a development project which would

or institution who might be able to provide funding or technical assistance, and who might also have ideas for publishing some of them. They suggest possibilities might include a pictorial history or illustrations for a series of native language primers, possibly many other uses. They have sent a video to Dr. Roxana Waterson of the Sociology Department at the National University of Singapore showing about a quarter of the slides. They are clearly a valuable record. If anyone can help, please contact Steve and Lee Snow, 38 Roslyn Terrace, Devonport, Auckland 9, New Zealand. Tel: (09) 445 0174 or 445 1655.

## ART WITH TIMOR

*Green Left #106, July 14, 1993*

*Reviewed by Deb Sorensen*

### PAINTINGS BY SEBASTIAN SILVA

Beaufort Hotel Complex, Darwin, June 25-27.

Calm rural scenes of East Timor and local vistas were the subject matter for Sebastian Silva's debut Darwin exhibition. Dili peasants are beautifully painted with a rich yet sombre use of color and characteristic short brush strokes.

These paintings depicting people were, in my opinion, the best works in this exhibition. Painted from memories of a childhood in Dili, they were more engrossing than his paintings of the Darwin area.

While I did like these, they bordered on being clichéd. However, Silva manages to capture a quality of light in his seascapes which is a great skill in any artist.

According to the exhibition's program, Silva aims to focus attention on the lives of his native country people through his paintings. His belief in the right of the East Timorese to self-determination and a peaceful co-existence comes through in his work. The exhibition as a whole was quite impressive and I feel that Silva has a promising future.

Some of the work exhibited is for sale. For more information contact Sebastian Silva on (089) 278 586.

## RESOURCES AVAILABLE

### SLIDES ON EAST TIMOR AVAILABLE

Steve and Lee Snow have a collection of nearly 1000 color slides taken by Steve in 1972 which document many aspects of East Timorese culture at that time. They seek help to preserve and archive this collection, and would like to contact any person, group

## MISCELLANEOUS ARTICLES

### IMAGINING EAST TIMOR

*By Benedict Anderson.*

*Arena Magazine No.4, April - May 1993*

*Why has Indonesia's attempt to absorb East Timor failed? And how does one explain the very rapid development of*



*Timorese nationalism since 1975? Benedict Anderson, author of Imagined Communities, argues that Indonesia cannot imagine the East Timorese as Indonesians. Their relations with them are those of colonizer and colonized, producing East Timorese nationalism as Dutch colonialism once produced Indonesian nationalism.*

I want to ask two quite concrete questions which nevertheless involve a certain common theoretical problematic. The first question is: Why has Indonesia's attempt to absorb East Timor failed? Was the failure inevitable or did something happen between 1975 and 1990 which could have been avoided? What is the nature of the mistakes that were made, if there were indeed mistakes made? The second question is in some ways the reverse: How does one explain the very rapid spread and development of Timorese nationalism? For me this second question is very serious. My theoretical writings on nationalism have focused on the importance of the spread of print and its relationship to capitalism, yet in East Timor there has been very little capitalism, and illiteracy was widespread. Moreover, East Timor is ethnically very complicated, with many different language groups. What was it then that made it possible to 'think East Timor'?

The first question came to me while I was in Portugal in May 1992. Among my Portuguese colleagues a discussion was going on about the memoir of General Costa Gomez. He was one of the key players in the Portuguese governments of 1974-76, at the time of the collapse of the Portuguese empire, and one of those most responsible for decision making with regard to East Timor. In his memoir, he said that he and his friends thought East Timor would be like Goa - that it would be peacefully and easily absorbed into big Indonesia, just as little Goa was absorbed into big India. He argued that if only Jakarta hadn't been so brutal, if the Indonesian Army hadn't been so oppressive and exploitative, there would be no East Timor problem today. Hence, the tragedy of East Timor was neither his fault nor that of the Portuguese Government. East Timor could easily have been a happy, vibrant, participating part of Indonesia. Yet Costa Gomez's account in the end doesn't help us very much, since it does not explain the brutality and the exploitativeness of the Indonesian occupation.

Here we are faced with a question which relates not only to Indonesia, but engages the whole problematic of how nations imagine themselves in the late twentieth century and what the real possibilities are for nations growing in size rather than breaking up into smaller pieces. We have been seeing a

lot of the latter in Eastern Europe and I suspect that more is going to occur in the future in other regions, in a kind of general scaling back of the national imagination - an inability to move towards inclusiveness and genuine incorporation. In the specific case of Indonesia, one needs to ask how the military leadership in Jakarta thinks about territory and peoples which they have determined to be 'Indonesian.' Clearly, the great difficulty has been to persuade themselves that the East Timorese 'really' are Indonesians. If they were, there would be only the simple task of scraping away a kind of superficial strangeness attributable to Portuguese colonization, revealing a 'natural Indonesian-ness' underneath.

Indonesian nationalism self-consciously sees itself as incorporating or covering many different ethnic-linguistic groups and many different religious cultures, precisely those agglomerated over centuries into the Netherlands East Indies. The commonality of 'Indonesia' is fundamentally one of historical experience and mythology. On the one hand, there is the conception of centuries of struggle against Dutch colonialism. On the other, there is the myth, powerful but also potentially divisive, of grand pre-colonial states, most notably that of Majapahit in the fourteenth and fifteenth centuries. The Majapahit 'empire' has the advantage that its ill-defined extent can be read to include the whole of Timor, as well as regions today solidly part of Malaysia and Singapore. Yet it has the great disadvantage that it is closely identified with just one of Indonesia's ethnic groups, the Javanese. Hence state leaders have been very cautious about using it as a prime basis for the historical identity of modern Indonesia.

For Jakarta, therefore, the question is how to recompose the national people narrative so as to incorporate the East Timorese. It cannot be done in terms of resistance to Dutch imperialism. Nor can it be done in terms of the solid historical connections and contacts with the rest of the archipelago, for one of the peculiar characteristics of Portuguese colonialism was that it kept East Timor extremely isolated, except for links between Portugal, Macau, Mozambique, Angola and Goa. The obvious alternative to a historicized nationalism is of course, a biological-ethnic essentialism. In principle Jakarta could say: 'After all, we have the same physical features, our languages are connected, our original cultures were identical.' But this line of argument is tricky, for it leads to claims, unacceptable today, to the Philippines and Malaysia.

I think the result has been a deep inability to imagine East Timor as Indonesian. And if you can't imagine the East Timorese as really and truly 'brothers,' what then? I

was talking recently with a very intelligent East Timorese about his conversations with East Timorese students in Indonesian universities. There are at least a couple of thousand such students. Many of them drop out, partly as a result of language problems, but mainly because of what they experience as an intolerable social climate. He told me that what really enrages East Timorese students is that they are always being told how ungrateful they are. 'Look at all we have done for you! Where is your gratitude?' is what they hear day in day out from deans, professors, fellow students, and so forth. Is it likely that in the heyday of Indonesian nationalism people ran around the country telling fellow Indonesians whom they were enlisting to the nationalist cause that they should be 'grateful.' Even in the 1950s when Indonesia was shaken by many regionalist revolts, the accusation of ingratitude never emerged. The accusation then on all sides was typically that of 'betrayal' of a common historical project. By contrast, 'ingratitude' was a typical accusation by Dutch colonial officials against 'native' nationalism: 'Look at all we have done for you, down there, in terms of security, education, economic development, civilization.' The language is that of the superior and civilized towards the inferior and barbarous. It is not very far from racism, and reveals a profound incapacity to 'incorporate' the East Timorese, an unacknowledged feeling that they are really, basically, foreign.

One could argue this stance is evidenced by the extremist methods of rule that were used in East Timor after the invasion of 1975. The vast scale of the violence deployed, the use of aerial bombardments, the napalming of villages, the systematic herding of people into resettlement centres leading to the terrible starvation famines of 1977-80, have no real counterparts in Indonesian government policy towards, as it were, 'real Indonesians.' They seem more like policies for enemies than for national siblings. It is true that there was massive violence in the anti-communist campaign of 1965-66. Yet the bulk of that violence was local in character, fueled by the panic of millions of people about what was going to happen to themselves, their families, and so forth, 'if Communism prevailed.' It had its cold, planned elements certainly, but nothing comparable to the coldness and the plannedness of the ravaging of East Timor, which reminds me very much of the horrific depredation of Leopold's 'spectral agents' in Conrad's *Heart of Darkness*. Conrad made the point that for these agents all civilized rules were abandoned in 'Africa.' There atrocities they would never get away with back home in Belgium were permissible.

It is true, of course, that East Timor posed very special problems for Jakarta. A substantial part of the population had long been Catholicized. Furthermore, because of Portugal's membership of NATO, the East Timorese resistance had better weapons and military training, at the start, than any previous local opposition to Jakarta. It put up a very stiff fight, and many thousands of Indonesian troops were wounded or killed in the struggle, stimulating a strong battle-zone atmosphere in the territory. On the other hand, the war has gone on now for seventeen years - longer than any war Jakarta has conducted. This has meant that East Timor has been crucial in the careers of Indonesian military officers in a unique way. Most of the most successful and ambitious officers have fought in East Timor, and their promotions have depended in part on their success in conducting merciless repression and control.

The Indonesian Government has been unable to incorporate East Timor imaginatively, in the broader, popular sense. I have been very struck over the years by the extraordinary degree to which East Timor has been shut off, not merely from the outside world, but also from the rest of Indonesia. Until fairly recently, ordinary Indonesians could not go to this official part of their own country without special permission. Newspaper coverage of East Timor was exceptionally meagre, and even less truthful than the media coverage of other parts of Indonesia. It was thus possible for many Indonesians not to think about East Timor very much at all, let alone know about it. Hence it has never been successfully attached to popular nationalist feeling. This 'void' is very striking if you compare it to the troubled province of Irian, where Jakarta has for years been battling quasi-nationalist resistance. I now have staying with me the son of a friend of mine, a nineteen-year-old boy, who has just finished high school in West Java. He can barely recall the name of a single East Timorese, but he knows those of Irianese football players and journalists, and is a great fan of Ade, the popular transvestite Irianese TV comedian. Irian has an imaginative presence in Indonesia. No matter how badly treated Irianese may actually be in Irian itself, for Indonesians as a whole they are part of 'us.'

One last question to raise before turning to East Timorese nationalism itself again relates to the problem of imagination. Did the Indonesian military leaders ever consider the possibility that they were replaying, in reverse, the final trajectory of the colonial relationship between themselves and the Dutch? The Dutch have been in the archipelago since the start of the seventeenth century, but a recognizable nationalist

movement did not appear until the very end of the nineteenth century or the beginning of the twentieth. Its rise was clearly tied to the decisions of the Dutch colonialists to start educating people, particularly in Dutch, to the spread of the modern mass media, to massive 'development' projects, and to the growth of a professionalized secret police and intelligence apparatus. For the first time, after 1900, natives were aware of themselves. People were targets of a systematic and centralized security apparatus. They were now conscious of being subjected to a single developmental project, and of having in common, in the minds of their rulers, their ineradicable 'nativeness.' They came to understand, through the Dutch language imposed on them in new schools, the very idea of colonialism as a system, and the modern means to emancipate themselves from it. Why did the Indonesian Government not see that Education-Repression-Development in East Timor followed exactly the logic of earlier Dutch policies, and that their failure was 'foretold' by Indonesia's own modern birth?

I now want to turn to the question of why East Timor has become so nationalist so quickly. The answers here are much less clear. Begin with the name itself: 'East Timor.' It is an expression which comes from the Mercatorian map, on which a penciled administrative line divides Timor in half. How did this 'aerial' demarcation become so real a reality that it is possible for young people in Dili to think it is perfectly normal to call themselves 'Easttimorese,' as if these two words were one, no longer immediately pointing to 'West Timor.' In the video of the Dili massacre the kids' placards show slogans like 'Viva Timorleste' - all one word. The origins of this new consciousness certainly derive in part from a bureaucratic imagining which long pre-dates the invention of nationalism. It parallels the way in which (as I have argued in chapter nine of the new edition of my *Imagined Communities*) the Irianese were imagined or came into being, only perhaps in the last thirty years. Yet 'mapped imagination' is not a sufficient explanation.

What about social formation? If one looks at the situation up to 1974-75, one finds a typically Iberian colonial social order. Underneath the Portuguese ruling stratum were, by rank, wealthy, apolitical Chinese, the then mestizos of mixed African, Arab, Portuguese and local ancestries, and a plethora of 'native' ethnolinguist communities. One might expect to emerge from such a social order something like what one finds in the Philippines: leaders with an ambiguous political consciousness, very much aware of their mixed ancestries and external ties. Indeed, among the older East Timorese

leaders of the 1970s one did find, quite often, a kind of unsureness of identity, and a resentful attachment to things Portuguese. East Timor was as real a place, but was there then a real 'Easttimorese' community for which they were the natural leaders? My sense is that in 1974-75 true East Timor nationalism was still quite thin on the ground; perhaps only a small percentage of the population could then really imagine the future nation-state of East Timor.

Since 1975 this situation has changed dramatically. The question is why, given the virtual absence of print-capitalism, and the still substantial illiteracy? In a recent interview with Editor, a major Jakarta magazine, General Syafei, the East Timor military commander, said something very revealing. Describing the intensive measures that were taken to head off the Lusitania, the ship that tried to go to Dili from Darwin with a group of students and reporters aboard, he noted that the ship itself was not dangerous, but said that if it managed to anchor in Dili harbour, 'it could be that I would be facing 120,000 inhabitants of the city of Dili,' and 'under the circumstances I could not guarantee that there would not be an explosion of the masses.' This language is completely new. Never before has the Army talked about 'explosions of the masses' in East Timor or that it faced '120,000 people in Dili.' For years it has claimed that only a few dozen diehard opponents existed deep in the mountainous interior. Syafei's statement is precisely that of a colonial power suddenly aware of its impending demise. It is just like the Dutch recognition in 1946 that Indonesia had changed completely since 1940 when their power had seemed impregnable.

We here return to the ironical logic of colonialism. If you look at the official speeches about East Timor, you will never find Suharto or the generals talking about its people as anything but 'East Timorese,' even though there are at least thirty ethnic or tribal groups in the region. In the same way, the Jakarta regime never talks about Asmat or Dhani, but always about Irianese. This exactly parallels the late colonial Netherlands East Indies, where the colonized knew they were all 'natives' together in their rulers' eyes, no matter what island, ethnicity or religion they belonged to. A profound sense of commonality emerged from the gaze of the colonial state. Indonesian power is infinitely more penetrating, infinitely more widespread, than Portuguese colonial power ever was. It is there in the smallest villages, and is represented by hundreds of military posts and a huge intelligence apparatus. Thus the consciousness of being East Timorese has spread rapidly since 1975 precisely because of the state's

expansion, new schools and development projects also being part of this.

One of the main projects of the Suharto state has been to 'develop' Indonesia. This necessarily involves a certain kind of definition of what it means to be a real Indonesian. Part of this definition has emerged from the anti-Communist massacres of 1965-66, which were understood in part as a fight against atheism. Hence today every Indonesian has to have a proper book-religion. Here the Indonesian state finds itself caught in a strange bind. In 1975, a majority of East Timorese were still animists. Making them 'Indonesian' meant 'raising' them from animism to having a proper religion, which given existing realities meant Catholicism. At the same time the state was perfectly aware of the dangers of the spread of Catholicism, particularly since Rome insisted on dealing directly with East Timor, bypassing the conformist Indonesian Catholic hierarchy. So the Indonesian regime found itself both wanting and distrusting Catholicism's spread. In the last seventeen years, the Catholic population of the territory has more than doubled in size. In East Timor, everyone is aware that if you are a member of the Catholic Church, you enjoy protection according to the state's own logic; at the same time a popular Catholicism has emerged as an expression of a common suffering, just as it did in nineteenth-century Ireland. This Catholic commonality in some sense substitutes for the kind of nationalism I have talked about elsewhere, which comes from print-capitalism. Moreover, the decision of the Catholic hierarchy in East Timor to use Tetun, not Indonesian, as the language of the Church, has had profoundly nationalizing effects. It has raised Tetun from being a local language or lingua franca in parts of East Timor to becoming, for the first time, the language of 'East Timorese' religion and identity.

But there is a further colonial irony at work. For young Indonesian intellectuals at the turn of the century, the language of the colonizer, Dutch, was the language through which it became possible to communicate across the colony, and to understand the real condition of the country. It was also the language of access to modernity and the world beyond the colony. For one generation at least, Dutch performed the absolutely essential function of getting natives out of the prisons of local ethnic languages. In the same way, the spread of Indonesian in the Jakarta-sponsored school system has created a new generation of young Timorese who are quite fluent in Indonesian, and who, through Indonesian, have found access to the world beyond Indonesia. Indonesian is not the language of internal solidarity among

the East Timorese young but it is one of the important languages of access to modern life. Indonesian/Tetun corresponds in 1990 to Dutch/Indonesian in 1920.

Thinking about nationalism at the end of this century, we may have to think more about situations like East Timor, where nationalist projects can turn into 'colonial' projects, thereby contributing to the fragmentation of the post Second World War new states that were inherited from European dominion in the late nineteenth and early twentieth centuries.

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## THE FAULTLINE IN JUSTICE LINKING TIMOR TO BOSNIA

*The Age, 27th May 1993 By James Dunn  
Edited by: John Messer*

The angry reaction of the Muslim world to the latest proposed Bosnian settlement is understandable and serves our sympathy. Despite the good intentions of the negotiators, the latest accord is yet another dubious deal favoring those with the numbers and the guns. In effect, it will legitimize Serbian "ethnic cleansing" and illegal territorial gains, dispossessing thousands of Bosnian Muslims of their homes and their livelihood.

However, before Islamic governments embark on a furious campaign against the West, they might well ponder over another situation, over very near to Australia, where their support helped achieve an even worse result for a people with a legitimate claim to self-determination and independence. I refer to the seizure of East Timor, which is again in the news, thanks to the harsh sentence imposed last Friday on Xanana Gusmão, the resistance leader.

Bosnia and Timor are very different countries, but there are some interesting similarities. The cultural characters of both communities were fashioned by shifts in the fortunes of past imperial powers, and the

preservation of their distinct identities in some form of independence involves fundamental human rights. The Bosnian Muslims may derive a little comfort from the fact that they are assured of some semblance of independence, enabling them to shape their own lives free of foreign dominance.

For the Timorese, however, the future is much more bleak. Thanks to the support Indonesia has long received in the UN from countries like Australia, and those very Islamic states who have condemned the latest Bosnia agreement, the East Timorese cannot even hope for such a settlement envisaging independent status.

The treatment of Gusmão, who had for many years tried to negotiate a settlement with the Indonesian leadership, was a reminder to the Timorese that to contemplate the kind of separate existence accorded to virtually all other former colonies as a matter of right is, in Indonesian eyes, a crime against the state. And the weak response from Senator Gareth Evans to the sentence was yet another shameful example of this country's indifference to the stubborn refusal of the majority of the Timorese people to accept colonial bondage - a stand passionately and defiantly expressed by Gusmão in his statement to the Indonesian court.

Such deals as the Bosnians and the Timorese have had imposed on them could ultimately be counter-productive. Solutions based on narrow self-interest rather than social justice arouse the kind of bitterness and frustration that will ensure the continuation of ethnic disharmony, violence and oppression.

James Dunn, Moruya, NSW

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