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Peace activists win BAe case

In a spectacular victory for the East Timorese solidarity movement, the activists who disarmed a British Aerospace (BAe) military aircraft bound for Indonesia were acquitted of criminal charges at Liverpool Crown Court in July. The women convinced the jury that they had been preventing the greater crime of genocide in East Timor.

In a verdict warmly welcomed by civil rights and church groups, four women were cleared of actual criminal damage and conspiracy to commit criminal damage after they had taken hammers to a Hawk aircraft in January 1996. One of the four, Joanna Wilson, told reporters the decision was 'a victory for justice, a victory for the people of East Timor'.

Wilson, together with Lotta Kronlid and Andrea Needham, openly admitted that on 29 January they had cut the perimeter fence at the BAe plant and made their way to a hangar where Hawk 'trainer' jets – part of a batch of 24 destined for Indonesia – were being assembled.

With household hammers, the three inflicted damage amounting, the prosecution alleged, to £1.7 million (US\$2.7 million). They left a 54-page portfolio in the cockpit of the aircraft explaining their action. It included a history of East Timor, international law and the UN resolutions relating to the Indonesian occupation of East Timor, the history of the BAe deal and resistance to it, and information about the anti-war Ploughshares movement to which the women belong. Two hours later, still undiscovered, they called a press agency and were eventually arrested and charged. Angie Zelter, a fourth member of the team, was arrested later, having publicly stated her intention to disarm Hawks in the future.

Appalled at British support to Indonesia (currently Britain's combined exports total



The Ploughshares Four: from left to right Andrea Needham, Joanna Wilson, Angie Zelter and Lotta Kronlid.

more than US\$100 million and its 1995 aid commitment was US\$155 million), and especially at the emphasis on sales of military equipment, the four women had for years campaigned legally for a change in policy. In spite of the numerous testimonies given to the government of Hawk sightings over Timor, including that made by *Independent* journalist Hugh O'Shaughnessy while visiting Dili in November 1995, the British government had continued to ignore them.

The four women decided direct action was necessary to challenge the establishment's indifference. They wished to take personal responsibility for the government's policy, and at the same time highlight the fact that the government, in selling arms to Indonesia, has contravened the Genocide Act. In court they emphasised that the 'careful disarmament of weapons such as the Hawk war-plane with hand

Summary

Recent months have seen further human rights violations in East Timor and the deposition in Indonesia of opposition leader Megawati Sukarnoputri. The European Union finally made public its Common Position on East Timor in June, while in Britain four women peace activists who had disarmed a Hawk trainer jet bound for Indonesia won an astonishing legal case brought by British Aerospace. This issue of *Timor Link* describes these and prints detailed excerpts from a speech given by José Ramos Horta, in which he summarises the CNRM's peace plan. We also look at the role being played by the Vatican's Cardinal Etchegaray, and the stand taken by the Christian Sanctuary Network against the Australian government.

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tools was a step towards preventing potential acts of violence'. They argued that under international law everyone has a duty to refuse to have any part in war crimes (Nuremberg Principle VII). Under Britain's Criminal Law Act 1967 everyone has a right to use reasonable means not excluding force in the prevention of a crime.

Expert witnesses for the defence included José Ramos Horta, the exiled special representative of the East Timorese resistance, journalist John Pilger and Bradford university's professor of peace studies, Paul Rogers. ■

Message of support

A group of East Timorese women sent the following message to the 'Ploughshares Four' when the latter were on remand in Risley Prison awaiting trial:

The women of East Timor express profound gratitude for your great generosity. We are aware of your suffering and thank you for your action and your spirit of solidarity. Dear sisters, we wish you courage, spirit and determination in your trial. We rely on your passion and strength.'

Cover-up continues

Twenty-one years ago six western newsmen were 'executed' in East Timor. The report of an exploratory inquiry into their deaths went before the Australian parliament on 27 June this year. Hugh Dowson of the British Coalition for East Timor reports.

The Sherman inquiry found that the 'Balibo Five' – including Britons Malcolm Rennie and Brian Peters – were killed on 16 October 1975 by members of an invading force that 'consisted, in the main, of Indonesian soldiers (acting as irregulars in East Timor) [...] Afterwards, some of the bodies [...] were dressed up in Fretilin military clothes and photographed beside captured machine-guns.' The sixth newsman, Roger East, was 'more likely than not [...] summarily executed by an unidentified soldier' on 8 December 1975.

The Indonesian government rejected the findings. It claims it had no military presence in East Timor prior to July 1976.

The inquiry, set up in February this year, was headed by Tom Sherman, former head of Australia's National Crime Authority. Little in his report should surprise the British and Australian governments, who withheld the truth from the victims' families and the British public. It was not until the screening of John Pilger's documentary film *Death of a Nation* in February 1994 that Brian Peters' family discovered that he had not died in the 'accident' reported to them.

The Sherman report gives no hint that any cover-up took place. Neither does it hint at the truth that the Balibo cover-up led Indonesia's generals to understand that they had the West's permission to commit genocide. A full inquiry is essential. ■

Timorese women speak out

Outside the territory, East Timorese women have a lower profile than their contribution to the resistance movement warrants. A group of women interviewed in April by Pat Gaffney of Pax Christi UK and CIIR's Catherine Scott wrote the following statement.

'The struggle which the East Timorese have been defending over these last 20 years of armed resistance, with innumerable sacrifices is a just cause based on international law. It is a struggle which has defended the true and legitimate aspirations and inalienable right to self determination and independence of the people of East Timor and the end of the illegal occupation of the aggressive and tyrannical Indonesian regime.

'We confront many difficulties, both moral and material. In this age of globalisation where people are often victims of the consumer society, we, the mothers of East Timor, suffering from the absence of our husbands who have either been killed, disappeared or imprisoned outside East Timor by the Indonesian armed forces, feel a great responsibility in the upbringing of our sons and daughters, as guardians of the Timorese identity in this situation imposed by the government of occupation.

'We have children who are suffering from lack of the paternal love, moral support and material comfort needed by all children and this at a moment when in the world there is a call for harmony, peace and love in the family. Our youngsters seek freedom of speech and action, but these freedoms are denied them: they are maltreated, imprisoned, tortured and often physically eliminated.

'For the information of those who participate in the dialogues under the auspices of the UN, flagrant human rights abuses, especially [against] women, continue to be the daily bread [...] of the East Timorese people.

'Indonesia openly displays its force during the course of important meetings and conferences. It pretends to be an economic power among other under-developed countries which resolutely respects human rights – as reflected in its wonderful state doctrine of Pancasila, but in East Timor constructs buildings, bridges, roads out of innocent East Timorese flesh and bones. [...]

'Throughout our history, we have always been a people with different characteristics [from] the Indonesian people. We existed as a people with our own history, identity, culture and religion. There is no doubt that we never were and never will want to be integrated with Indonesia. 'This is the image of Timorese women: women who, with spirit, courage and determination, continue to resist along with all East Timorese, for our total liberation.

'We hope that these words will be accepted and distributed among women's solidarity groups who are struggling too for the cause of East Timor.'

Aid to Indonesia

A massive new aid package underlines the continued support for Jakarta by world powers. Paul Barber of Tapol reports.

Indonesia's major bilateral and multilateral aid donors reaffirmed their commitment to the Suharto regime at the Consultative Group on Indonesia (CGI) 1996 meeting, held in Paris on 19-20 June. They pledged development assistance totalling US\$5.26 billion for the fiscal year 1996/97. This is a slight reduction from last year's total of US\$5.36 billion and reflects unfavourable economic conditions in donor countries rather than a lack of support for the Indonesian government's development policies. Indeed, donor countries are so locked in to the Indonesian economy that they have considerable self interest in maintaining the level of aid flows. If aid were to be significantly reduced, the resultant loss of confidence could, according to concerned commentators, cause the economy to collapse. It is arguable that Indonesia still receives far more aid than its middle-income country status merits.

British aid

Britain's aid commitment of US\$20 million was substantially less than last year's US\$155 million, but even this reduction is not necessarily significant. Last year's figure largely comprised a credit facility for soft loans (loans on concessional terms) to finance projects to be agreed by the British and Indonesian governments. That credit facility has not yet been exhausted, so there was no need for a further facility this year.

The ODA has stated that, because projects approved under commitments entered into in earlier years are only now beginning to reach the stage of implementation, actual expenditure this year will in fact be higher than in earlier years. Baroness Chalker, Britain's minister for overseas development, has said that in future British aid will be more heavily concentrated on the world's poorest countries. It remains to be seen whether economic considerations will, nonetheless, compel Britain to maintain its considerable support to the Suharto regime. ■

- Paul Barber's *Partners in Repression: The Reality of British Aid to Indonesia* demonstrates how British commercial interests in Indonesia take precedence over stated development criteria. The 47-page pamphlet is available from Tapol, 111 Northwood Road, Thornton Heath, Surrey. Price £3.00 (November 1995).

EU, US and Japanese aid to Indonesia: disbursements, total official development assistance net, \$US millions

| | European Union | United States | Japan |
|------|----------------|---------------|---------|
| 1989 | 390.6 | 31.0 | 1,145.3 |
| 1990 | 482.6 | 31.0 | 867.8 |
| 1991 | 528.3 | 18.0 | 1,065.5 |
| 1992 | 367.0 | -1.0 | 1,356.7 |
| 1993 | 531.8 | -6.0 | 1,148.9 |

Source: OECD

Indonesian opposition leader sidelined

The government's 'deposition' of opposition leader Megawati Sukarnoputri was met with large-scale public protest within Indonesia and could have far-reaching repercussions for the Suharto regime.

Several thousand supporters of the opposition Indonesian Democratic Party (PDI) marched through Jakarta on 20 June 1996 protesting against government interference which had brought down their leader Megawati Sukarnoputri. Between 40 and 70 people were arrested when demonstrators clashed with riot police.

Megawati, daughter of former president Sukarno, has led the PDI since 1993. The PDI, one of only two opposition parties officially allowed, has suffered increased interference on the part of the government and military during the past year. Public meetings have been disbanded and Megawati's movements have been subject to control.

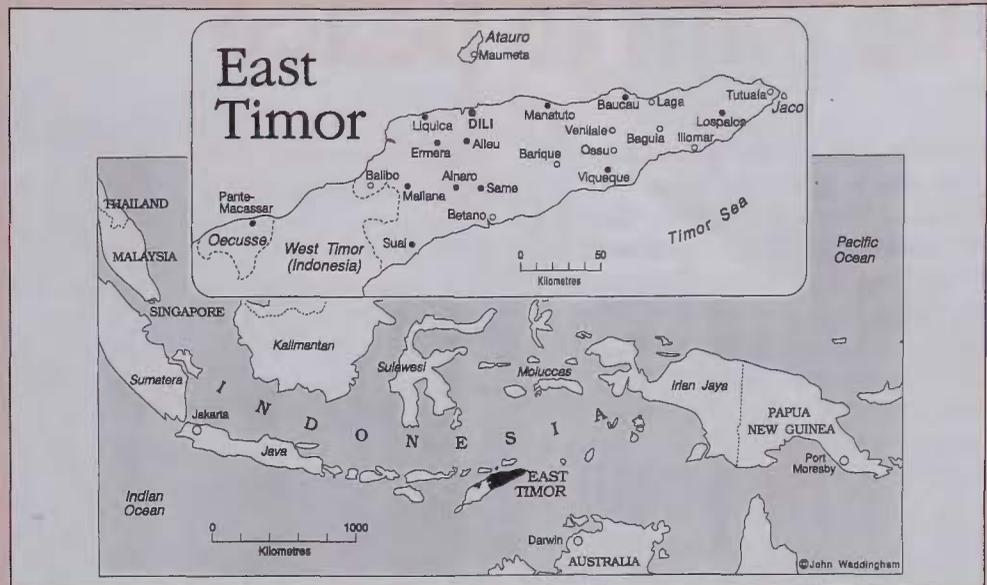
Sukarno was the first president of Indonesia under independence. To Indonesians, he represents social justice. As his daughter, Megawati presents a serious challenge to Suharto, especially since she has indicated a willingness to stand against him in the 1998 presidential elections. The government party, Golkar, whose support is usually guaranteed, has begun to show signs of weakening: it polled less than 70 per cent in elections in 1992.

Suharto oversteps mark

The government's response was to exploit a group of PDI dissenters and to give them protection while they mounted a rogue congress. In spite of official PDI denunciations, the congress 'deposed' Megawati as leader, replacing her with Surjadi, a former Golkar member. Megawati's supporters reacted by occupying the party's headquarters in Jakarta. Many party workers in the regions have vowed not to accept the new leader, and the fall-out from this episode is likely to have lasting repercussions.

Some analysts believe that in this case Suharto may have over-stepped the mark, even by Indonesian standards. Such blatant and clumsy interference illustrates his inability to modernise Indonesia politically alongside the economic development underway. A leader in *The Economist* of 29 June argues that, in fact, opposition is just what Indonesia needs to challenge corruption and as a forum for the expression of discontent.

The 1998 elections remain a focus of intense interest. Until recently it had been assumed that Suharto will stand once again. But by 1998 he will be 77 years old, there are concerns for his health, and it is believed that the recent loss of his wife Siti Harinah has been a significant blow to his morale. ■



EAST TIMOR: Time for change

Timor, area 7,400 square miles, is one of the easternmost islands of the Indonesian archipelago and lies 300 miles north of Australia, its nearest neighbour. The western part of the island, formerly a Dutch colony, belongs to Indonesia, whereas East Timor was for more than 400 years a Portuguese colony.

In 1974 Portugal decolonised East Timor, whose newly formed political parties began discussing options for the future – federation with Portugal, independence, or integration with Indonesia. The Timorese Democratic Union (UDT) initially favoured the first option but then joined a coalition with the nationalist liberation movement, Fretilin, to demand independence. A small third party, Apodeti, was used as a vehicle for Indonesian propaganda in favour of integration.

On 11 August 1975 the UDT staged a coup to pre-empt Indonesian threats to intervene if Fretilin came to power. In the ensuing civil war, 1,500 people lost their lives. By September 1975, however, Fretilin was in control of virtually all of Portuguese Timor, following the defection of Timorese colonial troops to the liberation movement's side.

Indonesia, like the United States, was worried by the proximity of an independent state with radical policies and continued to threaten East Timor, despite previous assurances that Jakarta would respect the right of the East Timorese to independence. In September 1975 Indonesia closed West Timor to journalists and on 7 December it launched a full-scale invasion of East Timor with the knowledge of the United States and the encouragement of Australia. East Timor was proclaimed the '27th province' of Indonesia.

The invasion and annexation of East Timor has been brutal: up to 200,000 people, a third of the population, have died as a result of Indonesian rule. But the majority of Timorese have not accepted subjugation: Indonesia has been unable to eliminate the desire of the East Timorese for self-determi-

nation and an armed resistance movement still remains in the hills.

Although the invasion has been condemned by successive UN resolutions, the international community has done little or nothing to implement them, given the major economic and geopolitical interests of the United States, Japan and particularly Australia in the region. Indonesia's crucial strategic location and regional status – it has the world's fifth largest population, and large reserves of oil and other natural resources – have all encouraged the world to downplay East Timor's agony.

In recent years, however, several events have combined to break East Timor's isolation and bring its continued occupation to international attention. In 1989 the Pope visited the territory and in 1991 the planned visit of a parliamentary delegation from Portugal, still considered the administering authority of East Timor by the UN, created huge expectations of change. To great disappointment in East Timor, the delegation was forced in October 1991 to call off its visit.

On 12 November 1991 Indonesian troops shot and killed up to 300 East Timorese civilians during a funeral procession held at the Santa Cruz cemetery in Dili, the East Timorese capital, for a victim of repression. Witnessed by foreign journalists, the Santa Cruz massacre provided indisputable evidence of Indonesian atrocities.

The Santa Cruz massacre has forced governments around the world to criticise Indonesia's brutality, injecting new impetus into diplomatic efforts to bring about a solution to East Timor's suffering. Since 1983 the UN Secretary-General has been entrusted with the achievement of a settlement to the dispute; and with the post-Cold War era providing a new international climate for negotiations, Indonesia faces increased pressure to reach a solution with Portugal and the East Timorese under the auspices of the UN.

The path to peace

The Timorese resistance first put forward its peace plan in 1992 (see *Timor Link* No 24). On 23 April this year, José Ramos Horta, exiled special representative of the National Council of Maubere Resistance (CNRM), addressed an audience at the Royal Institute of International Affairs in London, detailing the CNRM proposal. The extracts printed here are taken from the paper which he spoke to. The full text is available from CIIR.

The right of the people of East Timor to self-determination is widely recognised. [...] The United Nations (UN) General Assembly and Security Council have adopted a total of 10 resolutions on the question of East Timor, all reaffirming this right. [...]

While self determination in decolonisation processes of the past almost always led to independence, this is not the case in most of the conflicts of today. Some groups demand full independence, others demand only some measure of self rule. Hence, self determination should not be equated only with independence or secession. Rather it should be an informed choice made [from a range of options] from limited autonomy that guarantees their native languages, culture, social and economic rights, to full independence.

I understand the legitimate concerns of some developing countries to preserve their national unity and territorial integrity. Many developing countries, Indonesia being a prime example, experienced a traumatic nation-building process with numerous attempts from within and without to undermine the unity of the state. Hence the security culture that permeates the military and the Indonesian ruling elite.

The exercise of the right of a people to self-determination never caused the fragmentation of a country [...] Forced amalgamation of peoples without due respect for their history, culture, language, religion, and the policies of population transfer practised by states as a means to consolidate that amalgamation, are the causes of the break-up of Yugoslavia and the USSR.

I do not hold the view that an independent state has to be homogenous, ethnically, culturally or religiously. Examples abound of multi-ethnic states that live in peace, based on shared concerns and destiny, on a degree of genuine political and administrative autonomy for each component, and on deep respect for each others' heritage and aspirations.

However, the preservation of the territorial integrity of a country can be achieved only if those in power are sensitive to the basic demands and aspirations of the many indigenous peoples and nationalities that make up the country. Brute force might silence and keep dormant the dreams and aspirations of a people but the anger simmering for decades will inevitably resurface and break up the country. [...]

CNRM peace plan

The CNRM peace initiative, first presented in 1992, remains a valid contribution towards finding a solution to the conflict. Our imprisoned leader, Xanana Gusmão, has proposed and reiterated time and again our very basic stance. We remain ready to enter into a process of dialogue with the Indonesian authorities, under the auspices of the United Nations, without pre-conditions, to explore all possible ideas towards a comprehensive settlement of the conflict. The head of the Catholic church of East Timor, Bishop Ximenes Belo, a leading Nobel Peace Prize candidate, called for a referendum on the future of East Timor. Mr Konis Santana, leader of the armed resistance, has reiterated his full support for the CNRM three phase Peace Initiative.

Phase One: Humanitarian (up to two years)

This phase should take up to two years to be fully implemented. It would involve all three parties working with the UN to implement a wide range of 'confidence building measures', but would not deal with the core of the problem, which is the issue of self determination. This phase of the talks must focus on achieving:

- immediate end to all armed activities in East Timor
- reduction of Indonesian troop presence to a maximum of 1,000 within a six-month period
- removal of all heavy weapons, tanks, helicopters, combat aircraft, long-range artillery
- immediate and unconditional release of all political prisoners
- reduction by 50 per cent of Indonesian civil servants in East Timor
- stationing in the territory of UN Specialised Agencies such as UNICEF, UNDP, WHO, FAO
- a comprehensive census of the population
- establishment of an independent human rights commission under the Catholic Bishop
- lifting of all media control by the army
- freedom of political activities
- removal of restrictions on the teaching of Portuguese; the setting up of a Portuguese cultural institute
- appointment of a resident representative of the UN secretary-general.

These are some of the ideas which I believe could be implemented immediately without loss of face for Indonesia. On the contrary, its international standing would improve significantly and its presence in the territory would be less resented, thus relieving a very tense situation.

Phase Two: Autonomy (five to 10 years)

This would be a period of genuine political

autonomy based on ample powers vested in a local, democratically elected territorial people's assembly. The following ideas could be explored and effected:

- legalisation of political parties, including those advocating independence for East Timor
- the European Union (EU) to set up a legation in East Timor headed by a senior Portuguese official
- elections to be held for a territorial assembly; the UN to provide technical support and supervision of the entire process
- only Timorese identified as such to vote
- the assembly elects a governor of the territory
- the assembly and the governor have a five-year mandate
- the territory to enter into trade relations with foreign countries, to promulgate its own laws affecting investment, land ownership, property, immigration etc
- remaining Indonesian troops to be withdrawn within three months
- the territory to have no army; a police force to be trained by the UN and placed under the elected governor
- further reduction of Indonesian civil servants
- Portugal and Indonesia to normalise relations.

At the end of the second phase, the autonomous status of the territory could be extended by mutual accord. Seven years would have elapsed since this Peace Initiative was effected. The East Timorese people, having enjoyed a period of peace and freedom without the presence of the most hated symbol of the occupation, the army, might accept to continue this form of association. Conversely, the changing generation, attitudes and perception in Indonesia might also result in Indonesia accepting as natural that East Timor becomes independent.

Phase Three: Self determination

If all parties agree that Phase Three should enter into effect immediately, then the UN should begin to prepare a referendum on self determination to resolve the final status of the territory.

However, a referendum might not be necessary. It is required only when there is some doubt about the will of the people of the colonial territory on the issue of independence. In the cases of Namibia and Zimbabwe there was no question that the two countries should be independent. In the case of East Timor, most observers believed in 1974-75 that the overwhelming majority of the people of East Timor favoured independence with close links with Portugal. The option of integration with Indonesia was never a serious one.

If in the next few years Jakarta considers it in its interest to let East Timor become independent, a referendum to determine the wishes of the people would become redundant. In this case, internationally-supervised elections

for a Constituent Assembly should be held and, regardless of the results, the East Timorese political contenders should form a government of national unity for a period of five years.

The future

East Timor is at the crossroads of three major cultures: Melanesian, which binds us to the South Pacific; Malay-Polynesian binding us to South-East Asia; and Latin Catholic, a legacy of almost 500 years of Portuguese colonisation.

[...] East Timor will maintain close ties with Portugal [...] and together we will be most valuable partners for the Association of South East Asian Nations (ASEAN) in its relations with the EU, Africa and Latin America. The majority of East Timorese outside our country are in Australia. We will offer ourselves as a bridge between Australia and the South Pacific island-states as well as between Australia and South East Asia. We are conscious of our geography which compels us to co-exist with our neighbours in this part of the world. We will seek membership in ASEAN and the South Pacific Forum within days of our independence.

Social policy

We will not have a standing army. For our external security, we will rely on a treaty of neutrality to be guaranteed by the permanent members of the Security Council. We will endeavour with the UN and our neighbours to declare the seas surrounding East Timor a zone of peace, and will work towards total demilitarisation of the entire East Asia and Pacific regions.

We will endeavour to build a strong democratic state based on the rule of law. This must emanate from the will of the people expressed through free and democratic elections.

We will encourage a free and independent media as the voice of the people, a media that informs and educates. We believe that there can be no foreign interests controlling the local media.

Human rights and reconciliation

All international human rights treaties will be submitted to parliament for ratification. We believe that human rights transcend boundaries and prevail over state sovereignty. We will introduce into the school curriculum the subject of human rights. We will actively work with like-minded countries, non-governmental organisations (NGOs) and the media to strengthen the UN human rights machinery. We will actively support the creation of an international human rights court and a penal court to try war crimes and crimes against humanity. We will seek the cooperation of UN human rights agencies as well as NGOs to assist us in our efforts to promote respect for human rights and the rule of law in our country.

East Timorese now serving in the Indonesian administration in East Timor, the security forces and police, should not fear an independent East Timor. They will be invited to stay on as their full and active involvement in running the



The CNRM peace plan calls for a reduction of Indonesian troops in East Timor to 1,000 within six months.

country will be necessary to ensure a smooth transition. On day one of independence, we will proclaim a general amnesty and national reconciliation. To be true to ourselves, we will forgive our worst enemies.

Our society will not be based on hatred and revenge. Because of its credibility and standing over the past 20 years, the Catholic church will be expected to play a major role in the healing process.

Reconstruction and development

East Timor is potentially self-sufficient in most agricultural goods, meat and fish. It has large reserves of natural gas, manganese and oil. The CNRM is developing a three- to five-year national reconstruction and development plan for an independent East Timor with a projected budget of US\$1,500 million. We believe that a consortium of governments (US, Australia, New Zealand, Japan, Canada, Portugal and the EU), UN agencies and other multilateral bodies, the private sector and regional development banks, can harness the needed financial and human resources.

We will channel our resources into food production in order to feed our people. We will seek the cooperation of UN specialised agencies such as the FAO, World Food Programme, UNDP. However, all our policies will be a result of close consultation with the people in each region, town and village. In addition, in cooperation with the FAO and other international bodies, we will initiate a massive reforestation program to repair our badly damaged environment.

The invasion uprooted thousands of people. Properties were abandoned, destroyed or sold at unfair prices. This situation will be redressed. A voluntary resettlement plan will be effected to allow the many tens of thousands of displaced East Timorese to return to their ancestral lands.

We believe in free education and health care for our people. The money saved from not having a standing army will be well used in these

areas. At least 40 per cent of our resources will be invested in health, education and food production. With the cooperation of the World Health Organisation (WHO) we will seek to eradicate malaria, tuberculosis and other preventable diseases within a decade.

It is estimated that over 100,000 Indonesians are now living in East Timor. Most are poor Indonesians who came to our country looking for a better life. We would not be true to ourselves if we were to turn our backs on our poor neighbours. Indonesian migrants in East Timor will be welcome to stay and with us build a better home for us all. They have brought with them the wealth of their culture which can enrich the whole community.

Encouraging transition

We are as determined as we are optimistic about our future. To Indonesia and our other neighbours in the ASEAN we are offering a hand of friendship and appealing to them to help us bring peace and freedom to East Timor. More pain and misery and loss of lives can be spared, more embarrassment in the international fora can be avoided if ASEAN lives up to its responsibilities.

The EU, working with the United States, Canada, Australia, New Zealand, Japan and Indonesia as partners in ASEAN, can accelerate the on-going dialogue under the auspices of the UN secretary-general, giving it some impetus and real substance. Occasional expressions of concern about the human rights situation in East Timor are no longer enough. The weapons the western countries have provided the regime in Indonesia have made them accomplices in the on-going suffering. Hence our demand that they live up to their moral responsibility.

The next two to three years will witness a transition in Indonesia. The EU can encourage a peaceful, evolutionary transition with a discreet yet firm policy of pushing for democratic reforms and rule of law in Indonesia and for a genuine act of self determination in East Timor.' ■

HUMAN RIGHTS

Terror in Baucau

Large-scale disturbances erupted in Baucau, 115 km east of Dili, on 10 June after an incident involving the desecration of an image of the Virgin Mary led to violent protests by East Timorese youth. The desecration itself is alleged to have happened in a village south of Baucau called Bagilia. Youths filled the streets of Baucau and two members of the Indonesian military were stabbed. The army retaliated by shooting, and on 11 June the military went from house to house, rounding up youths. Amnesty International believes that up to 50 young people were arrested. Two injured East Timorese were brought to Dili and taken to the military hospital. Many other youths went into hiding to escape the prospect of arrest and torture.

The Baucau incident is the latest in a long line of disturbances sparked by religious provocation. It is not known to what extent these are initiated by Indonesian military in order to detain targeted young people. Nor is it known how far the heightened sensibilities of the Timorese, protective of a religious identity under threat, give rise to an exaggerated response. It is certain that both factors combine with explosive consequences. ■

Recent human rights violations

- **17 April 1996:** Amnesty International expressed its concern regarding the expulsion of eight or nine East Timorese who had been occupying the German Embassy in Jakarta. They were beaten and kicked before being arrested by Indonesian military officers.
- Five members of a group of East Timorese arrested in November 1995 while trying to escape by boat to Darwin, Australia, were imprisoned for illegally taking control of the boat. Amnesty International has expressed concern regarding the fairness of their trials.
- **28 April 1996:** Three Timorese were shot dead by Indonesian soldiers: Paulo dos Reis in Baucau, Sampaio Andre Sousa in Dili and another man in Aileu.
- **7 June 1996:** Duarte Soares, a 25-year-old

labourer from Ermera, was shot by police in Jakarta. (SPRIM)

- **12 June 1996:** The National Council of Maubere Resistance (CNRM) confirmed that Pedro Nunes, known as Sabalae, general secretary of the Timorese underground resistance movement, was captured and tortured to death by Indonesian soldiers. Sabalae disappeared with his assistant, Remigio Levi da Costa Tilman. The CNRM reports that the two were captured on 1 June 1995. They were taken to Tibar military post where Remigio was tortured to death the same night. Sabalae was also tortured there, but resisted, and was later transferred to Dili and on to Jakarta. He ended up in the Kopassus special forces command post, where he was tortured to death.

New Comment from CIIR

The Santa Cruz massacre brought the East Timorese struggle for self-determination to the world's attention as never before. Today, East Timor is commonly cited as an example of a place where human rights are systematically abused. The United Nations has never recognised the incorporation of the territory into Indonesia. Yet the flow of aid and sale of

western arms to Jakarta continue.

East Timor – The continuing betrayal, a new Comment from CIIR, provides a concise analysis of the struggle for self-determination 20 years on from the invasion, looks at the key players and assesses the prospects for a just peace.

Published by CIIR at £2.50 plus p&p. 44pp, 1996 ISBN 185287151 2.

INTERNATIONAL ROUND-UP

UN commissioner submits report

The full report of the December 1995 visit to East Timor made by the UN High Commissioner for Human Rights (see brief report, *Timor Link* 35, page 4) was submitted to the 52nd session of the Commission on Human Rights in April this year. Now that this is in the public domain, it is worth noting some of the main comments for future evaluation. José Ayala Lasso had full access to Indonesian government ministers and officials, met president Suharto and visited Xanana Gusmão in prison.

Ayala Lasso said the purpose of his first visit to East Timor was to follow up on recommendations made at the UN Human Rights Commission. He recognised that the Indonesian authorities had made some progress on human rights, acknowledging that a National Human Rights Commission had been set up. He urged the government to sign and ratify international human rights instruments such as the Convention Against Torture, as well as the international covenants on economic, social and cultural, and civil and political rights.

Specific recommendations were as follows:

- further investigation and payment of compensation to families regarding the 'Dili

incident' of 12 November 1991

- the transfer of East Timorese political prisoners detained in Java to Dili prison
- the repeal of the anti-subversion law
- an end to transmigration to East Timor
- reduction in the number of Indonesian troops in the territory
- clemency for all civilians convicted for expressing political dissent
- legislation to ensure respect for the religious, cultural and historical heritage of the East Timorese population and to protect the use of the Portuguese language in schools.

Ayala Lasso pointed out that the new Indonesian National Human Rights Commission which, he was told, is planning to open an office in Dili, should have a basis in law and the resources to allow it to act independently. 'It should ensure that its recommendations [are] faithfully implemented by the government,' says the high commissioner's report. He suggested that the commission could still undertake an investigation of the Dili incident.

Conflicting accounts

Ayala Lasso noted the divergent accounts of the human rights situation he gathered from different sources while visiting East Timor. The Indonesian military authorities said the situation was normal and that any trouble was caused by criminals. Others spoke of the deteriorating situation, and the grave violations of human rights, with political detainees frequently tortured. They expressed doubts about the access granted to Indonesian non-governmental organ-

isations. 'They felt that the military authorities would organise everything, including required dissent, and would be responsible for creating a climate of fear and repression,' says the report.

According to the high commissioner, the Indonesian government had seemed at pains to demonstrate concrete evidence of an improved commitment to human rights implementation. The authorities argued that the National Human Rights Commission was evidence of this new commitment. The government also expressed willingness to invite further UN human rights rapporteurs and said it would elaborate a national action plan for human rights and prioritise accession to UN human rights instruments. It agreed to continue to search for people missing since the 'Dili incident'. The authorities also undertook to upgrade their October 1994 Memorandum of Intent signed with Lasso to a Memorandum of Understanding, and a human rights presence would be established in Jakarta within the UN offices there. Its mandate would be subject to future negotiation.

Human rights commission

A weak consensus statement at the UN Human Rights Commission lets Indonesia off the hook.

The UN Commission on Human Rights adopted a consensus statement on East Timor at its 52nd session, in April. This is the fourth consensus statement to be adopted since the Santa Cruz

massacre – previous ones were in 1992, 1994 and 1995. In 1993, a tougher resolution was passed, when influential governments such as the United States expressed their annoyance at Indonesian procrastination over Santa Cruz. Although consensus statements are adopted with the consent of the government under scrutiny, and are therefore considered to be relatively binding Indonesia has nevertheless failed to implement most of the recommendations made in previous statements.

Deep concern

The new consensus statement reiterates 'deep concern' at reports of human rights violations in East Timor, and continues to insist on further clarification of the killings at Santa Cruz in 1991. It mentions the December 1995 visit of the UN High Commissioner for Human Rights, José Ayala Lasso, and expresses satisfaction that the Memorandum of Intent on technical cooperation in the field of human rights has been upgraded to a Memorandum of Understanding.

The statement refers vaguely to a 'provisional agreement' to 'look into the possibility' of the UN high commissioner assigning a programme officer within the office of the United Nations Development Programme (UNDP) in Jakarta in order to follow up implementation of the technical cooperation agreement. According to the statement, 'this officer would also have regular access to East Timor'.

The text welcomes recent events such as the Portuguese prime minister's overtures to Suharto at the meeting of Asian and European leaders (ASEM) in March (see *Timor Link* No 35), the latest Intra-East Timorese Dialogue and the seventh round of bilateral talks.

Frustration

Lobbyists active in Geneva on East Timor's behalf expressed frustration at the lack of EU leadership shown by Italy, and at the general unwillingness of EU members to back a statement more critical of Indonesia. By letting Jakarta escape from making almost any commitments, the new statement offers little hope of promoting progress on the human rights situation in East Timor.

Activists had been hoping Jakarta could be made to give firmer commitments to establish a human rights office that could monitor the situation in East Timor. The weakness of the language of the consensus statement throws doubt over this and the Indonesian government's seriousness in responding to the recommendations of the UN High Commissioner for Human Rights.

EUROPEAN UNION

Irish presidency

Ireland took over the presidency of the European Union on 1 July 1996 intending to focus more attention on the issue of East Timor. A strong and active Irish-East Timor solidarity group and the personal concern of foreign

minister Dick Spring have combined to encourage widespread Irish awareness of the issue. Many are hoping that Ireland will succeed in boosting East Timor's fortunes during the next six months.

Parliament resolution

A wide ranging resolution has been passed in the European Parliament expressing concern at the recent violence in both Indonesia and East Timor, especially infringements of religious freedom.

A major demand was to halt arms sales to Indonesia. Also condemned were accusations made by the regime against former opposition MP Sri Bintang Pamungkas, demanding that his prison sentence be revoked. Sri Bintang was accused of insulting President Suharto during a visit to Germany in 1995, and was sentenced to 34 months in prison.

The resolution also calls on the Indonesian government to permit a European Parliament delegation to East Timor, and asks the EU Commission to report on East Timor.

SWEDEN

Swedish arms sales

The Swedish social democrat government was recently criticised by the chairman of Caritas Sweden, William Kenney CP, auxiliary bishop of Stockholm diocese, for issuing an export licence validating the sale to Indonesia of naval cannons built by the Swedish company Bofors. The bishop stated that this contradicts the aims of Swedish aid policy, which are to promote independent democratic development as well as social and economic equality. The move was also denounced by the Swedish Christian Council.

The arms sale has been equally vociferously opposed by human rights and arms trade campaigning groups in Sweden. They point to the Swedish government's 1994 commitment to support East Timor, which stated that there would be no new arms sales to Indonesia. The government presents the contract as 'a follow-up delivery'. However, the last delivery of arms to Indonesia took place 18 years ago.

The British Coalition for East Timor presented a protest letter to the Swedish Embassy in London on 22 June.

EU Common Position concerning East Timor

Agreed in January 1996, the European Union's Common Position on East Timor was at last made public on 25 June. In the context of the diplomatic stalemate brought about by the UN Commission on Human Rights' weak consensus statement on East Timor in April, the Common Position represents a ray of hope.

The document, which we print here in full, expresses an explicit EU commitment to encourage dialogue towards a fair settlement respecting East Timorese aspirations and international law. It also pledges to help improve the human rights situation. This is a strong and clearly expressed commitment.

The Common Position is an important pledge. Non-governmental groups, organisations and churches should mobilise in order to get EU governments to take concrete action and keep to their word.

Article 1

The European Union, referring to its previous declarations on the situation in East Timor, intends to pursue the following aims:

- 1 to contribute to the achievement by dialogue of a fair, comprehensive and internationally acceptable solution to the question of East Timor, which fully respects the interests and legitimate aspirations of the Timorese people, in accordance with international law
- 2 to improve the situation in East Timor regarding respect for human rights in the territory.

Article 2

To pursue the aims referred to in Article 1, the European Union:

- 1 supports the initiatives undertaken in the

United Nations framework which may contribute to resolving this question

- 2 supports in particular the current talks under the aegis of the United Nations secretary-general with the aim of achieving the solution referred to in point 1) of Article 1, effective progress towards which continues to be hampered by serious obstacles
- 3 encourages the continuation of Inter-Timor meetings in the context of this process of dialogue under the auspices of the United Nations
- 4 calls upon the Indonesian Government to adopt effective measures leading to a significant improvement in the human rights situation in East Timor, in particular by implementing fully the relevant decisions adopted by the United Nations Commission on Human Rights
- 5 supports all appropriate action with the objective of generally strengthening respect for human rights in East Timor and substantially improving the situation of its people, by means of the resources available to the European Union and aid for action by NGOs.

Article 3

The Council will be responsible for the follow-up concerning this common position.

Article 4

This common position shall apply from the date of its adoption.

Article 5

This common position shall be published in the *Official Journal*.

Vatican diplomacy

Cardinal Etchegaray's February visit to East Timor was a pastoral one, but the effects appear to have had an impact on Vatican diplomacy.

The Vatican walks a tightrope on issues relating to Indonesia and East Timor. Having conformed to UN non-recognition of East Timor as the 27th province of Indonesia, the Vatican nevertheless has to look to the interests of Indonesia's 6 million Catholic minority. It is under constant pressure from Jakarta to join Dili diocese to the KWI, the Catholic Bishops' Conference of Indonesia. Some East Timorese feel that the Vatican could do more to speak out in their defence. It certainly never refers to their right to self determination. The Vatican is proud of the generally good inter religious relations between the Catholic and Muslim communities in Indonesia. It does not want them jeopardised.

At the same time, the Vatican has not bowed to Indonesian government pressure. Pope John Paul II has consistently affirmed East Timorese rights to culture and identity, and freedom of religion. He has spoken of the need for dialogue, perseverance and mutual respect.

Etchegaray's support

However, Cardinal Etchegaray, president of the Pontifical Council for Justice and Peace, spoke clearly of East Timor being an international political problem. His address in the Catholic cathedral in Dili was a strong endorsement of Bishop Belo. A month later, on 28 March, Portugal's prime minister Antonio Guterres met the Pope. According to Guterres, they discussed East Timor in some detail, especially regarding peace initiatives. The Vatican secretary of state, Cardinal Sodano, stated later: 'The Timorese must realise that they are not alone, and the Bishop of Dili knows that.' It now appears that the Vatican has put on ice ideas of a possible division of Dili diocese.

Cardinal Etchegaray reportedly asked the Justice and Peace Commission to keep him informed about human rights violations. He has boosted East Timorese confidence in the Vatican.

GCMC statement

On 28 June the German Catholic Mission Council (GCMC) issued a statement on Indonesia. Extracts follow.

'We [...] wish to express our deep concern about violations of basic human rights occurring in Indonesia, and particularly in East Timor. Recent events have shown to what extent there is a lack of political freedom and people find themselves exposed to arbitrary use of power by the police and security forces in that country.

'Thus, Dr Sri Bintang Pamungkas, a member of the political opposition in Indonesia, after having expressed views critical of the Indonesian government [...] has been sentenced to 34 months' imprisonment.

'The situation is especially grave in East Timor, which was invaded by Indonesia 20 years ago in a breach of international law and has been occupied ever since, and in the provinces of Aceh and Irian Jaya. When in November/December 1995 the East Timorese commemorated the fourth anniversary of the Dili massacre, the military opened fire on people taking part in a peaceful demonstration.

'Such violence provokes acts of counter-violence [...] Although church staff and the Red Cross are now no longer denied access to detainees [...] there is cause for concern that they might be subjected to torture.

Call to German government

'In this situation, the Federal Republic of Germany, maintaining strong and varied political and economic relations with Indonesia, has a special responsibility, and for the sake of its own credibility should not give economic interests priority over human rights issues.

'We therefore call on the German federal government to stop all arms exports to Indonesia and to stress the importance of respect for human rights in all fields of dialogue and cooperation with the Indonesian government.

'We expect the German government to support the UN Peace Plan for East Timor.

'Chancellor Helmut Kohl's planned official visit to Indonesia later this year will present a good opportunity to emphasise the demand that human rights be respected.

'We also call on all members of the German business community investing in Indonesia or involved in trade with Indonesian partners to take account of the human rights situation there.'

Sanctuary for refugees

A national network of Australian church groups has publicly declared sanctuary to 1,300 East Timorese refugees at risk of being deported to Portugal or East Timor. Sister Kathleen O'Connor RSJ reports.

The Christian Sanctuary Network's declaration followed a statement by the Australian government that the Timorese refugees could be received by Portugal, the colonial administrator of East Timor prior to Indonesia's takeover. This intimates that the East Timorese refugees may be Portuguese citizens and, by virtue of the 1951 Refugee Convention, be required to seek refuge in that country. However, this came less than five months after the Australian government vehemently opposed Portugal's claim to represent East Timor in the International Court of Justice over the Timor Gap Treaty.

The Australian government appears to support Indonesian rights where Timor's trade and oil are concerned, but Portuguese respon-

sibilities regarding human rights and refugees.

The Christian Sanctuary Network argues that the refugees should be granted the necessary legal status in Australia because they have fled a genocide that successive Australian governments have done little to prevent at diplomatic, economic and military levels. Arguably, we have been complicit in the genocide of East Timor, especially by continuing to train Indonesian officers. During World War II, Australia invaded the neutral country of East Timor, resulting in a counter-invasion by Japanese forces. Some 40,000 East Timorese lost their lives protecting the Australian soldiers.

We are now awaiting new foreign minister Alexander Downer's statement regarding the issue. The decisions so far have not been favourable to the East Timorese.

Christian responsibilities

More than 5,000 people are involved with the Christian Sanctuary Network. Our decision has not been taken lightly and those involved are prepared to face the consequences for harbouring these people. What is clear to us is that we cannot call ourselves Christians and Australians and let these East Timorese people be sent back to certain persecution and possibly death. We cannot let them be turned away and sent half way around the world to another type of homelessness and isolation.

If we want to claim our christianity, we must also claim the East Timorese people and give them hope in their despair, be a voice for their freedom, but above all, be prepared to stand with them in their persecution and oppression.

- Christian Sanctuary Network, Christians in Solidarity with East Timor, PO Box 1150, Burwood North, NSW 2134, Australia

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