



VICTORIA UNIVERSITY
MELBOURNE AUSTRALIA

Timor link, no. 39, April 1997

This is the Published version of the following publication

UNSPECIFIED (1997) Timor link, no. 39, April 1997. Timor link (39). pp. 1-8.

The publisher's official version can be found at

Note that access to this version may require subscription.

Downloaded from VU Research Repository <https://vuir.vu.edu.au/26099/>

Building pressure for peace

Over the past few months many Western European, North American and some sub-Saharan African states have become increasingly critical of Indonesia's human rights record on East Timor. But if their wish to see Indonesia forge a new policy on East Timor is to become reality, they will need to craft a more coherent approach, combining pressure with continued efforts at peacemaking under UN auspices.

Following its adoption of a Common Position on East Timor in 1996, the European Union (EU) proposed a strongly-worded resolution on East Timor at the 53rd session of the United Nations Commission on Human Rights (UNCHR) this spring (see pages 2 and 3). Co-sponsored by Canada and the Portuguese-speaking African states of Angola, Cape Verde and Mozambique, the resolution won support from the United States which also sent an envoy, John Shattuck, to the country in March (see page 5).

Since January the new UN secretary-general, Kofi Annan, has breathed life into the stalled peace talks by appointing Jamsheed Marker, an experienced diplomat, as his personal representative for East Timor. Marker is attempting to revive talks between Indonesian and Portuguese foreign ministers and to restart the All-inclusive Intra-East Timor Dialogue (see page 5).

Mixed signals

But despite these important moves, many countries continue to turn a blind eye to, or even support, Indonesia's policy in East Timor. This tendency is most pronounced among those Asian states such as China that are trying to deflect international criticism from their own colonial adventures and human rights abuses. But it also prevails among certain African, Asian, East European and Latin American

governments which have shaken off the burdens of colonialism and authoritarianism only to bow to Jakarta because of its resources and its role as a leader in the South.

At the same time, western governments have been inconsistent in the stances they have taken. In May 1995 the development ministers of the Organisation for Economic Cooperation and Development (OECD) called for greater coherence between government policies on aid, trade, international finance and diplomacy. Official development assistance is channelled through the government of Indonesia and supports projects such as the transmigration programme criticised by the UNCHR this year. Meanwhile, British, French, US and even Swedish criticisms of Indonesia's human rights violations are difficult to take seriously when these countries are the main suppliers of weapons used by Indonesian forces to repress the resistance in East Timor and civilian opposition within Indonesia.

Options

It would not be too difficult for OECD members' development ministers to ensure that their policies on aid to Indonesia are consistent with positions taken by their governments at the UNCHR and other UN fora. Similarly, trade policies, particularly in sensitive areas such as arms exports, could be brought into line with key western governments' own commitments not to sell arms that could be used for internal repression or external aggression, while more active support could also be given to UN efforts to promote talks between Indonesia and Portugal, and pressure could be put on Indonesia to give more space to the all-inclusive dialogue among the Timorese themselves.

For progress to be made, the network of states willing unambiguously to express their concern about the situation in East Timor, and back calls for a solution rooted in international law and the UN resolutions, also needs to be broadened to

include Asian states such as Japan and important southern states such as South Africa. Such a development could even persuade Indonesia to extricate itself from East Timor peacefully while increasing its standing in the international community as a result. ■

Summary

The 53rd session of the United Nations Commission on Human Rights brought good news for the East Timorese and those campaigning for peace and justice in the territory. For the first time since 1993 the UNCHR passed a strong resolution that was critical of the human rights record of the Indonesian government. In this issue of *Timor Link* we present the full wording of the motion, analyse its possible impact and look at the negotiations which brought it about (see pages 2-3). Yet this, and other positive moves within the international community, must be viewed with caution: as we argue on this page, there must be greater coherence between the aid, trade, financial and diplomatic policies adopted by western governments towards Indonesia.

Also in this issue, Reverend Pat Smythe draws on his first-hand experience to report on the stance that the Catholic church within Indonesia is taking towards East Timor, and we look at the Vatican's position. Peter Carey analyses the security situation on the ground, based on a recent visit to East Timor. We bring news of increased efforts by both the United Nations and the United States to achieve a breakthrough in the peace process and review two new publications which provide first-hand accounts of the effects of Indonesia's occupation of East Timor and the struggle to end it.

IN THIS ISSUE

UNCHR: A clear message	2	Whose security?	4	Dialogue or aside?	7
The UN resolution	3	International round-up	5	New publications	8
Time for change	4	Problems for the Indonesian church	6		

UNCHR: A clear message

In contrast to the bland consensus statements it has adopted in the past three years, the 53rd session of the United Nations Commission on Human Rights (UNCHR) this year passed a strong resolution criticising the Indonesian government's failure to protect human rights in East Timor. STEPHEN BARANYI reports.

Before the opening of the 53rd session of the UN Commission on Human Rights (UNCHR 53) in Geneva on 10 March, no one could have predicted the outcome of the debate on East Timor. But given Indonesia's continuing human rights violations in East Timor, plus high expectations raised by the 1996 Nobel peace prize and Jakarta's hardline response, the stage seemed set for a confrontation.

This was signalled by the government of Indonesia's response to the outgoing UN high commissioner for human rights, José Ayala Lasso's statement on 6 March that a UN human rights office would open in Jakarta in the near future. 'It's not for them to get involved in handling a matter that falls within the jurisdiction of a member state,' said Indonesia's minister of state, Moerdiono. 'We are implementing human rights very well. It's not correct to look at the matter through western eyes.'

Two track approach

Concern about persistent violations of rights and about the government of Indonesia's lack of compliance with the consensus statement agreed to at UNCHR 52 in 1996 led the European Union (EU), under its Dutch presidency, to follow a two-track approach at the Commission – drafting a strongly-worded resolution to be put to a vote, while remaining open to negotiations with Indonesia on a consensus statement. A majority of EU members favoured a statement because it would be more binding than a resolution and because the EU could lose the vote on a resolution; but they agreed that any statement should reflect the gravity of the situation. A minority of EU members favoured a resolution; the East Timorese resistance and northern non-governmental organisations (NGOs) also wanted a strong resolution, pointing out that even the weak 1996 statement had been ignored by Indonesia.

The European Union was persuaded to opt for the resolution partly because various UN officials tabled reports documenting ongoing grave violations of human rights by Indonesian

agents. Nigel Rodley, the special rapporteur on torture, reported in detail on 10 cases of alleged torture by Indonesian security forces in East Timor, noted that he had transmitted information about a further 16 cases to the government of Indonesia, and expressed regret that it had still not invited him to visit East Timor. The Working Group on Disappearances noted that it is 'particularly concerned at the increase in cases of disappearance which reportedly occurred in 1996 in East Timor'. The special rapporteur on extrajudicial, summary or arbitrary executions and the Working Group on Arbitrary Detention also reported cases of



José Ramos Horta, Special Representative of the National Council of Maubere Resistance, speaking to the press on East Timor, in Geneva.

violations in East Timor in 1996. And several NGOs produced reports documenting persistent human rights violations.* On 21 March Bishop Carlos Belo of Dili sent the Commission a letter which unequivocally corroborated these reports and some states echoed these concerns in their own statements.

Strong words

The EU, backed by Angola, Canada, Cape Verde, Iceland, Mozambique and Norway, sponsored a draft resolution on 9 April. The text expressed 'deep concern' about continuing violations of human rights in East Timor, about lack of progress made by the government of Indonesia in complying with the commitments it undertook in previous sessions of the Commission, and about the policy of transmigration. It also unequivocally called on the government of Indonesia to release political prisoners, ensure that detainees are treated in accordance with international standards, cooperate with UNCHR rapporteurs and working groups, and allow human rights organisations access to East Timor (see opposite for full wording.)

Some governments, the East Timorese resistance and NGOs expressed reservations about elements of the text, particularly the welcome it gave to the office of the Indonesian National Commission for Human Rights in Dili. There were also serious misgivings about

the call for a Memorandum of Understanding to allow a programme officer from the Office of the UN high commissioner for human rights to be assigned to the Jakarta office of the UN Development Programme; it was thought unlikely that this officer could carry out effective human rights monitoring within such a framework.

Benchmark for action

The text of the draft resolution was put to a vote on 16 April, after the government of Indonesia had showed it was unwilling to negotiate a consensus statement that contained the key elements in the draft resolution. Twenty members of the Commission voted in favour, 14 voted against and 18 abstained. The western group and the Portuguese-speaking countries of Africa voted in favour, but more surprisingly several Latin American and eastern European countries also supported the motion. Unfortunately, several states which might have supported the resolution, including Chile, Japan and South Africa, abstained (see opposite for a full list of how states voted.)

The resolution will provide a clear benchmark against which to measure the behaviour of the Indonesian government over the coming year. As full compliance by Indonesia is unlikely, members of the Commission (particularly those who sponsored the resolution) and NGOs will have to be vigilant in monitoring that the key provisions are being put into action. Indonesia's 17 April announcement that it was suspending negotiations on the Memorandum of Understanding demonstrates how difficult this will be (although these talks would probably not have led to agreement on a mandate for a robust UN human rights presence in East Timor).

Above all, it is to be hoped that the government of Indonesia will reflect on this strong signal from the highest body of the UN rights system and seize the opportunity to reconsider its policy on East Timor. ■

* For example, *Continuing Human Rights Violations in East Timor*, by the East Timor Human Rights Centre, (28 February 1997), which can be ordered from the Centre at PO Box 1413, Collingwood 3066, Australia. Tel 6103-9415-8225, fax 6103-9416-2746, e-mail etchrnel@peg.apc.org.

• Stephen Baranyi is CIIR's human rights policy officer for Asia.

The UN resolution

SITUATION OF HUMAN RIGHTS IN EAST TIMOR

The Commission on Human Rights

Reaffirming that all member states have an obligation to promote and protect human rights and fundamental freedoms as stated in the Charter of the United Nations and as elaborated in the Universal Declaration of Human Rights, the International Covenants on Human Rights and other applicable instruments,

Mindful that Indonesia is a party to the Convention on the Rights of the Child, the Convention on the Elimination of all forms of Discrimination against Women and to the Geneva Conventions of 1949 on the protection of victims of war,

Recalling its resolution 1993/97 of 11 March 1993, and bearing in mind previous statements by the Chairman of the Commission on the situation of human rights on East Timor at its forty-eighth, fiftieth, fifty-first and fifty-second sessions,

1. Welcomes

- a. The report by the Secretary-General (E/CN.4/1997/51) and his recent nomination of a special representative;
- b. The continuing efforts of the Indonesian National Commission on Human Rights to investigate human rights violations, and its decision to establish an office in Dili, East Timor;
- c. The commitments by the Government of Indonesia to continue the dialogue under the auspices of the Secretary-General for achieving a just, comprehensive and internationally acceptable solution to the question of East Timor;

2. Expresses its deep concern

- a. At the continuing reports of violations of human rights in East Timor, including reports of extrajudicial killings, disappearances, torture and arbitrary detention as reported in the reports of

the Special Rapporteur on torture (E/CN.4/1997/7), the Special Rapporteur on extrajudicial, summary, or arbitrary executions (E/CN.4/1997/60), the Working Group on Arbitrary Detention (E/CN.4/1997/4 and Add.1), and the Working Group on Enforced or Involuntary disappearances (E/CN.4/1997/34);

- b. At the lack of progress made by the Indonesian authorities towards complying with their commitments undertaken in statements agreed by consensus at previous sessions of the Commission;
- c. That the Government of Indonesia has not yet invited thematic rapporteurs and working groups of the Commission to East Timor, in spite of commitments undertaken to do so in 1997;
- d. At the policy of systematic migration of persons to East Timor;

3. Calls upon the Government of Indonesia

- a. To take the necessary measures in order to ensure full respect for the human rights and fundamental freedoms of the people of East Timor;
- b. To ensure the early release of East Timorese detained or convicted for political reasons and to clarify further the circumstances surrounding the violent incident that took place in November 1991;
- c. To ensure that all East Timorese in custody are treated humanely and in accordance with international standards, and that all trials on East Timor are conducted in accordance with international standards;
- d. To cooperate fully with this Commission and its thematic rapporteurs and working groups, and to invite these rapporteurs and working groups to visit East Timor,

in particular the Special Rapporteur on torture, in line with the commitment undertaken to invite a thematic rapporteur in 1997;

- e. To undertake all necessary action in order to upgrade the memorandum of intent of 26 October 1994 on technical cooperation into the envisaged memorandum of understanding, and requests in this regard the United Nations High Commissioner for Human Rights to report on the follow-up to the memorandum of intent;
- f. To bring about the envisaged assignment of a programme officer of the Office of the United Nations High Commissioner for Human Rights at the Jakarta office of the United Nations Development Programme, as follow-up to the commitment undertaken, and to provide this officer with unhindered access to East Timor;
- g. To provide access to East Timor for human rights organisations;

4. Decides

- a. To consider the situation in East Timor at its fifty-fourth session under the agenda item entitled 'Question of the violation of human rights and fundamental freedoms in any part of the world' on the basis of the reports by special rapporteurs and working groups and that of the Secretary-General;
- b. To encourage the Secretary-General to continue his good offices mission for achieving a just, comprehensive and internationally acceptable solution to the question of East Timor and in this framework to encourage the all-inclusive intra-East Timorese dialogue to continue under the auspices of the United Nations.

Geneva, 16 April 1997

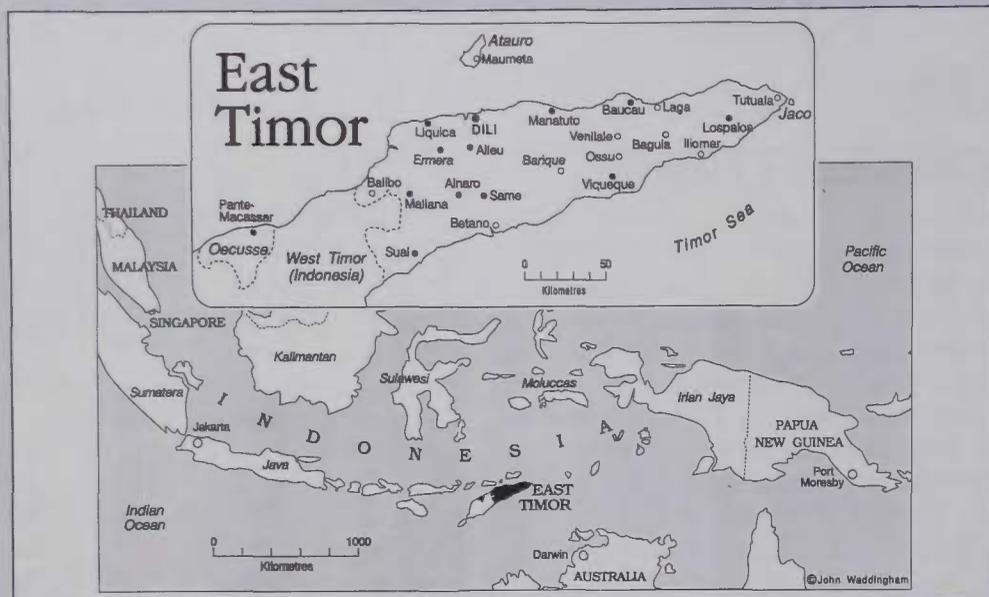
How they voted at UNCHR 53

For: Angola, Austria, Brazil, Bulgaria, Canada, Cape Verde, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, France, Germany, Ireland, Italy, Mozambique, Netherlands, United Kingdom, United States of America, Uruguay.

Against: Bangladesh, Bhutan, China, Cuba, Egypt, India, Indonesia, Madagascar, Malaysia, Nepal, Pakistan, Philippines, Sri Lanka, Zimbabwe.

Not participating: Ukraine.

Abstained: Algeria, Argentina, Belarus, Benin, Chile, Colombia, Ethiopia, Gabon, Guinea, Japan, Mali, Mexico, Nicaragua, Republic of Korea, Russian Federation, South Africa, Uganda, Zaire.



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 began decolonising East Timor. Newly formed political parties discussed options for the future. The Timorese Democratic Union (UDT) initially favoured federation with Portugal but then formed a coalition with Fretilin, the nationalist liberation movement, 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. After a fraudulent 'act of self-determination' in May 1976, East Timor was declared to be Indonesia's '27th Province' in July 1976. The United Nations regards the annexation as illegal.

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-determination 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.

Whose security?

The recent vote in the UN Commission for Human Rights may give the impression of movement on East Timor. But the situation on the ground remains little altered, with the 'security approach' still the order of the day. PETER CAREY reports back following a recent visit.

The Indonesian army presence in East Timor is massive. In Ermera, at the heart of East Timor's coffee growing area, no less than five new battalions (each numbering some 700 men) moved in during the first week of March. Upwards of 3,500 new troops are being rotated into the region every eight months. Relations between the 45,000 local inhabitants and the military are tense: local people avoid going too far into their plantations for fear of being accused of having links with the guerrillas. Indeed, Fretilin commander Konis Santana was said to be hiding out in the Ermera area at the time.

Special units

The presence of these territorial battalions patrolling in full dress is supplemented by the *Rajawali* (eagle) and *Nanggala* (magical ploughshare weapon) units of the Kopassus Special Forces, who wear civilian dress and drive unmarked Toyota land cruisers. These shadowy forces are thought to be responsible for many of the worst human rights abuses in East Timor today, with torture and disappearances their speciality. Answerable directly to their commanders in Jakarta, they have their own modus operandi against which civilians have little or no redress.

Bold lead needed

These parallel military administrations – special forces, territorial battalions, local garrison troops and army personnel seconded as civilian administrators (*Babinsa*) – make for a complex situation on the ground. In this climate, it is difficult to envisage any hopes for change in East Timor. Indeed, it will take a bold political lead from Jakarta to remove the military from their privileged positions as the *Tuan Tanah* (lords of the land) in East Timor. New layers of security force involvement are being added all the time – for example, the deployment of the so-called *garda paksi* (defenders of integration youth guard, who have undergone paramilitary training in East Java under the aegis of Kopassus forces). As such, the military 'overdose', as it was described in the Mubyarto report in 1990, shows no signs of ■bating.

• Peter Carey is a Fellow and Tutor at Trinity College, Oxford.

UNITED NATIONS

Marker of a new momentum

Soon after Kofi Annan was appointed to replace Boutros Boutros Ghali as UN secretary-general UN officials began to explore ways of breathing life into the stalled East Timor peace process. This renewed interest in peacemaking came despite the postponement of the ministerial talks scheduled for 21 December 1996, and was triggered by the governments of countries such as Norway, which began suggesting that mediation by another third party should be sought if the UN proved unable to break the deadlock between Indonesia, Portugal and the Timorese resistance.

Range of meetings

The new UN commitment to the search for peace was indicated by the appointment, on 12 February 1997, of Jamsheed KA Marker as the secretary-general's personal representative for East Timor. Marker, who has represented the government of Pakistan in various capacities, including as ambassador to Japan, the Soviet Union, the United States and as permanent representative to the United Nations, came to Europe after an initial round of consultations in the United States.

He held discussions with senior officials in the government of Portugal and with representatives of the East Timorese resistance in exile. In late March he travelled to East Timor and Indonesia, where he met with President Suharto and Foreign Minister Ali Alatas, as well as with the two East Timorese bishops (Belo and Nascimientto) and Xanana Gusmão, the imprisoned leader of the Timorese resistance.

Marker's visit was marred by an excessive use of force which Indonesian authorities unleashed against demonstrators who tried to meet him in Dili on 23 March.

Hints of change

Although some sources have suggested that new Ministerial Talks and a new round of the All-inclusive Intra-East Timorese Dialogue might be convened in the near future, Marker has hinted that there might be changes in the structure of the peace talks.

Along with this new high level UN interest, real movement in the search for peace will also require a new commitment by the principal parties to discussing substantive issues, including allowing legitimate representatives of the East Timorese people to participate in the dialogue, and making the concessions required so that a just and comprehensive settlement can be built over time. ■

UNITED STATES

United States takes more active role

When John Shattuck, the US assistant secretary of state for democracy, human rights and labour, visited East Timor on 20–21 March it was a signal that his government may be willing to take a more active role in the search for peace.

Persistent abuses

The primary aim of Shattuck's trip was to emphasise the importance the United States places on the peace talks held under the auspices of the UN secretary-general. At the end of his visit, Shattuck stressed that the East Timorese 'deserve to be able to speak somewhat more freely than they can now about their own interest in the future', and he noted specifically that Washington strongly supported a 'renewed and intensified' dialogue that included 'all the interested parties in East Timor'. He also raised his government's concern about human rights violations with Indonesian authorities, including the ministers responsible for foreign affairs and justice, whom he met in Jakarta.

The US government's worries about human rights were clearly expressed in a report released by the state department in January. Although this suggested that incidents of 'serious violence' had decreased, it documented persistent extra-judicial executions, disappearances, torture and excessive use of force by the Indonesian military. Washington's interest in actively supporting UN-mediated peace talks has increased since the award of the 1996 Nobel peace prize to Bishop Carlos Belo and José Ramos Horta. The Clinton administration, partly in response to pressures from congress, the media and grassroots activists, has cautiously expressed interest in various options, including a UN-sponsored referendum on East Timor.

Arms sales

However, these steps contrast with the administration's determination to sell F-16 fighter aircraft to Indonesia. Indeed, although congressional pressure forced International Military Education and Training (IMET) funds to Indonesia to be frozen in 1992, small arms sales to be cut off in 1994, and a partial ban on sales to be expanded to include helicopter-mounted weapons in 1995 and armoured personnel carriers in 1996, the White House is now pushing for nine F-16 jets to be sold to Indonesia and proposing that IMET funding be renewed in the 1997 fiscal year.

Meanwhile, activists are hoping that the scandal caused by Indonesian corporate financing of the US Democratic party might derail these initiatives, thereby sending a more consistent signal to the government of Indonesia that it can no longer conduct business as usual with Washington. ■

CHURCHES

Clear stance in Rome and East Timor

News of a new diocese in East Timor was thought by some analysts to reflect pressure from Indonesia for Bishop Carlos Belo's profile to be curtailed. But recent statements by Bishop Belo, Bishop Basilio do Nascimientto and the Vatican suggest that these misgivings are misplaced, and that the Catholic church's willingness and ability to promote the rights of the East Timorese may be increasing.

Indeed, the installation of Monsignor do Nascimientto as bishop of Baucau on 19 March was attended by Bishop Maurilio Quintal de Gouveia of Evora, Portugal, who read a message from Pope John Paul II stating unequivocally that 'East Timor is still in the midst of difficulty and tension and a global solution should be sought [to the conflict]'. This confirmed the Pope's support for Bishop Belo's pastoral work expressed in their meeting held after the Nobel peace prize ceremony in December 1996.

Shortly after Bishop do Nascimientto's installation in Baucau in March, both bishops were interviewed by the Portuguese radio station, *Renascena*. Bishop Belo emphasised the gap between the expectations raised by his Nobel award and the enduring human rights situation in East Timor and reiterated his support for peace talks under UN auspices while stressing the need for complementary dialogue among the East Timorese. Bishop do Nascimientto expressed his belief that the moment was ripe for a breakthrough in the talks between the governments of Indonesia and Portugal, but emphasised that East Timorese leaders would eventually have to be brought more directly into the search for peace.

Like Bishop Belo, Bishop do Nascimientto has stressed that his mission is a pastoral one, while maintaining that 'No Christian and even less a bishop, can shut his voice when the human being is being disrespected in his or her dignity as the son of God'. He has also emphasised that his current priority is to build up his diocesan structures, as 'we are starting from zero, because we lack everything'.

Bishop Basilio do Nascimientto was born in Suai, East Timor. He studied philosophy and theology at the Major Seminario in Portugal, served as a parish priest in France and Portugal, and as a seminary administrator in Evora, Portugal, before returning to East Timor in 1994 to undertake pastoral duties.

Problems for the Indonesian church

An increasing number of Christian churches and agencies around the world are providing humanitarian aid to East Timor and recognising the political aspirations of the indigenous people. But, says Reverend PAT SMYTHE, support from the Catholic church within Indonesia is much more circumspect.

When he visited East Timor in 1989 Pope John Paul II insisted that the local Catholic church be administered by the Vatican directly through an 'apostolic administrator', currently Bishop Belo. This was in deference to the non-recognition of Indonesia's claim to sovereignty over East Timor by the United Nations. While celebrating mass at Taci-tolu, the Pope, the only head of state other than President Suharto ever to visit East Timor, appealed for reconciliation and called for East Timorese traditions and human rights to be respected. He has also acknowledged the national identity of the East Timorese people when meeting with successive Indonesian ambassadors. More recently, the president of the Pontifical Council for Justice and Peace, Cardinal Etchegaray, travelled to Dili in February 1996 and appealed for an earnest dialogue to resolve the protracted conflict.

In the late 1970s and early 1980s the Catholic communities in Indonesia gave generous humanitarian aid to the East Timorese. The neighbouring West Timorese diocese of Atambua was only one of a number which provided material and personal resources to assist the local church to minister to the needs of the people; and

clergy, religious, and lay workers from Indonesia still serve in East Timor. Yet support for the political aspirations of the East Timorese has been less in evidence. Although Indonesian Catholic bishops occasionally add their voices to government diplomats' calls for the diocese of Dili to be affiliated to their conference, on the whole, people from the Indonesian church in East Timor accept their government's account of the political situation and confine their activity to 'purely pastoral' matters.

Propaganda

One of the reasons for such tepid support is that government agencies tend to suppress or distort the truth and the church, despite having the advantage of ecclesiastical channels of communication, receives inadequate information on East Timor – even in neighbouring West Timor. Propaganda, which consistently presents the East Timorese resistance as a communist-inspired, destabilising, separatist rebellion of a fanatical and intransigent minority, is evident across the archipelago, and church people of all denominational persuasions are influenced by it. Thus the efforts of the East Timorese to preserve their national identity and express their fundamental right to political self-determination have not been properly appreciated by many Indonesians, even within the family of the church, Catholic or Protestant.

Also important is the fact that the Christian community in Indonesia is very much a minority (9 per cent) in an overwhelmingly Muslim population (87 per cent), so the church needs to behave

prudently if it is to keep its relative freedoms. There is no doubt that all the churches feel vulnerable and it is questionable whether a confrontation with the present regime would have any positive effect – challenging the government on a basically political issue could result in further restrictions.

Mixed views

However, there has always been a significant body of opinion, at least within the Catholic church, calling for a critical stance. There are those who feel that the church has the right and duty to be outspoken about what it perceives to be offences against justice and human freedom – be this in respect of East Timor, or throughout Indonesia. Others disagree. An 'open letter' from Cardinal Darmaatmadja to the government, calling for an investigation of the violence in Jakarta on 27 July 1996, had a mixed reception in Catholic communities. In the eastern islands people were dissatisfied with its restrained style, whereas in Java it was approved of for precisely the same reason.

Nonetheless, in February 1997 Cardinal Darmaatmadja criticised the 'security approach' used by authorities in East Timor, noting that it had 'failed to reduce tensions [or] address underlying problems'. He called for an 'open dialogue' including the range of East Timorese opinion. In their Lenten Pastoral the Indonesian bishops called for 'profound introspection as to why, after 20 years of integration, some Timorese have yet to live it'. Declaring that 'the key to a settlement lies in the creation of a social milieu in which the people of East Timor feel their cultural, religious and historical identity is recognised and safeguarded', they too stressed the importance of listening to 'the real aspirations of the East Timorese'.

In East Timor, where fundamental human rights are continually violated or frustrated by the agents of the Indonesian government, the Church is the only institution with the political strength to voice the aspirations of the indigenous people. For them the support of fellow believers from far afield is more in evidence than that from near neighbours. For the sake of all the people of East Timor – and of Indonesia – it is important that the gap between these views is reduced. And this requires more communication and mutual appreciation between the sister churches. ■

• **Reverend Pat Smythe**, from St Boniface Church, in Bentham, UK, visited East Timor in 1996.



Students at St Michael's Minor Seminary in Kupang, West Timor.

Dialogue or aside?

The All-inclusive Intra-East Timorese Dialogue (AIETD) was set up to bring the views of East Timorese to bear on the UN-brokered ministerial talks. MILENA PIRES traces the progress of the dialogue and asks how inclusive it really is.

A decision to bring together a full spectrum of East Timorese opinion was taken at the fifth round of the so-called Tripartite Talks between the foreign ministers of Portugal and Indonesia, in January 1995. The final communiqué from those talks put forward terms of reference for the dialogue. They were to pursue a 'free and informal exchange of views to explore ideas of a practical nature that might have a positive impact on the situation in East Timor and assist in the establishment of an atmosphere conducive to the achievement of a solution'.

The communiqué made it clear, however, that the AIETD would 'not address the political status of East Timor' and would 'in no way constitute a parallel negotiating track or be a substitute for the ministerial talks under the auspices of the [UN] secretary-general'.

The proposal drew a mixed response. Some quarters were suspicious of the initiative, coming as it did on the heels of the discredited London 'reconciliation meetings' sponsored by the government of Indonesia. There were doubts over the format that the dialogue was to take and the exclusion of the political issue. The publication of a provisional list of participants also provoked questions about their status and legitimacy and who or what they represented. Although participants were to be there ostensibly in an 'individual capacity', a division was apparent between supporters of integration with Indonesia (largely those allowed to leave East Timor for the meeting) and anti-integrationists (as represented by the leaders of the East Timorese resistance abroad).

Gender perspective

The third AIETD (for which a date has not yet been set) may be decisive in resolving these issues and determining whether the dialogue is to be a legitimate forum for East Timorese input into the Tripartite Talks.

A key issue, however, remains to be addressed. Just one female participant, Ines de Almeida, is to be found among 29 males in the AIETD. The United Nations has argued that the Timorese leaders failed to raise the issue of equal or acceptable gender participation and that the UN's own mission failed to identify any outstanding women personalities, particularly inside East Timor.

Yet the gender disparity places a question mark over the representativeness and legitimacy of a UN-organised process that has such little regard for the participation of women.

Although Ines de Almeida has tried to raise issues from a gender perspective — resulting in a reference to the situation of women in the second Burg Schlaining Declaration (March 1996) — the presence of only one female participant in the dialogue does not bode well for the advancement of women.

The gender imbalance is particularly striking given the UN resolutions on the equal participation of women, the work of the Commission for the Elimination of Discrimination Against Women, the Beijing Declaration and Platform of Action and the 1993 UN Human Rights Conference Declaration, which states that the human rights of women should be gradually 'integrated into the mainstream' of UN activities. Indonesia, which is signatory only to the Convention on the Rights of the Child and the Convention on All Forms of Discrimination Against Women, must also bear responsibility for the gender imbalance in the AIETD. The Indonesian government has resisted any change to the composition of the dialogue.

The exclusion of the political question, and the composition and format of the dialogue have determined its impact on the Tripartite Talks. Room for the AIETD participants to have input to the Tripartite Talks has also been circumscribed by the positions of the Portuguese and the Indonesian governments. Indonesia has remained intransigent in the face of the positions agreed in the consensus statements of the UN Human Rights Commission of 1994, 1995 and 1996. Inflexible over the political status of the territory, it has also lacked the political will to implement even the most basic steps to ease the human rights situation inside East Timor. Although all Indonesian military attachés to the embassies of the European Union member states are now required to have served a tour of duty in East Timor, and all diplomats dealing with the question of East Timor are required to undergo special training which includes a visit to the territory, these are superficial changes. On the ground, the Indonesian position has hardened (see page 4). Curiously, Indonesia accuses the Portuguese government of the same trait. Its strategy at the 53rd session of the UNCHR has been to accuse Portugal of refusing to negotiate a consensus statement, although Jakarta has done nothing to implement any of the previous statements.

The sense of elation among participants at the first round of the AIETD in June 1995 was clouded by the cumbersome process of establishing a workable methodology. The first Burg Schlaining Declaration was subsequently overturned when the Indonesian government

forced participants from inside East Timor to refute General Assembly Resolution 37/30. This resolution asks the UN secretary-general to initiate consultations with all directly concerned parties to come to a settlement, asks the General Assembly to continue to monitor the situation in East Timor and recognises Portugal as the administering power.

Round two in the dialogue, in March 1996, was characterised by attempts to derail the process by Indonesia's ambassador and special adviser to President Suharto on East Timor affairs, Francisco Lopes da Cruz. The fact that Mari Alkatiri of the East Timorese Resistance signed a watered-down communiqué with reservations, demonstrates the fragility of the process and is a reminder that many Timorese living in the territory have effectively been silenced. Another example is Guilherme Gonçalves who, in the first AIETD denounced the so-called Balibo Declaration and the illegal annexation of East Timor, and was prevented from participating in the second round.

Energy injection

Portuguese policy on East Timor has progressed from being largely passive and reactive during the time of Foreign Minister Pinheiro to a strengthening and consistency under Foreign Minister Durao Barroso, to the beginning of a more creative and proactive approach, as shown by the proposals made by Prime Minister Guterres at the Bangkok Asia-Europe ministerial meeting (ASEM). Portugal's current position, and the nomination of Jamsheed Marker as the UN secretary-general's personal representative for East Timor, will inject greater energy into the process. However, the current impasse in the Tripartite Talks still needs to be broken. The establishment of a cultural centre and the development of human resources — two areas identified by the AIETD — have not been taken forward for implementation and discussion at the UN-brokered ministerial talks.

Although the Tripartite Talks have moved from confidence building to discussion of substantial issues and have included the establishment of the AIETD, their effectiveness has yet to be proven. At this early stage the importance of the AIETD as a serious forum for East Timorese contribution to and 'active participation' in deciding the territory's own future are hardly being helped by the limitations imposed on them by the United Nations. The representativeness and legitimacy of the dialogue — particular over gender — are challenges that will demand great political will on all sides to resolve. ■

• **Milena Pires** is vice president of the Timorese Democratic Union (UDT) and is responsible for the UDT's women's department. She is currently studying for a Masters degree in international politics at the Université Libre, Brussels.

Insights from the outside

Children of the Resistance: The current situation in East Timor as seen through the eyes of two Australian tourists

Rebecca Winters and Brian Kelly

The cover photograph and subtitle of this booklet give the impression that it is a travelogue by two Australian tourists who were charmed by East Timor's beauty. Yet *Children of the Resistance* by Rebecca Winters and Brian Kelly, reveals a depth of research and analysis that one rarely finds in tourists' narratives. By avoiding spies of the Indonesian Armed Forces posing as 'guides', by straying far from the worn path, and by interviewing members of the Armed Forces for the Liberation of East Timor (Falintil) as well as ordinary Timorese, the authors gained insights into the country's drama that would be hidden from most tourists.

Their first insight is that all is not well. They see that many people bear physical and psychological scars from the invasion and the most brutal years of the occupation, while there is ongoing repression by the Indonesian authorities that ensures nobody forgets the reality of foreign rule. The authors also see that 'the Resistance' is not just the few hundred Falintil guerrillas, the military front of the National Council of Maubere Resistance (CNRM): it includes a clandestine network of civilians who provide logistical support to the guerrillas and actively oppose the occupation, plus a much larger segment of the population which also opposes the Indonesian presence.

The authors conclude that the CNRM's claim that 'almost all Timorese [...] are part of the Resistance' is true. Detractors argue that there is no evidence to support this view, but a UN-supervised referendum on the future of East Timor, as proposed by the resistance, would provide a clear answer.

Winters' and Kelly's third insight is that the Timorese believe that international solidarity can make a difference. As one guerrilla commander put it:

Let your government know you care. If there is international pressure, if the UN resolutions are implemented [...] East Timor would be freed [...] Falintil and the clandestine front within East Timor will continue to fight; but without help from outside we can never hope to defeat Indonesia with its huge army.

•

Children of the Resistance, by Rebecca Winters and Brian Kelly, can be ordered for US\$6.00 (discount on bulk orders) from Australians for a Free East Timor (AFFET), PO Box 2155, Darwin NT 0801, Australia. Tel +618-8948-4022, fax +618-8983-2113.

An insider's testimony

East Timor's Unfinished Struggle: Inside the Timorese Resistance

Constancio Pinto and Matthew Jardine

Constancio Pinto was a child during the Indonesian invasion, and became a leader of the clandestine front from the mid 1980s to the early 1990s. He now lives in the United States. His first-hand account, *East Timor's Unfinished Struggle*, adds much to the growing literature on East Timor.

It begins with a nuanced depiction of life under Portuguese colonialism, provides a fascinating analysis of relations between different Timorese political factions before the invasion, and movingly describes Pinto's own experience of life under Indonesian rule.

His account of the invasion and the first years of occupation conveys the pain and horror which the majority of Timorese experienced as they were attacked, displaced, encircled, starved, captured, forcibly relocated in concentration camps and brought back to their places of origin, only to find that these had been transformed into Indonesian settlements. It reflects the fear experienced when Indonesian forces entered and searched houses; the isolation felt following the closing off of East Timor from the outside world until 1989; and the mistrust fostered by the huge network of spies and administrators employed by the Indonesian state.

However, Pinto also conveys the sense of hope generated when the Timorese began rebuilding their society through underground networks, transforming the Catholic church from an ally of the ancien regime to a genuine expression of popular aspirations. They reorganised military resistance following its devastation between 1978 and 1982; built up daring clandestine resistance networks in the 1980s; and launched the first acts of defiance which eventually led to the 'Timorese intifada' in the 1990s. Woven into this political narrative are the stories of real people like Pinto himself and touching portraits of men like Xanana Gusmão, who has become the Nelson Mandela of the Timorese cause.

The stories also document the suffering of activists tortured or killed by security forces, of Bishop Belo surviving three assassination attempts, and of ordinary people whose dignity is daily trampled on by the cultural arrogance of the occupiers. And they express the disappointment which the Timorese feel at the international community's largely ineffective response to Indonesian policy.

What is most striking, however, is the faith that Pinto and his compatriots still place in the international community.

We continue to put our hope in the UN to solve the East Timor problem; we don't see any solution for East Timor through military means [...] Just as the UN has

helped to address some other problems in the world, such as the conflict in Namibia, it can help solve East Timor's problems through diplomatic means, but only if the member states of the UN, especially the powerful countries that control the Security Council [...] support East Timor's right to self-determination [...] But it is doubtful that this will happen unless there is strong pressure on the government by people in those countries.

Alongside Pinto's testimony US journalist, Allan Nairn's foreword relates the horror he experienced first-hand during the massacre in Santa Cruz cemetery in November 1991, and describes how policy generated by the pressure of grassroots campaigns in the United States has been eroded by a coalition of Indonesian government agencies, US transnational corporations and US government agencies brokered by the US-Indonesia Society. US activist, Matthew Jardine, in his introduction and epilogue, documents the continuity and changes in US policy on Indonesia since the 1960s. Like Pinto and Nairn, Jardine does not lose faith in the possibility of change in Washington or in East Timor. Citing the examples of campaigning on South Africa and Central America, he concludes that citizen pressure can have an impact.

Therein lies the challenge for voluntary organisations.

- *East Timor's Unfinished Struggle: Inside the Timorese Resistance*, by Constancio Pinto and Matthew Jardine, can be ordered for US \$16.00 from the East Timor Action Network. Tel +914-428-7299, fax +914-428-7383, e-mail: etan-us@igc.apc.org.

Timor Link Subscription form

- I wish to subscribe to *Timor Link*
 I enclose my subscription fee of £ _____

Name _____

Address _____

Individual £10.00 for 4 issues
 Institution £20.00 for 4 issues

- I have previously subscribed to *Timor Link*
 I am a new subscriber

Please send cheques made payable to **CIIR** to East Timor Project, c/o CIIR, Unit 3, Canonbury Yard, 190A New North Road, London N1 7BJ, UK.
 Tel 0171-354 0883, fax 0171-359 0017.