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Peace prize boosts Timorese cause

The people of East Timor could be looking forward to a new phase of concerted international action to end Indonesia's illegal occupation of their country, following the award of the 1996 Nobel Peace Prize to two key figures in the struggle for self-determination, Bishop Carlos Belo and José Ramos Horta.

Non-governmental organisations and church groups embraced the 11 October announcement that the prize had gone to Carlos Felipe Ximenes Belo, Bishop of Dili, and José Ramos Horta, special representative of the Timorese resistance in exile, for their work towards a just and peaceful solution to the conflict in East Timor. The Vatican said it hoped for 'concrete results that respect the rights of peoples'.

The Nobel Committee described Bishop Belo as 'the foremost representative of the people of East Timor':

At the risk of his own life, he has tried to protect his people from infringements by those in power. In his efforts to create a just settlement based on his people's right to self-determination, he has been a constant spokesman for non-violence and dialogue with the Indonesian authorities.

Ramos Horta, said the Committee, has been the leading international spokesman for East Timor's cause since 1975. Recently he has made a significant contribution through the 'reconciliation talks' and by working out a peace plan for the region.

Bishop Belo was appointed apostolic administrator of the East Timorese capital in 1983. He has used his position to protect his people and promote the search for peace. In July 1994, the Bishop stated that while 'the church is not a political institution' it has a 'moral responsibility to promote justice, peace,

love and freedom'. Bishop Belo played a moderating role in the June 1995 All-Inclusive Intra-East Timorese Dialogue (AIETD), which yielded a consensus statement on the need to continue dialogue, take steps to protect human rights, build peace and preserve the cultural identity of the Timorese people. (*Timor Link* 33, June 1995)

Ramos Horta was foreign minister in the short-lived government of independent East Timor in 1975. Since the invasion, he has lobbied the international community to condemn the Indonesian occupation and human rights violations. In 1992 he unveiled a plan to promote negotiations towards a peaceful settlement (*Timor Link* 36, July 1996). He has also played a key role in the AIETD.

The Indonesian government said it 'regretted' the decision. Foreign minister Ali Alatas denounced Ramos Horta as a 'political adventurer' who does not represent the majority of East Timorese.

Ian Linden, executive director of the Catholic Institute for International Relations (CIIR) drew attention to the international community's responsibility to take up the Nobel Committee's invitation to press for a settlement. He said: 'This sends a strong signal to the international community that it is time to end the long betrayal of East Timor.'

British foreign office officials said they shared 'the aspirations of all those who are working for a just and comprehensive settlement to the question of East Timor'.

Angie Zelter, one of four activists acquitted in July by an English court of conspiracy to damage a Hawk jet bound for Indonesia (*Timor Link* 36, July 1996), said: 'This is tremendous news. And about time. The new high profile that the prize brings should help persuade [UN members] to implement all of the UN's resolutions and go a long way to getting a proper discussion of the peace proposals that are on the table.' ■



Eyes on the bigger prize: On hearing of the award Bishop Belo is reported to have said that it represented the hard work ahead.

Summary

The award of the Nobel Peace Prize to Bishop Belo and José Ramos Horta should raise the profile of the East Timorese cause, helping to step up pressure on the Indonesian government. Riots in Jakarta and their implications for Indonesia's political future are examined in this issue of *Timor Link*. We look at the frustration over the Tripartite Ministerial Talks and the UN Decolonisation Committee, and discuss the potential for lobbying Ireland as it assumes the EU presidency. A leading barrister examines the implications of July's surprise acquittal of four peace activists in the UK. We also discuss the ongoing lack of UN human rights monitoring in East Timor, and summarise policy debates in Australia, Japan and the United States.

IN THIS ISSUE

Jakarta riots	2
Tripartite talks and UN Decolonisation Committee	3

Baé acquittal: the legal fallout	4
Lobbying Irish EU presidency	5
Lack of UN monitoring	6
International round-up	6

Canadian Catholic Bishops' message	6
WCC and CCA delegation	7
New publication: <i>East Timor - The continuing betrayal</i>	8

Jakarta riots: Is Suharto losing his grip?

Riots in Jakarta on 27 July could go down in history as a turning point in the fortunes of President Suharto's creaking 'New Order'. PETER CAREY assesses the implications of violence unprecedented in the Indonesian capital since 1974.

On 27 July this year Indonesian security forces stormed the Jakarta office of the Indonesian Democratic Party (PDI), leading to perhaps as many as seven deaths, 60 'missing', 90 wounded and 250 arrests. Among those arrested were Mochtar Pakpahan, head of the independent Prosperous Indonesian Trades Union (SBSI), and Budiman Sudjatmiko, chairman of the 3,000-strong People's Democratic Party (PRD).

The government accused those arrested of 'insurgent' activities, and 'using the PDI conflict' to revive the outlawed Indonesian Communist Party (PKI) and to attempt 'an embryonic coup d'état'. This line did nothing to reassure international investors: the Jakarta stock exchange slumped while the Indonesian currency went into free-fall against the US dollar. Nor did it convince many of the field-grade army officers charged with anti-PDI operations that the heavy-handed tactics were necessary. In fact, the riots have shown up deep splits within the Indonesian armed forces, splits which Suharto's increasingly frequent reshuffles of senior commanders have done little to conceal. 'Where's all the old finesse, the delicate manoeuvring? The government is using an atomic bomb to kill a fly,' was one senior officer's response to the July crackdown (*Far Eastern Economic Review*, 8 August 1996).

The Indonesian army's willingness to underwrite an ageing president (Suharto is now 75) will be severely tested in the next 18 months, a period which will see both general (June 1997) and presidential (March 1998) elections and heightened debate about Indonesia's political future.

Implications for East Timor

So where does this leave East Timor? More than 20 years have passed since its formal 'integration' into the Republic (17 July 1976), and Suharto rules out any possibility of the territory being given special status with greater autonomy. Any pro-democracy initiative would probably be unpopular within the armed forces and Suharto cannot afford to alienate their support. As long as he remains in power, therefore, new political initiatives on East Timor are unlikely. Once Indonesia moves into a post-Suharto era, however, new possibilities will open up – not least because a successor government would be able to lay the blame for the East Timor problem on the outgoing president.

Even the continuation of the status quo in East Timor will exact a price, given the political uncertainty in Jakarta. In comparison to its size

(192 million inhabitants), Indonesia's security forces are not large (about 600,000 including the paramilitary police), and its military expenditure as a percentage of gross domestic product (GDP) is one of the lowest in South East Asia. Of the troops available, fewer than 100,000 are truly dependable. Jakarta maintains a force of more than 17,000 in East Timor, including a high number of combat regiments. A major upheaval in Indonesia proper during the coming 18 months to two years would see many of these combat units withdrawn to urban areas in Java and other key locations.

Source of inspiration

Developments in Indonesia proper cannot be understood without the East Timor dimension. The more radical elements within the Indonesian democracy movement draw inspiration from East Timor's own struggle for national self-determination, and resistance leader Xanana Gusmão is a hero on many Indonesian university campuses. PDI leader, Megawati Sukarnoputri, has recently gone out of her way to reassure the army that she is not contemplating any change in East Timor's status, stating that it is Indonesia's 'last province'. Nonetheless, there are close contacts between the Indonesian democratic opposition and the East Timorese students (especially members of the Clandestine Civilian Resistance Front, thought to number some 3,000 in East Timor and Indonesia). During the recent siege of the PDI headquarters, many East Timorese students turned out to show solidarity with the PDI party workers' struggle for democratic rights. Megawati's political ally, Abdurrahman Wahid of the huge Awakening of the Ulama movement (NU), is known to favour a political settlement which would allow East Timor a measure of autonomy.

Aware of these developments, the army has struck hard against the Clandestine Front in East Timor, arresting (in June 1995) and torturing to death the Front secretary, Pedro Nunes (aka Sabalae), and his assistant, Remigio Levi da Costa Tilman. So intense has been surveillance in the territory that over the past year more than 100 Timorese have sought asylum by entering Western embassies, the most recent incident being on 16 August 1996 when eight Timorese broke into the French embassy. Jakarta has also continued its attempt to portray the problems in East Timor as ethnic and religious in character (and hence an infringement of the state ideology, *Pancasila*), rather than a question of national self-determination and resistance to foreign occupation.

The future

Looking to the immediate future, repression is likely to continue in East Timor itself, with every effort being made by the security forces to manipulate inter-ethnic and inter-religious conflicts to their advantage. At the same time, the level of surveillance of the Clandestine Front both in Timor and inner Indonesia will be intensified: 3,000 newly recruited East Timorese agents are known to be currently in training in a programme set up last year by Suharto's son-

in-law, Special Forces commander Major-General Prabowo Subianto. Five hundred of these will be assigned to keep tabs on East Timorese students in Java and Bali. Some *agents provocateurs* are already suspected of having been involved in the embassy break-ins, and have gone with other East Timorese asylum seekers to Portugal. Internationally, Indonesian foreign minister Ali Alatas will continue to ensure that neither the UN-sponsored Tripartite Talks between Portugal, Indonesia and the UN secretary-general, nor the 'All-Inclusive Intra-East Timorese Dialogue' broach issues of sovereignty and self-determination. He may well be assisted in this by the reluctance of his Portuguese counterpart, Jaime Gama, to press the East Timorese issue too hard. Even Boutros Boutros Ghali's replacement as UN secretary-general in January 1997 will be unlikely to produce new openings here, unless Portugal can be persuaded to take the East Timor issue back to the UN General Assembly (the last General Assembly vote, which Lisbon narrowly won, was in 1982).

Long term change

In the longer term, the likelihood of a disputed succession in Jakarta, the sparseness of reliable troops, and a weariness with the East Timor issue in Indonesia may trigger developments. For example, some younger field grade officers are known to be critical of the way the East Timor question has been handled, and tours of duty there no longer ensure the same career advancement as in the pre-Santa Cruz era. In terms of Indonesia's international ambitions as a regional power, East Timor is an embarrassment which it would sorely like to get rid of.

No new government in Jakarta will embark lightly on a process of self-determination or autonomy for its recalcitrant 'last province'. However, it might investigate new initiatives if these could be presented as part of a wider package of long-overdue constitutional reforms. Such reforms might reintroduce a process abandoned in the late 1950s at the time of the CIA-backed outer island revolts: namely, regional devolution. But the struggle in East Timor is not the same as that of Aceh or Irian Jaya, and constitutional revision may do little to help. In that case, Jakarta might do well to heed the advice given to the late President Ferdinand Marcos of the Philippines by Senator Paul Laxalt of Nevada in February 1986: 'Mr President, the time has come – you must cut, and cut clean.' ■

• **Peter Carey** is a Fellow and Tutor in Modern History at Trinity College, Oxford. His study of developments in East Timor from 1974 to mid-1996, *East Timor: Third World Colonialism and the Struggle for National Identity* (Conflict Study 293/4), is published by the Research Institute for the Study of Conflict and Terrorism on 1 November 1996. Copies, priced £10 (\$25 in the United States), can be ordered from RISCT, 136 Baker Street, London W1 1FH, UK. Tel: 44 (0)171 224 2659. Fax: 44 (0)171 486 3064. Credit card orders accepted.

Going through the motions?

Many observers were disappointed with the eighth round of Tripartite Talks and the hearings of the UN Decolonisation Committee on East Timor this summer. Some are asking whether either is the best forum for dealing with the ongoing Indonesian occupation of East Timor.

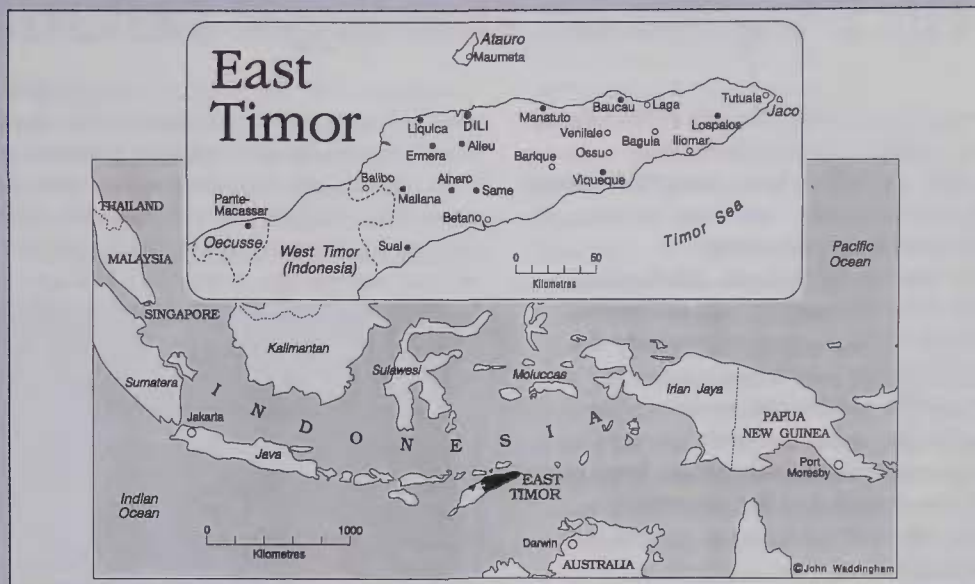
The eighth round of the Tripartite Talks on East Timor, between the foreign ministers of Indonesia and Portugal, took place in Geneva on 27 June under the auspices of the UN secretary-general. The communiqué issued at the end of their meetings welcomed the All-Inclusive Intra-East Timorese Dialogue (AIETD) held on 19-22 March under UN auspices, and 'took note positively of the Secretary-General's intention to facilitate' another AIETD. They agreed to 'proceed with consultations on [AIETD proposals] relating to the establishment of an East Timorese cultural centre in Dili and to the development of human resources in East Timor'. (See *Timor Link* 36.) They agreed to hold the ninth round of Tripartite Talks on 21 December 1996.

Talks condemned as useless

The special representative of the Timorese resistance abroad, José Ramos Horta, criticised the results of the meeting and described the negotiating process as 'useless'. Suggesting that the Indonesian government and the UN secretary-general lacked the will to ensure real progress, Ramos Horta proposed that talks be abandoned in favour of a 'total war' strategy in the UN General Assembly. (*Publico*, 28 June 1996)

This idea was echoed by other resistance leaders. They suggested that the Portuguese government should press for a vote by the General Assembly in its 1997 session, calling for the International Court of Justice to issue a consultative opinion on the legal status of East Timor.

In July in New York, the UN Decolonisation Committee held its annual session on East Timor. Over 30 organisations, including representatives of the resistance and non-governmental organisations (NGOs), read submissions to a working paper. Many were deeply critical of the Indonesian occupation. The chair of the committee, Utula Utuoksama of Papua New Guinea, reiterated his past endorsement of the Indonesian invasion as 'averting bloodshed and civil war in East Timor'. There was no progress on basic issues, provoking Amnesty International to accuse the committee of 'going through the motions' rather than searching for solutions to the problem of colonisation. Sharon Scharfe, the Canadian representative of the international network Parliamentarians for East Timor, argued that unless it could demonstrate progress soon, the Decolonisation Committee should hand the Timor issue over to the Fourth Committee of the UN General Assembly. ■



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.

BAe acquittal: the legal fallout

The surprise acquittal in July of the women peace activists who had admitted damaging a British Aerospace jet destined for Indonesia (see *Timor Link* 36, July 1996) vindicated the women's commitment and methods. But to what extent does the verdict set a precedent? And is there now a greater threat to the right to trial by jury in some cases in Britain? BILL BOWRING examines the possible impact of the decision on a jury system under increasing attack from police and government and assesses the implications for campaigns against the arms trade.

On 30 July 1996 a jury at Liverpool Crown Court, after retiring for only five hours, acquitted four women. Three of them, Lotta Kronlid, Andrea Needham, and Joanna Wilson had admitted causing criminal damage – estimated at £1.5 million – to a British Aerospace Hawk fighter plane. All four, including Angie Zelter, had admitted conspiring to cause damage at the British Aerospace plant at Warton, near Preston, UK.

Historical precedents

This was by no means the first time that a jury has acquitted defendants whose guilt seemed beyond doubt. For example, in 1985 an Old Bailey jury acquitted Clive Ponting, a senior civil servant who had clearly breached section 2 of the then Official Secrets Act 1911 (since replaced) by supplying classified information to an MP.

That jury followed the splendid precedent of the London jury which, in 1670, refused to convict the two Quakers William Penn and William Mead of holding a seditious assembly. Sentenced to prison by the trial judge for their temerity in acquitting the defendants, the jurors challenged their punishment by using the venerable writ of Habeas Corpus. In another case, known as *Bushell's Case*, the lord chief justice Sir Robert Vaughan decided that a jury is entitled to act according to its own conscience and appreciation of the evidence, irrespective of judicial direction or explanation. The jurors were released. Ever since then it has been a cornerstone of English constitutional law that the jury is independent, and can do justice, whatever the law may be. No British government has sought to overturn the precedent set in *Bushell's Case*. What successive governments have done is to restrict the class of cases in which a defendant is entitled to jury trial: had Penn and Mead been tried today, they would in all probability have been tried by magistrates.

The women's defence

The Warton women's case, which lasted seven days, was particularly controversial because it concerned the sale of weapons to the regime of General Suharto in Indonesia. This sale, of 24 Hawks for the sum of £500 million, was

concluded in 1993 in accordance with export licences granted by the British government. Harry Haryono, the Indonesian minister counsellor at the Indonesian embassy in London, insisted that the sale satisfied the condition set by the two parties – that the Indonesian government had never and would never use the Hawks to suppress the people of East Timor.

Nevertheless, the background to the case was evidence from Amnesty International and others that during the past two decades, since Indonesia invaded the former Portuguese colony of East Timor in 1975, some 200,000 out of a total population of 600,000 have died under Indonesian rule. In a recent ruling, the International Court of Justice at the Hague reiterated that the right of the people of East Timor to self-determination following the end of colonial rule has been and is still being violated by Indonesia.

The Warton women admitted that they had caused the damage. Indeed, they left a 15-minute video in the cockpit of the damaged jet, in which they explained their motivation – that they had good reason to fear that the Hawks would be used as part of Indonesia's genocide of the people of East Timor. Their defence, therefore, was straightforward. They argued that they had a lawful excuse for their actions – namely that, in accordance with section 3 of the Criminal Law Act 1967, they were entitled to use such force as was reasonable in the circumstances in order to prevent the commission of a crime.

Prevention of genocide

Genocide is an international crime pursuant to the Genocide Convention 1948, and the United Kingdom has enacted the Genocide Act 1969 which makes it an offence for a person of any nationality in any part of the world to commit any of the acts falling within the definition of genocide in the Convention, including acts committed with intent to destroy, in whole or in part, a national, ethnic, racial or religious group, by, for example, killing them. This offence is punishable, in the case of the killing of any person, by life imprisonment.

The women were therefore obliged to confirm their belief that the Hawk would be used for the purpose of this crime. Usually, the women's genuine belief would be enough for the purpose of their defence. But in this case the women were making allegations against a foreign state with which Britain has trading relations. The jury might not consider their actions reasonable if their belief was unjustified. That was why the judge permitted them to call so much evidence as to the probable use of the Hawk by Indonesia. Witnesses included refugees from East Timor, journalist John Pilger, whose articles in the *New Statesman and Society* have been exemplary in their principled exposure of the crimes of the Indonesian government, and campaigner Carmel Budiardjo, whose organisation TAPOL has consistently exposed human rights abuses in Indonesia and East Timor. Their evidence

was to the effect that the Hawk would be used against the people of East Timor.

There was a further obstacle to acquittal. The women's use of force could only be reasonable in the circumstances if commission of a crime was imminent, and there was no other way of preventing it. The defence drew a parallel with causing criminal damage to vehicle tyres, in order to stop an IRA bomb on its way to Manchester, which would not be a crime if there was no time to call the police.

The women had therefore been careful, for some months before their attack on the jet, to take all possible steps to prevent the Hawk from being sent to Indonesia. All this was contained in their video. For example, they had asked the police to bring charges of genocide against employees of BAE and others, and had also sought an injunction to stop the sale. These attempts were unsuccessful. Delivery of the jet was due to take place at the end of January. So they told the jury that there was nothing at all they could do by 29 January to prevent the commission of the crime of genocide, other than to disable the jet.

'Beating swords into ploughshares'

The defence was particularly effective because only one of the women, Joanna Wilson, was represented by a barrister while the other three defended themselves. In this way they were able to ensure that their case was fully presented to the jury both in terms of the law and in terms of the commitment and sincerity of the women themselves. The women were all members of the Christian peace group Seeds of Hope, part of the Ploughshares Movement. It is a principle of their movement that in order to follow the biblical injunction to 'beat swords into ploughshares' they always use peaceful means and always take responsibility for their actions. Throughout the trial the courtroom was packed with the women's supporters, including many nuns and priests, and mass was celebrated outside the court while the jury deliberated.

Wider significance

There can be no doubt that all these factors helped to secure the women's acquittal. But it cannot be said that any new legal precedent has been created. Juries do not give reasons, and no one other than the jurors knows what was discussed during their five-hour deliberations. It is likely, however, that they were persuaded by the defence arguments that a crime under British and international law was imminent. Juries do not often exercise their right to acquit in the face of judicial rulings or evidence of guilt, and cases such as Clive Ponting's have not led to the commission of floods of similar offences. It is unlikely that this case will lead to any further restriction of the right to trial by jury – and, of course, it has once again been demonstrated that the jury system is one of the most important guarantors of civil liberties, as well as a deterrent to arbitrary and unjust rule. Nevertheless, it must be emphasised that the four women themselves not only spent the whole period before their trial on remand at 'grisly' Risley, but fully

expected that they would be convicted and would receive long sentences of imprisonment.

What is the significance of this case? First, it demonstrates that commitment, sincerity and careful planning are essential components of any popular protest which intends to break the law. It also shows that an issue such as the gross violations of human rights, including genocide,

suffered by the people of East Timor, is capable of exciting public interest and sympathy. ■

• **Bill Bowring** is a Barrister and Lecturer in Law at the University of Essex. The author wishes to thank defence barrister Vera Baird of Took's Court Chambers for commenting on this article; any mistakes are his own.

Lobbying the Irish Presidency of the EU

On 1 July, Ireland assumed a six-month presidency of the European Union (EU), the world's wealthiest trading block. Sean Steele, of the East Timor Ireland Solidarity Campaign (ETISC), examines this unique opportunity to put East Timor at the top of the EU agenda in its dealings with Indonesia.

In the past four years, the issue of East Timor has become well known in Ireland. Many Irish people see a parallel between East Timor's history and their own: a small country colonised by its larger neighbour, resulting in cultural destruction and dispossession. The parallels are striking: East Timor has lost one-third of its population as a result of Indonesian occupation. More than 1 million Irish people died as a direct result of colonial economic policies during the 'Great Famine' of 1845-49. Thousands of people from all over Ireland have written to their government asking it to help East Timor. Support has come from all sections of the population: school groups, community associations, the unemployed, trades unions and all political parties.

Public pressure has affected foreign policy. The Irish government has repeatedly stated that it supports the right of the East Timorese to self-determination; it has called for an arms embargo against Indonesia because of its human rights abuses and flouting of UN resolutions. Irish government officials continually raise the issue with Indonesian officials. In New York last November, Irish foreign minister Dick Spring walked out of a meeting with his Indonesian counterpart, Ali Alatas, after Alatas refused to discuss East Timor. The Indonesian foreign minister also criticised an article Spring had penned in the *Irish Times* stating the Irish government's commitment to using its EU presidency to work for a just solution for East Timor. Alatas later described the article as 'tantamount to a declaration of war'.

Priority issue for Ireland

At the Bangkok EU-Asia summit (ASEM) in March 1996, Irish prime minister John Bruton raised the question of East Timor in a meeting with President Suharto. Irish diplomats have also committed themselves to raising East Timor issues at 'working group' level within the European Union.



Irish foreign minister Dick Spring: East Timor a priority issue for the Irish presidency of the European Union.

At the summit of EU foreign ministers in Tralee, County Kerry, in September 1996, Spring took time off to meet with the East Timor Ireland Solidarity Campaign (ETISC) and said that East Timor was 'a priority issue' for the Irish presidency of the European Union. Other EU foreign ministers were reminded of East Timor when they passed an ETISC vigil outside the conference centre.

Irish initiatives wanted

ETISC wants the Irish government to undertake a number of initiatives during its EU presidency. First, ETISC wants it to push for a UN human rights office to be opened in the East Timorese capital of Dili. In April 1996 the UN Commission on Human Rights mandated a UN human rights office; this has not yet been established. When and if it is opened it will be inadequate for two reasons: it will be located in Jakarta, 1,500 miles (2,400 kilometres) from Timor and therefore from the site of the violations it is supposed to monitor; and its very location in Jakarta implies an acceptance of Indonesian sovereignty over East Timor. This is unacceptable to those who believe in international law. Any move to open an office in Dili would, of course, be resisted by the government of Indonesia, yet it can be achieved if the Irish government holds to its position.

There should be an EU or broader international inquiry into the 21-year Indonesian occupation. This should take testimonies from East Timorese and catalogue past atrocities and crimes. It is doubtful if a commission of inquiry would be allowed into either Indonesia or East Timor, but there are enough East Timorese in

Portugal, Australia and Macao to suffice. The conclusions by such a commission would serve as the definitive record on Indonesian behaviour. Supporters of General Suharto, both inside and outside the European Union, would then be unable to dismiss atrocities as 'allegations'. The other advantage would be that those Indonesian officers who have committed crimes against humanity in East Timor could be held accountable and those who have had no involvement would be cleared.*

It is also important for Ireland to follow up on its June 1996 pledge, made to the special representative of the East Timor resistance, José Ramos Horta, to provide support for the Tripartite Talks and the All-Inclusive Intra-East Timorese Dialogue which take place under UN auspices.

At present, President Suharto has the support of the larger EU states, namely those that are weapons producers. There are now only two countries committed to East Timor in the EU: Portugal and Ireland. The Irish presidency could oversee the establishment of a pro-East Timor 'block' from countries such as Greece and the Scandinavian countries: a counter-weight to those that put business deals with one of the world's most corrupt and violent regimes above respect for the principles of international law, human rights and justice. Such a move is an imperative. Portuguese concerns regarding East Timor are dismissed because of their colonial history in the territory. Ireland, which was never a colonial power, is in a perfect position to challenge Indonesian colonial policies in East Timor. Any charges of neo-colonialism ring hollow when levelled against Ireland. An added advantage is that Ireland has played a very honourable role in the cause of world peace.

There is no doubt that a solution can be found to the Timor conflict. But much more work is needed. More outside pressure is needed to complement the work of the pro-democracy movement inside Indonesia. With the recent death of his wife, Suharto is in an increasingly isolated position. Criticism of the regime's violence, nepotism and corruption now comes even from the business community, both inside and outside Indonesia. Throughout Europe, the East Timor issue is gaining public awareness as ordinary citizens rally to the cause that their diplomats and governments have so disgracefully neglected. ■

* This issue will be addressed in detail at the conference of the International Platform of Jurists for East Timor (IPJET) in Dublin on 8-10 November 1996.

What you can do

ETISC is asking all concerned with East Timor's plight to write to the Irish foreign minister urging him to continue his efforts and to congratulate him on his work so far.

He can be contacted at:

Mr Dick Spring, Minister for Foreign Affairs, Department of Foreign Affairs, 80 St Stephen's Green, Dublin 2, Ireland. Fax: 353 1 478 1484

HUMAN RIGHTS

Detentions continue

According to the international secretariat of the Organisation Mondiale Contre la Torture (World Organisation Against Torture), many of the approximately 165 people detained in the wake of the Baucau riots on 10-11 June have still not been released. Grave concern has been expressed for their well-being.

The East Timor Human Rights Centre (ETHRC) in Melbourne has reported that 21 youths were detained by Indonesian army forces in the Ermera and Bobonaro regions of East Timor on 14, 15 and 22 July. The detainees include Matias da Cunha (28), Delfonso de Deus (16), Luis Tilma (19), Pedro Borges (18) and Miguel Maia Mau Soco (34). All are believed to be at risk of torture and ill-treatment.

Also according to the ETHRC, on 2 August Indonesian security forces personnel arrested Teresa de Fatima (39) and her four children in the village of Hatuquessi in Liquica district. There is serious concern for their well-being. De Fatima is the wife of Julio 'Maureha', a commander of the Timorese resistance forces Falantil, who is alleged to have been involved in the killing of an Indonesian army captain in the village of Acumano on 27 July.

Lack of monitoring

While such grave violations of human rights continue, there has been no apparent progress on the implementation of the provisions for an on-site human rights presence set out in the Statement on East Timor, by the Chair of the United Nations Commission on Human Rights, on 19 April 1996.

AI recommendations

In a March 1996 briefing on the visit to East Timor and Indonesia of the UN high commissioner on human rights, Amnesty International noted that the effectiveness of a UN human rights office in Jakarta would depend on a number of conditions being met. These include:

- the office should have the authority to receive information from all available sources
- the office should have the authority to issue regular reports on its findings ... these reports should be made available to the United Nations Commission on Human Rights
- the office should have the authority to advise the Indonesian Government on ways and means to improve the human rights situation in Indonesia and East Timor
- the office should be staffed by independent human rights experts
- staff of the office must have full and unimpeded access to all areas of Indonesia and East Timor
- the office should not preclude initiatives of other United Nations human rights experts and mechanisms.

It is important for the international community to recall these basic prerequisites for effectively promoting human rights in East Timor. ■

INTERNATIONAL ROUND-UP

AUSTRALIA

PM in Indonesia and Japan

The visit of Prime Minister John Howard to Indonesia on 17-18 September highlighted the continuity of Australian policy despite the recent change of government in Canberra. Howard referred to East Timor in his conversations with Indonesian officials but did not broach the issue of repression against pro-democracy activists in Indonesia. A week earlier Deputy Prime Minister Tim Fischer returned from Jakarta cautioning against raising human rights issues 'out of context'. In late September John McCarthy, Australia's new ambassador to Indonesia, explained: 'When there is a contravention of basic human rights, we have to make our point of view clear. But it is often more effective to do it in a way that doesn't [...] embarrass the other government publicly.' These statements were made against the backdrop of ongoing military training cooperation between the two countries' armed forces, the signing of a final agreement on maritime boundaries and the continued expansion of commercial ties.

During his subsequent visit to Japan, Howard heard from parliamentarians opposed to such a business-as-usual policy. The supra-partisan Diet Members' Forum on East Timor wrote to the prime ministers of Australia and Japan calling on both governments to take a more active approach to peacemaking:

It is essential that determined efforts be made to bring the Indonesian government together [...] with the Resistance in East Timor. [...] The countries ideally positioned to bring the parties together are Australia [...] and Japan.

UNITED STATES

New arms sales likely

Assistant Secretary of State for East Asia Affairs, Winston Lord, testified before the East Asia Subcommittee of the Senate Foreign Relations Committee on 18 September that he and other senior US officials regularly raise the issues of human rights and East Timor with the Indonesian government. With regard to President Bill Clinton's talks with President Suharto at the Asia Pacific Economic Cooperation Forum (APEC) in November, Lord said he was 'sure that the general theme about reaching our full potential, depending on improvement in human rights, including East Timor, would be introduced'.

The Clinton administration is favourably considering the sale of nine F-16 fighter jets to Indonesia. 'This is not a new weapons system', explained Lord:

it was a small number, and [...] consistent with Indonesia's responsible regional and international behaviour. A regionally respected armed forces [...] that trains and operates in a non-threatening manner is an important contributor to regional stability. ■

CHURCH

Message from the Canadian bishops

The Canadian Catholic Bishops' Conference issued the following statement in Ottawa on 18 July 1996:

On the occasion of the 20th anniversary of the occupation of East Timor by Indonesia, the members of the Episcopal Commission for Social Affairs of the Canadian Conference of Catholic Bishops wish to express their solidarity and their support to the people of East Timor who are demanding recognition of their basic human rights. [...]

The Government of Indonesia (which, since 1992, has timidly consented to discussions) hesitates again to advance in negotiations with representatives of the people of East Timor.

Aware of the complexity of these diplomatic discussions, we once again invite the Canadian government to manifest its support for a negotiated solution. More particularly, we request that the Government of Canada:

- exercise political, diplomatic, commercial and economic pressure at the multilateral and bilateral levels in order to encourage the Indonesian authorities to opt for a clear political solution to the conflict and to engage in good faith negotiations with representatives of the people of East Timor;
- direct Canadian foreign aid via non-governmental organisations;
- demand the retreat of Indonesian security forces from East Timor;
- stop issuing licenses for the export of military equipment and technology to Indonesia;
- denounce and condemn the violations of human rights exercised by the Indonesian military;
- demand that the government of Indonesia cease the repression that has already created too many victims. [...]

We wish to emphasize the critical pastoral role and ministry of Bishop Belo and the people of his diocese who denounce the military abuses and who work to make negotiations progress towards the identification of a solution respectful of the rights of the people of East Timor. We applaud their efforts and what they have accomplished, often amid difficult conditions, and we assure them of our solidarity and our prayers.

We invite the members of Canadian Christian communities to become aware of the situation, to pressure their Members of Parliament to demand that the Canadian Government energetically intervene with the Indonesian authorities. We also invite them to join us in prayer for our brothers and sisters of the diocese of Dili, who, inspired by the message of peace and justice willed to us by Jesus, are working for the building of a more just and fraternal world. *François Thibodeau, cjm, Bishop of Edmundston, Chairman, Episcopal Commission for Social Affairs, Canadian Conference of Catholic Bishops*

None shall make them afraid

Excerpts from the report of a visit to East Timor by an ecumenical delegation representing the World Council of Churches (WCC) and the Christian Conference of Asia (CCA), from 26 to 29 June 1996.

A. Introduction

1. At the invitation of the Christian Church of East Timor (GKTT) and with the assistance of the Communion of Churches in Indonesia (PGI/CCI), an ecumenical team visited East Timor [...] In September 1995, the GKTT was received into the membership of the WCC, and so the visit of 1996 was to a member church which was anxious to demonstrate its concern not simply to receive the support of the world body but itself to participate in the life of the wider family of Christ giving its support to those who needed it [...]

3. The team sought to convey the continuing concern of Christians elsewhere for the people and churches of East Timor, and tried to deepen their understanding of the extremely complicated situation in this former Portuguese colony. They attempted in particular to discern ways in which their two sponsoring organisations should respond to the changing situation in East Timor.

4. The visit took place soon after a number of incidents had occurred, for example that on 7 and 8 June in the vicinity of Baucau involving damage to a mosque and the killing of a soldier which had led to the detention of some 79 young people which exemplified the volatility of the region. The visit took place immediately before the four-yearly meeting of the Synod of the GKTT.

5. Immediately following its visit to East Timor the team was able to present its most immediate reflections at a meeting with the General Moderator and the General Secretary of the PGI in Jakarta [...]

B. Three Reflections on the Life of the Churches

The mission of the GKTT

8. The team was delighted to note the growth of the GKTT and to visit it as a new member church of the WCC. The group was pleased to see two newly built churches, one in Dili and one in Baucau, as well as the new headquarters building of the GKTT.

9. The GKTT in its common life is a witness to the unity of all God's people as it brings together Christians from a wide diversity of ethnic backgrounds from different parts of the Republic of Indonesia.

10. At the same time, it recognises that it has a special mission to the Timorese people and special responsibilities to undertake advocacy

for the needs and aspirations, and to minister to the distress and fear under which many of them live.

The need for Christian unity

11. Given the various threats to the community in East Timor, it is of the highest importance that every opportunity be grasped, and even created, for Catholic and Protestants to work together with one another, not allowing incidents or processes to drive a wedge between the churches. The team received clear evidence that certain political interests were eager to do just that.

From Political to Inter-Religious Conflict

12. From political to inter-religious conflict: it was suggested to the team that agencies in Indonesia under Islamic influence were seeking to relocate the conflict in East Timor, turning it from a dispute between political parties and positions into an inter-religious issue, sometimes Catholic v Protestant, but more importantly Christian v Muslim, putting the *Pancasila* principle at risk. This was a new emphasis not so obviously to be seen or witnessed in earlier visits.

C. Three Reflections on the Socio-economic Situation

Human rights

13. Despite systematic and persistent efforts by the Indonesian government to silence the voice of the international community on human rights violations in East Timor, the issue remains high on the agenda of inter-governmental organisations like the United Nations and the European Community. In a statement issued during the recently concluded 1996 session of the United Nations Commission on Human Rights, Mr Ayala Lasso, the High Commissioner for Human Rights, mentioned the grave human rights violations taking place in the territory, calling upon the Indonesian government to take action to improve the situation.

14. The United Nations Commission on Human Rights is presently engaged in negotiations with the Indonesian government for the opening of a human rights office in Jakarta. The High Commissioner wants his team of monitors to be able to visit East Timor as often as is necessary and to make frequent reports to him on the situation there.

15. The necessity of the High Commissioner's request became clear to the delegation when it spoke to a number of East Timorese and heard stories of torture, illegal detentions, disappearances, and unlawful killings, and was confirmed in the documentation provided by the Joint Committee for the Defence of the East Timorese. Repression started by the Indonesian security forces in 1975 goes on unabated despite outward appearances of calm and normalcy. The black-hooded Ninja gangs of 1995 have disappeared only to be replaced by unidentified para-military groups that operate with complete impunity, spreading fear, terror and havoc particularly in rural areas.

16. The military apparently have no control over the activities of these groups which considerably

add to a climate of fear amongst the people. Reports of misbehaviour by the lower ranks of the military particularly in their dealings with youth are common. Most of the repression takes place in the context of counter-insurgency measures carried out on the pretext of maintaining national security and fighting the armed resistance to Indonesian forces.

17. In the judgement of Bishop Belo, in such circumstances it is crucial that international solidarity work in support of the East Timorese struggle continue.

Trans-migration

18. The team was told that the trans-migration policy of the Indonesian government forms part of its overall efforts to integrate and develop the province. Under this policy, large numbers of Indonesians from other islands have been encouraged to settle in East Timor. Some of the migrants have brought their skills and have contributed to the development effort. In comparison to the local people, most of these migrants are well-equipped and have little or no difficulty in finding jobs. But for local people scarcity of employment opportunities in the province results in frustration and hostility towards the migrants.

19. Whilst the team was staying in the Republic publicity was given in the daily papers to a statement of government opinion which denied the validity of the concept of indigenous people, all peoples being citizens of the Republic and only that. Not surprisingly, therefore, many East Timorese see in the present migrant policy of the government a deliberate attempt to destroy the indigenous culture and future of the Timorese people as a distinct ethnic group in their own lands.

20. The fact that the migrants come from different cultural and religious backgrounds has further aggravated the situation. Growing religious and ethnic tensions particularly amongst the youth have resulted in increasing conflicts between the indigenous people (*Putrah daerah*) and migrants (*Pendatang*). The climate of suspicion, fear and hatred generated by this has seriously hampered development efforts.

21. Whilst recognising that the children of migrants who know no other home than East Timor should not be discriminated against, there is an urgent need to review the present migration trends and patterns. Unless this task is undertaken on an urgent basis, there is likelihood of present tensions building up into a major conflagration which can only add to the difficulties of the East Timor situation.

Development

22. To create confidence in its development programmes, the government needs to be sensitive to the socio-cultural background of the people.

23. The team continues to affirm that economic development without the ability of the Timorese people to participate fully in the making of the decisions which will shape their future lives is a wholly inadequate policy for East Timor. However, they now notice that because of this,

even development programmes themselves are suffering since it becomes increasingly difficult to motivate people to take responsibility for these activities in an atmosphere where there is a very high level of corrosive suspicion and fear. In these circumstances, development ceases to be development as communities lapse into dependency upon a wide variety of development-agency handouts.

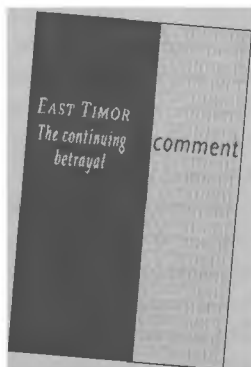
24. This leads the group to believe that only as a culture of hope, rather than one of fear, is fostered is there any chance of development programmes having any success. An expectation of consistent progress towards full participation in decision-making, uninterrupted by arbitrary military intervention, is a necessary precondition to enable development programmes themselves to be able to achieve their goals, and thus to meet the needs of empowering the local people to deploy their energies and talents to create their own future in the context of a multi-cultural, multi-religious society which guarantees justice to all its members.

Recommendations

25. Ecumenical solidarity. The team discerns the unique potential of the churches in East Timor for becoming instruments of hope, unity, and justice for the people of East Timor. It is important for the international ecumenical community to be with them and to strengthen the bonds of ecumenical fellowship that have been built over the past several years. ■

NEW PUBLICATION

Comment: East Timor – The continuing betrayal



'Blessed are those who work for justice. The people of East Timor are working for justice, fighting for their rights and they are blessed [...] God is raising up people everywhere to walk alongside the East Timorese [...] In 1989 Bishop Belo wrote that the world has forgotten East Timor. Let us show that it is not true.'
Monsignor Aloisius Nobuo Soma
retired Bishop of Nagoya, Japan, June 1994

The consequences of Indonesia's illegal occupation of East Timor in 1975 were graphically illustrated in 1991 when the 12 November massacre of about 250 Timorese civilians by Indonesian security forces in Santa Cruz, was shown on television screens across the world. Public awareness of East Timor's struggle for justice has grown as a result, but a business as

What the international community should demand

Human rights

1. Call for the unconditional release of prisoners detained for their political views and for the immediate cessation of arbitrary arrest, torture and other violations of international human rights law by security forces in East Timor.
2. Encourage the Indonesian government to launch a proper, impartial inquiry into past human rights violations, especially the Santa Cruz Massacre, in order to resolve the circumstances surrounding extrajudicial executions and disappearances. Compensation should be accorded to families of victims.
3. Support rigorous, impartial on-site human rights monitoring by the United Nations and press for regular, unhindered access to East Timor by non-governmental human rights organisations.
4. Press for an immediate reduction of Indonesian troops deployed in East Timor, and their eventual withdrawal in the context of a comprehensive settlement.

Negotiations

5. Support the Tripartite Talks under the aegis of the UN secretary-general, while pressing for substantial progress towards a just, and comprehensive settlement, in line with international law and the will of the Timorese people.
6. Encourage the parties seriously to consider the peace plan put forward by the National Council of Maubere Resistance (CNRM) as a framework for resolving the conflict.
7. Support the continuation of the All-Inclusive Intra-East Timorese Dialogue under UN auspices, while pressing for the inclusion of all recognised East Timorese leaders, including Xanana Gusmão, in the talks.

Broader relations

8. Provide development assistance to East Timor through local church and non-governmental organisations, rather than through governmental agencies.
9. Restrict arms sales to Indonesia and review broader aid, trade, investment and military cooperation relations if there is no meaningful movement forward by the government of Indonesia on the question of East Timor.

usual approach by Asian and western governments reinforces the Indonesian government's claim to absolute sovereignty over East Timor.

This *Comment* documents the practices of the players who are able to influence East Timor's future, including the Timorese resistance, the Indonesian government, Asian and Western governments, the United Nations, the Catholic church and other civil society organisations. It shows in graphic detail how, despite their public pronouncements in favour of human rights and decolonisation, many governments have rewarded Jakarta's behaviour – and betrayed East Timor – by boosting trade, aid and even arms sales to Indonesia.

The *Comment* argues that there will be no immediate reduction in East Timor's suffering until the Indonesian government alters its policy: it must recognise the rights of the East Timorese under international law and enter into the serious dialogue required to forge a comprehensive settlement. The booklet outlines how the international community could encourage such a policy shift in Jakarta, through the Tripartite Talks and the All-Inclusive Intra-East Timorese Dialogue under United Nations auspices, in the UN Commission on Human Rights and in other fora. It also discusses confidence-building measures, such as on-site verification of human rights by the UN and independent human rights non-governmental organisations (NGOs), which could help reduce suffering, defuse tensions and lay foundations for peace. It concludes that international civil society organisations – NGOs, churches and solidarity organisations – could play an important role in promoting a breakthrough

on East Timor, primarily by increasing public pressure for change. The *Comment* puts forward policy recommendations for the international community (above). ■

CIIR, London, September 1996

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