

EAST TIMOR

Towards a just peace in the 1990s



*“Big countries cannot
invade little countries
and get away with it.”*

— The Prime Minister of Australia
Bob Hawke
September 30, 1990

The Australian Council for Overseas Aid

Introduction

The extent and determination of East Timorese resistance to Indonesian military occupation was dramatically underlined last September when East Timorese smuggled an Australian lawyer, Robert Domm, through Indonesian lines to interview their leader Xanana Gusmao.

The survival of the resistance for 15 years, in a small land area confronted by a military force of 10-15,000 equipped with air support and modern methods of detection and firepower, is a conspicuous feat of courage and commitment.

The absence of any external material assistance, and the knowledge that most of the world had come to see their cause as hopeless, makes their survival and effectiveness even more remarkable.

But it is more than an example of courageous defiance. The survival of the armed force shows the extent of the support of the people of East Timor, hundreds if not thousands of whom are directly involved in the underground movement that supports Xanana Gusmao. As he described the situation in his interview, there is no shortage of volunteers to replace casualties or to provide rotation of service for members of his armed force.

Even more remarkable is the fact that many people must know the general or particular location of Xanana's force. A word to the Indonesian military would be well rewarded, yet there has been no betrayal.

The survival of the armed force is a symbolic, as well as military, expression of the East Timorese wish for freedom. It will encourage people around the world to continue to work for East Timorese self-determination — and governments and the United Nations too.

It also provides a clear answer to the question of whether external support for East Timor is in the

best interests of the people of East Timor. Would they prefer to live quietly without freedom? Does external campaigning only increase the internal level of oppression? The answer to the first question appears to be 'no', even if the answer to the second question could well be 'yes'.

The international political transformation that occurred in the late 1980s, the strengthened support for East Timorese self-determination in Portugal and the European Community, and the commitment of many parliamentarians, including members of the US Congress and Japanese Diet, has created an atmosphere more conducive to negotiation and resolution than ever before. Indonesia's economic development and the absence of internal or external threats from communism has encouraged significant political liberalisation in that country and indeed, a significant though highly ambiguous liberalisation in East Timor itself since the opening up of early 1989. Indonesians concerned to promote democracy in Indonesia have also begun to address human rights and other aspects of the situation in East Timor.

This is an attempt to recount the events of the past 15 years for people who have little memory of the events of 1974-76; to consider the current state of the issue within East Timor and internationally; to argue the case for unconditional discussions by the parties to the dispute; and to suggest some possible outcomes.

The establishment of an independent nation of Namibia in 1990 is a welcome encouragement for East Timor. It shows that time does not erode the principle of self-determination, and that perseverance against overwhelming odds can achieve that goal. It is also a reminder of the capacity of the UN and the need for it to constructively address other frustrated claims to self-determination around the world, including that of the East Timorese, whose cases have been thrown into sharper relief by the international response to Iraq's occupation of Kuwait and brutal treatment of the Kurds.

This publication has been written and edited by David Scott, Herb Feith and Pat Walsh. Opinions expressed in this publication are not necessarily those of the Australian Council for Overseas Aid.

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East Timor: Aspects of history

BACKGROUND

The mountainous island of Timor has an area of nearly 12,000 square miles. It is one of the eastern islands of the Indonesian archipelago and lies only 300 miles north of Australia, which is its nearest neighbour apart from Indonesia. The western half of the island, with the exception of the enclave of Oecusse, forms part of the Republic of Indonesia. East Timor, which covers some 7,400 square miles, comprises the eastern half of the island and Oecusse, and the small island of Atauro opposite Dili, East Timor's principal town.

An Indonesian census in 1980 put the population at 555,350 compared with an estimated 650,000-680,000 in 1974. Except for a few thousand persons of Chinese, European and mixed ancestry, the population is of Timorese origin. Though Portuguese was until recently the official language, indigenous languages are also spoken, of which Tetum is the most important. Many Timorese follow traditional religions, but about four-fifths of the population are now Catholic.

The centuries of Portuguese rule were a period of neglect. The impact of Portuguese rule on Timorese society was slight until the middle of the 19th century. The main economic activities remained subsistence agriculture and hunting (deer and pig). Few roads were built and almost no health or education services introduced. Coffee was introduced in the mid-19th century, and in the 20th century there were attempts to grow rubber, tobacco, copra and peanuts for export, but coffee was considered as the main export item.

HISTORY

Before the coming of the Europeans, Timor was known to the Chinese as a source of sandalwood. The first European settlement was established by Portuguese Dominicans in 1566, and for the next three centuries the Portuguese and Dutch disputed control. West and East Timor were finally separated by an agreement signed by the two colonial powers in 1913, and West Timor was part of the Indonesia proclaimed in 1945 and conceded its independence by the Dutch in 1949.

Anti-Portuguese revolts in East Timor were frequent: the last of these continued from the late 1880s until 1912, and was defeated only after the

arrival of troop ships from Mozambique and a Portuguese gunboat. Three thousand Timorese were killed. During the Second World War both parts of the island were occupied by the Japanese. East Timor, as the colony of a neutral power, might not have been but for the presence there of Australian commandos. It is estimated that at least 40,000 East Timorese died during this period of guerilla and anti-guerilla warfare.

After the war the Portuguese again assumed control. The repressive character of their colonial regime attracted mounting international criticism, and during the 1960s an educated elite with nationalist aspirations began to emerge, often the product of the Catholic schools, and in particular, of the Dili seminary. Nevertheless, it was not until the Portuguese revolution of 1974 that indigenous political forces could develop freely.

What were to be the three main political groups in East Timor were all formed in May 1974; the UDT, Fretilin (originally the ASDT) and Apodeti. Most important at first was the UDT, the Timorese Democratic Union, which favoured federation with Portugal. A more radical nationalist position was advanced by ASDT, the Social Democratic Association of Timor. Its manifesto called for the rejection of colonialism and racial discrimination, and demanded the right to independence, immediate participation in local government, and a campaign against corruption. The third group, Apodeti, the Timorese Popular Democratic Association, supported union with Indonesia. It had a much smaller popular base, but was supported and used by Indonesia.

The nationalist movement rapidly grew in strength. By September 1974 ASDT had assumed a more radical character and changed its name to Fretilin, the Revolutionary Front for the Independence of East Timor. The UDT had moved towards support of full independence. Encouraged by the Portuguese Decolonisation Commission and reacting to clumsily aggressive Indonesian radio propaganda from Kupang in West Timor, the UDT and Fretilin formed a coalition.

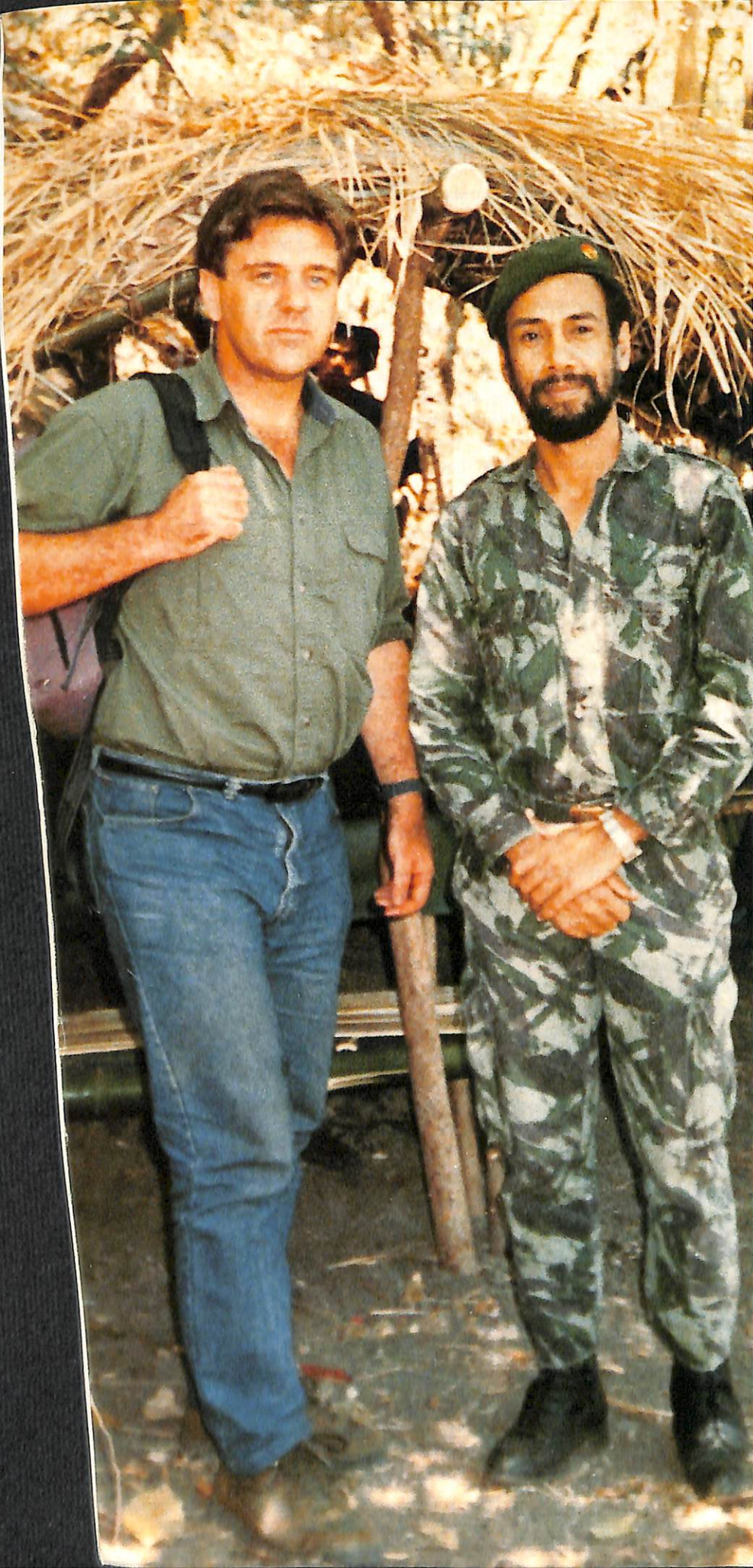
The coalition operated successfully for a time, but collapsed by the end of May 1975, partly in response to Indonesian attempts to divide the two parties and partly owing to Fretilin's expansion and radicalisation. It had launched an education program based on the 'conscientisation' method of literacy training, and introduced production co-operatives, together with some preliminary measures of land reform. Influenced by liberation movements in Angola and Mozambique, Fretilin came to favour economic strategies of self-reliance and controls on private business, whereas the UDT favoured a substantial role for foreign companies in the development of East Timor's tourist and mining industries.

"It was not until the Portuguese revolution of 1974 that indigenous political forces could develop freely."

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Cover photograph:
Veiled women
worshippers adorn
themselves in black in
remembrance of all
those who have died,
Baucau, East Timor,
1990.



Throughout this period Indonesian pressure and propaganda were destructive influences on political developments in East Timor. In August 1975, a group of UDT leaders who had been told by Indonesian intelligence chiefs that Indonesia would intervene if Fretilin gained power, attempted a coup. They seized key installations in Dili and Baucau and issued an ultimatum to the Portuguese authorities demanding immediate independence and the imprisonment of certain Fretilin leaders. The Portuguese provincial government rejected the ultimatum but chose not to intervene. Fighting broke out in Dili and in the central mountain districts.

In all, some 1,500 people were killed during the civil war which followed, most of them in the mountain areas. Timorese colonial troops deserted en masse, with their arms and equipment, to join Fretilin, which already had the support of most of the rural population, and by September 1975 Fretilin was in control of virtually all of Portuguese Timor.

THE INDONESIAN INVASION

At that point Fretilin was opposed to an early declaration of independence. It continued to recognise Portuguese sovereignty and repeatedly called on the governor, who had transferred his residence to the island of Atauro during the fighting, to return to Dili and resume the process of decolonisation, which Fretilin leaders believed would take up to five years. But Portugal refused to authorise this and Fretilin thus became a de facto government. Between September and November 1975 it administered the territory. During this period Fretilin leaders repeatedly declared their willingness to live in harmony with ASEAN neighbours, and invited delegations from Indonesia and Australia to visit Dili. Foreign observers who visited East Timor at the time, including a group from the Australian Council for Overseas Aid, recognised that Fretilin governed responsibly and enjoyed popular support.

Indonesian policy towards the nationalist movement went through a number of phases. In June 1974 Jose Ramos Horta, then secretary of the political committee of the ASDT, visited Jakarta. The Indonesian Foreign Minister, Adam Malik, gave him a letter which stated that "the independence of

Resistance leader, Xanana Gusmao (right), and Australian lawyer, Robert Domm, East Timor, September 1990. Domm trekked on foot through mountains teeming with Indonesian troops to record the first ever direct interview with Xanana. To end the conflict, Xanana proposed negotiations "without pre-conditions" with Indonesia.

every country is the right of every nation, with no exception for the people in Timor". Soon afterwards, however, the Indonesian Government began to retreat from this commitment, with the support of the Australian Prime Minister, Gough Whitlam, who declared in September 1974, during an official visit to Indonesia, that an independent East Timor would be "an unviable state and a potential threat to the area".

The Indonesian Government apparently feared that the proximity of an independent state with radical policies would subvert its authority in other parts of the archipelago. Its posture seems also to have been influenced by sphere of influence thinking of the kind that has so often characterised US and Soviet attitudes to their neighbours. Indonesian discussions with Apodeti in September 1974 were backed by broadcasts claiming that Fretilin was communist and the UDT 'neo-fascist' and 'colonialist'. By December, Adam Malik was stating that there were only two options for East Timor, union with Indonesia or a continuation of Portuguese rule.

Indonesian pressure increased throughout 1975. In March the Indonesian authorities closed West Timor to journalists and in September, after Fretilin's victory in the civil war, Indonesian forces mounted undercover operations into western areas of East Timor. In October five Australian journalists were shot as they reported on the advance of the Indonesian force into East Timor. On November 28, in a bid to attract outside diplomatic support as invasion approached, Fretilin leaders declared independence, proclaiming the Democratic Republic of East Timor with Xavier do Amaral as President. On December 7, Indonesia launched a major attack on Dili.

This sea and air attack involved bombers, paratroops and marines. It was followed by brutal treatment of the civilian population: there was large scale killing in the streets of Dili, and buildings were sacked and burned. In February 1976, Lopes da Cruz, the head of a new Indonesian-installed provisional government, admitted that 60,000 Timorese had been killed since the invasion.

Nevertheless, the operation failed to quell resistance. After three months the Indonesian armed forces controlled only coastal and border regions and areas accessible from the roads. Fretilin's counter-offensive caused the London *Times* to refer to 'Indonesia's Vietnam'. Indonesia increased the number of troops in the island ('volunteers' in official jargon), imposed draconian controls over the population, and isolated the territory from the outside world.

Mountain areas in which many people had taken refuge were bombed, and many villagers were forced to leave their fields to live in areas closer to roads. As a result there were famine conditions in

THE UNITED NATIONS AND THE 'QUESTION OF EAST TIMOR'

The Gulf War of 1991 focussed attention on the role of the United Nations in resisting aggression and reversing annexation. Within four months of the Iraqi invasion of Kuwait, the Security Council adopted no fewer than twelve resolutions and put in place a comprehensive set of economic sanctions. By January 1991, the US had moved 400,000 troops into the Middle East and mobilised the coalition of many nations which eventually attacked Iraq in the name of the UN.

There will continue to be argument about the US-led military action and whether the decision to launch it was justified in terms of the UN principles being affirmed. But there will also be pressure from those who want to see the UN's authority enhanced to see to it that glaring cases of double standards are righted. The Kuwait-East Timor comparison is one striking instance.

The UN has adopted no fewer than ten resolutions on the 'Question of East Timor'.

Before the end of December 1975, the Security Council adopted a unanimous resolution and the General Assembly adopted a resolution by a huge majority, calling for the immediate withdrawal of Indonesian troops and for the people of East Timor to exercise their right to self-determination. After a second Security Council resolution in April 1976, the General Assembly adopted resolutions annually from 1976 to 1982, repeating these basic demands. Since then the 'Question of East Timor' has been entrusted to the Secretary-General. The UN has not recognised Indonesia's illegal annexation; it still regards Portugal as the Administering Power.

Will the world's major powers give active support to the Secretary-General in his efforts to achieve a settlement?

1978 and 1979. Tens of thousands of Timorese died of hunger, and experienced relief workers who took part in the restricted relief program which was subsequently permitted by the Indonesian authorities, compared the situation with that in Biafra or Kampuchea.

The history of East Timor and the conflict with Indonesia has been taken from 'Comment: East Timor', a publication of the Catholic Institute for International Relations, London. Some editorial and other changes have been made.

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"Overseas media access to East Timor was restricted to occasional visits by journalists selected by the Indonesian Government."

The persistence of resistance

"Dili for breakfast, Baucau for lunch, and Los Palos for dinner" was the boast of General Benny Moerdani, the commander of the assault on East Timor on December 7, 1975.

His view that military occupation of East Timor would be completed in a few days or weeks was shared by most of the world. However, a few days earlier, on the island of Atauro, a Portuguese colonel had told the 12 Australians who had been airlifted from Dili, 20 miles away, that there were 3,000 front line East Timorese troops, 10,000 reservists, and large quantities of arms and ammunition in East Timor. "They will resist for a long time", he said.

In the first months after the invasion, Indonesians occupied many of the provincial centres and main towns, but had little control over the rest of East Timor. In the ensuing years the Indonesians succeeded in extending their control, but at great cost to both the people of East Timor and the Indonesian Army. Catholic Church sources estimate that fighting and famine cost 100,000 to 200,000 lives. It is difficult to estimate the level of Indonesian casualties because Indonesian policy has been to keep the war secret, but outsiders who have visited are struck by the number of Indonesian military cemeteries in East Timor. Some claim that Indonesia has suffered as many as 20,000 casualties.

Indonesia's strategies have included using East Timorese as human shields in their advances, forcibly moving people from villages into concentration centres, deporting people to the island of Atauro, and confiscating food stocks.

Independent sources, especially within the Catholic Church, have reported the sufferings of the East Timorese people in the past 15 years.

The barriers imposed by the Indonesian Government in 1975 created great difficulties for East Timorese contact with the outside world. A radio link between the East Timor guerilla movement and supporters in Australia was cut in 1978 following Indonesian military action in East Timor, while the Australian Government declared it illegal and charged people in the Northern Territory.

For most of the time since 1975, overseas media access to East Timor was restricted to occasional visits by journalists selected by the Indonesian Government.

In January 1989 Indonesia, realising that the ban on entry was increasingly counter-productive in a world more intolerant of information monopolies and politically imposed barriers to movement,

allowed visitors into East Timor.

The reports of visitors confirm that the East Timorese bitterly resent the occupation.

In October 1989 Pope John Paul II made a brief visit to Dili, and this was the occasion for vigorous protest against Indonesian control. In February 1990 there was similar protest when the US Ambassador to Jakarta visited Dili. In each case severe retribution was meted out to scores of those who had been conspicuous among the demonstrators. Visiting journalists concluded that young East Timorese whose education has been in Indonesian schools are at least as committed to the cause of East Timorese nationalism as the generation with Portuguese education.

"This is one of the world's sadder places", *New York Times* correspondent, Steve Erlanger, wrote in October 1990. "It is a place where 100,000 to 200,000 died from 1974 to 1980 in a brutal civil war and invasion through combat, execution, disease and starvation... a larger percentage of the population than died in Cambodia under the Khmer Rouge. Despite Indonesia's considerable effort at development — schools, roads, bridges, harbours, television — Timorese remember the harsh years after the invasion when thousands fled to the parched mountains and tried to survive helicopter gunships, free fire zones, the burning of their crops, and a military that suppressed all resistance."

Despite the construction of more than 500 primary, junior, and high schools, a polytechnic and private university, opposition, resentment and hatred of the occupation remains widespread. It is fuelled by the presence of large numbers of Indonesian migrants settling permanently in East Timor. At least 20% of Dili's population of 120,000 is non-Timorese.

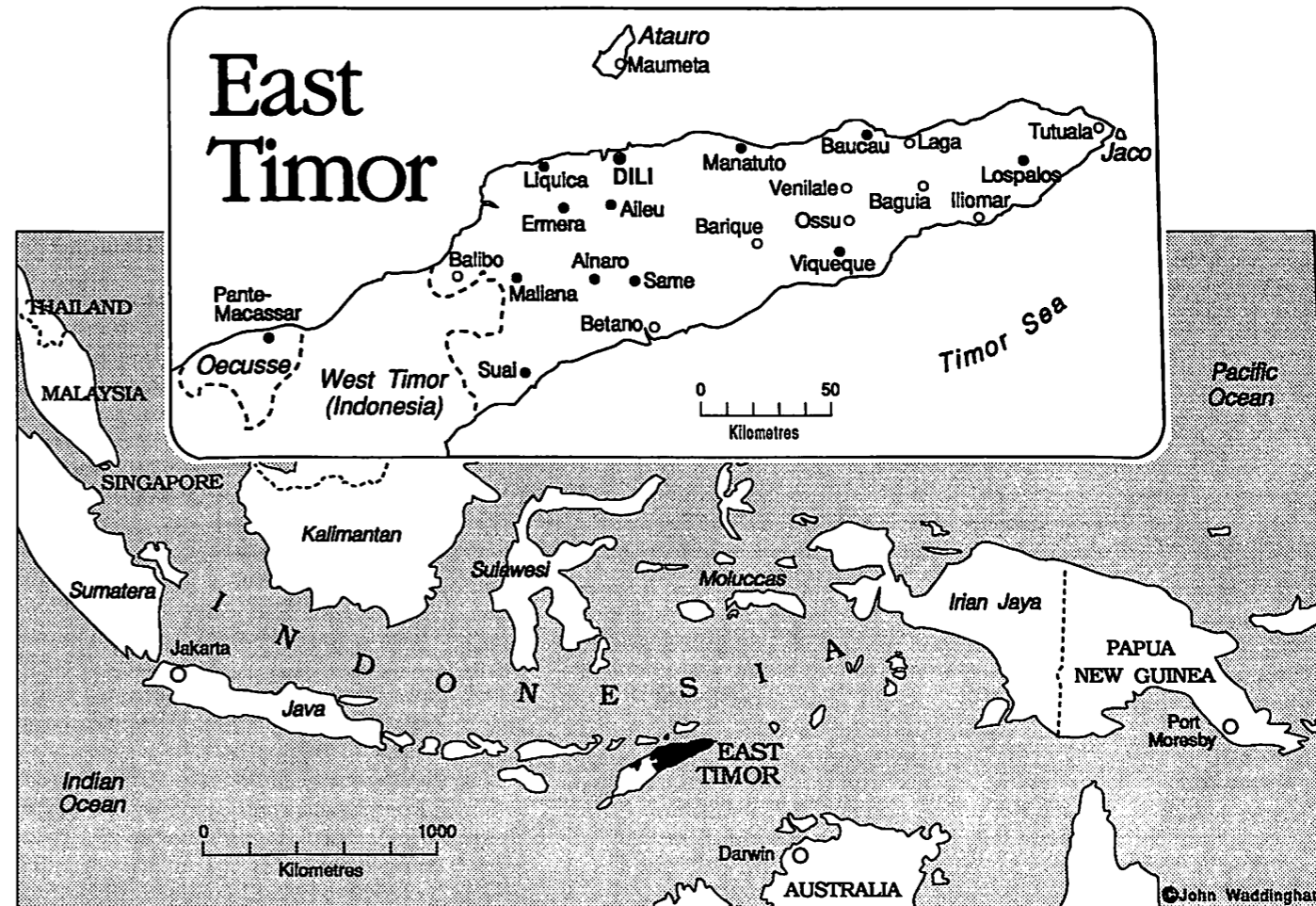
While daily life goes on, observers comment on the atmosphere of fear, and the unnatural way in which East Timorese in all parts of the country distance themselves from foreign visitors.

"Visitors are monitored, police and military agents live in hotels, tourist guides are questioned about itineraries, ordinary citizens do not want to talk to foreigners in public, and even priests are nervous about being seen in conversation", wrote Erlanger.

An Australian Parliamentary delegation which visited in February 1991 was enveloped by massive security and, said journalists, had little chance to speak to dissident Timorese. The delegation was stunned by the vast numbers of Indonesian soldiers, which they estimated at over 10,000.

THE CATHOLIC CHURCH

The Catholic Church, as represented by the two Bishops who have held office since the Indonesian invasion, has consistently protested about human



rights abuses, attempted to negotiate with Indonesian authorities, and kept alive the principle of self-determination within limits imposed by Indonesian control.

Church membership has more than doubled since the Indonesian takeover, a change which has often been ascribed to the Church's role as principal protector of the ordinary people against the Indonesian military presence. Some 80% of East Timorese are now Catholics. Priests and nuns have been immensely important in maintaining hope and a will to go on living among people whose lives have been shattered by traumatic experiences. The Church has been blamed by the military for the rash of demonstrations in Dili over the last two years.

In February 1989, Bishop Carlos Belo wrote to the Secretary-General of the United Nations calling for a referendum on the future of East Timor. The controversial letter rejected Indonesia's claim that the East Timorese chose integration and declared they had never been consulted and 'were dying as a people and as a nation'. The UN Secretary-General has not responded to the letter but prominent Church leaders in many countries spoke out in response to it.

The Vatican does not recognise the Indonesian

incorporation. The Dili diocese is directly administered from Rome and is not part of the Indonesian church.

MILITARY RESISTANCE

In 1978-79 the Indonesian forces succeeded in inflicting major defeats on the Fretilin-led guerilla movement. But by 1981 the movement had regrouped under the leadership of Xanana Gusmao. Since then, Xanana Gusmao and his forces have successfully resisted the attempts of the Indonesian Army, with the latest equipment provided by the US, to eliminate them.

Estimates of the numbers of armed guerillas vary from 500 to 2000. The nature and circumstances of the kind of resistance being given make it very difficult to obtain an exact figure. The guerillas are not waging a conventional war, but operate in small, autonomous, mobile units and numbers rise and fall according to the circumstances.

A new Indonesian offensive began towards the end of 1990 reportedly using 25,000 troops, two helicopter squadrons, and Timorese conscripts. The apparent objective is to kill or capture the resistance force before the proposed visit of a Portuguese parliamentary delegation.



East Timorese students (above) vent their feelings before the American Ambassador to Indonesia, John Monjo, Dili, 1990. The opening up of East Timor has given the resistance a previously denied opportunity to publicise their opposition internationally. Photograph by Jenny Groves

and expose themselves to danger until it is achieved.

EAST TIMORESE ABROAD

Some 20,000 East Timorese live outside their country, mostly in Australia and Portugal. The dispersal began with the coup of August 1975 initiated by UDT and opposed by Fretilin. Tribal and family disputes exacerbated the political conflicts that initiated the fighting. As it became apparent that Fretilin, backed by the Army, would win, UDT supporters and others fled across the border to West Timor, whence many eventually made their way to Portugal. Others fled direct to Australia and some to Macau and Taiwan.

Few East Timorese were able to escape from Timor immediately after the Indonesian invasion, but over

time and with support from the governments of Portugal and Australia, a steady stream of people left East Timor. Most were permitted to leave on the grounds of family reunion. Many paid large sums of money to Indonesian officials.

For many years the two main East Timorese groups in Australia and Portugal were hostile to one another. UDT supporters recalled the consequences of their defeat at the hands of Fretilin... lives lost, families broken, and blamed Fretilin for the subsequent Indonesian invasion. Fretilin supporters regarded the UDT attempted coup as the trigger for the disasters that subsequently overwhelmed their country.

Fretilin has provided political leadership especially in the United Nations, due largely to the political and negotiating skills of its representative, Jose Ramos-Horta.

In recent years attitudes have changed. The behaviour of the Indonesian military, the repression, loss of life and isolation of their people, as well as the attitudes and actions of their family and friends in East Timor, have brought both Fretilin and UDT supporting groups into a closer relationship in a common cause.

This relationship is referred to as the 'Convergence'. Fretilin and UDT leaders now work together for self-determination and independence. While respecting each others autonomy, both parties regularly consult and make joint representations to the Portuguese Government, which recognises the Convergence, and in UN forums.

All East Timorese outside East Timor are distressed by the repression their compatriots are suffering, support the right to self-determination, and welcome and assist any moves that might lead to freedom within East Timor and to an act of choice.

Portugal

In international law Portugal remains responsible for administering East Timor. It lost effective control when the Portuguese Governor moved from the capital, Dili, after the coup of August 1975, and finally withdrew after the December 1975 invasion.

The Indonesian invasion came at a time of great turbulence in Portuguese domestic politics. 1974-76 were years of revolution in Portugal, with frequent changes of Cabinet. Moreover, Portugal was preoccupied in those years with the decolonisation of Angola, Mozambique, and Guinea Bissau, where powerful guerilla movements had won long battles against Portuguese armies. In Angola and Mozambique especially, freedom movements had maintained vigorous armed campaigns for independence.

Portugal's relationship to its African territories was economically and politically important, and many Portuguese people had associations over many years with African colonies. Events in East Timor, a tiny territory in terms of population and land area, (and half way around the world), were overshadowed by the momentous changes occurring in Africa.

Since the late 1970s, however, there has been active concern in Portugal over the abandonment of East Timor and the suffering of the East Timorese people. Portugal's pride and international status were also affronted by the Indonesian occupation. East Timor has become a matter of sustained public and political interest in Portugal ever since, one which involves parties from every part of the political spectrum. It has also been an issue for the Portuguese President in his role as defender of the Constitution. Each of the two men who have held this (elected) position since 1975 has sought to be active in the search for self-determination for East Timor.

The centre-right government of Prime Minister Cavaco Silva, in office since 1985, has also taken a firm line, seeking to obtain support from Portugal's European Community partners and the Council of Europe. With an election due in the next 12 months, the Silva government is anxious to achieve progress towards a negotiated settlement with Indonesia.

The joint statement by Japanese Prime Minister Kaifu and Portuguese Prime Minister Cavaco Silva in September 1990 included a reference to East Timor, with Prime Minister Kaifu expressing support for a negotiated solution to the Timor problem, and the issue was raised by President Soares in his meetings with the Queen of the Netherlands in December 1990. President Soares was re-elected in

January 1991 for another five year term.

The aim of Portuguese diplomacy has been to gain international support for the work of the United Nations Secretary General, who was instructed by the General Assembly in 1982 to achieve 'a comprehensive settlement of the (East Timor) problem'. In recent years the Secretary General's efforts have been directed towards a visit to East Timor by a Portuguese parliamentary mission.

Indonesia has repeatedly said it will permit such a visit, but then found reasons for preventing it from taking place.

The success of the Portuguese strategy in Europe is reflected in statements by the European Community at the United Nations in New York and at the Commission for Human Rights in Geneva. In a joint statement to the UN Commission for Human Rights in February 1991, the twelve members of the European Community expressed 'grave concern' at the human rights situation and called for a 'just settlement' in accordance with UN principles and 'the legitimate interest of the East Timorese people'. The ACP (African, Pacific and Caribbean) — European Community Joint Assembly meeting in Luxembourg in September 1990, adopted a strong resolution on East Timor with only one negative vote, that of Sudan, out of 80 countries.

After the invasion of Kuwait, the Portuguese Prime Minister instructed all Portuguese diplomats to link the issue with the invasion of East Timor, and made this the keynote of his address to the UN General Assembly in September 1990.

In February 1991, Portugal began proceedings against Australia at the International Court of Justice arguing that the Timor Gap Treat has infringed the right of the East Timorese to self-determination.

Australia and East Timor

East Timor meant much to Australia in 1942-45. The official Australian history of World War II records that at least 40,000 East Timorese lost their lives because of the support given to the small commando force that had been sent there to delay the Japanese advance towards Darwin.

Remembering this, East Timorese were confident that Australia would support their right to self-determination, take action to stop the threatened Indonesian invasion, and campaign vigorously for decolonisation to proceed under United Nations

"East Timor has become a matter of sustained public and political interest in Portugal."

A UDT VOICE

"Fretilin and UDT are conscious of the fact that not all East Timorese have opted for one party or the other. However, we are sure that all and every East Timorese share our goal. We might not represent all East Timorese but all East Timorese share the same strategic, sacred goal with us and that is the attainment of peace, freedom and independence for our tortured land and martyred people...."

"The National Convergence is prepared to take part in a process of dialogue and negotiations leading to a comprehensive settlement of the East Timor problem in the context of the United Nations General Assembly Res. 37/30...."

— Joao Carrascalao of UDT, speaking on behalf of the Fretilin-UDT Convergence, December 1990.

auspices.

In the event they were betrayed. Australia turned its back on one of the most significant international events it has ever had the opportunity to influence.

Documents published since 1975, including the recent diaries of former Labor Government Minister, Clyde Cameron, show that the Prime Minister of Australia until November 11, Gough Whitlam, knew of Indonesia's plans.

In a recent article, commentator B.A. Santamaria writes:

"As late as June 1974, President Suharto had not yet decided to intervene militarily in East Timor. It might still have been possible to negotiate a joint operation that with Indonesian consent might have preserved East Timor's independence.

"In September 1974, Mr Whitlam visited Jogjakarta and told President Suharto that he felt that East Timor should become part of Indonesia, though urging that democratic forms should be observed..." (*Australian*, 4/1/90).

Whitlam's encouragement to President Suharto was given without reference to Cabinet, Foreign Minister Willesee, or the Labor Party Caucus.

The 'Cameron Diaries' reveal the resentment within the Labor Party. In 1976, Whitlam was only saved from a no-confidence vote because it would have left the Labor Party leaderless at a time when a snap election was expected.

By December 7, 1975 Andrew Peacock, a Liberal, was the Australian Minister for Foreign Affairs. He was the other leader not surprised by the invasion. Briefed by the Australian Ambassador in Jakarta, he ordered the 16 Australians still in East Timor to leave on December 2 in an RAAF aircraft, an action that possibly saved their lives. Five Australian journalists who were witnesses to the advance of Indonesian troops into East Timor in September had been killed. Journalist Roger East, who remained in Dili, was also killed.

According to Senator Willesee, Minister for Foreign Affairs until November 11, Peacock was told of Indonesia's invasion plan at a briefing during a holiday visit to Bali. (*Cameron Diaries*)

Australia's complicity, its failure to restrain Indonesia or to initiate United Nations actions, was a rejection of the principle of self-determination. It helped to create a situation that led to the deaths of more than 100,000 East Timorese people.

In the year following the invasion, the government and the opposition accused one another of prior knowledge but refrained from arguing too strongly in case one exposed the other's prior knowledge and failure to act. This shared guilt has inhibited political discussion of East Timor in Australia for the past 15 years. With few exceptions, politicians and academics, who are usually vocal on human rights issues, have remained embarrassedly

silent on East Timor.

In the United States, 223 Congresspeople from both parties signed a letter to Secretary Baker in November 1990, urging the US to take action to ease repression and encourage peace talks.

In Australia a minority of MPs have consistently supported the East Timor cause. The 1990 debate on the Timor Gap Treaty with Indonesia provided an opportunity to raise concerns. But most Labor Party members were silent in response to the pressure from the leaders of the government and the Liberal members too said little. Only the Australian Democrats took a stand sympathetic to the Timorese.

It is important for Australia to have good working relations with Indonesia, but Australia's compliance to Indonesian wishes has weakened Australia's ability to assist in negotiating a settlement to the 15 year old dispute.

The analysis that shows that Australia was in a real sense an accomplice to the invasions, was subsequently compliant to Indonesia and on occasion pursued Indonesian objectives at the United Nations, is not intended to revive arguments about the past. But bringing it into the open may help to encourage political parties to acknowledge that the East Timor issue is alive and that past actions can be redeemed by a constructive contribution towards a just resolution.

Australia, proud of its opposition to apartheid and identification with Nelson Mandela, opposing the invasion of Kuwait and facilitating a solution in Cambodia, could play a valuable mediating role in relation to East Timor. It would regain the respect of the people in many countries who were surprised and disappointed that Australia did not provide moral and diplomatic leadership in 1975.

Timor Sea oil

On December 11, 1989 Australia and Indonesia signed a treaty for the joint development of oil and gas reserves in the Timor Sea. This broke a deadlock in negotiations first begun between Australia and Indonesia in 1979. It was hailed as the most substantial bilateral agreement in the 40 year history of Australia's relations with Indonesia.

But the Indonesian invasion of East Timor in 1975 still casts a long shadow over the treaty, although it has been ratified by the parliaments of Indonesia and Australia.

Australian oil companies and governments had long recognised the potential of the fields and this was a consideration in the shaping of Australia's early accommodation of the Indonesian takeover.

In a cable to Canberra in August 1975, Australia's Ambassador to Indonesia, Dick Woolcott, urged the Department of Foreign Affairs to ascertain the interest of the Department of Minerals and Energy in the Timor situation. Finalising the seabed boundaries 'could be much more readily negotiated with Indonesia than with Portugal or independent Portuguese Timor', advised the Ambassador.

Australia extended de jure recognition to Indonesia's takeover in February 1979 to allow talks on the Timor Sea to proceed.

The burden of guilt that suppresses open debate on East Timor by Australian parliamentarians prevailed in the debates over ratifying the Timor Gap Treaty in the Commonwealth Parliament in 1990. Few took account of the fact that in international law Portugal continues to be the administering power for East Timor and that the UN considers the East Timor question still unresolved, let alone that the availability of vast oil reserves would make an independent East Timor an economically viable and wealthy state.

The agreement divides the gap into three zones, with the most prospective zone, Zone A, to be administered by a joint authority. Both countries have set aside for 40 years their overlapping claims in a 200 km disputed gap in the Timor Sea south of East Timor. Zone A will now be subject to new tenders. This upset one permit holder, who has

foreshadowed a constitutional challenge to the High Court of Australia.

The Indonesian-appointed governor of East Timor complained that his administration had been sidelined in the negotiations, and Australian and Indonesian Energy Ministers, meeting in Jakarta in December 1990, said that they could give no guarantee that specific benefits from the oil field development would go to East Timor.

The story is far from over. In February 1991, Portugal decided to challenge the legal status of the Treaty and lodged a complaint against Australia at the International Court of Justice in The Hague. Australia recognises the jurisdiction of the Court.

Portugal alleges that by agreeing to the Treaty, Australia has caused "serious legal and moral damage to the people of East Timor and to Portugal (the administering authority) which will become material damage also if the exploitation of hydrocarbon resources begins".

Australia claims it is confident of its case because it involves an agreement between two sovereign states and because, it argues, there is no binding legal obligation not to recognise the acquisition of territory acquired by force, an assertion which is disputed by some experts in international law.

Court proceedings could take up to 2 years, and will heighten international interest in the East Timor issue. The dispute may also deter oil companies from legally dubious investments in the area.

"Australia's compliance to Indonesian wishes has weakened its ability to assist in negotiating a settlement..."

AN ABANDONED PRINCIPLE

Australia's rhetoric and actions are sometimes embarrassingly at odds. In February 1991, for example, while Australia's representative at the UN spoke eloquently on self-determination as a fundamental right of peoples everywhere, Foreign Minister Evans was in Bali where he flatly ruled out any peace mediating role for Australia on Timor because of what he termed 'the sovereign reality' of Indonesia's incorporation.

Self-determination, Australia told the UN Commission on Human Rights in Geneva, is 'a right of peoples, not of governments or of states' and 'the realisation of this right has been, and must remain, a basic preoccupation of the United Nations'.

The statement went on to express strong support for self-determination in Namibia, Kuwait, Cambodia, Burma and for the Palestinians and the Baltic States and to point out that the aspiration to self-determination is an 'unmistakable and probably irreversible' international trend. However, the statement made no reference to East Timor, where the right to self-determination has been forcibly denied.

While Australia was declaring its 'energetic commitment' to self-determination in Geneva, the Australian Foreign Minister, Senator Evans, was in Bali going to considerable lengths to explain why Australia, busy about so many other similar issues, could not facilitate talks between the East Timorese and Indonesia aimed at resolving the long-running conflict.

The Minister was in Bali for talks with Indonesia on the Timor Gap Treaty and the carving up of massive oil and gas resources in the Timor Sea.

"We simply can't lend ourselves to an exercise which is premised on non-acceptance of the sovereign incorporation of East Timor into the Republic of Indonesia", he said.

Ignoring East Timor's right as a people to self-determination, he said "it's just a country, an area, that was never a sovereign state".

Perhaps not appreciating the irony of his words, he added "it was an abandoned colony".

The political background to the 1990s

In 1975 fear of communism dominated the political concerns of governments of many countries in South East Asia. Eastern Europe seemed irreversibly under Soviet domination. Communist parties in Italy and France attracted significant electoral support. In Portugal Marxist army officers were exercising influence over Cabinet.

In April 1975 Saigon was captured by a communist Vietnam giving rise to widespread fear that communism would spread through the rest of South East Asia. China was still ruled by Mao Tse Tung, who held ideas of world revolution.

Papua-New Guinea was hurried into independence by the Whitlam Government in Australia and

its stability was questionable. In the Philippines, communist led resistance to the Marcos Government was gathering strength. Armed resistance to the Indonesian presence in Irian Jaya continued.

The generals who had taken over the government of Indonesia in 1966 after the widespread killings that followed the coup and counter coup of 1 October 1965, were worried by the dramatic political changes that were occurring in the region. As they perceived it, there were two major reasons to be afraid of a small independent nation that threatened to appear on the periphery of the Indonesian archipelago.

It might become 'another Cuba', a left or communist country serving as a forward base for the USSR, China or Vietnam. Its existence could also catalyse territorial breakaway movements in parts of Indonesia's outer islands.

THE 1990s

The dramatic political changes that occurred in the late 1980s have created new political and economic challenges, but the threat of communist expansion

THE ISSUE IN INDONESIA: NO LONGER 100% BLACKED OUT

Until recently, East Timor was a taboo subject in Indonesia. Very few civilians had access to the territory, and available information was heavily censored and invariably supportive of government claims that the '27th province' was at peace and developing rapidly. Even among politically well-informed Indonesians, few had information on which to base opinions.

With the opening of East Timor in 1989 and the partial lifting of constraints on political activity and reporting in Indonesia, the reality of the situation in East Timor has become better known and discussed. Criticisms of the situation by the Bishop of East Timor and Governor Carrascalao have been carried in the press and aspects of the controversy surrounding the visit of the Pope to East Timor in October 1989 were widely covered.

A spectrum of views is emerging in concerned sections of Indonesian society, particularly those involved in the movement for democratisation. Most acknowledge that serious human rights problems exist in East Timor and some, such as the Institute for the Defence of Human Rights (LPHAM), regularly make representations on abuses to the military. Others believe the East Timorese have not exercised their right to self-determination and that East Timor should be more

properly described as 'our first colony'. An Anti-Gulf War demonstration in Jakarta in January, included 'the East Timor people' in a list of peoples who 'should be allowed to resolve their situations through referendums'.

An extremely sensitive aspect of the issue which concerns Indonesians is how many Indonesian soldiers have died in the long, secret war. Visitors to East Timor are struck by the number of Indonesian graves in war cemeteries. Some put the toll as high as 20,000. In an interview in 1988, Ali Sadikin, the former governor of Jakarta and a prominent dissident, said: "Hundreds of soldiers have died there, but the Indonesian people are not told. That is immoral... Why are these deaths concealed? Why are the bodies not brought back here?"

In 1990, a group of social scientists from the prestigious Gadjah Mada University in Yogyakarta published a study of the situation in East Timor. The study reported that East Timor was a 'traumatised' society and that the people were suffering an 'overdose' of the military. The researchers, who visited East Timor for extended periods, recommended reductions in troop levels and an end to economic monopolies, and called for resettlement centres to be disbanded and a greater say for East Timorese in decision-making. The fact that the research was commissioned by the Bank Indonesia and the local Development Planning Board suggests that there is interest in some sections of the Indonesian government in exploring reform agendas.

that was a major motive for the Indonesian occupation of East Timor is now virtually non-existent.

Communist ideologies dominate still in China, Vietnam, and Cambodia but the search for internal political stability and economic growth preoccupies those governments. The Indonesian fears of 1975 cannot be sustained in the 1990s, and indeed, Indonesia's relations with Moscow, Beijing, and Hanoi have improved markedly in recent years.

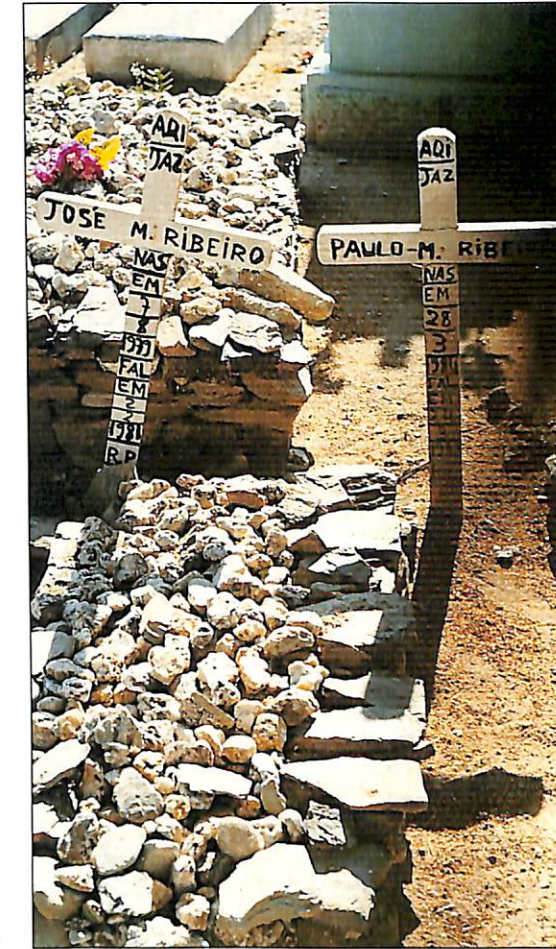
In Asia, as in Europe, political challenges are more concerned with secessionist pressure. The central political question in many states is how to meet the demand for ethnic and regional autonomy whilst maintaining national authority and national boundaries. The dilemma is evident in many places... the USSR (the Baltic States and other members of the Soviet Federation); Yugoslavia; Czechoslovakia; Ethiopia (Eritrea, Tigray); Canada (Quebec); the Sudan; Burma (Shans, Karens); Papua-New Guinea (Bougainville); China (Tibet, Sinkiang).

Herb Feith believes that the "1990s will see many States experiment with quasi-state formulas in response to the demands of clamorous nationalist movements, most of them in border regions. We are likely to see more special regions, special autonomous zones and probably also more 'free association' arrangements and confederations. Central governments which have hitherto insisted that they need to maintain consistency in relations with their provinces or member States are likely to drop that insistence. We may see many forms of blurring of the line between 'sovereign' States and member States for which there is currently no precedent".

"Free Association is a highly flexible notion. The idea was authorised by the UN General Assembly in 1960 as one of three ways of achieving authentic decolonisation. The term is used in relation to areas like Puerto Rico, previously under direct US control, that were granted 'Commonwealth' rather than Statehood. It is also used for the relationship of the Cook Islands with New Zealand."

What these relationships have in common is that sovereignty of the smaller entity is seen as limited by a contract with the larger one. Herb Feith suggests that the "principal grievances of the East Timorese would be satisfied if the Indonesian military forces left and power over local affairs passed to an elected government in which all groups of East Timorese were able to compete and participate freely. Such an arrangement would presumably need to be formalised through a UN-sanctioned process and sustained by some form of international presence — possibly including Portugal (East Timor's former colonial ruler), ASEAN and the UN itself.

It is hard to see the Indonesian Government accepting a settlement of this kind in the immediate future. But Indonesians thinking about how to



Rockpile graves, East Timor (left). Graveyards are an unusually common landmark the length and breadth of the territory. It is forbidden to photograph any of the many military cemeteries.

resolve the impasse in East Timor will find free association worth considering. It would also be relevant to Portuguese thinking, particularly to the planning for the parliamentary mission Lisbon is reportedly arranging to send to East Timor." (Feith, 1990)

World society is being confronted in the 1990s with a second generation of claims to self-determination, by peoples whose grievances are not against a Western European colonial ruler as in the first decades after 1945, but against rulers who have manifestly failed in certain regions of their state to fashion a legitimate form of rule. The UN, Feith argues, will need to devise principles and procedures for processing these claims as it did with great success in the case of the first generation.

In the last analysis, however, the projected shape of a future East Timor must be determined by the East Timorese themselves and not imposed. Respect for their fundamental right to self-determination as a people is an essential pre-requisite for a sustainable settlement and just peace.

"The threat of communist expansion is now virtually non-existent."

A time for talks

The case for negotiations is based on these realities:

- There is evidence of persistent resistance within East Timor to Indonesian occupation.
- The East Timorese outside East Timor, mostly in Portugal and Australia, are united in their commitment to self-determination for their people.
- Portugal, the administering power recognised by the United Nations, is actively working for a settlement of the dispute that will allow the East Timorese an act of choice.
- The United Nations Secretary-General is continuing the consultation process.
- Support for East Timorese self-determination is extensive and is growing in many countries, especially in Western Europe, the USA, and Japan.
- The international political context is conducive to an Indonesian reappraisal of its present relations with East Timor, and with the outside world, over the issue of East Timor.

- Communism is no longer a regional threat in South East Asia.

- Indonesia is economically stronger and less anxious about political instability in neighbouring nations.

- A larger number of Indonesians than ever before is aware that the present pattern of military dominated rule in East Timor is intensely unpopular.

- The international response to the invasion of Kuwait has renewed interest in military occupations everywhere, and especially in ones which are clearly illegal.

- Namibian independence in 1990, after a guerilla struggle of over 40 years and persistent campaigning in the United Nations, is a reminder that time does not erode the principle of self-determination.

- The plight of the Kurds, especially the Kurds of Iraq, many of whom fled that country after the bloody suppression of their March 1991 revolt against the Saddam Hussein Government, has attracted new attention to the need for UN machinery to consider a 'second generation' of self-determination claims of peoples in many parts of the world.

- The case which Portugal has taken to the International Court of Justice, objecting to Australia's signature of the Timor Gap Treaty, will draw new attention to the illegality of the Indonesian annexation of East Timor.

A BASIS FOR TALKS

The East Timorese leader, Xanana Gusmao, has stated his willingness to negotiate once more. His negotiations with the Indonesian commander, Colonel Purwanto, in March 1983, led to a three-month cease fire.

In his recent interview with the Australian

lawyer Robert Domm, Xanana Gusmao said, "I am ready to discuss any project for a solution, without pre-conditions, under the auspices of the United Nations."

Indonesia, whilst maintaining that East Timor is an internal matter, recognises that it is an issue of growing international concern following the determined response to the occupation of Kuwait by Iraq. The fears and concerns that Indonesia had in the 1970s cannot be sustained in the 1990s.

Indonesia, itself sometimes termed a child of the United Nations because of the major role of UN bodies in facilitating its progress to independence in 1947-1949, stands to gain greatly by taking part in a discussion without pre-conditions. Such an action would show that Indonesia is concerned to be a good international citizen and specifically that it respects the principles of the United Nations.

PROCESS

Negotiations without pre-conditions mean that outcomes cannot be anticipated or ruled out. Negotiations have their own dynamic. The possibilities to be considered might include:

- A staged process beginning with a ceasefire, followed by the introduction of a UN peace keeping force.

- Talks under UN auspices on the future of East Timor. Parties to the round table discussion would presumably include the military leader Xanana Gusmao, representatives of East Timorese political parties, the church, the governments of Portugal and Indonesia, and the Secretary-General of the UN. The UN would convene the meeting.

- The talks would be open to a number of possibilities. The options to be considered would range from full independence to some form of 'free association' between Indonesia and East Timor. If the latter were chosen, there might be discussion on the powers of an elected assembly to be responsible for internal self-government, and on the withdrawal of the Indonesian armed forces.

- There would presumably also be discussion of the terms and timetable for a referendum on the future status and government of East Timor.

- Discussions might also consider safeguards for Indonesia. These might include base facilities for the Indonesian navy and airforce in East Timor, the continued use of Indonesian currency, and links with ASEAN.

- Such arrangements would presumably need to be formalised through a UN process. The role of the UN would be similar to that it has played in Namibia or to the one that has been proposed for Cambodia.

- On-going international presences, possibly including Portugal, ASEAN and the UN itself, might be considered to effectively guarantee and sustain the agreed arrangements.

THE RIGHT OF PEOPLES TO SELF-DETERMINATION

"The right of self-determination was given enormous significance by the drafters of the UN Charter, the Universal Declaration of Human Rights and of our two core human rights instruments. They were correct. Self-determination is not only of fundamental value in itself but is a basic condition of individual freedom.

"The realisation of this right has been, and must remain, a basic preoccupation of the United Nations. It is important to emphasise that this right is a right of peoples, not of governments or of states.

"Support for the concept of self-determination has been a driving force in the period of decolonisation. Since the UN embarked on its quest for the universal attainment of human rights over 40 years ago, the peoples of country after country, in exercise of the right to self-determination, have achieved independence and have made their own decisions as to political and other institutions.

"This process is almost complete. The attainment of independence by Namibia was a further and welcome step, which Australia was pleased to assist...

"It is evident that... the denial of the right to self-determination goes beyond traditional colonialism, to include situations of foreign military intervention..."

"Events in all parts of the world daily and insistently impress upon us the fact that the concept of self-determination must be considered broadly, that is, not only as the attainment of national independence.

"Peoples are seeking to assert their identities, to preserve their languages, cultures and traditions and to achieve greater self-management and autonomy, free from undue interference from central governments. This poses difficult dilemmas for many governments. Many fear it could be difficult to reconcile greater autonomy for particular communities with preservation of hard-won national unity and with prospects for economic growth and development.

"But the trend is unmistakable and probably irreversible. The challenge for governments will be to respond effectively to the growing demands, by displaying sympathy for legitimate concerns and maintaining harmony and the full protection and promotion of human rights and by devising new understandings, structures and institutions.

"My delegation does not minimise the difficulties or complexities in this challenge. But precisely because the situations are difficult and complex, the dangers are more acute, the cost of failure will be higher, and the quest for solutions is therefore more urgent and important."

— Statement to UN Commission on Human Rights, Geneva, 1 February 1991, by John McCarthy, Head, International Organisations and Legal Division, Department of Foreign Affairs and Trade, Canberra.

"I am ready to discuss any project for a solution, without pre-conditions, under the auspices of the United Nations..."

— Xanana Gusmao

AUSTRALIAN COUNCIL FOR OVERSEAS AID

Formed in 1965, ACFOA is the coordinating body for some 90 Australian non-government agencies working in the field of overseas aid and development. The common objective of all members is to work for social and economic justice, respond to human needs and to help produce conditions through which people can realise their full potential as human beings.

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RESOURCES

Books

Amnesty International, *East Timor: Violations of Human Rights*, 1985, 92 pp, London.

Asia Watch, *Human Rights Update on Indonesia and East Timor*, 1990, 115 pp, New York.

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Inside Indonesia, Quarterly, published by Indonesia Resources and Information Program, PO Box 190, Northcote 3070, Australia.

Newbriefs, News bulletin of the Fretilin Information Office, Lisbon, Portugal.

Osttimor Information, Swedish language bulletin published by the East Timor Committee, c/o Pol-lak, Wiboms vag 12, 2 tr, 171 60 Solna, Sweden. Tel (08) 27 24 27.

Tapol Bulletin, Bi-monthly publication of the Indonesia Human Rights Campaign, London.

Timor Informations, French language bulletin of the Paris based Association de Solidarite avec Timor Oriental.

Timor Link, Quarterly newsletter published by Catholic Institute for International Relations, London.

Video

Buried Alive: The Story of East Timor, 1989, 59 mins VHS & Beta.

A Shadow over East Timor, 1991, 58 mins.

Computer

Two computer conferences carry information on East Timor: reg.indonesia, and reg.easttimor. They are accessible through subscription to Pegasus (Australia), Peacenet (US), GreenNet (Europe), GeoNet (worldwide).



The Pope in East Timor, 1989 (above). Some 80% of East Timorese are now Catholic and look to the church, both locally and internationally, for support in their struggle to preserve their identity in the face of intense Indonesianisation pressures. The Vatican does not recognise Indonesia's takeover and has not incorporated East Timor into the Indonesian Church. Photograph: *L'Osservatore Romano*

ORGANISATIONS

If you want to take part in the international campaign of concern for East Timor, contact any of these organisations:

Asia

Free East Timor Japan Coalition
c/- Kure YWCA,
3 - 1 Saiwai-cho,
Kure, Hiroshima 737, Japan
Tel. (823) 212 414
Fax. (3) 264 0663 (Tokyo office)

Indonesian Front for the Defence of Human Rights (Infight),
Jl Tebet Dalam 1G, No. 35,
Jakarta 12810, Indonesia
Tel. (21) 830 3923
Fax. (21) 830 3923

Asian Center for the Progress of Peoples,
48 Princess Margaret Rd,
Kowloon, Hong Kong
Tel. 714 5123
Fax. 711 3545

Europe

Amnesty International,
1 Easton Street,
London, WC1 8DJ, UK
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Association de Solidarite avec Timor-Oriental,
B.P. 235..07,
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Catholic Institute for International Relations,
22 Coleman Fields,
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Komitee Indonesiae,
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Tel. (20) 93 6050

Parliamentarians for East Timor,
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Asia Watch,
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East Timor Alert Network,
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Task Force Indonesia,
7538 Newberry Lane,
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Pacific

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Australian Coalition for East Timor (ACET),
C/- Australia East Timor Association,
PO Box 93
Fitzroy 3065, Australia.
Tel. C/o George Tieman
Tel. (03) 429 1813 (w); (03) 386 3582 (h)
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NFIP/Pacific Concerns Resource Centre,
PO Box 3148, Auckland Central Post Office,
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Portugal

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Comunidade dos Refugiados de Timor (UDT),
Rua Pedro del Negro 4, r-Dto,
Reboleira 2700, Amadora, Portugal.
Tel. 494 2413

Fundacao Borja da Costa (Fretilin),
Rua Caetano Alberto 19,
1000 Lisboa, Portugal.
Tel. 897 600
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