

# East Timor

monthly memo  
news

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## MONTHLY MEMO No 11/1989

(Information received during December 1989)

### 1. EAST TIMOR

#### a. Detentions

Indonesian security (commonly known as Intel) continue their efforts to "clean up" the Resistance youth sector in Dili where there is still resistance.

Three youths are in police hands since the papal mass in Tassi Tolu. The three, students of the Salesian college in Fatumaca, were detained by the Commander of Dili. When Bishop Belo attempted to visit them on November 11 he was told by the Commander that they were no longer imprisoned. It has meanwhile been established that none of the students of the college took part in the demonstration at the end of the mass.

According to a letter from the interior "the 'braves ones' concealed themselves amongst the Fatumaca students who were wearing the uniform of Don Bosco" Thirty demonstrators took refuge in the Bishop's house after the mass on Oct 12. Eight of these were later arrested by Intel.

On November 4 a group of about 100, supporters of the pre-1975 Apodeti party, demonstrated in front of the Bishop's residence and the Far Eastern Economic Review speaks of "a confrontation" between these and students from the São José secondary school in Dili. It appears that some time after this, the people who had been sheltering there left but it is unclear how many were picked up by the security forces. Forty youths were reported to be in detention in Korem, the military commander's barracks.

Intel has been carrying out a campaign of intimidation and imprisonment against those it believes participated in the demonstrations during the mass and on November 4 outside the Bishop's residence. (Sábado 23 Dec. 1989; Far Eastern Economic Review 28 Dec. 1989; letter from the within East Timor Nov. 1989)

According to a Tapol memo (sources: The BBC World Service, Kompas, the British Foreign Office and a letter from within)

there were further incidents on November 13 and 15. In the former "two East Timorese youths were arrested at Ribera Lahane, near the high school. One was shot dead by the military as he was trying to escape; the other was stabbed as he was being arrested."

On November 15 shots were fired during a raid on São José secondary school in Balide, at least two boys were arrested, one of whom was badly injured.

"It appears that after this incident, more than two dozen young people again fled and took refuge in the Bishop's home."

In early December, "the military raided the Bishop's house and removed 28 people who were taking refuge there." (Tapol Report 21 Dec. 1989).

Alfredo Ferreira, a spokesman for FRETILIN, speaking on the Australian national radio ABC on Dec. 13, condemned the action of Indonesian troops who had, in the previous week, invaded Bishop Belo's house in Dili and detained 28 protesters who had been sheltering there since the Pope's visit on Oct 12. (Diário de Notícias 19 Dec. 1989)

b. Bishop Belo

In an article headlined "The circle tightens around the Bishop of Dili" the weekly "Sábado" reports that "the clergy of the diocese increasingly believe that Bishop Belo will be substituted".

The only contact which the apostolic administrator has had from the Vatican since the Pope's visit has been a telegram from the Pope to the diocese expressing gratitude for the agreeable way in which he was received by the Catholics of East Timor. The Papal Nunciature in Jakarta has been almost completely silent in this respect. (Sábado 23 Dec. 1989)

Early in December Bishop Belo asked for people not to telephone him for fear of more retaliation on the part of the Indonesian authorities. (Diário de Notícias 19 Dec. 1989)

Lusa (the Portuguese news-agency) said that unconfirmed reports indicated that the Indonesian military had raided the Bishop's residence on December 17 and that there was concern among the Timorese community in Jakarta as to the Bishop's whereabouts as all attempts to contact him since that date had been unsuccessful. The Apostolic Nuncio in the Indonesian capital dismissed as "absurd" the suggestion that the Bishop had been detained. (Diário de Notícias 24 Dec. 1989)

Comment:

It has not been possible up to now to confirm the reports of the December raids on the Bishop's house.

c. Changes in the structure of the Indonesian Military

There have been reports of impending changes in the structure of the Komando which, it is reported, is about to be substituted by a structure which will have more of a territorial nature and which will thus lose the present character which is that of an occupying force operating against the resistance.

According to the Far Eastern Economic Review, "from 1 April, military authority in the province will be turned over to the Bali-based regional command, replacing East Timor's own special command (Kopscom) (...) Personnel changes accompanying the switch have already been carried out." (Sábado 23 Dec. 1989; Far Eastern Economic Review 28 Dec. 1989)

There have also been reports, as yet unconfirmed, that Commanders Prambowo and Bimo have been replaced and that they returned to Jakarta in December. The names of their replacements are not known.

d. José Ramos-Horta proposes a Timor secretariat

José Ramos-Horta, who recently resigned from the FRETILIN leadership, has proposed the formation of a secretariat to represent the people of East Timor in international matters and which would have delegations in Portugal, Australia and the UN.

e. Documents Received

1. "Memo on human rights violations in Dili". Tapol Report, UK, 21 Dec. 1989, 2 p. (English) ET 222/89
2. "Campaign against the Timor Gap Treaty". Tapol, UK, 20 Dec. 1989, 2 p. (English) ET 223/89
3. Letter to the Australian Minister of Foreign Affairs. Free East Timor Japan Coalition, Japan, 7 Dec. 1989, 1 p. (English) 224/89
4. "Statement of Solidarity Groups on the 14th anniversary of the Indonesian invasion of East Timor". 7 Dec. 1989, 2 p. (English) ET 225/89
5. Communique from the Portuguese Ministry for Foreign Affairs concerning the signing of the "Timor Gap" Agreement. Portugal, 12 Dec. 1989, 2 p. (English) ET 226/89
6. Extract from the the statement issued at the Praia Summit of the presidents of the 5 African Portuguese-speaking countries. Cape Verde, 21 Dec. 1989, 1p. (Portuguese) ET 227/89
7. Extract from the Statement of the 12 EC governments to the UN General Assembly Third Committee on Social and Cultural Affairs. New York, 20 Nov. 1989, 3p. (French) ET 228/89

8. Extract from the Statement of the 12 EC governments to the UN General Assembly Fourth Committee on Decolonization, New York, Dec 1989, 2 p. (French) ET 229/89
9. Statement of the Australian Government on the Signing of the Timor Gap Agreement. Canberra, 27 Oct. 1989, 8p. (English) ET 230/89

## 2. ADMINISTERING POWER: PORTUGAL

### a. Portugal protests against the Indonesia-Australia Treaty on the Timor Sea off-shore oil

The Portuguese Foreign Affairs Ministry revealed in an official communique (see Appendix 1) on December 12 that it had lodged formal protests both with the Australian Foreign Affairs Ministry and with the secretary-general of the UN. The Portuguese ambassador in Australia had been recalled to Lisbon for "consultation".

### b. Portugal considers recourse to The Hague

The complaint lodged in Canberra, although making a "vehement protest" did not specify as to what international fora Portugal would apply. According to the Lusa news-agency the possibility of recourse to the International Court of Justice in The Hague or to the UN were possibilities mentioned in a briefing bulletin from the Portuguese Ministry for Foreign Affairs (MFA) received in Canberra. (Diário de Notícias 15 Dec. 1989)

The "Independente" reported that a list of Portuguese and international jurists had been approached for legal advice regarding the possibility of bringing a successful case before the International Court of Justice (ICJ).

Portugal, Indonesia and Australia are all members of the United Nations and as such also belong to the ICJ. However, the legal issue revolves around the fact that Indonesia did not sign the optional clause pertaining to obligatory jurisdiction and thus is not bound to accept the jurisdiction of the court. Experts in international law contacted by the paper were unclear as to whether Portugal would succeed in having Indonesia called to appear before the court and if not, whether the case could proceed against Australia alone.

Sources within the Portuguese MFA are quoted as saying that bringing the case to The Hague represents "perhaps the last big opportunity which Portugal will have to defend politically the case of East Timor, to do that which it should have done in 1975 but did not do." (Independente 15 Dec. 1989)

Speaking in Brussels, Gareth Evans, the Australian Minister for Foreign Affairs who signed the treaty with Indonesia, did not appear to give much importance to the position of the Portuguese Government and stated that the protest in Lisbon

"will not make any difference to our attitude and we will vigorously defend our course of action against whatever protest Portugal can present". The Australian ambassador to Indonesia Philip Flood, speaking in Jakarta maintained that "the best way, if not the only way, to help the people of East Timor is to work with the Indonesian Government as intermediary" (Diário de Notícias Dec. 1989)

c. Australian International Law expert recommends that Portugal takes the case to The Hague

According to Keith Suter, professor at the University of Western Australia and specialist in International and Maritime Law, Australia had signed the treaty "with the wrong country".

In a radio programme on ABC devoted to the signing of the treaty, Prof Suter said that Portugal had been "passive" in its response to the signing and that "Portugal can take the case to the ICJ in The Hague and although it is impossible to predict how that organ would decide, Australia runs the risk of losing" .

Mention was made, in the same program, to a deterioration in diplomatic relations between Portugal and Australia and to the possibility of a reduction in the level of Portuguese diplomatic representation in the country. (Diário de Notícias 19 Dec. 1989)

d. University Students show solidarity with the people of Timor

An exhibition showing aspects of the everyday life of the Timorese people, organized by the Borja da Costa Austronesian Foundation, was opened by the President of the Republic Mr Mário Soares on 7 December, the 14th anniversary of the Indonesian invasion of East Timor, at the Open University of Lisbon. (Diário de Notícias 7 Dec. 1989)

e. A Timorese priest describes the situation of Timorese in Portugal

Father Apolinário Guterres, interviewed by Caritas magazine, said that there are presently about 2,500 Timorese resident in Portugal and that the Timorese are "dying little by little. Firstly because all those who opposed the invasion are killed. Then they are dying psychologically because they do not want to lose either their identity or their religion."

Timorese in Portugal face grave difficulties in housing, employment and in the education of their children said Fr Apolinário. Some progress had been achieved however since 1987 in providing courses in vocational training for Timorese youth and adults. (Caritas Dec. 1989)



Cartoon from "Semanário" 15 Dec. 1989

### 3. INTERNATIONAL ISSUES

#### a. Australia and Indonesia agree on terms of Timor Gap Treaty

On December 11 the Australian Minister for Foreign Affairs, Gareth Evans and his Indonesian counterpart Ali Alatas signed an agreement on the terms of a treaty for the joint exploitation by the two countries of the petroleum resources of the Timor Sea in the Timor Gap region. The signing took place on board an Australian military plane flying over the region.

Official estimates of the off-shore riches in the Timor Sea refer to a billion barrels of crude petroleum but, according to the "Diário de Lisboa", private estimates speak in terms of resources seven times greater. The value of the reserves has up to now been a closely guarded secret on the part of the companies doing the exploration in the region - the Australian BHP, Santos and others. The area lies within a zone which is now being recognized as containing an oilfield among the 25 largest in the world. (Diário de Notícias 1 Dec. 1989; Diário de Lisboa 11 Dec 1989; Semanário 15 Dec 1989)

Timorese demonstrators interrupted a press conference given by the two ministers to announce the treaty. The demonstrators protested at the fact that Timorese wealth was being controlled by foreigners. Ali Alatas replied that the protesters "represented a minority because the majority of Timorese are content with integration into Indonesia" (Diário de Lisboa 11 Dec. 1989)

For background information on the treaty please see the Tapol memo "Campaign against the Timor Gap Treaty" in Appendix 2.

#### b. The Free East Timor Japan Coalition delivered a letter of protest to the Australian Embassy in Tokyo. The letter refers

to the treaty as "a violation of the basic principles of international law" and accuses Australia of applying "the law of the jungle" in international affairs.

The letter advises Canberra that it intends to "combine our efforts with those of other international organizations to support the Portuguese Governments's protest to the International Court of Justice."

The letter was signed by representatives of the coalition in Tokyo and seven other Japanese cities and also by the Japan Catholic Commission for Justice and Peace. (Diario de Noticias 10 Dec. 1989)

c. Protest to the Australian Embassy

A letter of protest at the signing of the Timor Gap agreement, signed by 19 organizations from 11 countries in all, was delivered to the Australian Embassy in Lisbon. The groups called on their Australian counterparts to take a position against this "act of aggression against the Timor people" (Journal de Noticias 12 Dec. 1989)

d. US Members of Congress write to Secretary of State

On December 17, the anniversary of the invasion of East Timor, a group of North American Members of Congress headed by the Democrat Tony Hall wrote to Secretary of State James Baker calling for an inquiry into the tortures and detentions of Timorese which took place after the Pope's visit. The said that they were "extremely perturbed" by the reports of events in Timor after the papal visit. "The use of torture to obtain confessions is a standard form of treatment of prisoners in Timor and in Indonesia in general" stated the letter.

The letter asked Baker to exhort the Jakarta government to permit international organizations to monitor the conditions in which the detainees are being held and that detainees' names, place of detention and details of what they are accused, should be made known.

The US State Department instructed its Embassy in Jakarta to write a report on the circumstances relating to the detentions and alleged torture of Timorese during and after the Pope's visit. It has further been reported that a State Department human rights expert was dispatched to Jakarta. (Diário de Lisboa 20 Dec. 1989; O Jornal 29 Dec. 1989)

d. EC statements on the Timor Question

In a statement on behalf of the 12 EC governments at the UN General Assembly Third Committee on Social, Humanitarian and Social Affairs in November 1989 it was stated that:

"The twelve remain concerned by information about human rights violations in East Timor. They have taken note that the territory has been opened up to a degree to the outside world

since January 1989, in line with the concerns they expressed in the face of the absence of significant progress in the territory. They hope that the opening up also means that non-governmental organizations, including human rights organizations, may soon be permitted to visit the territory. They again repeat the hope that there will be an end to the reported abuses." (non-official translation)

The EC representatives also raised the issue in a statement to the General Assembly Fourth Committee on Decolonization which said :

"The twelve (...) renews its support for contact between Portugal and Indonesia, under the auspices of the Secretary-General, in the hope of a just and comprehensive settlement, founded on a respect for the aspirations of the people of East Timor." (non-official translation)

f. Statement from the African Portuguese-speaking Countries on East Timor

The presidents of the five African Portuguese-speaking countries at their recent summit meeting in the city of Praia in Cape Verde stated that they "reiterate their support for the struggle for self-determination of the Mauber people" and "express their appreciation for the actions being prepared by the Portuguese Government, actions which show that Portugal is disposed to assume the responsibilities incumbent upon it while it is the legal administering power." They considered that the Pope's visit "contributed to reawaken world opinion to the just cause of the people of the territory, who are threatened by genocide" (non-official translation)

g. MEPs protests to the EEC

At the Council of Ministers of the EEC the Green MEP Maria Santos and other Portuguese MEPS condemned the signing of the Timor Gap Agreement as a "flagrant violation of international rights" and called for a "restoration of legality" to East Timor. (Diário 20 Dec. 1989)

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exploitation, because of the Treaty's illegality in international law.

**Political/strategic importance of the Treaty for Indonesia**  
For Indonesia, the political and strategic significance of the Treaty far outweighs its economic significance. It represents a crucially important agreement with Australia which Jakarta can now claim to be the first ever international accord formally legitimising Indonesia's annexation of East Timor. It also provides an institutional basis to guarantee Australia's continuing commitment to and support for the illegal annexation of East Timor.

The Treaty comes at a time when both Jakarta and Canberra have been devoting enormous efforts to improving the relations between the two countries. It is noteworthy that there was hardly any negative editorial comment in the Australian press when the Treaty was signed.

The agreement was reached after ten years of talks, when the main stumbling block was the wide divergence of opinion between Indonesia and Australia over the seabed boundary. Indonesia holds by the principle of the 'median line' between countries which sets the boundary along the south of what is now established as Zone A. [See diagram] As a signatory of the 1982 UN Law of the Sea Convention (of which Australia is also a signatory), Indonesia knows that once the Convention becomes law which is likely in the next couple of years, it could also claim an area up to 200 miles from 'its' ie (East Timor's) coast which includes the whole of Zone B as well. Australia on the other hand upholds the continental shelf principle which would take the boundary very much farther north, along the line representing the northern boundary of Zone C. These two positions were recognised by both sides as 'irreconcilable'.

In 1988, Indonesia made a major concession, accepting that the 'disputed area' at present consists only of what is defined as Zone A. This was a major breakthrough for Australia. After this concession, in September 1988, an interim agreement was reached for a zone of cooperation, making the present Treaty possible.

Politically speaking, this represented a major shift in Indonesia's attitude towards its relations with Australia; Jakarta had until then allowed the bilateral relations to deteriorate to such an extent that no Australian journalists were permitted to operate in Indonesia and no ministerial contacts were taking place. Scheduled talks about the Timor Gap were also cancelled. It is likely that the shift reflects the diminished role of General Benny Murdani who, as armed forces commander-in-chief until March 1988, had kept the relationship as such a low ebb. Mochtar Kusumaatmaja's removal as Foreign Minister may have helped as Mochtar was one of the leading architects of the UN Law of the Sea Convention and is likely to have been a hardliner on the boundary dispute keeping the two countries apart.

There is evidence that this shift in Jakarta took place on the direct instructions of President Suharto who must have recognised the political and strategic significance of a Treaty with Australia in Indonesia's long-running diplomatic battle to win international recognition for its annexation of East Timor. In Canberra, the Treaty has been described by Foreign Minister Gareth Evans as "Australia's most important agreement with Indonesia in the forty years of the relations between the two countries". Indonesia may also expect that involvement of other foreign oil companies in the area will bolster its position internationally.

In Indonesia, the Treaty has been sharply criticised by Professor Herman Johannes, a well-known academic, formerly rector of Gajah Mada University and one-time member of the Supreme Advisory Council. He argues that Indonesia has made unwarranted concessions on the boundary issue and describes the Treaty as 'extremely detrimental to Indonesia economically'. Johannes has repeated his criticisms on a number of occasions, despite rebuttals by the government, forcing commentators to admit that although the Treaty may not be beneficial economically, its political and strategic significance far outweighs this.

#### East Timor's legitimate claim

The controversy in Jakarta is being argued in terms of 'Indonesia's claim'. The fact is that the entire 60,000 square kilometre area is rightfully part of East Timor's territorial waters and falls within its economic exclusion zone, under the terms of the 1982 UN Law of the Sea Convention. This includes not only Zone A where concessions will be allocated by the Joint Authority and the revenues shared 50:50, but also Zone B which will be under Australia's exclusive control.

At a demonstration against the Treaty in Canberra on 7 December 1989, J. Ramos Horta strongly criticised the hypocrisy of the Hawke government. "Gareth Evans and Bob Hawke have previously said that East Timor is too poor to successfully achieve self-determination and yet they are now exploiting its natural resources which, according to the UN 1982 Law of the Sea Convention, is in East Timor's exclusive economic zone." [Sydney Morning Herald, 7 December 1989]

The Portuguese Government has repeatedly made known its strong opposition to the Treaty. It stresses that under international law, the region is recognised as being under the administrative power of Portugal and has stated that it will take action 'in the appropriate international forums and organisations' to have the Treaty declared illegal. Although the most appropriate forum would be the International Court of Justice, Lisbon has not yet committed itself to taking the issue to the Court.

#### Campaign strategy

1. Protest in the strongest terms to the Australian Government. For the greatest international impact, try to hold a demonstration outside the Australian embassy and have a meeting with the ambassador to hand over a letter of protest. Make sure that locally-based Australian journalists are informed of your action.
2. Write to the Australian group of Parliamentarians for East Timor. The convener of the group is Tony Lamb MP, 22 Main Street, Croydon, Victoria 3136.
3. Write to the Portuguese Government urging it to take the matter to the International Court of Justice without delay. For greater impact, you should make sure that the Portuguese embassy and locally-based Portuguese journalists are informed of your action.
4. Write to your own government calling on it to condemn the Treaty as being illegal, and insisting that oil companies be not given the necessary go-ahead to carry out exploration or exploitation under the terms of the Treaty.

20 December 1989

## Campaign against the Timor Gap Treaty

On 11 December 1989, in flagrant violation of international law, Australia entered into an unholy pact with Indonesia for the joint exploitation of oil and natural gas deposits in the stretch of sea between Australia and East Timor. The negotiations have been under way for ten years. The Australian petroleum industry has been eager to lay hands on these deposits, arguing that this is essential to reverse a decline in Australian petroleum reserves. Expanded exploitation will also bring huge tax benefits for the Australian treasury.

### The 'Timor Gap'

The word 'gap' is used to denote the stretch of sea between East Timor and Australia where no sea boundary has yet been drawn. In the early 1970s, negotiations were under way between Portugal and Australia to agree a boundary but were never completed. Even now, after years of negotiation, no agreement has been reached between Indonesia and Australia on the boundary. Yet so eager are the two sides to reach agreement that they have decided to go ahead, leaving unresolved the 'dispute' over the boundary.

The Treaty divides the 60,000 square miles of sea into three areas, a southern sector, Zone B where Australia will exercise exclusive rights, a central sector, Zone A where exploitation will be managed by a Joint Authority of the two countries with revenues shared 50:50, and a northern sector, Zone C where Indonesia will exercise exclusive rights.

### Oil and Australian recognition of annexation

Throughout 1976 and 1977, the Australian government refused to accept Indonesia's claim to have 'integrated' East Timor. On 20 January 1978 the Australian Government announced that it 'has decided to accept East Timor as part of Indonesia'. While remaining critical of the way in which 'integration' had been brought about, it claimed that 'it would be unrealistic to continue to refuse to recognise *de facto* that East Timor was a part of Indonesia'. In 1979, *de facto* recognition was replaced by *de jure* recognition.

Five years after negotiations on oil reserves in East Timor's waters began, when the talks were still bogged down, Prime Minister Bob Hawke reiterated Australia's *de jure* recognition on 22 August 1985. The need for this rather unusual re-statement of recognition had arisen out of Australia's desire to reach agreement with Indonesia regarding East Timor's oil. Hawke alleged at the time that 'negotiations over the Timor Gap seabed could in reality only take place with Indonesia'. This was the price the Labour Government was prepared to pay, bartering the rights of the people of East Timor for the right of petroleum companies to exploit East Timor's wealth.

The hypocrisy of Australia's position is revealed in a statement by the

Foreign Minister, Senator Gareth Evans, on 1 November 1989 [*Senate Daily Hansard*]:

*We have taken the view since 1979 that whatever the unhappy circumstances and indeed, possible illegality, surrounding Indonesia's acquisition of East Timor in the 1970s, Indonesian sovereignty over the territory should be accepted not only on a de facto but on a de jure basis. There is no binding legal obligation not to recognise acquisition of territory that was acquired by force.*

### A potentially lucrative deposit

Estimates of the value of the 'Timor Gap' deposit vary greatly. One puts the oil reserves at one billion barrels. [*Financial Times*, 14 December 1989] According to another source, oil reserves are estimated at between 1 and 6 billion barrels and natural gas reserves at between 3 and 17 trillion cubic feet. [*The Age*, 9 September 1988] The area is widely regarded as one of the world's 25 richest oil deposits.

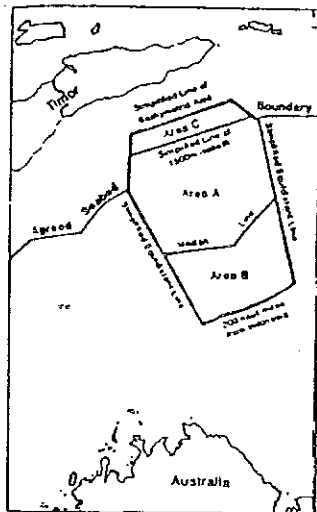
Australian petroleum companies are already exploiting oil reserves in two off-shore oil fields located about 200 kilometres south-east of the area, known as Challis and Jabiru, where they are currently extracting about 60,000 barrels of oil a day, about 10% of Australian production; reserves in these fields are put at about 125 million barrels. They have been exerting strong pressure on the Hawke government for years for permission to carry out exploration and exploitation in the Timor Gap region. In 1983, when it appeared that some Australian companies may have succeeded, the Australian Defence Minister warned that such concessions would place heavy strains on the Australian Navy in defending such operations against Indonesian interference.

Australian companies which have already spent millions of dollars on exploration in the area include a consortium of the Western Mining Corporation and Charterhall Oil and Woodside Petroleum. [*Australian*, 12 December 1989.] Lobbying for concessions in the area has also come from Pelsart Oil, Oil and Minerals Quest, Otter Exploration and Australian Aquitaine. [*Financial Times*, 7 September 1988] Foreign oil companies are also expected to start bidding for concessions. The Australian Minister for Resources, Peter Cook, said he wanted to make it an 'open system' and would be inviting bids from foreign as well as domestic companies. [*Nihon Keizai Shimbun*, 31 January 1989]

### Australian Parliament and the Treaty

Following the signing of the Treaty on 11 December, it must now be ratified by the parliaments of the two countries. It is thought likely that the Australian Parliament will discuss ratification in early 1990. We have been informed that both major parties, the Labour and Liberal Parties will support the Treaty. The Australian group of Parliamentarians for East Timor has not yet condemned the Treaty. It is clear that an enormous amount of pressure will be needed, even on parliamentarians who generally support East Timor, to bring about a major challenge to this Treaty in the Australian Parliament.

If ratification goes ahead, the two countries will establish a Joint Authority in Jakarta with an office in Darwin. It is expected that major world oil companies will apply for concessions to explore and exploit the oil resources of the 'Timor Gap'. This means that national governments should be urged not to approve of oil company involvement in Timor Gap oil



APPENDIX 2

APPENDIX I.

C O M M U N I Q U É

TAKING NOTICE OF THE AGREEMENT SIGNED THE 11th DECEMBER 1989 BETWEEN THE GOVERNMENTS OF AUSTRALIA AND INDONESIA, WITH THE AIM OF A MUTUAL EXPLORATION OF THE NATURAL RESOURCES IN THE ZONE OF THE CONTINENTAL PLATFORM BETWEEN THE SOUTH COAST OF EAST TIMOR AND THE NORTH OF AUSTRALIA, USUALLY KNOWN AS "TIMOR GAP",

THE PORTUGUESE GOVERNMENT DECIDES:

- TO MAKE PUBLIC ITS REPUDIATION AND ITS PROTEST REGARDING THAT EVENT AND TO REAFFIRM ITS DETERMINATION IN USING ALL LEGITIMATE MEANS AT ITS REACH TO STAKE THE CLAIM OF THE EAST TIMORESE PEOPLE.
- EFFECTIVELY, THE ABOVE MENTIONED AGREEMENT CONSTITUTES A CLEAR AND FLAGRANT VIOLATION OF THE INTERNATIONAL LAW AND THE UNITED NATIONS CHARTER, CONSIDERING THAT NUMEROUS RESOLUTIONS OF THE GENERAL ASSEMBLY AND THE SECURITY COUNCIL ( OF THE UNITED NATIONS) DO NOT RECOGNIZE INDONESIA'S SOVEREIGNTY OVER EAST TIMOR, MILITARY AND ILLEGALLY OCCUPIED SINCE DECEMBER 1975.
- BECAUSE THE RIGHT TO SELF-DETERMINATION HAS NOT YET BEEN CARRIED OUT BY THE EAST TIMORESE PEOPLE, THE UNITED NATIONS STILL CONSIDER THAT TERRITORY AS "NON-AUTONOMOUS", HAVING PORTUGAL AS ADMINISTRATIVE POWER.
- THOSE VIEWS HAVE BEEN REPEATEDLY CONVEYED TO THE AUSTRALIAN GOVERNMENT BUT IT DID NOT PREVENT THE CONSUMMATION OF THE ABOVEMENTIONED AGREEMENT.
- THEREFORE THE AUSTRALIAN'S GOVERNMENT ATTITUDE NOT ONLY VIOLATES THE EAST TIMORESE PEOPLE'S RIGHT TO SELF-DETERMINATION AND SOVEREIGNTY OVER ITS RESOURCES, BUT ALSO DISRESPECTS THE PORTUGUESE STATUTE ON THAT MATTER.
- ACCORDINGLY, AUSTRALIA'S AMBASSADOR TO PORTUGAL WAS CALLED TO THE MINISTRY OF FOREIGN AFFAIRS WHERE IT WAS FORMALLY HANDED

TO HIM OUR VEHEMENT PROTEST BY THE SIGNING OF THAT AGREEMENT. DIPLOMATIC NOTES OF SIMILAR PURPORT WILL ALSO BE DELIVERED TO THE AUSTRALIAN MINISTRY OF FOREIGN AFFAIRS AND THE UNITED NATIONS GENERAL SECRETARY THROUGH OUR EMBASSIES IN CAMBERRA AND NEW YORK.

FURTHERMORE, IT WAS DECIDED TO KEEP IN LISBON FOR CONSULTATIONS THE PORTUGUESE AMBASSADOR TO AUSTRALIA.