

East Timor

monthly memo
news

R. Pinheiro Chagas, 77 - 2º E 1000 Lisboa Portugal
☎ (01) 57 47 18 / 54 13 08 Telex 64 062 CIDAC P

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MONTHLY MEMO Nº 6 1991

(Information* received 1 June to 14 July 1991)

1. EAST TIMOR

a. New land regulations - "the second invasion"?:

Timorese are likely to lose out when Indonesia introduces new land regulations in East Timor. According to Inside Indonesia these "effectively relieve East Timorese of their land without compensation". The regulations, claimed to bring land ownership in the territory in line with the system in Indonesia, have been in preparation since 1989 and are due to come into force this year.

Both traditional land in rural areas and officially certified land, held only by a small middle-class minority, will be effected. The nearest Indonesian equivalent to the Portuguese freehold status is the "hak milik" (ownership title). This has been offered to the Catholic Church and, in principle, to anyone holding an ownership title under Portuguese law. In theory East Timorese who are Indonesian citizens ought to experience little difficulty when the new regulations are implemented but in practice many have already experienced a serious downgrading of their title.

Interviews with East Timorese landowners holding Portuguese freehold documents have revealed that ownership rights are not being given. However, outsiders who have moved recently to the territory have no such difficulty. One public servant said: "This is the second invasion; the first was by the military, the second by the new land regulations". Another commented: "This is the theft of East Timorese rights by the Indonesians .. nothing more than the Javanization of East Timor" Because of the many complaints of irregularities, Governor Mário Carrascalão has forbidden the Land Boards from registering land titles and issuing certificates until the new regulations are in force.

Rural East Timorese land-owners are also likely to fare badly under the new regulations. As in Indonesia, ownership rights will be granted "if the land is owner-occupied and ownership is accredited by a "witnessing institution" appointed by the local district head (bupati). This immediately excludes communities who practice shifting agriculture and places settled communities at the mercy of of the 13 bupatis who, even though they may have the necessary skills and knowledge of traditional land customs, are vulnerable to influence from above. Furthermore, the independent legal aid

*Note: because of the Portuguese holiday period in August we include in this June edition of East Timor News the information received in the first two weeks of July. The information for the second two weeks of that month will be included with the August edition.

Barbora Z. Carter

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system which exists in many parts of Indonesia does not extend to East Timor. Recent cases in Watulari and Watukerbau have shown that the traditional land owners are very often powerless to prevent their land being taken over by influential public officials or by the military.

Many rural communities in East Timor have no chance to claim their land anyway. The military cleared most of the rural population out of their mountain lands to resettlement sites, in the late 70's. It is unlikely that these vast tracts of traditional lands, unoccupied for years, can ever be claimed.

It is worth noting that both the Geneva Convention and that of The Hague forbid an occupying power from confiscating private property. (Inside Indonesia March 1991; we include the full text of the article as an appendix)

The chairman of the Indonesian National Land Agency (BPN), Sonny Harsono, has stated that the new regulations would become effective in July. (Jakarta Post 5 April 1991)

b. Visit preparations: bogus guerrillas:

A letter from clandestine activists within Timor refers to the preparation of bogus guerrillas for presentation to the visiting Portuguese delegation by of the Indonesian authorities. These are either conscripted East Timorese or West Timorese passing for East Timorese. Other sources in Dili spoke of plans to conceal the actual number of troops stationed in the territory by disguising troops as Timorese peasants in the rural areas of the interior. (Público 8 June 1991)

In Dili and Fuiloro there has been an increasing number of detentions of students believed to be active in the clandestine resistance. In Dili two students are reported to have disappeared and a numbers of others are under vigilance and have to report weekly to the KOREM (District Command) (Público 8 June 1991; FRETILIN Newsbrief (1) June 1991)

On the other hand Bishop Belo is reported as saying that he was not aware of any specific preparations on the part of the authorities but that he was very apprehensive that "there will be fights" because "feelings are running very high". Speaking in a private capacity he said that "some are in favour and others against... I hope there will not be bloodshed during the visit, but I am very apprehensive". (Público 29 June 1991)

Governor Mário Carrascalão said in a statement to the "Expresso" that there was now "a good environment" in the territory.. that military control posts were no longer in operation and that it was safe to walk the streets of Dili at night. These assertions were contradicted by the two East Timorese footballers who recently arrived in Portugal who said that up to mid May there was still an undeclared curfew in operation after 9 o'clock in Dili and that control posts had still continued to operate. Resistance sources told the "Expresso" that the notorious Ninja gang continued to operate in the city and the paper has also received a list of the names of more than 3 dozen ex-detainees who have serious wounds to

the head and stomach and who are unable to obtain hospital treatment. (Expresso 22 June 1991)

Further fears of Indonesian plans for the visit were expressed in a telephone interview with three members of the East Timorese clandestine resistance based in Indonesia. According to their sources the Indonesian military was preparing to act against the local population in the name of the guerrillas to create counter-propaganda during the visit. (Público 25 June 1991)

A British couple, Clare and Piers Calascione, who spent 2 weeks in East Timor from 21 June to 5 July, told Luso press-agency that the people there were ready to take to the streets in protest if the Portuguese parliamentary visit does not come off. (Público 16 July 1991)

c. Civilian repression - appeal for increased Red Cross presence:

FRETILIN, Lisbon, reports that Timorese in the countryside and in Los Palos, Baucau and other towns have appealed for an International Red Cross presence in the main towns, believing that this would reduce the number of executions and imprisonments. At present the organization has an office in Dili only.

In Los Palos, two unidentified people were executed during May, suspected of contacting FRETILIN. On 12 May, soldiers of 721 Battalion shot and wounded Adao Rego, 36, as he worked in his vegetable garden in Ramera-Hun, Remexio, 10 km south of Dili.

On 15 May Brigada Mendonça, 15, of Matadouro, Dili, was raped by a "red beret" known as Anton F, as a punishment for being an anti-Indonesian activist. Her family were told not to approach the International Red Cross or Bishop Belo if they wanted to stay alive. (FRETILIN Newsbrief (1) June 1991)

Tapol reports that seven Timorese, two of them women, were arrested in Baucau on 13 July. They were tortured and ill-treated during interrogation to divulge information on guerrilla activity in the region. A guerrilla named Celestino had been captured in the same area on 9 July and tortured to extract information on people who had been in contact with the guerrillas.

The same source reports that Constancio Pinto (arrested in January 1991 on suspicion of having guided Robert Donn, and later released; see ET MH 40 and 45) and Nuno Carvalho (previously arrested in July 1989) are both on the run and being sought by the military. (Tapol Memo 15 July 1991)

d. Pressure on Xanana's family:

After it became known that Xanana had recently spent some time in Dili (see MH 47), Indonesian Intelligence (INTEL) entered his parents home in Vila Verde, Dili on 31 April and threatened his sister Manuela Gusmão, 35, with death if she didn't reveal her brother's whereabouts.

His family has been under intense pressure from INTEL and their movements have been under constant surveillance. (FRETILIN

Newsbrief (1) June 1991)

e. Amnesty condemns executions in East Timor:

In its report of 8 June, Amnesty International drew attention to the fact that extrajudicial killings by Indonesian Government forces and by paramilitary groups, acting with the support of local military leaders, had continued to take place in East Timor during 1990. (Diário de Notícias 9 June 1991)

f. Photographs of prisoners smuggled out of East Timor:

We have received 18 photographs showing 26 Timorese political prisoners in Becora prison, Dili. The most recent was taken on 12 May 1991. The majority of them were imprisoned in 1990 and many were hitherto not recorded as being in the prison. (ETN/386)

Some of these may be seen in a new 30 page publication due at the end of July from "A Paz é Possível em Timor Leste" entitled «East Timor, Resistance and Repression - a review of the 15th year of Indonesian occupation»

g. Documents received:

- 1) 18 photographs taken in Becora prison, Dili, received 13 June; ETN/386
- 2) Letter from young Timorese in Portugal on the occasion of the signing of the Angola Peace Treaty, addressed to UN Secretary-General Perez de Cuellar, US Secretary of State James Baker and Soviet Foreign Minister Alexandre Bersmertnyk. Lisbon 31 May 1991, 3p (Portuguese); ETN/387
- 3) "Neo-kolonialisme in de Stille Oceaan", Inheemse Volkeren Vandaag (2) 1991, KWIA Antwerp, 59p (Flemish); ETN/388
- 4) "Timor Loro Sae" (2), SCL Rome, 18 p (Italian); ETN/389
- 5) "Per Conoscere Timor Est", Alberto Melandri, Centro Informazione e Educazione Allo Sviluppo, Rome, 12p (Italian); ETN/390
- 6) "East Timor - towards a just peace in the 1990s" Scott, Faith and Walsh, ACFOA Fitzroy Australia, 15p (English); ETN/391
- 7) East Timor Supplement, Indonesia News, Indonesian Embassy, London, 15 May 1991, 5p (English); ETN/392
- 8) "Force Modernization in the Asia-Pacific - Part 1", Asia Defence Journal, March 1991, 6p (English); ETN/393
- 9) "Indonesia's navy" Supartha, International Defence Review, March 1991, 4p (English); ETN/394
- 10) Address by Lord Avebury to the conference on East Timor, University of Oporto, 11 May 1991, 5p (English); ETN/395
- 11) FRETILIN Newsbrief (1) Lisbon, June 1991, 6p (English); ETN/396
- 12) Tapol memo on UK Indonesia arms deal, 27 June, 2p (English); ETN/397

2. ADMINISTERING POWER: PORTUGAL

a. Parliamentary visit one step nearer - but maybe not this year:

Representatives of Portugal and Indonesia reached agreement in principle concerning the terms of reference for the proposed Portuguese parliamentary visit to East Timor when they met, in New

York on 27 June, under the chairmanship of UN Secretary-General Perez de Cuellar.

However there is still a further stage before the final details are worked out. Both parties have to consult with their respective governments and give a definitive answer to Mr de Cuellar by 20 July.

Senior members of the Portuguese Government and Foreign Office have been extremely tight-lipped about the content of the final agreement worked out on 27 June and on the Portuguese Government's response. So much so that the chairman of the Standing Committee on East Timor, Sousa Lara MP, and members of the committee who are to participate in the visit, have complained in the press that they are being kept in the dark about when the visit is likely to be. (Público 11 July, Semanário 13 July 1991)

It is known, however, that a preparatory visit by some Portuguese and some UN representatives is to take place shortly before the visit proper, so as to sort out practical details on the spot. As regards timing, Sousa Lara mentions the last fortnight of August as still being a possibility or failing that, during the period between the end of the Portuguese general election on 6 October and the beginning of the rainy season in East Timor at the end of that month. (Público 11 July 1991) Given the number of details still to be sorted out there is some doubt as to whether it will be possible for the visit to take place this year. (Público 29 June 1991)

We include as an appendix details of the original Portuguese conditions for the visit, which were leaked to the "Publico" in May (see also ET MM 47).

Ali Alatas, Indonesian Foreign Minister, has accused the Portuguese Government of "not knowing what they want" with regard to East Timor according to an article in the Far Eastern Economic Review. Adelino Gomes, writing in the "Público" makes the point that although it took Portugal a long time (8 months) to furnish a reply to the original proposals from Indonesia and this reply may have contained some contradictions, that it ill becomes a member of a dictatorial regime to make such accusations of the government of a democratic country.

In the same interview Mr Alatas says that Indonesia would have no problems in making an exception in the case of East Timor. According to the "Público" this may be an effort to refloat a proposal, first put forward in 1986, to trade a guarantee of some kind of transition or autonomy status for the territory, along with recognition of the special nature of Timorese culture, in return for recognition of annexation. (Público 12 July 1991)

b. Solidarity groups criticize EEC-ASEAN Declaration:

The Portuguese Foreign Office received letters of protest from the CDPM, Tapol and the Free East Timor Japan Coalition, over the signing of the Final Declaration adopted at the meeting of Foreign Ministers of the EEC and ASEAN (Association of South Asian Nations) countries, held in Luxemburg on 30 and 31 May. A further letter of protest from João Cravinho, head of Portuguese delegation of

Socialist Euro-MPs, protested in the strongest terms and accused the government of "collaborationism"

The Declaration makes no mention of the human rights situation in East Timor, Aceh or North Sumatra and refers to the human rights in the region developing along positive lines.

A Portuguese Foreign Office spokesman said that it would not have been "opportune" for Portugal to have raised the problem at this point when negotiations were in course in New York concerning the Portuguese parliamentary delegation visit to East Timor. He drew attention to the fact that the Declaration referred in a general way to the human rights situation in Asia rather than in the ASEAN region and that this Declaration required a minimum consensus from all present - it had to be signed by all the participating countries (including Indonesia) before it could be issued. (Diário de Notícias, Público 20 June 1991)

c. Portuguese intellectuals call for support for Timorese resistance:

A number of prominent Portuguese intellectuals and public figures called for the Portuguese Government to include in its next budget a fund for the provision of logistical support, both material and military to the Timorese resistance. (Diário de Notícias 1 June 1991)

d. CDPM appeals to Dutch on Timorese rights:

The CDPM sent a letter to the Dutch Government on the day it took over the Presidency of the EEC on 1 June appealing for a "special interest" in the rights of East Timor and its people. (Diário de Notícias 3 June 1991)

It had been agreed at this years East Timor Solidarity Group Consultation that individual groups would do this at each change of the EEC Presidency.

3. INTERNATIONAL

a. UK military contract with Indonesia:

An agreement was announced on 21 June between British Aerospace and the Indonesian state aerospace company, IPTN, for the co-production of Hawk jet trainers and light attack fighter aircraft.

The agreement was signed during a visit to London by B.J.Habibie, Indonesian Minister for Research and Technology, who was received by Prime Minister John Major and held discussions with Alan Clark, Minister for Defence Procurement.

Indonesia already operates 20 Hawk aircraft and Mr Habibie said that his country needed another 69. (ETN/397)

b. Japanese parliamentarians visit put off:

It was announced in early June that discussions were under way with the Indonesian Embassy in Tokyo for a Japanese parliamentary

The proposed visit was first postponed until July 1992 because of difficulties raised by Jakarta and then appears to have been ruled out completely in a letter on 26 June to Japanese MP Satsuki Eda from the Indonesian Embassy which said that the Indonesian Government "sees no necessity for Japanese parliamentarians to visit East Timor" and asserted that Japan had already recognised the integration of East Timor within Indonesia. This latter was denied by Mr Eda in a statement to the Lusa press-agency. (Diário de Notícias, Público, 9 July 1991)

c. Australia aid to East Timor:

The Canberra government is to give US \$2 million to East Timor in grants in 1992 in a program which is expected to involve the establishment of a delegation of Australian consultants in the territory. António Sampaio, writing from Sidney, comments that this initiative is likely to be of more benefit to the large number of non-Timorese who have flocked to the territory in recent years, than to the people of East Timor. (Diário de Notícias 20 June 1991)

d. Australia labour party criticized for position on East Timor:

José Ramos-Horta and the UDT condemned the Australian Labour Parties decision to support the Hawke Governments recognition of Indonesian sovereignty over East Timor. Ramos-Horta said that it revealed a lack of of political and moral courage on the part of those who say they support East Timor. (Diário de Notícias 6 June 1991)

e. International Federation for East Timor gets UN associate status:

The International Federation for East Timor (IFET) has been granted Associate NGO Status by the Department of Public Information of the UN in New York. This is the third single-issue NGO to be accorded this status by the body - the others being groups relating to the situation in South Africa and Palestine. (Diário de Notícias 3 July 1991)

f. UN referendum plan for West Sahara - precedent for East Timor?

The "Público" comments that supporters of the cause of self-determination in East Timor will be watching with interest developments in Western Sahara where a UN peace plan envisions a cease-fire from September, followed by an exchange of prisoners and leading up to a referendum on the future of the territory. (Público 20 June 1991)

Editor and translator: Billy Williams

East Timor News is a service which publishes information in three forms - the Monthly Memo (MM) and the occasional publications, Subject Memo (SM) and Urgent Communique (UC). It can also make

available, on request, copies of all documents mentioned in these publications. It is produced by two Portuguese NGOs, CDPH (The Commission for the Rights of the Maubere People) and "Peace is possible in East Timor". The annual subscription is US \$100. The text in East Timor News may be freely quoted but in the event of the quotation of a significant portion of its contents, ETN should be credited.

Please direct all correspondence to the address on page 1.

APPENDIX

Excerpts from the Portuguese Government proposals for the non-paper to fix the conditions for the Portuguese parliamentary delegation visit to East Timor.*

Objective

The objective of the visit of the parliamentary delegation is to obtain first-hand information about the situation in the territory, on the understanding that the visit will not have an investigator nature.

Composition

The delegation will be composed of 13 Portuguese parliamentarians accompanied by 13 Portuguese government officials and 10 Portuguese journalists. A list of the names of the members of the delegation and its accompanying personnel will be communicated to Indonesia by Portugal at least three weeks before the beginning of the visit.

Indonesian journalists

Indonesia may designate 10 Indonesian journalists to accompany the delegation.

International journalists

The Portuguese parliamentary delegation will be accompanied by 12 international journalists, of whom each of the two parties will have the right to select 6. Each party will communicate to the other its list of international journalists at least three weeks before the beginning of the visit.

Representatives of the Secretary-General

The Portuguese parliamentary delegation will also be accompanied by representatives of the Secretary-General, sent by him in the exercise of his good offices.

Access

The question of the formalities with regard to the visas for the Portuguese parliamentary delegation and its accompanying personnel will be addressed in an appendix to this document (an appendix will be appended containing a unilateral declaration from Indonesia stating that, in the exercise of its sovereignty, it has decided to waive the requirement of a visa).

[On its way to Dili] [On its way back from Dili] the Portuguese parliamentary delegation will make a stop-over at Jakarta airport, and the head of the delegation accompanied by the Secretary-General's representatives will make a courtesy visit to the Chairman of the House of Representatives of Indonesia.

Freedom of movement and contact

The Portuguese parliamentary delegation will have unrestricted access to all points of the territory, in the context of the objective agreed for the visit, in conditions of peace and security.

The Portuguese parliamentary delegation shall be free to meet with whomsoever it wishes and whosoever wishes to meet with it shall be free to do so. No actions, including those of security, may be carried

out by the Indonesian authorities which could prejudice contact either potential or in progress. Those individuals who meet with the Portuguese parliamentary delegation shall suffer no adverse consequences as a result of these contacts.

The visit of the Portuguese parliamentary delegation will be carried out on the basis of an itinerary which shall be pre-determined, but flexible and based on a list of contacts. During the visit the delegation may solicit the introduction of alterations to the itinerary or to the list of contacts, as long as these are seen to be reasonable on taking logistical order into account.

The Portuguese parliamentary delegation will utilize its own interpreters and contacts will be carried out in private and on a confidential basis.

Indonesia will cooperate fully with the Portuguese parliamentary delegation and its accompanying personnel so that the visit can take place in accordance with the principles defined above.

Dates and Duration

The visit will take place during the dry season and will have a duration of approximately 10 to 12 days.
(...)

Appendix 1

PROJECTION FOR THE PORTUGUESE UNILATERAL INTERPRETATIVE STATEMENT

Regarding point VII of the memorandum ("Freedom of movement and contact"), the Portuguese party makes clear its understanding that the avoidance, which is established in it, of actions by the Indonesian authorities, including those of security, which could prejudice potential contacts by the Portuguese parliamentary delegation, must come into force from the signing of the memorandum to which this statement is an appendix.

(...) In the same spirit, the Portuguese party appeals to all those involved in the East Timor question for a suspension of armed action in the territory until the close of the consultations which were entrusted to the UN Secretary-General under the terms of General Assembly Resolution 37/30, of 23 November 1982.

The Portuguese party expresses the opinion that the United Nations should have, as of now, access to the territory of East Timor, in a form as shall be considered adequate by the Secretary-General, with a view to assuring a full and effective application of point VII of the memorandum of which this statement is an appendix.

*this is a non-official translation of the document published in the "Poblacao" of 25 May 1991.