

East Timor

monthly memo
news

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1. EAST TIMOR

a. Intensification of Indonesian military activity

There has been a considerable increase in Indonesian military activity since the beginning of March. This is generally believed to be part of a campaign to capture the guerrilla leader Xanana Gusmão before the projected visit to the territory of a Portuguese parliamentary delegation later this year. FRETILIN sources say that there are 40,000 Indonesian troops and two helicopter squadrons.

In the beginning of March also, the first contingent of 1,000 Timorese conscripts (Hansips) returned from the military training camps in Bali and East Java where they had undergone a 3 month training period. This militia group is part of the 6,000 Timorese recruited as part of a plan initiated in December 1989 by the KOPSKAM (Security Operational Command) in Dili. This first contingent has been deployed within the KODIM (District Military Commands) where they have been serving as territorial forces.

According to the magazine Neon Metin, these conscripts are mainly composed of middle-aged peasants and of secondary school students who have had to give up their studies because of lack of access to further education or university. The official title for this group is the Brigada Pembangunan (Development Brigade). "The intelligence service of the Clandestine Front foresees that, along with their use in peripatetic companies against FALINTIL, these para-military forces will also be used to repress the civilian population and on occasion be employed in pro-Indonesian demonstrations in the event of visits by international organizations and groups, the most immediate of these being the visit by the Portuguese delegation next summer." (Neon Metin No 2 March 1990; FRETILIN Newsbrief May 1990)

b. Pressure on Timorese students in Bali:

On the orders of B. Murdani, the Indonesian Defence Minister, and of Try Sutrisno, Commander in Chief of the army, the Bali Regional Military Command, Korem 161/WS, attempted to coerce Timorese students in Denpasar, Bali to allow their daily life to be filmed, showing them at their studies and in sporting, religious and leisure activities. The students, being suspicious of the ends to which the film would be put, refused

to participate. The District Military Commander, Lt Colonel Thris Deantorou, had previously said that he would not be responsible for what might happen to the students. "No-one in Indonesia has ever been allowed to go against the wishes of the heads of military" he warned. (Neon Metin, March 1990)

On April 28, three East Timorese students were arrested and tortured by the military police in Denpasar for alleged illegal activities. They were Fernando Trindade (17), Mario Trindade (22) and Felisberto Mascarenhas (23). Students claim that the arrests, were in retaliation for the Christmas party brawl in Denpasar which resulted in the death of a policeman and injuries to 3 Timorese students. (see ET MM 32) The 270 East Timorese students in Bali are reportedly deeply disturbed by the arrests.

Mr Ponke Princen, Director of the Institute for the Defence of Human Rights in Jakarta, confirmed the arrests and alleged that the three were beaten unconscious by the military police while other sources say that one received broken ribs and another vomitted blood as result of the beating. They were then passed to the military command, Kodim, in Denpasar and were uncontactable. Their case was followed up by the World Organization against Torture and also the Australian Council for Overseas Aid (ACFOA) with a view to Australian Government representatives in Bali being allowed to visit the students and their being allowed access to legal representation. (ETN/270)

c. Military clashes:

According to FRETILIN sources, at least 32 Indonesian soldiers were killed in clashes with guerrilla forces during the month of March in the centre and eastern regions of East Timor: Ainaro 2, Same 2, Manatuto 2 (centre); Baucau 7, Lautem 11, Viqueque 8 (eastern).

d. Readmission of Xanana be "put on ice"?:

In an interview given to the newspaper "Público", Abílio Araújo, the Fretilin leader, was questioned about the petition from the guerrilla leader, Xanana Gusmão, for re-entry to FRETILIN (reported in ET MM 34). He explained that the FRETILIN Central Committee was still studying its response but that in his opinion:

"The request should be put on ice. FALANTIL must continue to be the national army of the Resistance, and Xanana, as its commander in chief, cannot be committed to a political grouping."

Público: "A request like this would appear to indicate despair, or at the very least a certain isolation."

Abílio Araújo: "No, Xanana is aware that his departure was seen as a criticism of FRETILIN, something which would be repugnant to him. On the other hand, there has been a tendency for people to say "There is a national front now, the parties are over and done with." Moreover, the regime which we aspire

to is a multi-party one, and for this reason the decision on the part of Xanana has a pedagogical component. I know that in a message dated April 1, which is still on its way here, he makes a very important declaration regarding the faithful commitment of FALINTIL to FRETILIN and to the UDT, that is, to the Nationalist Convergence." (Público 20 May 1990)

e. Problems at Hospitals:

It is reported in Neon Metin that there were 94 cases of "poisoning" of patients at Dili Central Hospital and at the health centres at East Dili and West Dili in March. According to the magazine this was because Indonesian staff at these centres had not given immediate attention to serious cases during an dysentery epidemic which affected many children in the region, or because they had over-prescribed medication for the sick children. It refers to similar problems at the health centre in Baucau. (Neon Metin March 1990)

f. "Mysterious" killings reported:

Neon Metin reports 4 cases of "mysterious" deaths or PETRUS ("penembak misterius") in January and February of this year. PETRUS is the name given to the practice of abducting and killing political dissidents or "suspected criminals" and throwing the body in the sea or otherwise disposing of it which was common in Indonesia from 1982 to 1985 according to the US State Department 1989 report. The report notes that an autobiography by the Indonesian president published in April 1989 describes these killings as a "deliberate policy to stem increased crime." At that time, officials attributed the killings to criminal gang warfare. (ETN/274)

The mutilated and unidentifiable bodies were found on Santa Ana beach (Bidau), Caicoli, Banamauk and Comoro Ulun respectively. In contrast to the norm in Indonesia, the bodies were left exposed in public places. Indonesian intelligence agents circulated rumours that the bodies were those of Timorese in favour of integration assassinated by the Clandestine Front. (Neon Metin, March 1990)

g. Increased restrictions on freedom of movement:

A number of military checkpoints which had been abandoned last year have been reopened with the intention of controlling and limiting the circulation of Timorese, particularly students, between one town and another and in and out of the capital. (Neon Metin March 1990)

h. Asia Watch report:

An Asia watch report entitled "A Human Rights Update on Indonesia and East Timor" released in the US in April and notes a deterioration in the overall human rights situation in East Timor during 1989. (Diário de Notícias, 19 May 1990)

i. US State Department Report:

The annual report of the US State on Human Rights lists widespread human rights abuses in East Timor during 1989 and concluded that, "despite progress in some areas, including greater freedom of movement for Indonesians and foreigners to and within East Timor (...) serious human rights problems remain". (ETN/274) See appendix for more detailed extracts.

j. Dili seminar postponed:

A seminar on development in East Timor which was to have been held on April 16 was postponed "indefinitely". The Jakarta Post later reported that the postponement was due to a "misunderstanding" regarding the confidentiality of a paper to have been read at the conference, detailing the results of a study "by prominent experts on rural sociology from Gadjah Mada University" who carried out the study for Bank Indonesia".

The Indonesian newspaper Kompas had already published highlights of the report which showed that "the success in the physical development in East Timor has not alleviated local political, social and economic problems." The report stated that the territory suffers from the disadvantages of a "war economy" and that most East Timorese live at "subsistent level" (sic) and "do not adequately participate in development programs due to «past trauma»". A study conducted by Bank Indonesia in 1988 showed that "investors were reluctant to invest" in the territory. (Jakarta Post 18 and 24 April 1990)

The June TAPOL Bulletin summarises in some detail the main findings of the document and notes that "the document is less than complimentary about the army's role in East Timor and gives a very disturbing picture of the relationship between Timorese people and the authorities. (...) The team who produced the report make a strong plea for measures to «bring to an end the war situation»". (ETN/273)

k. Documents received:

1. World Organization against Torture Memo, Case INS 070590, 7 May 1990, 1 p (English), ETN/270
2. Neon Metin Nº 2, March 1990, PO Box 1265 Collingwood 3066, Australia, 10 p (Portuguese), ETN/271
3. Legal Opinion on Timor Gap Treaty prepared by Cambridge Jurists, 4p (English), ETN/272
4. TAPOL Bulletin, London June 1990, 9p (English), ETN/273
5. Extract pertaining to Indonesia and East Timor from US State Department Report on Human Rights in 1989, 21 p (English), ETN/274
6. FRETILIN Newsbrief May 1990, Lisbon, 3p (English), ETN/275

2. PORTUGAL, ADMINISTERING POWER:a. Question of parliamentary visit still unresolved:

The most recent reports to hand indicate that the negotiations in New York concerning the prospective visit by a Portuguese parliamentary delegation to East Timor (see ET MM 33) have still proved inconclusive. The main issue still unresolved is whether or not the delegation should make an official stop-over in Jakarta as part of the visit. One possible compromise mentioned is that the delegation make their stop-over in Bali rather than Jakarta. The "Expresso" newspaper reported that at one stage the talks were suspended when the Portuguese delegation detected a microphone hidden in the sleeve of a member of the Indonesian group. The talks were later resumed after apologies from the Indonesian side.

It appears that the negotiations will now be prolonged into July instead of being completed in May as was formerly announced. This will increase the difficulties regarding the visit taking place this year as it is generally accepted that the monsoon rains would make free travel within the territory extremely difficult from October onwards and the Portuguese officials have said that they would need about 3 months of preparation from the time of the final details being agreed to the time of the visit taking place. However "O Jornal" quotes an unnamed Portuguese official involved in the negotiations, as saying that up to the first fortnight of October was still being considered as a possibility. (O Jornal 18 May 1990; Diário de Notícias 18 May 1990; Expresso 26 May 1990)

b. "Crush them all" speech disturbs Portuguese:

The text of General Murdani's February 3 speech (see ET MM 33), which was recently made public at a press conference given by the solidarity groups CDPM and "A Paz é possível em Timor -Leste", provoked shock and disbelief in Portuguese political circles. Both the "Diário de Notícias" and "Público" wrote forthright editorials condemning the speech. MPs from the opposition PS (Socialist Party) and PC (Communist Party) condemned the Indonesian Defence Minister's threats in the strongest terms; on the other hand the Mr Pacheco Pereira an MP speaking on behalf of the governing PSD (Social Democratic Party) is quoted as saying that he awaited proof of the authenticity of the General's speech: "It is hardly likely that the Indonesian Minister would make statements so grave and so senseless" The solidarity groups made tapes and transcripts of the speech available to the press and to the government. (Público 11 May 1990; Jornal de Notícias 15 May 1990)

c. Portugal and Indonesia elected to UN Human Rights Commission:

Portugal was elected, for a second period of three years, to the western countries group of the UN Commission on Human Rights. Also elected to this group were Austria, West Germany and Australia. The Commission falls under the auspices of ECOSOC (the Economic and Social Council) which meets alternately in Geneva and New York. Indonesia has been elected to the Asia group of the same Commission. (Diário de Notícias 24 May 1990).

3. INTERNATIONALa. UN Decolonization Committee regards Timor Gap Agreement as illegal:

The majority of the participants of the "Group of 24", the UN Special Commission on Decolonization, meeting in Vanuatu on May, classified the Timor Gap Agreement between Australia and Indonesia (see ET MM 30) as illegal. The meeting, which marked the 30th anniversary of the founding of the Commission, was addressed by the Portuguese Ambassador to Australia José Luis Gomes. The prime minister of the host country, Walter Lini, expressed his appreciation of Portugal's efforts to bring about an overall solution acceptable to the people of East Timor.

José Ramos-Horta told the seminar that round-table negotiations involving Indonesia, Portugal and the UN were needed to help solve the problems of East Timor. (Diário de Notícias 12 May 1990; Northern Territory News 11 May 1990)

b. Cambridge specialists question validity of Timor Gap agreement:

A group of jurists of the University of Cambridge, who specialize in international law, have stated that the arguments put forward by the Australian Government to justify the Timor Gap Agreement can, in terms of international law, be refuted on 4 points: illegitimate use of force, impediment of the rights to self-determination, the conflict with "peremptory norms" and the existence of a situation where Indonesia can be considered as a "belligerent state" in the conflict. The report did however draw attention to the fact that Indonesia does not accept the jurisdiction of the International Court and "is unlikely to cooperate in referring the case to it." The UN could also request the International Court to give an Advisory Opinion but "is unlikely to do so unless prompted by one or more of the states concerned." (ETN/272)

Two other legal experts, the Australian Sasha Stepan and Pedro Pinto Leite, a Portuguese resident in Holland have already stated that, in legal terms, the agreement is invalid. (Público 11 May 1990)

Meanwhile, in London there has been a protest against the agreement, at the Australian High Commission. Among those present were the human rights campaigner Lord Avebury and the Labour MP Ann Clwyd. The protest was organized by TAPOL. (Diário de Notícias, 10 May 1990) There have also been protests outside the Australian Embassy in Lisbon organized by the Socialist Youth. (Diário de Notícias 18 May 1990)

c. Council of Europe resolution condemns Indonesian occupation of East Timor:

A resolution condemning the Indonesian occupation of East Timor and affirming the right of its people to self

determination, was tabled by the Portuguese MEP Carlos Candal at the Parliamentary Assembly of the Council of Europe in Strasbourg on May 9.

The Council is drawing up a report on the situation in East Timor which is scheduled to be presented in plenary by the Political Commission, probably before the end of the year. (Diário de Notícias 10 May 1990)

d. US interest in air base in East Timor?

After reports in the Sydney press that the US was considering opening an airbase at Darwin to replace one of the two it is likely to lose in the Philippines, João Severino, the Sydney correspondent of the Lisbon radio station TSF, speculated that this could imply the use of the airstrip at Baucau for flight stopovers by US planes and cited a report in the Sydney press that there had already been preparations and trial landings there, to this end. The station contacted Governor Mário Carrascalão who said that he was unaware of any such flights but admitted that he was not notified regarding flights by the Indonesian military. TSF further contacted a source in the US State Department in New York who confirmed that the USAF does use Indonesian military airstrips. (TSF Radio, 16 May 1990)

Portuguese government sources said that Portugal had not been contacted by the US concerning use of the airstrip but claimed that the US has a stance on the East Timor question which tends to be "unfavourable" to Portugal's efforts. (Diário de Lisboa 16 May 1990)

e. Criticism of US position on East Timor:

Washington's position regarding human rights violations in East Timor and Indonesia has been strongly criticised by the Lawyers Committee (the Committee of United States Advocates) in a recently released report. Likewise, Professor Mark Cammack, a US legal expert specializing in Indonesian affairs, criticized the Bush Administration's position on human rights in Indonesia and said that the State Department document published at the end of 1989 was inadequate. (Público 18 May 1990)

In an interview with the "Público" in New York, Donald Camp, who represents the East Asia Bureau in the US State Department said that George Bush wholly supports the "incorporation" of East Timor within Indonesia. (Público 28 May 1990)

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 Communiqué (UC). It can also make available, on request, copies of all documents mentioned in these publications.

It is produced by two Portuguese NGOs, CDPM (The Commission for the Rights of the Maubere People) and "Peace is possible in East Timor".

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APPENDIX

1. List of participants at the Oporto Seminar on East Timor, April 28 to May 2, 1990

The following spoke on the general theme of the conference "Strategies to achieve peace and self-determination for East Timor":

Prof António Barbedo de Magalhaes (Conference organiser)

Prof Alberio Amaral (Rector of the University of Porto)

Dr Abílio Araújo (FRETILIN)

Dr Paulo Pires (UDT)

Vicente Guterres (UDT)

Gen. Ramalho Eanes (former President of the Republic of Portugal)

Ambassador Quartim Santos (member of the Foreign Ministry responsible for East Timorese affairs)

António de Sousa Lara (MP, Social Democrat, chair of the special parliamentary commission on East Timor)

António Assunção Rosa (Timorese)

Luís da Costa (Timorese)

Manuel Tilman (Timorese, former MP)

Raul de Brito (MP, Socialist Party)

Barros de Moura (MP, Communist Party of Portugal)

Rui Silva (MP, Democratic Reform Party)

Carlos Magno (journalist "Expresso")

António José da Silva (journalist, RTP network)

Manuel Acácio (journalist, TSF radio)

José Carlos Vieira (journalist, Lusa press agency)

The following participants spoke on specific themes:

José Ramos-Horta (former FRETILIN UN representative): "East Timor: perspectives on future paths"

Bishop Paul Moore (rtd., USA): "A recent visit to East Timor"

Licinia Ramos-Horta (Timorese): "Indonesia, counting on the new generation"

Francisco Xavier de Menezes (anthropologist): "East Timor, from utopia to reality"; "The Timorese, predator or ecologist?"

Adriano Moreira (Christian Democrat MP): "Timor, international conjuncture"

Maria Olímpia Laneiras-Campagnolo and Henri Campagnolo (anthropologists): "Timorese peoples, Timorese people: divergence and convergence"

Pedro Pinto Leite (expert in international law): "The case of Western Sahara: a model for East Timor?"

Carlos da Graça Agostinho (Timorese): "Replies and legal opinions"

Sasha Stepan (lawyer, Monash University, Australia): "The Timor Gap Treaty between Australia and Indonesia"

Luís da Costa (Timorese): "Culture and social structure"

Ana Margarida Sales Luís (Timorese): East Timor, Pope John Paul II's visit"

Apolinário Guterres and João dos Santos (Timorese): "The Bunak"

Fr Bernadino de Queiroz Alves: "The responsibility of the Church and of Christians towards peace and self-determination for East Timor"

Luís Paulo (CDPM): "A contribution towards a political approach to the East Timor problem"

John Taylor (CIIR): "East Timor: scenarios for the nineteen nineties"

Liem Liong (TAPOL): "Indonesia: prospects of change"

"Paz e justiça para Timor-Leste" group: "The Church and East Timor"

Mário Lemos Pires (Former governor of East Timor): "Preservation of the Timorese identity, some structural proposals"

Ana Nunes ("A Paz é possível em Timor Leste" group): "The outlook of the Church on East Timor"

2. Extracts from the US State Department 1989 Annual Report on Human Rights:

b. Disappearance

Temporary disappearance of persons held for interrogation by security forces occurred periodically, particularly in East Timor and Irian Jaya. Reports were often unspecific and difficult to confirm, but in some cases authorities appeared to act outside the law.

No exact figures are available on the number of permanent disappearances widely believed to occur yearly. Newspapers in May publicized the cases of Nano and Soni Abdullah, brothers who reportedly disappeared following arrest in Pekanbaru in 1984. Regular International Committee of the Red Cross (ICRC) access to prisons in East Timor and elsewhere in Indonesia has helped to locate some missing persons in past years.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

Credible reports of torture and mistreatment of criminal suspects, detainees, and prisoners were frequent. Police treatment of detainees, even in minor incidents, often results in physical abuse. Several students detained in the wake of the Pope's visit to East Timor in October were reportedly beaten. The practice of "shooting to wound" suspected criminals allegedly attempting to elude arrest in Medan declined in 1989. The local press, nonetheless, continued to report at least one incident each month in which police shot a suspect in the leg, often repeatedly. Officials have publicly acknowledged and condemned police brutality and unacceptable prison conditions and in 1989 took disciplinary action in several cases against criminal suspects. Among other instances, the Yogyakarta military court dismissed two policemen and sentenced them to jail terms of 2 years 3 months and 2 years 6 months, respectively, for beating to death 17-year-old Bakri Budi Santoso, and a military court in Cianjur sentenced two police officers to 17 and 15 years, respectively, for killing a student, Apud Mahpudin. There were no known instances of officials being punished for mistreatment of political prisoners or detainees. East Timorese Bishop Belo and others alleged mistreatment and torture by security forces in East Timor of persons detained on suspicion of aiding or sympathizing with the Fretilin guerrillas, charges denied by officials. Similar allegations were made concerning mistreatment of persons in Irian Jaya suspected of ties with or sympathies for the Organization for a Free Papua (OPM) rebels. Rebels in both East Timor and Irian Jaya reportedly harassed and terrorized civilians from time to time.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

Judicial warrants for searches are required except for cases involving suspected subversion, economic crimes, and corruption. However, forced or surreptitious entry by security agencies reportedly occurs regularly, especially in East Timor. Security agencies also conduct surveillance of persons and residences to intimidate and are believed to monitor selectively local and international telephone calls, without legal restraint. Correspondence generally is not monitored, although letter mail to and from East Timor may still be an exception. Government security officials try to monitor the movements and activities of up to 2.5 million former members of the Indonesian Communist Party (PKI) and approximately 20 million former members of its front groups. Even relatives of such persons can suffer adverse consequences, e.g., loss of government employment.

Restrictions on movement by Indonesian and foreign citizens to and within parts of Irian Jaya continue, officially based on the grounds of security risk or the cultural vulnerability of indigenous peoples. Beginning in January 1989, restrictions on movement to, from, and within East Timor eased considerably under a policy of "normalizing" East Timor's status. Nonetheless, frequent security checks affect virtually all transportation and travel in East Timor outside Dili. Curfews and other restrictions on movement are often in force at times of military operations in a given area. Family visits back to East Timor by East Timorese now living in Australia began in 1988 and continued in 1989.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The Government considers outside investigations of alleged human rights violations to be interference in its internal affairs. AI has been refused access to Indonesia; Asia Watch visited in 1988 and 1989. Access specifically to East Timor by representatives of such organizations--which the Government considers biased--has traditionally been restricted. However, AI and Asia Watch have not yet tested the new East Timor "normalization" policy, which appears to have loosened those restrictions. Diplomats and some journalists are encouraged to visit the province. The Government ignored calls by domestic human rights groups and activists for impartial investigations of the February Lampung incident and detentions of radical preachers in Sumbawa in March. While various domestic organizations and persons interested in human rights operate energetically, the Government uses its considerable powers to discourage sustained, meaningful human rights activities, including maintenance of close ties with foreign human rights organizations.

The ICRC is authorized by the Government to visit persons jailed in connection with armed resistance in East Timor. One press report in 1989 suggested that many have not been visited despite the Government's pledge. The ICRC provides medical and food aid to prisoners and their families; carries out medical and nutritional surveys in villages in East Timor; arranged family reunification in East Timor and abroad (mainly Portugal); and arranges repatriation to Portugal of former

Portuguese civil servants and their families in East Timor.