



THE AUSTRALIAN NATIONAL UNIVERSITY

E P R E S S

## Out of the Ashes: Destruction and Reconstruction of East Timor

### Abstract for chapter 5

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'The diplomacy on East Timor: Indonesia, the United Nations and the International Community' is divided broadly into four sections.

The first deals with Indonesia's interest in and invasion of East Timor and the nature of the issue in the international sphere prior to the emergence of the Habibie administration. The second section is centred on the complicated diplomatic process between the time of Habibie's initial statement, and the ballot in East Timor on 30 August 1999. The third analyses the events from the ballot until 2000.

The chapter concludes with a summary of prospects and problems likely to be faced in the years ahead by an independent East Timor, within the community of nations

#### *Keywords*

Alexander Downer, Ali Alatas, Australia, B. J. Habibie, CNRT, Dili, Fretilin, General Wiranto, human rights violations, Indonesia, Interfet, Jakarta, John Howard, John Moore, José Ramos Horta, Kofi Annan, Major-General Peter Cosgrove, Megawati Sukarnoputri, MPR, People's Consultative Assembly, referendum, TNI, UN Security Council, United Nations, United States, UNTAET, Xanana Gusmão

## The diplomacy on East Timor: Indonesia, the United Nations and the international community

*Grayson J. Lloyd*

The diplomatic history of the East Timor issue means that the future, notwithstanding the momentous nature of recent breakthroughs, will present conundrums to test the most skilled diplomat. Since July 1983, the diplomatic approach to the East Timor issue has focused on the UN-sponsored tripartite dialogue between Portugal and Indonesia. While the tripartite dialogue process was complex, it was the principal construct that led to the current diplomatic resolution. Of course this process has not operated in isolation. International and organisational pressure of various kinds across the economic, political and cultural realms contributed, as did various acts of defiance initiated by figures such as Bishop Carlos Belo, Xanana Gusmão and José Ramos Horta. With the downfall of the Soeharto-led New Order regime in Indonesia, the East Timorese community, aided by international and United Nations diplomatic and economic pressure, was presented, on 30 August 1999, with the first opportunity to determine its future since the vote for integration in 1976.<sup>1</sup>

<sup>1</sup> On 31/5/1976 the newly-formed 37-member Popular Representative Assembly met and endorsed a petition to be sent to the Indonesian President, Soeharto, for the territory to be integrated into the Republic of Indonesia (the figure is stated as 44 in a cable sent to the Chairman of the Special Committee on Decolonisation by the provisional government of East Timor, dated 7/6/76). The petition was presented to Soeharto on 7 June, and followed by the mission sent to East Timor to make an 'on-the-spot' assessment of the wishes of the East Timorese. For further information consult James Dunn (1983:298-299).

Sensing the mood for change, and compelled by pressing domestic concerns, President Habibie, on 9 June 1998, declared that he was considering offering special status and wide-ranging autonomy to East Timor, albeit with East Timor remaining a part of Indonesia. Since that point the role of the UN and the Secretary-General in particular, as well as the international community, has been crucial. Habibie's willingness to compromise sparked a process that had been stalled for numerous reasons, typified by the cynical 'pebble in the shoe' comment by Ali Alatas. The Indonesian President's decision in late January 1999 to offer independence as an option if autonomy was rejected set the stage for a tumultuous year.

This chapter is divided broadly into four sections. The first deals briefly with Indonesia's interest in and invasion of East Timor and the nature of the issue in the international sphere prior to the emergence of the Habibie administration. Secondly, examination is centred on the rather cumbrous and complicated diplomatic process between Habibie's initial statement, and the ballot in East Timor on 30 August 1999. Thirdly, analysis is presented of events from the ballot until the present day. Finally, I will summarise some prospects and problems likely to be faced by an independent East Timor in the community of nations in the years ahead.

### *Indonesia and the beginning of the East Timor issue*

After many months of internal destabilisation in East Timor orchestrated, in part, by Ali Moertopo and Benny Moerdani, Indonesia invaded East Timor on 7 December 1975.<sup>2</sup> President Soeharto was manoeuvred by the Indonesian armed forces (TNI)<sup>3</sup> into a position such that annexation and integration of East Timor became the only possible outcome. The temporary union and then breakdown of the Fretilin-UDT alliance in August 1975, and subsequent brief three-week civil war, combined with Fretilin's unilateral declaration of independence on 28 November provided the catalyst and

<sup>2</sup> This was the same team that organized the OPSUS operation during the campaign to crush Malaysia (*ganjang Malaysia*) during the 1963-65 period, and which secured the 1969 'free vote' in West Irian.

<sup>3</sup> The acronym TNI (*Tentara Nasional Indonesia*, Indonesian National Army) is the recent terminological replacement for ABRI and will be used throughout this chapter.

rationalisation for the Indonesian invasion. The decision by the Indonesian government to invade East Timor was based principally on security fears, concerns over territorial unity and an obsession with anti-communism. Fretilin was portrayed as a Marxist-inspired and infiltrated organisation. Memories of the campaign against the Indonesian Communist Party (PKI) conducted at the start of the New Order figured prominently in the Indonesian mind-set at the popular and elite levels. The collapse of the Caetano administration in Lisbon, Portugal, in 1974, at the hands of the Armed Forces Movement (MFA – *Movimento das Forças Armadas*) exacerbated fears among the Indonesian military of the potential for future instability in East Timor. The commencement of the Indonesian invasion, known as Operation Komodo (*Operasi Komodo*), necessitated the resurrection of Indonesia's international status at the UN and within other fora such as the non-aligned movement (NAM). This restoration process consisted of realigning its foreign policy objectives, silencing opposition within East Timor and conditioning the international community to the irreversibility of its occupation.

On the East Timor issue Indonesia's diplomatic rhetoric seldom matched its pragmatic *realpolitik*. In a 1974 letter, Adam Malik, the New Order's first foreign minister, admitted to José Ramos Horta that Indonesia had no territorial designs on East Timor and assured Mr Ramos Horta of his country's respect for the sovereignty of an independent East Timor:

The Independence of every country is the right of every nation, with no exception for the people of [East] Timor ... whoever will govern in Timor in the future after independence can be assured that the government of Indonesia will always strive to maintain good relations, friendship and cooperation for the benefit of both countries.<sup>4</sup>

Indeed at the talks held between Portugal and Indonesia in Rome in early November 1975, there was no indication that Indonesia's official diplomatic position had altered in any way. Yet, scarcely five weeks later, nine days after the unilateral declaration of Independence by Fretilin

<sup>4</sup> Adam Malik's letter to José Ramos Horta (representing the ASDT) came at the conclusion of the Jakarta talks with Adam Malik and Ali Moertopo in 1974. A brief description of the contents and significance of the Malik letter is contained in James Dunn (1983:66). The selected quotation was taken from a speech given by José Ramos Horta (1996) to the Royal Institute of International Affairs.

on 28 November 1975, Indonesia officially invaded East Timor.<sup>5</sup>

This invasion followed closely a letter from Indonesia's permanent representative to the UN to the organisation's Secretary-General dated 4 December 1975. In it Indonesia reiterated its support for the decolonisation policy of the Portuguese government. But it also contained an indication that Indonesia would not be prepared to sit back and, in the view prevalent among the Indonesian administration at that time, watch East Timor disintegrate.<sup>6</sup> It also pointed to a lack of communication between Deplu (Department of Foreign Affairs) and the Indonesian Armed Forces (*Tentara Negara Indonesia* – TNI) – a problem that would lead to future confusion in the policy-making process. Moreover, it indicated the state of play in the power relationship between TNI and Deplu and the secondary role of the latter in the decision-making process.

The integration of East Timor by the Indonesian government was not recognised by the United Nations which considered Portugal to be the administering power. The first action taken by the United Nations was General Assembly resolution 3485 on 12 December 1975. This called for respect of the inalienable right of the people of Portuguese Timor to self-determination and independence, and for the Indonesian government to '... desist from further violation of the territorial integrity of Portuguese Timor and to withdraw without delay its armed forces from the territory ...'<sup>7</sup> The General Assembly resolution was followed ten days later by a Security Council resolution calling for Indonesia to 'withdraw without delay all its forces from the territory'.<sup>8</sup> However, the Indonesian government, believing that it had been asked to intervene to rescue the situation in East Timor ignored the resolution.<sup>9</sup>

<sup>5</sup> I say officially, because there is evidence to suggest that Indonesian-sponsored forces had for a number of months been present in East Timor fomenting unrest.

<sup>6</sup> 'Statement of the Government of Indonesia on the Current Developments in Portuguese Timor, 4 December 1975', letter dated 4 December 1975 from the Permanent Representative of Indonesia addressed to the Secretary-General, A/C.4/808, 4 December 1975. Cited in Heike Krieger (ed.) (1997:41-42).

<sup>7</sup> UNGA Resolution 3485 (XXX), 12 December 1975.

<sup>8</sup> UNSC Resolution S/RES/384, 22 December 1975.

<sup>9</sup> Based on this Security Council resolution the UN Secretary-General sent a representative to East Timor for an on-the-spot assessment. The subsequent report was discussed in April 1976. Notwithstanding Indonesia's assurances the Security Council remained dissatisfied and once again called for the withdrawal of Indonesian forces.

The General Assembly moved a further seven resolutions on the East Timor issue in the period 1976-82. Despite a narrowing of the margin between those supporting and those opposing the resolution, Indonesia did not manage to remove the East Timor issue from the General Assembly's agenda, nor change the UN's standpoint and recognition of Portugal as the administering power. Beginning in 1983 with the first formal talks, the Secretary-General presided over private negotiations between Portugal and Indonesia, known as the tripartite dialogue.<sup>10</sup> While attention on the East Timor issue within the international community wavered throughout the 1980s, Indonesia met opposition particularly from ex-Portuguese colonial territories as it attempted to gain leadership of the Non-aligned Movement (NAM). Nonetheless there was a growing feeling in Jakarta that the Indonesian government's position on East Timor would eventually prevail.

The Dili massacre on 12 November 1991 changed this presumption irrevocably. This reignited the cause of East Timorese resistance to Indonesian occupation and reawakened world attention. The more the UN and the world community understood what was happening in East Timor – and the Dili massacre served to refresh many memories – the more impetus was given to the armed and civil resistance. The capture of Xanana Gusmão in 1992, although initially celebrated in military circles in Jakarta, also markedly increased pressure on Indonesia by providing a focal point for East Timorese and their supporters who favoured independence. Pressure also increased as a result of the rapid process of globalisation which challenged old norms and modes of thinking. The start of the democratisation process in Indonesia, the onset of the Asian financial crisis, and the collapse of the Soeharto regime, all contributed to a rise in tensions and expectations.

### *Progress under the Habibie administration*

Notwithstanding UN Secretary-General Kofi Annan's dynamism on the issue of East Timor, a relaxation of Indonesia's hard-line position on the issue was a remote possibility under the Soeharto regime. President Soeharto throughout 1975 was clearly concerned about the potential international economic ramifications of an invasion of East

<sup>10</sup> The issue has not been subject to a specific resolution since 1982.

Timor. However, his belief in the centrality of territorial integrity and 'domino theory' philosophy of communism made significant concessions unlikely once East Timor had been incorporated into the unitary Indonesian state. This ostensibly personal response was reviewed when Jusuf Habibie acceded to the presidency on 21 May 1998.

Assessed from a pragmatic standpoint, President Habibie probably had little choice but to offer something by way of a concession to the international community. The monetary crisis in South-east Asia was impacting heavily on Indonesia, and arguably the autonomy concession was, in a sense, a trade-off for much needed IMF restructuring loans. Indonesia could ill afford the irritation sparked by the East Timor issue, either domestically or externally. This was particularly the case given the panoply of economic, political and ethnic problems threatening disintegration of the nation state. Whether by choice or compulsion Habibie's actions contributed significantly to the direction and modalities of the East Timor issue. A body of opinion developed within civilian and among some retired military figures in Jakarta, principally, arguing that Indonesia was better off rid of East Timor.<sup>11</sup> Naturally such opinion confronted nationalist views insisting on the territorial integrity and sovereignty of the Indonesian unitary state. Proponents of such views pointed to the possibility of the detachment of East Timor triggering the disintegration of the Republic. A number of Western analysts and observers expressed concern that the loss of East Timor could precipitate the loss of other regions in Indonesia, raising fears about a 'Balkanisation' of the Republic. The argument for jettisoning East Timor not surprisingly also met fierce resistance in the TNI.

### *The diplomatic process after June 1998*

President Habibie's statement on 9 June 1998 offering wide-ranging autonomy for East Timor was an important breakthrough. On

<sup>11</sup> The genesis of this argument lies, in part, in the views (rarely expressed publicly) of Deplu officers (some of whom are still active) and other 'internationally-minded' individuals who assessed the situation objectively and strategically and concluded that Indonesia's long-term foreign policy objectives were being hindered by ongoing involvement in East Timor. Some argued that the loss of East Timor would not cause 'Balkanisation' to occur, but would actually allow the government to focus more on other regions of concern.

18 June 1998, Ali Alatas formally confirmed the details of this offer to the UN Secretary-General, Kofi Annan, and to Portugal. Indonesia saw its proposal as a complete, internationally acceptable and realistic solution to the impasse.<sup>12</sup> Portugal received the proposal as a step in the right direction but rejected it as an ultimate solution. However, while some within the Indonesian government were keen to resolve the issue based on this proposal, it was clear that the international community viewed it as merely the first step in a lengthy process. As a measure of goodwill, on 24 July, President Habibie announced a program of troop withdrawals from the territory. The Indonesian government genuinely expected that its response would satisfy the people of East Timor. The free speech campaign conducted in rallies by East Timorese youths from July to September 1998 undermined this assumption, and reinforced to the UN and the Indonesian government their rejection of autonomy and endorsement of an UN-supervised referendum.

Officially the Indonesian government's reasons for not agreeing to a referendum resided in two factors. Firstly, it believed that such a process would only lead to the opening up of old wounds and the likely re-occurrence of civil war and the creation of a pro- and anti-integration divide in East Timor. Secondly, it argued that it should not be submitted to a referendum because the East Timorese people had already opted for integration in 1976.<sup>13</sup> The first statement probably represented genuine concern, although it did so by perpetuating the mythology surrounding the civil war in July-August 1975. The second sought to legitimate a spurious selection process which occurred in 1976 and upon which

<sup>12</sup> 'Keterangan Pers Menlu Ali Alatas Kepada Wartawan Nasional Setelah Pertemuan Dengan Abilio Araujo', Di Deplu, Jakarta, 23/6/98.

<sup>13</sup> Transcription of Questions and Answers Between the Press and the Minister for Foreign Affairs, H.E. Mr Ali Alatas, MPR/DPR Building, Jakarta, 29/6/98. A more complete, although unofficial, explication of the Deplu mind-set on East Timor was presented by Dino Patti Djalal, Head of the Decolonisation Section, Directorate for International Organisation, Deplu, in a paper delivered in his private capacity. See Dino Patti Djalal. 'Sebuah Pandangan Mengenai Penyelesaian Politik Yang Damai, Langgeng Dan Manusiawi Terhadap Masalah Timor Timur', paper presented at a seminar entitled 'Menuju Penyelesaian Damai Timor Timur Pasca Soeharto', organised by SOLIDAMOR (*Solidaritas Mahasiswa Untuk Penyelesaian Damai Timor Timur*), Jakarta, 14/7/98. Dino Patti Djalal was spokesman for the Indonesian government's task force monitoring the UNAMET presence and the lead-up to the 30 August ballot in East Timor.



Indonesia has based its occupation of East Timor. Against such a background the process advanced gradually for the next six months before the dramatic policy bouleversement of January 1999.

International pressure mounted on Indonesia to continue the pace of reform on the East Timor issue.<sup>14</sup> In late June 1998, the ambassadors from the United Kingdom, Austria and The Netherlands visited East Timor and concluded that lasting resolution of the issue required a firm commitment to direct consultation of the wishes of the people of East Timor. The Senate and Congress in the United States of America again became proactively involved on the issue. In July, a Senate resolution called for an internationally-supervised referendum on East Timor. In October, Congress supported a ban on the use of US-supplied weapons in the territory.<sup>15</sup> Within this international environment the next round of the tripartite dialogue series under the auspices of the United Nations took place in New York on 4-5 August at the ministerial level. President Habibie reiterated his 'special autonomy' proposal before the Secretary-General and preliminary agreement was reached between Indonesia and Portugal on the agreement. The ministers agreed to hold in-depth discussions on Indonesia's proposals for special status and hoped that dialogue at the senior officials' level could encourage resolution on the issue before the end of the year.

Agreement was also reached on the need for the closer involvement of East Timorese, both inside and outside East Timor, in reaching a solution.<sup>16</sup> But the senior officials' meeting in early October was marred by UN concerns over rising tensions in East Timor, and the occurrence of armed clashes and large-scale protests in the territory. On 31 October 1998, the fourth All-inclusive Intra-East Timorese Dialogue (AIETD) opened in Krumbach, Austria. This was clearly the most important meeting in this series initiated in June 1995 in Burg Schlaining, given both the autonomy proposal offered by the Indonesian government and the pivotal stage of UN-sponsored negotiations.

Doubt was cast over the sincerity of the Indonesian approach to the negotiating table by persistent allegations that rather than withdrawing its forces, Indonesia had been secretly marshalling them and attacking

<sup>14</sup> This fact was recognized by Xanana Gusmão in 'Xanana Gusmão writes from a Jakarta prison cell', *The Washington Post*, 21/10/98.

<sup>15</sup> 'Indonesia: East Timor Outlook', *Oxford Analytica Daily Brief*, 10/9/98.

<sup>16</sup> 'Foreign Ministers of Indonesia and Portugal Conclude Two-Day Meeting on East Timor Question', UN Press Release, 5 August 1998, SG/SM/6666.

Falintil forces. Leaked military documents indicated that troop numbers had not been cut in East Timor, contrary to the government's claim.<sup>17</sup> In November 1998 the Australian foreign minister, Alexander Downer, reinforced the UN position by stating that resolution of the East Timor issue must involve the leaders of East Timor. But the Australian government was not in favour of a referendum on independence in East Timor. Shortly thereafter, however, key figures in the Australian government realised that they had to adjust their thinking on the issue. In December, the National Security Commission of the Australian Cabinet met to consider the security, economic and political issues relevant to East Timor and the possibility of Indonesian disengagement and Australian intervention. From this meeting emerged the idea that Prime Minister John Howard would write to the Indonesian President.

In his letter dated 19 December and delivered to President Habibie on 21 December by ambassador John McCarthy, Australian Prime Minister Howard drew together several themes.<sup>18</sup> These were the necessity of the continuation of reform and the possibility of granting independence to East Timor. He illustrated his point with reference to the Matignon accords. This agreement provided for a referendum for the people of New Caledonia and, it was suggested, could function as a model for East Timor. A referendum would proceed after a sustained period of development both of local political institutions and confidence-building measures. However, as one analyst noted, President Habibie's rejection of the letter was not unexpected given the implicit correlation drawn between French colonialism and Indonesia's occupation of East Timor.<sup>19</sup> Moreover, it was clear that the Howard letter caught the Habibie administration off-guard.

It was apparent that the Indonesian government was struggling

<sup>17</sup> James Cotton (ed.), *East Timor and Australia: AILA Contributions to the Policy Debate* (Canberra: ADSC and AIIA, 1999), p.12.

<sup>18</sup> *Ibid.*, p.13. Former Indonesian Foreign Minister Ali Alatas reported that President Habibie's initial reaction to the Howard letter was one of anger and annoyance that Australia had taken upon itself to become involved in something that, in the Indonesian view, was clearly not its problem. See Ali Alatas, 'Ali Alatas looks Back on 11 Years of Indonesia's Foreign Policy', *The Jakarta Post*, 2/11/99. Alatas's comment can be taken at face value. However, it is also important to remember that Ali Alatas was not at the special Cabinet meeting that decided to offer independence to East Timor via a ballot.

<sup>19</sup> Cotton, *op.cit.*, p.13

at this point to develop a cohesive and internationally (as well as domestically) acceptable position on the East Timor issue. The reasons for this struggle were threefold. Firstly, because of the large human and resource investment in East Timor, and the diversity of opinions within the Indonesian government, the East Timor issue assumed a great significance for key decision-makers and government officials. Secondly, longstanding fissures inspired by the East Timor issue resurfaced among the elite. Hankam (Department of Defence and Security), TNI (Armed Forces), Deplu (Department of Foreign Affairs) and senior foreign policy adviser in the presidential office, Dr Dewi Fortuna Anwar, competed to varying degrees for the running on the issue. Gradually, outside of its purely functional diplomatic obligations, Deplu, led by Ali Alatas, was virtually marginalised from any meaningful participation in the decision-making process surrounding the East Timor issue. Thirdly, the Indonesian government appeared unprepared for the scope and determination of the UN-led international response to this phase of the issue. This is, perhaps, partially explainable by a discernible and increasing sense of frustration with the issue and the corresponding desire among some elements in the Indonesian government to bring closure to the case. This lack of cohesion at the elite level was exacerbated as diplomatic negotiations intensified from early February onwards.

The new year ushered in some surprising developments. The first came on 12 January 1999, when Australian Foreign Minister Alexander Downer announced a major change in Australia's policy on East Timor. It was now the government's position that the East Timorese should be allowed to vote in an act of self-determination to decide whether to become independent of Indonesia after a period of autonomy. On 27 January the Indonesian government stunned the international community with a message delivered by the foreign minister. In it he referred to the possibility of complete independence for East Timor if autonomy proved unpopular and impractical. Thus, in addition to the proposal of special status with wide-ranging autonomy, the details of which were at that time still being negotiated, Foreign Minister Alatas would meet with the Secretary-General of the UN on 7-8 February to outline the possibility of independence as an alternative solution. President Habibie's decision was influenced by the fact that he was in the midst of formulating a national budget, and he thus needed to reinstate a sense of

normality across a range of sectors. Interestingly, Alatas declared that the issue had been discussed several days earlier at a defence and security cabinet meeting, although it is believed the foreign minister was not a participant in that discussion.<sup>20</sup> Moreover, it was suggested that Ali Alatas was not in favour of such a proposal at that time.<sup>21</sup>

Pace gathered quickly on the issue, especially when President Habibie declared that whatever the result of the consultation process in East Timor (not a referendum) Indonesia wished to be free of the Timor problem by the year 2000. In a series of interviews Foreign Minister Ali Alatas was keen to clarify the government's position and the statement

<sup>20</sup> According to a report from the KITLV news composition service dated 28/10/99, presidential foreign affairs adviser Dewi Fortuna Anwar revealed that the foreign minister Ali Alatas had not attended the restricted ministerial council at which the President's proposal had been submitted. It is reported that all ministers present, including General Wiranto, agreed with the President's decision although Wiranto insisted that the armed forces had not made a mistake when they invaded East Timor in 1975. Habibie's military adviser, General Sintong Panjaitan, merely pointed out that it had been 'the President's personal decision'. <http://iias.leidenuniv.nl/cgi-bin/DailyReport.py?Day=19991029>, Ref: FA10-1999/10/21 'Operasi Sapu Jagad — Indonesian Military's Plan to Disrupt Independence', p.65. It was reported elsewhere that Habibie, clearly aware of the opposition, had declared to his close aides that 'It [the East Timor issue] will roll like a snowball and no one can stop it', *Jakarta Post*, 16/2/99.

<sup>21</sup> There are two distinct points here: whether Alatas was consulted and what he advised if he was. In an interview reflecting on his tenure as foreign minister, Ali Alatas offered the following comment in response to a suggestion that he was initially against the idea: 'Well, I have advised, among other things, OK we can solve it, but isn't it premature? But after that in a very democratic manner we discussed that in the cabinet and it became a cabinet issue', 'Ali Alatas Looks Back on 11 Years of Indonesia's Foreign Policy', *The Jakarta Post*, 2/11/99. In an interview much closer to the time of the decision he declared: 'We thought it was time to give our perception of what an alternative could be. And this is how it started. It didn't start with the President telling me or any one of us. He's not that type. He always said: "What can we do with all these kinds of things? Please give me an advise [sic] ..." He proposes the questions. So we went and discussed it thoroughly in the Polkam.' Excerpts of the interview between the Minister of Foreign Affairs with Mr Frank Ching, Foreign Editor, *Far Eastern Economic Review*, on the Question of East Timor, Jakarta, 2 February 1999. Although it is not entirely clear, it is probable that Minister Alatas was talking about a Polkam meeting arranged to discuss in greater detail aspects of the President's plan announced at the initial restricted ministerial council.

of 27 January. The preferred option of the Indonesian government was the one enunciated in June 1998: special status for East Timor with wide-ranging autonomy. It was clear that the Indonesian government was working on the basis that this option would be adopted by the people of East Timor.<sup>22</sup> Ali Alatas reiterated this view at a press conference at the conclusion of the Fourth Indonesia-Australia Ministerial Forum in Bali. Acknowledging that Indonesia had made mistakes in East Timor, he insisted that wide-ranging autonomy was the principal option for the Indonesian government and moreover the best solution for all concerned and the region.<sup>23</sup> The apparent success of this meeting was important for the Australian government, which had been forced to reassess its position based on a deteriorating security situation and the possibility of prolonged chaos in East Timor as a result of a rapid Indonesian departure, and also for the UN diplomatic process.

In hindsight the likelihood of Indonesia simply washing its hands of East Timor and withdrawing was remote. Certainly the mood was evident in some quarters in Indonesia to dispense with the problem quickly. However, even with this opinion circulating within elite circles, such a move was not seriously contemplated before the verdict from the East Timorese people had been received. The TNI certainly had no desire to hasten its departure from East Timor. This was chiefly because departure would denote the failure of its mission in East Timor and, in a sense, the abandoning of the memories of those soldiers killed in the territory.<sup>24</sup> It would also mean the potential loss of a rich seam of wealth for certain elite members of the TNI. In the ministerial council that endorsed Habibie's proposal, it is possible that Wiranto and Habibie formed some kind of agreement. Even if

<sup>22</sup> In support of the application of such an autonomy proposal Foreign Minister Alatas cited examples of autonomy in the Basque region in Spain, in Bougainville, and in the Azores and Madeira. See excerpts of 'Interview Between the Minister for Foreign Affairs with Journalists from Portugal on the Question of East Timor', Jakarta, 2/2/99.

<sup>23</sup> This was an interesting reversion to the rationalisation used at the time of the Indonesian invasion in 1975 emphasising the pre-eminence of regional interests. 'Transcript Questions and Answers Minister Ali Alatas and Foreign Journalists at the Fourth Indonesia-Australia Ministerial Forum and the Australia-Indonesia Development Area (AIDA) at Nusa Dua, Bali, 22-25 Februari 1999'.

<sup>24</sup> It should be remembered that the TNI may have lost as many as 10 000-12 000 troops in East Timor.

an agreement was not made, it is arguable that the military believed that it would be able to influence the result in East Timor.

It is difficult to fathom the exact nature of Habibie's relationship with the military in relation to the Indonesian government's formal (and informal) position on East Timor. Relations between them were complicated by the fact that Habibie was viewed as an interim leader who lacked widespread and genuine support within the military. Habibie's decision was a calculated risk, cognisant as he was of the degree of opposition felt within the military, and among 'nationalist' elements within society represented at the popular level by the views of Megawati Sukarnoputri. It is also highly possible that President Habibie made the decision without thorough consultation with the military, thus placing the onus squarely on the TNI to develop mechanisms to salvage a bargaining position through whatever means possible.

Concern was rising over the potential for, and occurrence of, violence in East Timor, and the support, training and funding of armed militia groups by the Indonesian military, particularly the special forces Kopassus unit.<sup>25</sup> The involvement of militia groups in assorted acts of violence and intimidation in East Timor complicated the sensitive diplomatic negotiations occurring at the UN, and for a while cast doubt over the entire process of achieving a ballot result. It was widely suspected by many well-informed observers that the creation of this instability, and subsequent doubt over the outcome of the process, was precisely the point of such activities.

Pressure quickly mounted internationally for some form of intervention in East Timor to curtail the activities of the militia groups. These groups were particularly virulent in the western region of East Timor, but by the 5 May Agreement such groups were active in almost every district in East Timor.<sup>26</sup> A spate of militia attacks in February indicated an escalation in the degree and intensity of militia activities and coincided with the early phases of the TNI's reaction to Habibie's initiative for East Timor. A meeting of pro-integration leaders with President Habibie in Jakarta in February gave them an unwarranted and, in terms of the diplomatic process, unhelpful legitimacy. In April, General Wiranto was

<sup>25</sup> 'Transcript: Press Conference Minister Ali Alatas and US State Secretary, Madeleine Albright at the Department of Foreign Affairs', Jakarta 4/3/99. In the Alatas-Albright press conference the notion of Indonesian forces training militia groups was explored, and subsequently refuted by the Indonesian foreign minister.

<sup>26</sup> See John Zubrzycki, 'Observer Mission Into Fear', *The Australian*, 25/5/99.

directed by the President to travel to Dili to deal with the problem. However, the resulting 21 April peace agreement signed by Xanana Gusmão and pro-independence and pro-integration representatives failed to bring an end to the violence chiefly, but not exclusively, because it did not provide for the disarming of militias, nor did it touch on the issue of support for these groups from the Indonesian military.<sup>27</sup> The situation again boiled over with reports coming through at the end of April and the early part of May of militia groups rounding up East Timorese into refugee camps, and travel restrictions being imposed on foreigners including the ICRC. Caught off balance by the rapid collapse of civil order in East Timor, the world community vacillated on the question of intervention and repeated pleas for the Indonesian government to restore peace and security to the territory.<sup>28</sup>

Mechanically the diplomatic process proceeded apace amidst increasing practical and humanitarian hurdles. On 12 March 1999, at the conclusion of another round of tripartite negotiations, the Secretary-General of the United Nations announced that all parties had agreed that a 'method of direct ballot will be used to ask the people of East Timor whether they accept or reject' a proposal for autonomy.<sup>29</sup> On 8 March Foreign Minister Alatas presented a paper to President Habibie and the inner cabinet concerning the text of the autonomy package produced as a result of the tripartite discussion held on 7-8 February. The cabinet and the President decided that modifications were required and for this task a ministerial-level team co-ordinated by the Menkopolkam (Co-ordinating Minister for Politics and Security), Feisal Tanjung, was formed.<sup>30</sup>

<sup>27</sup> Don Greenlees, 'Timorese Rush to Sign Pact', *The Australian*, 22/4/99.

<sup>28</sup> The world community was to revisit the question of uncontrolled violence in East Timor and the apparent condoning of such activities by the Indonesian government in the immediate post-ballot period in the first half of September. Short of invasion, which was not an option in any sane analysis, the UN (backed particularly by the US) was compelled to exert what economic and other pressure it could to convince the Indonesian government to accept an international force in the territory.

<sup>29</sup> United Nations Press Release SG/SM/6922, 12 March 1999.

<sup>30</sup> An excellent overview of the Indonesian government's perception of the issue near the end of March is found in 'Paparan Menteri Luar Negeri R.I. Ali Alatas, Tentang Penyelesaian Masalah Timor Timur Pada Seminar Indonesian Council on World Affairs (ICWA)', Jakarta, 22 Maret 1999.

The intensive phase of the dialogue process on East Timor progressed with the UN at the hub of diplomatic negotiations. Just hours before the start of what was to be a seminal round of negotiations on 8 April, the Indonesian government asked the UN to delay the meeting on autonomy because its blueprint for autonomy was not ready. Talks were rescheduled for 20-21 April, and on 23 April, co-ordinated by Kofi Annan, Indonesia and Portugal agreed on an autonomy deal for East Timor.<sup>31</sup> The substance of this deal was contained in the 5 May Agreement. On another front, Australia's diplomatic involvement in the issue escalated. A phone call from Prime Minister Howard to President Habibie resulted in a meeting of senior leaders in Bali on 27 April. The meeting involved both leaders, Foreign Ministers Alexander Downer and Ali Alatas, and Defence Ministers General Wiranto and John Moore. President Habibie declared that if the autonomy option was rejected, then Indonesia and East Timor would separate in peace. Prime Minister Howard urged that a 'greater measure of stability' be returned to the territory, and that violence must desist. He noted, however, that it would be better for the East Timorese, the Indonesians and the region if the territory remained part of Indonesia under the autonomy package.<sup>32</sup>

The 5 May Agreement and the diplomacy that produced it was widely criticised. Some observers argued that the ballot offering autonomy or independence should have been delayed, not by a matter of weeks which ultimately occurred for security and technical reasons, but by many months to allow for the amelioration of the security situation in East Timor. Had the UN's commitment wavered, however, and the vote been delayed indefinitely, there is no telling what might have happened in East Timor.<sup>33</sup> The agreement eventually signed on 5 May consisted of two parts. The first dealt with the administrative aspects that included the ballot question, voter eligibility, campaign

<sup>31</sup> United Nations Portugal-Indonesia Talks, 21-23 April 1999, New York. Transcript of Concluding Press Conference 23/4/99, press release SG/SM/6966.

<sup>32</sup> Tim Dodd, 'Australia Commits to Timor Poll', *Australian Financial Review*, 28/4/99.

<sup>33</sup> The notion that aspects of the agreement favoured Indonesia must be balanced by the realisation that the Indonesian government was in an advantageous negotiating position, notwithstanding the considerable pressure that was being exerted on it through various channels.



duration and the rather controversial area of the security of the ballot. A number of observers took umbrage with Section G of the modalities applying to the vote charging the Indonesian authorities with ensuring a 'secure environment for a free and fair popular consultation process'.<sup>34</sup> In the context of the apparently unchecked violence in the territory, many saw this as an extraordinary and ironic move.<sup>35</sup>

The second aspect was the proposal on autonomy which, had it been passed, would have established the Special Autonomous Region of East Timor (SARET). Basically the SARET would control political, economic and social policies, but not foreign affairs, defence and fiscal policies. Given these conditions, it appealed to the bulk of the pro-integration supporters.<sup>36</sup> Articles five, six and seven were the key aspects outlining the modalities for a rebuttal and acceptance of autonomy, and emphasising the necessity for the UN to maintain an adequate presence in East Timor during the interim period following the popular

<sup>34</sup> Extracted from Section G of the 'Agreement Regarding the Modalities for the Popular Consultation of the East Timorese Through a Direct Ballot'. A supplementary section, 'East Timor Popular Consultation Agreement Regarding Security', specifies details for the pre-ballot period incorporating the understanding that:

A secure environment devoid of violence or of other forms of intimidation is a prerequisite for the holding of a free and fair ballot in East Timor. Responsibility to ensure such an environment as well as for the general maintenance of law and order rests with the appropriate Indonesian security authorities. The absolute neutrality of the TNI (Indonesian Armed Forces) and the Indonesian Police is essential in this regard.

This was mirrored in article three of the agreement proper. See also the Report of the Secretary-General to the United Nations Security Council A/53/951 S/1999/513, 5/5/99.

<sup>35</sup> It was, indeed, a remarkable clause although the UN had little choice but to accept this because the Indonesian government was resolutely opposed to the idea of foreign intervention. Unofficially the hope in the UN was that it could, at least, influence those in the TNI directing the militias to scale down their activities.

<sup>36</sup> The hard-line pro-integrationist Basilio da Araujo from the Forum for Unity, Democracy and Justice (FPDK) declared that he was a reluctant supporter of the ballot and foresaw trouble in the lead-up to the ballot and a likely split between winners and losers afterwards. Tim Dodd, 'Timor Pledges to Accept Ballot', *Australian Financial Review*, 7/5/99.

consultation.<sup>37</sup> Importantly, the 5 May Agreement provided the mandate for the UN to play a significant role in implementing either result of the consultation and to assist in the transition process in East Timor. But as the UN recognised, the agreement would be difficult to implement if the fundamental problems of security remained, thus complicating the process of ensuring a peaceful and free ballot. Nowhere in the 5 May Agreement was provision made for the disarmament of the various forces in the territory.

The signing of the agreement to hold a popular consultation in East Timor impacted little on the frequency and scale of violence in the territory.<sup>38</sup> Indeed Kofi Annan's report (22/5/99) noted that the security situation in East Timor remained 'extremely tense and volatile' and the need for inter-factional reconciliation was great. In this context the 15 May meeting between pro-integration and pro-independence East Timorese factions sponsored by Deplu in Bali could have assumed critical importance. The results, however, proved inconclusive and failed to develop a means of ending the large-scale violence in East Timor.<sup>39</sup> In response to sustained calls by the international community for the release of the Fretilin leader, Xanana Gusmão, the Indonesian government at the end of May reaffirmed its desire to make his release contingent upon an overall solution and not the means of producing this solution.<sup>40</sup>

On 11 June the UN Security Council with Resolution 1246 established

<sup>37</sup> 'Agreement between the Republic of Indonesia and the Portuguese Republic on the Question of East Timor', 5 May 1999. The UNAMET was composed of electoral officers, political advisers, UN security guards and an International Civilian Police Force (CivPol). The legislative mandate for this force came via resolution 1236 of the UN Security Council dated 7/5/99.

<sup>38</sup> Report of the Secretary-General on the Question of East Timor of 22 May 1999 (S/1999/595). UNAMET press statement, 17/5/99.

<sup>39</sup> The Indonesian government initiated, on 18 May, a task force on the implementation of the popular consultation in East Timor to be co-ordinated by the Menkopolkam, Feisal Tanjung. Its primary function was to liaise between the Indonesian government and UNAMET. This existed in addition to a body referred to as *Tim Pengamanan* (Pacification Team) in charge of implementing all that had been agreed regarding East Timor, and an inter-departmental Deplu working group on East Timor. The Pacification Team was also chaired by Feisal Tanjung, and consisted of the Foreign, Interior, Defence, Justice and Information ministers and the head of the State Intelligence Coordinating Body (*Bakin*).

<sup>40</sup> Press Conference of the Minister for Foreign Affairs, Jakarta, 24/5/99.

the United Nations Mission in East Timor (UNAMET) with a mandate to 31 August. The Security Council met again on 29 June to assess the situation on the ground in East Timor and the Secretary-General's report of 22 June. This meeting of the Security Council coincided with the DARE II conference held in Jakarta commencing on 25 June. This conference was significant for the fact that it co-ordinated talks with representatives from all sides in East Timor. It was also noteworthy for the fact that after much negotiation about the issuing of a visa, José Ramos Horta was permitted to enter Indonesia and attend the five-day gathering although he did not travel to East Timor. The resolution also came after the 18 June joint appeal made by CNRT, Falintil and pro-integration factions to halt armed confrontation, disarm and co-operate to ensure security, peace and law and order in East Timor. The main point of the resolution, apart from registering concern at the continuation of violence in the territory, was to acknowledge the three-week delay in the Secretary-General's determination of whether an appropriate security situation existed for the start of the consultation process. The pattern of events continued along these lines punctuated only by a meeting of senior officials of Indonesia and Portugal in New York in mid-July, and the start of voter registration at approximately the same time in East Timor. In a letter to the president of the Security Council dated 28 July, the Secretary-General announced that the date of consultation would be delayed until 30 August 1999.<sup>41</sup> Security Council Resolution 1257, adopted at its 4031st meeting on 3 August, granted the Secretary-General's request for an extension of the UNAMET mandate until 30 September.<sup>42</sup>

On 9 August, the Secretary-General presented another report to the Security Council in which he addressed the question of post-ballot arrangements. He requested that the UNAMET continue through the post-ballot period until the implementation phase of the result. He also reaffirmed that during the interim period, the Indonesian government would continue to be absolutely responsible for the maintenance of law and order in East Timor under the conditions of the 5 May Agreement. The commencement of senior level tripartite talks in Jakarta between the UN, Indonesia and Portugal on 12 August focused on phase two, the

<sup>41</sup> United Nations. Letter dated 28 July 1999 from the Secretary-General addressed to the President of the Security Council, S/1999/8830.

<sup>42</sup> United Nations. Resolution 1257 (1999) adopted by the Security Council at its 4031st meeting on 3 August 1999, S/RES/1257.

post-ballot period. These talks slightly preceded the official start of campaigning in East Timor. The Secretary-General's request was authorised by Resolution 1262 of the Security Council at its 4038th meeting. It extended the mandate of UNAMET until the end of November 1999 and again emphasised the responsibility of Indonesia to maintain peace and security in East Timor in the interim phase.

On the eve of the popular consultation, President Habibie addressed the nation. He stressed the benefits of national unity and the commitment of the Indonesian government to finding a solution to the East Timor issue. He urged the East Timorese to take the right path so that the development effort might be continued.<sup>43</sup> The following day, 78.5 per cent of East Timorese voted for independence. The violence which had been temporarily 'turned off' for the popular consultation (and had allowed nearly 99 per cent of registered voters to participate in the ballot) re-ignited the day after the vote and increased dramatically once the result was known on 4 September.

### *The post-ballot period*

In retrospect and based on comments by former Foreign Minister Ali Alatas, it is clear that the Indonesian government was working on a markedly different set of assumptions to the rest of the international community. Based on reports from Indonesian government representatives and from pro-integration people such as Lopes da Cruz in the months preceding the ballot, the Indonesian government felt that its position would prevail on 30 August. Foreign Minister Ali Alatas was sceptical of the information he was receiving from such sources, conscious as he was of the degree of opposition within East Timor to integration with Indonesia.<sup>44</sup> However, he consistently reiterated the government's standpoint, which was that the solution proposed was the best and most realistic on offer and that no-one could pre-judge the decision of the people of East Timor nor the response of the People's Consultative Assembly should this decision be in favour of

<sup>43</sup> Pidato Radio dan Televisi Presiden Republik Indonesia Dalam Rangka Menyongsong Pelaksanaan Penentuan Pendapat Rakyat Timor Timur Pada Tanggal 30 Agustus 1999, Jakarta, 29/8/99.

<sup>44</sup> Sentiments cited in 'Ali Alatas Looks Back on 11 Years of Indonesia's Foreign Policy', *The Jakarta Post*, 2/11/99.

independence.<sup>45</sup> The fact that the decision favoured independence produced sincere disbelief and shock among sections of the Indonesian government and military, and placed the onus on the MPR.<sup>46</sup>

The two weeks immediately after the ballot proved as crucial for the future of East Timor as the ballot itself. Pressure increased on the Indonesian government from the UN and the international community to curb the violence and anarchy afflicting the territory. Daily reports emerged of the terror and destruction that was occurring in Dili and across East Timor, and of the intimidation and violence experienced by East Timorese and UNAMET personnel alike. The UN, Australian and the United States' governments in particular worked hard at the political and military levels to hold Indonesia to its commitments to maintain security under the 5 May Agreement. Officially, of course, Indonesia declared that it would adhere to the agreement and that Indonesian forces would be responsible for security and law and order. It was adamant that it would not condone an international peacekeeping force in East Timor and would not consider the idea of peace-enforcement.<sup>47</sup> The first concession came from the Indonesian government on 7 September when it instituted martial law in East Timor. Not surprisingly, the international community greeted this decision with widespread scepticism. Nonetheless, at a point when time was at a premium, this community was prepared to allow several days to assess its impact. In the meantime the release of resistance leader Xanana Gusmão provided a cause for celebration within the pro-independence and international communities. The following day the UN Security Council's mission travelled to Jakarta and Dili and met with Habibie and other senior ministers.

As it became clear that martial law had not improved the security

<sup>45</sup> In an interview where it was put to him that the People's Consultative Assembly may wish for East Timor to stay within Indonesia he replied, '... theoretically there is a chance. But practically I don't think that'. Interview, Minister Ali Alatas and SBS TV Australia, Jakarta 27/5/99.

<sup>46</sup> Ali Alatas admitted in a recent interview that he held grave doubts over the veracity of the reports he was receiving, and felt that there was a great discrepancy between the way people would respond when openly intimidated and how they would vote. 'Ali Alatas Looks Back on 11 Years of Indonesia's Foreign Policy', *The Jakarta Post*, 2/11/99.

<sup>47</sup> See 'Tanya Jawab Pers Menlu Ali Alatas Dan Pangab Wiranto', *Istana Merdeka*, 7/9/99.

situation in East Timor, international diplomatic pressure increased dramatically on Indonesia.<sup>48</sup> The United States of America worked assiduously behind the scenes to exert economic pressure on Indonesia, and President Clinton issued a stark warning to Jakarta to end the violence. The mission's report (S/1999/976) concluded that the violence could not have occurred without the involvement of large elements of the Indonesian military and police. It stated that Indonesian authorities were either unwilling or unable to provide a suitable environment for a peaceful implementation of the 5 May Agreement.

At the critical Security Council meeting commencing on 11 September,<sup>49</sup> prompted by the deteriorating situation in East Timor and necessarily convened before the return of the mission, the Indonesian representative maintained that it was not the policy of the Indonesian government to condone violence or intimidation in East Timor. He also maintained that Indonesia did not '... foresee the need for the introduction of a multinational or peacekeeping force at this stage'.<sup>50</sup> The case for urgent action was cogently argued by the representatives of Portugal and Brazil. Under concerted international pressure, Indonesian President Habibie the next day agreed to the deployment of an international peacekeeping force in East Timor. This was followed by a statement from Ali Alatas after meeting with Kofi Annan and members of the Security Council declaring that Indonesia accepted without condition the UN-mandated force in East Timor.<sup>51</sup> At this stage Indonesian troops and police remained in the territory.

On 14 September broad agreement was reached at the UN Security Council concerning the draft resolution authorising the international security forces to restore law and order in East Timor. The draft put forward by England hinged on Chapter 7 of the UN charter concerning the utilisation of force. The UN force in East Timor would be permitted to exercise all force necessary to

<sup>48</sup> Briefing by the Secretary-General at UN headquarters, 10/9/99.

<sup>49</sup> United Nations Security Council Meeting, S/PV.4043.

<sup>50</sup> The agenda that was adopted was based on letters sent by the permanent representatives of Portugal and Brazil on 8 and 9 September respectively. Quoted from the statement by Indonesia's permanent representative to the UN, Mr Makarim Wibisono.

<sup>51</sup> After initial disquiet, the Indonesian government resigned itself to accepting that the UN would determine the form and composition of the contributing states.

implement its mandate – a right won by acclamation. On 15 September, after a marathon fifteen-hour discussion, the UN Security Council ratified the resolution for the formation of a multinational force (Interfet) to be immediately sent to East Timor to restore order and security and end the humanitarian crisis.<sup>52</sup> Several days later, the withdrawal of the first TNI soldiers was evident, and on 20 September the deployment of the multinational force in East Timor under the command of Major-General Peter Cosgrove commenced.<sup>53</sup> On 24 September, Indonesia lifted martial law in East Timor.

In the approach to the next round in the tripartite meeting series on 27 September, the UN Commission on Human Rights embraced a resolution, proposed by Portugal and tabled by Finland, requesting that the Secretary-General establish an international commission of inquiry to investigate human rights violations in East Timor. The resolution passed with a large majority.<sup>54</sup> Indonesia reacted cautiously to the resolution, ultimately reversing its position and opting not to co-operate with the UN Human Rights Commission inquiry, instead insisting that its own National Human Rights Commission (*Komite Nasional Hak Asasi Manusia, Komnasham*) would suffice. In an *aide-memoire* the Indonesian government argued against the holding of the session of the Commission on Human Rights. It was suggested that the post-ballot acts of violence were a result of the pro-autonomy groups' dissatisfaction with what they viewed as the unfair conduct of the popular consultation.<sup>55</sup>

On 28 September discussion at the tripartite meeting in New York centred on the problems of the vacuum of authority, the return of East Timorese refugees and the establishment of a UN transitional administration. It was agreed that ad hoc measures were required to fill the gap created by the early departure of the Indonesian civilian authorities. The critical sense of the situation in East Timor, and his disappointment over the collapse of civil administration in East Timor, were echoed in the Secretary-General's report to the UN General Assembly on

<sup>52</sup> United Nations Security Council, S/RES/1264, 15/9/99.

<sup>53</sup> The force included participation by 14 countries and consisted of approximately 8,000 troops.

<sup>54</sup> The vote was 32 in favour, 12 opposed with six abstentions.

<sup>55</sup> *Aide-memoire* on the special session of the Commission on Human Rights in East Timor, Indonesian mission to the UN, 23 September 1999.

4 October.<sup>56</sup> Meanwhile, East Timorese independence leaders met in Washington with donor countries to discuss post-independence assistance. This was an urgent question as the flow of thousands of East Timorese to Dili, and many other areas, had started.<sup>57</sup> A decision was also required on the question of the sharing of duties between the UN and the East Timorese leaders under the transitional administration.<sup>58</sup>

East Timorese diplomacy adapted quickly to the changing environment. In early October, Xanana Gusmão met with Portugal's Prime Minister in Lisbon and together they pledged to work to create a functioning independent state in East Timor. A liaison group was to be established outlining a technical, financial, and political co-operation plan for East Timor. Just prior to the commencement of Indonesian negotiations with the Interfet and UNAMET over the transfer of its assets, Xanana Gusmão and other East Timorese leaders met in Darwin ahead of the ratification of the ballot result by the Indonesian MPR. A range of issues, including the Timor Gap treaty, was discussed in a bid to develop an official line. The conclusion of the Indonesia-UN talks in East Timor on 15 October was that Jakarta would grant all of its assets – excluding state enterprises – to the United Nations. While the MPR vacillated over formal recognition of East Timor's vote for independence, the presence of the team in Dili indicated the Indonesian government's recognition of the loss of East Timor. Ratification by the MPR occurred on 20 October, repealing its 1978 decree. This was followed some six days later by a letter from new Indonesian President Abdurrahman Wahid to the Secretary-General of the UN declaring that the Republic of Indonesia had ended its government in East Timor. On 20 October, after a four-day meeting in Darwin, the CNRT announced the composition of a seven-member transition council under the leadership of Xanana Gusmão to work with the territory's future transitional administration.

On 25 October, the United Nations Transitional Administration in East Timor (UNTAET) was established by unanimous vote in the

<sup>56</sup> United Nations, 'Report of the Secretary-General on the Situation in East Timor', S/1999/1024, 4/10/99.

<sup>57</sup> An interagency UN assessment on 27 September estimated that approximately 500,000 people were displaced by the violence in East Timor.

<sup>58</sup> Press conference on East Timor by Xanana Gusmão and José Ramos Horta, UN headquarters, 28/9/99. Xanana Gusmão emphasized that the people of East Timor had voted for independence under the flag of the CNRT, and the CNRT had 'earned the right to participate actively in the transition'.



UN Security Council with a chiefly political mandate. Led by Brazilian Sergio Vieira de Mello, it is charged with organising and developing the reconstruction of East Timor. The UN Secretary-General had earlier stated that he believed the UNTAET process in East Timor would require two to three years.<sup>59</sup> On the same day Indonesia clashed with Western nations during a Security Council debate on East Timor insisting that reports of human rights violations were unverified and exaggerated. Western delegates urged Indonesia to co-operate with the UN inquiry into human rights, after an earlier version of Resolution 1272 was vetoed by China because it referred to this inquiry.<sup>60</sup> Finally, on 26 October, the Security Council agreed to the establishment of a UN 'blue helmet' force in East Timor which would begin its commission in the new year.<sup>61</sup> This force is to be led by a General from the Philippines with an Australian as deputy. Issues of reconstruction, repatriation and justice have quickly become focal points. The Tokyo donors' conference in mid-December allocated US\$520 m to assist in the reconstruction of East Timor over the next three years. One challenge in the future will lie in collecting this money quickly. The Indonesian Commission for the Investigation of Human Rights Abuses in East Timor (KPPHAM), despite much controversy, has proceeded with its summoning of top military leaders for allegedly colluding with the militias in their destructive activities in East Timor. Meanwhile, the issue of repatriating thousands of East Timorese from West Timor continues to provide problems for the Indonesian government, and UNTAET.

### *Conclusion*

The diplomatic process leading to the creation of the independent nation of East Timor has been a protracted and difficult one. The result was testament to the long and bitter struggle launched by thousands of East Timorese. The construction of East Timor's international identity will be a

<sup>59</sup> The initial mandate extends until 31 January 2001.

<sup>60</sup> United Nations Security Council, 4057th meeting, S/RES/1272, 25 October 1999. The wording of the resolution expressed, in part, 'concern at reports indicating that systematic, widespread and flagrant violations of international humanitarian and human rights law have been committed in East Timor'.

<sup>61</sup> UNTAET was authorized under Chapter 7 of the UN charter to take all necessary measures to fulfil its mandate.

gradual process. The ability to conduct diplomatic relations with other countries, and to safeguard national interests via foreign policy, is fundamental to the operation of the international system. This process is more effectively facilitated when based on a harmonious domestic situation and a shared nationalism. As with all newly created states, East Timor will confront the problem of the training and competence of personnel especially in the foreign policy sphere. In this respect, East Timor is likely to face problems similar to those experienced by Indonesia in its immediate post-independence period. It is imperative that East Timor develop a cadre of skilled diplomats of the calibre of José Ramos Horta. The appropriate training of personnel in the art of international diplomacy and the procurement of aid assistance must be a priority. The violence of recent events surprised and horrified many foreign observers and East Timorese alike, and has guaranteed a complex and emotional reconciliation process during the UNTAET phase and beyond. It is essential that this process be facilitated as completely as possible to create a more harmonious domestic environment. Evidence of this achievement at the domestic level will enable East Timor to structure more cohesive and enduring relations at the international level so necessary for its long-term survival.

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