

# East Timorese Refugees in West Timor

## Main Objectives

- Assist the Government of Indonesia to provide refugees with sufficient information to allow them to freely choose either voluntary repatriation to East Timor or local settlement in Indonesia, outside of West Timor.
- Provide the Government of Indonesia with support to ensure that refugee-related activities in West Timor are in line with internationally accepted standards for voluntary repatriation.
- Support the Government of Indonesia's efforts to locally settle East Timorese refugee families who opt to remain in Indonesia-outside West Timor during 2002.
- Identify vulnerable returnee cases, particularly separated children and single women, and make appropriate referrals to address their needs.

## PLANNING FIGURES<sup>1</sup>

| Population                          | January 2002 | December 2002 |
|-------------------------------------|--------------|---------------|
| East Timorese Refugees in Indonesia | 74,000       | 19,000        |

<sup>1</sup>UNHCR expects that the majority of the refugees in Indonesia will return before or soon after East Timor's independence planned for May 2002.

**TOTAL REQUIREMENTS:  
USD 5,000,555**

## WORKING ENVIRONMENT

### Recent Developments

Following the killing of the three UNHCR staff members in Atambua on 6 September 2000, UNSECOORD Security declared Phase V and all UN staff were evacuated from West Timor. Although plans had been made for UNHCR activities in West Timor for the rest of 2000 and 2001, these plans were abandoned as the Security Phase V remained in place. Instead, UNHCR supported the setting up of an Indonesian Government Task Force (SATGAS) to deal with the refugees in West Timor. SATGAS, under the supervision of the Co-ordinating Ministry for Political, Social and Security Affairs facilitated the organised voluntary repatriation of over 17,000 persons between September 2000 and December 2001, in co-ordination with the International Organisation for Migration (IOM), UNHCR and the United Nations Transitional Administration in East Timor (UNTAET).

Following the peaceful elections in East Timor in August 2001, the climate in East Timor has become more conducive to repatriation and reconciliation. UNHCR will continue to support the Government of the Republic of Indonesia in ensuring a safe return for refugees to East Timor. At the same time, UNHCR will assist the Government to find durable solutions for East Timorese refugees in West Timor. Through press briefings, consultations, visits and mass media

campaigns, refugees will obtain the information needed on voluntary repatriation to East Timor or local settlement in Indonesia outside of West Timor to make an informed choice about their future. Between September 2000 to December 2001, solutions in the form of voluntary repatriation to East Timor have already been found for nearly 17,000 persons in co-ordination with IOM and UNTAET. This would bring the total number of East Timorese who have safely returned to East Timor to over 192,000 as of December 2001. Based on a detailed "missing persons" survey that UNHCR carried out in East Timor, at the sub-district level in May 2001, UNHCR believes that some 74,000 East Timorese remain in Indonesia of whom 55,000 will repatriate.

### **Constraints**

The current UN security phase in West Timor continues to restrict UNHCR's capacity to access refugees and monitor refugee movements. In order to ensure better security, UNHCR will continue to promote and develop protection mechanisms in West Timor and conduct security assessment missions.

Voluntary repatriation continues to be hindered in a number of ways. Militia intimidation is still occasionally noted in certain camps, although as experienced in the past, this now tends to be more the exception than the rule. Linked to this, disinformation and manipulation by hard-liners in the camps continues, although the former cohesion of anti-repatriation political leaders has seriously splintered. The question of pension and severance pay for former employees of the Indonesian Government continues to hamper return, although the matter is being addressed with a view to being resolved.

## **STRATEGY**

### **Protection and Solutions**

The Government of Indonesia, in consultation with UN agencies and the emerging East Timorese government, will provide accurate information to the East Timorese refugees concerning voluntary repatriation or local settlement outside of West Timor. With such information, refugees will be able to make a free and informed choice as to their preferred durable solution. UNHCR will support the Government by providing financial and technical guidance concerning the promotion of repatriation and local settlement for refugees.

UNHCR will continue to monitor movements and ensure that returnees are received and re-integrated in conditions of safety and dignity. UNHCR, in co-ordination with IOM will help the Indonesian Government ensure that the needs of returning refugees are met during the voluntary repatriation process as required, notably, accommodation for persons pending organised movements, food assistance during their stay at transit facilities, food and water for persons during convoy movements, and measures to meet the needs of vulnerable refugees, including women, single parent-headed households, children and the elderly. UNHCR will also administer a repatriation package for returning refugees including non-food items such as plastic sheeting, blankets, buckets, sleeping mats and mosquito nets.

In addition, UNHCR will be engaged in local settlement planning for refugees who wish to remain in Indonesia. UNHCR will contribute towards the Government's local settlement plan for 3,010 refugee

families or 17,000 persons in 2002. Refugee families will receive construction materials (sufficient for them to build a 36 square meter house), as well as a livelihood package to meet their subsistence needs and produce a small surplus, which can be sold or bartered at the local market. This surplus will allow some women to earn an income since they are the ones responsible for selling surplus products in the market.

UNHCR will continue to carry out assessment missions to settlement sites to assess the welfare of newly settled refugees as well as any protection-related issues that may arise. The Office will also ensure that refugees wishing to remain in Indonesia have the right to choose to avail themselves of Indonesian citizenship.

### **Assistance**

The voluntary repatriation and reintegration operation will allow up to 55,000 refugees to return to East Timor in 2002. In West Timor, UNHCR will disseminate information through the press, briefings, consultations, “go and see” visits and mass media campaigns that will assist refugees choose either repatriation or local settlement benefits, as well as inform and encourage host communities to accept refugees opting for local integration.

UNHCR will provide the Government of Indonesia with support to ensure that refugee repatriation-related activities in West Timor are in line with internationally accepted standards for voluntary repatriation. In addition, UNHCR will support the Government

in the registration of persons wishing to return; the facilitation of cross-border repatriation movements and co-ordination of repatriation-related activities with IOM, UNTAET, and the East Timorese leadership. For the separated children now registered in Indonesia and while waiting for others still to be identified, efforts will continue to be made to re-unite families through the Government (in particular, the Ministry for Social Welfare), UNICEF, local NGOs, the Church and care-giving institutions. UNHCR will also assist the Government of the Republic of Indonesia to provide food, accommodation and water to the most vulnerable returning refugees and will cover general operating expenses such as communications, office equipment/supplies and staff travel.

In support of the Government of Indonesia’s local settlement plan, UNHCR will assist the Government in identifying families who wish to settle locally in Indonesia and who meet the refugee definition. The Office will ensure that refugees who choose local settlement are able to avail themselves of the same rights as nationals and they will, in turn, have the same responsibilities as Indonesian citizens. The Office will also provide housing materials, as well as livelihood packages adapted to the conditions prevailing at the host community level. UNHCR will monitor these activities through direct field visits with international and national staff to local settlement sites to assess the welfare of newly settled refugees as well as any protection-related issues.

## Desired Impact

All refugees wishing to return to their homes or other areas will have been assisted to do so in safety and dignity. Areas of return in East Timor will have benefited from UNHCR's support to receive the returning refugees. Returnees will resume a normal life, and UNHCR's efforts will have contributed to making return sustainable and stabilising the humanitarian situation.

Although it is estimated that the vast majority of refugees will return to East Timor, for those refugees who opt for local settlement, UNHCR will make certain that they receive the same rights as Indonesian citizens, and that the local settlement is carried out in a manner that ensures their smooth integration.

## ORGANISATION AND IMPLEMENTATION

### Management

Management and administrative support will be provided to the operation through the UNHCR Regional Office in Jakarta and UNHCR Headquarters. Costs are covered under the Indonesia Annual Programme Budget.

### Co-ordination

UNHCR will work with the Government of the Republic of Indonesia, local authorities, the East Timorese leadership, UNDP, UNICEF, UNTAET, IOM, local NGOs, and the Church.

## OFFICE

Jakarta

## PARTNERS

### Government Agency

The Co-ordinating Ministry for Political and Security Affairs  
The Government of Indonesia's Taskforce for Repatriation (SATGAS)  
The Ministry of Settlements and Regional Infrastructure (KIMPRASWIL)  
The Ministry for Social Welfare  
The Ministry of Transmigration and Manpower (NAKERTRANS)  
West Timorese provincial and district authorities

### NGOs

To be determined

### Others

FAO  
IOM  
OCHA  
UNDP  
UNFPA  
UNICEF  
WFP

## BUDGET (USD)

| Activities and Services           | Supplementary Programme |
|-----------------------------------|-------------------------|
| Community Services                | 60,000                  |
| Domestic Needs                    | 451,500                 |
| Legal Assistance                  | 355,500                 |
| Operational Support (to Agencies) | 756,000                 |
| Shelter / Other Infrastructure    | 3,257,555               |
| Transport / Logistics             | 120,000                 |
| <b>TOTAL</b>                      | <b>5,000,555</b>        |



East Timorese refugees accommodated in a sports' stadium in Kupang, West Timor, receiving basic health care. *UNHCR/F. Pagetti*

# East Timorese Returnees

## Main Objectives

- Promote repatriation and re-integration through the establishment of a “Special Fund” to offset lost pension benefits for former Indonesian government employees who return to or continue to reside in East Timor.
- Enhance the prospects for the effective re-integration of returnees through support to the East Timor Reception, Truth and Reconciliation Commission. The Commission will investigate former human rights violations and facilitate community reconciliation.

## PLANNING FIGURES<sup>1</sup>

| Population                                    | January 2002 | December 2002 |
|---|--------------|---------------|
| East Timorese repatriated since October 1999  | 192,000      | 244,000       |
| East Timorese refugees remaining in Indonesia | 74,000       | 19,000        |

<sup>1</sup>UNHCR expects that the majority of the refugees in Indonesia will return before, or soon after East Timor’s independence, planned for 20 May 2002.

**TOTAL REQUIREMENTS:  
USD 1,917,000**

## WORKING ENVIRONMENT

### Recent Developments

As of the end of December 2001, over 192,000 refugees had returned to East Timor, the vast majority assisted by UNHCR and other humanitarian agencies. According to the results of a UNHCR “missing persons” survey in mid-2001, another 74,000 East Timorese still plan to return, many of whom live in squalid camps in neighbouring West Timor. Despite the success of the national elections in East Timor in August 2001, and the imminent accession to independence in May 2002, the number of returns in the second half of 2001 have been disappointing.

The objective of the two activities supported by this project are complementary in that they seek to support the return and sustainable re-integration of refugees through the promotion of justice and reconciliation in East Timor, while at the same time addressing a number of practical, financial concerns. It is hoped that by implementing this project, substantial numbers of refugees will seek to return before or just after independence.

### Constraints

Although reports of direct intimidation have subsided, misinformation by refugee leaders in West Timor continues to have a negative effect on the level of returns. The UN security phase in West Timor also further restricts the ability of UNHCR and other agencies to assist refugees and to counter misinformation and intimidation.

Refugees remain concerned about the security situation in East Timor and whether they would be subject to retribution should they return.

East Timor is a relatively poor country with inadequate transport, communications and social services. Although returnees have been extremely well received upon their return to East Timor, they are faced with similar problems to the rest of the population, including insufficient shelter and high unemployment.

## **STRATEGY**

### **Protection and Solutions**

#### ***Reception, Truth and Reconciliation Commission***

The twin objectives of the Commission are to seek the truth about the human rights violations in the period 25 April 1974 to 25 October 1999, and to facilitate community reconciliation. The establishment of the Commission is supported by UNHCR as a means to achieve a practical balance between the need for justice, particularly for non-serious crimes at the community level, with the need to achieve effective reconciliation. It is expected that the attainment of these objectives will enhance sustainable re-integration and foster the confidence of the remaining refugees in Indonesia, so that they could safely return to East Timor. The capacity to deal with minor crimes at the community level would also free up additional resources for the formal judicial system to prosecute more serious offenders.

The Commission will have a national office in Dili, six district offices and a smaller satellite office in Oecussi. Each of the offices will establish panels to conduct hearings. Alleged

perpetrators, including new returnees, of suspected lesser violent acts, will be given the opportunity of a hearing. The accused will then appear in a public hearing in which the victim and other witnesses will give evidence. The accused will be expected to provide a public apology and to reconcile with the victim. The panel, the victim and the accused will then negotiate a programme of community services and possible compensation.

The Commissioners will not have the power to grant amnesty and will refer any evidence of serious crimes that they may gather to the Office of the Prosecutor General. The Commission can, however, provide immunity from prosecution for perpetrators of less serious crimes, after they have fulfilled the terms of a Community Reconciliation Agreement.

#### ***“Special Pension Fund” for Former Indonesian Civil Servants***

To resolve a critical concern for some of the 8,655 East Timorese who formerly worked with the Indonesian Government, UNHCR will contribute to a “Special Fund” to be administered by the East Timor Government and UNDP. The fund totalling USD 25 million will provide those concerned with a severance payment in lieu of their Indonesian Government pension. UNHCR’s contribution will be targeted to those persons wishing to return to East Timor from Indonesia (particularly West Timor) although other former civil servants who are already in East Timor would also be eligible. Under existing regulations, former Indonesian civil servants would lose all entitlements to their Indonesian pensions upon return to East Timor. UNHCR’s contribution to the “Special Fund” will be contingent upon the

deposit of a payment by the Government of Indonesia to this Fund.

## **Assistance**

### ***Reception, Truth and Reconciliation Commission***

Funding will cover:

- 80 persons to staff the national office for a period of three months;
- 35 persons to staff the six regional offices for a period of three months;
- Office and vehicle costs;
- Nation-wide information campaigns;
- Consultant costs to support training programmes.

### **Special Pension Fund**

Beneficiaries will include retired and current employees with, at least, a one-year full-time position in the Indonesian Government and who have either remained in East Timor or who will return by a date to be fixed in 2002. Payments will be made on a sliding scale, depending on the years of service and the final grade. In principle, five “tiers” will be established with lump sum payments ranging from 5 million to 15 million Indonesian Rupiah. The payment will be made in two equal instalments over a period of twelve months to ensure that the return is sustainable and permanent.

UNHCR’s contribution to the Special Fund, which will be administered by UNDP, is contingent upon the Indonesian Government’s contribution to meeting a percentage of the overall budget requirements. The Government of Indonesia has already made a payment of USD 2 million to the fund.

## **Desired Impact**

Through the resolution of grievances at the community level, it is expected that the reconciliation and re-integration process will be strengthened. It is also hoped that through the implementation of community justice and reconciliation that refugees in West Timor who are guilty of minor crimes would feel more confident about returning to East Timor.

It is anticipated that the payments made available from the Special Pension Fund will provide a catalyst for the return of several thousand former Indonesian civil servants. A large number of refugees remaining in refugee camps in West Timor have not returned to East Timor due to fears that they would lose their pension entitlement – which in many cases is the only source of income for their families.

## **ORGANISATION AND IMPLEMENTATION**

### **Management Structure**

Implementation of the Reception, Truth and Reconciliation Commission will be the responsibility of the United Nations Transitional Administration in East Timor (UNTAET) and after 20 May 2002, of the East Timor Government. UNDP in close co-ordination with UNTAET, the East Timor Government and the Government of Indonesia will implement the Special Pension Fund. UNDP and UNTAET will be responsible for ensuring that reporting requirements are met as requested.



## OFFICES

Liaison Office, Dili  
Field Office Batugade  
Field Office Oecussi  
Field Office Suai

## PARTNERS

### Government Agency

ETTA and the East Timor Government

## United Nations System

United Nations Transitional Administration  
in East Timor (UNTAET)  
United Nations Development Programme  
(UNDP)

## BUDGET (USD) <sup>1</sup>

| Activities and Services | Supplementary Programme |
|-------------------------|-------------------------|
| Legal Assistance        | 1,917,000               |

<sup>1</sup>This Supplementary Programme is fully funded and UNHCR will not be seeking further funds.



Returnees who crossed the border on foot at Maliana, East Timor. *UNHCR/M. Kobayashi*